

STUDI EMIGRAZIONE

International Journal of Migration Studies

CENTRO STUDI EMIGRAZIONE

ANNO LVII – APRILE - GIUGNO 2020 – N. 218

SOMMARIO

ICMA WORLD CONFERENCE 2019 CONFERENZA MONDIALE DELL'ICMA 2019

EDITED BY / A CURA DI JASON ZUIDEMA - KEVIN WALKER

- 179– Editorial - Prefazione
JASON ZUIDEMA, KEVIN WALKER
- 182– Welcome!
ANDREW WRIGHT
- 185– Welcoming Speech
ARCHBISHOP PETER LIU CHENG-CHUNG
- 186– Message
STELLA MARIS TAIWAN
- 187– Message
HIS HOLINESS POPE FRANCIS
- 188– God's Call to Collaboration and *Synodality*
LUIS ANTONIO GOKIM CARDINAL TAGLE
- 198– Active Listening: Lessons from Mary and Martha
PAUL ROSENBLUM
- 201– The Importance of Maritime Ministry's Service to the Whole Port
Community
RICARDO RODRÍGUEZ-MARTOS

-
- 208– Stronger Together: Lessons from the History of ICMA
PAUL MOONEY
- 213– ICMA and the MLC, 2006: The Value of a Unified Voice
DOUGLAS B. STEVENSON
- 217– ICMA and Fishers’ Issues: A Conversation
KEVIN WALKER
- 230– Re-writing All Known Rules: How Digitalization is Affecting the
Maritime Industry
DIRK MAX JOHNS
- 236– Equipping and Empowering Seafarers Worldwide. Maritime
Leadership across Cultures and Seafarers’ Well-being
RANCHO VILLAVICENCIO
- 240– Best Practice for Engaging with the Maritime Industry for
Seafarers’ Welfare. Refocus on our work: Benefit for all?
TOON VAN DE SANDE

Altri articoli

- 249– La sostenibilità sociale nel settore della pesca e dell’acquacoltura. Comunità internazionale e Santa Sede a confronto
FERNANDO CHICA ARELLANO
- 257– Responsabilidad social en las cadenas de valor en el sector de la pesca. Perspectiva de la Santa Sede
FERNANDO CHICA ARELLANO
- 267– Pope Francis: Mission, Migration, and Christian Spirituality
STEPHEN BEVANS, SVD
- 295– Guardianship of unaccompanied migrant minors: the EU migration system, the international standards on children’s rights, and the case of Spain
PATRIZIA RINALDI

320 – Recensioni

329 – Segnalazioni

Editorial - Prefazione

JASON ZUIDEMA

gensec@icma.as

*International Christian Maritime Association and North American
Maritime Ministry Association (NAMMA)*

KEVIN WALKER

kevin.walker@namma.org

North American Maritime Ministry Association (NAMMA)

We are pleased and honoured to be guest-editing this issue of *Studi Emigrazione*. Even before we learned that an issue would be dedicated to our 50th anniversary conference, we were already thankful for ICMA's close relationship to the Scalabrinian Congregation through our many shared members (some of whom have contributed here), and above all through Fr Bruno Ciceri, the architect of this conference and an inspiration to many of us, especially those of us indebted to his advocacy for fishers' welfare. There were so many excellent, passionate presentations given on ministry to seafarers, fishers, and their families in Kaohsiung, and we are very pleased to be able to publish some of them here for posterity and for sharing with other ministries to migrants. For those reading who serve migrants in other ways, we hope that you find these articles on maritime ministry informative and applicable to your own work.

Grateful as we are for all the wisdom shared in the presentations here presented as articles, we hope that through the articles might shine through that which we most valued in this conference, the fellowship that was felt in the question times after the presentations, the group excursions, and the conversations over meals. The conference was an opportunity not only to teach each other and be taught, but to rejoice in being united in a shared purpose, saying with the Holy Spirit, «Behold, how good and pleasant it is when brethren dwell together in unity!» (Psalm 133).

As this psalm shows, being together is not only a pleasure; it is the basis on which God ordains us to priestly service and gives us

God's blessing. This was well demonstrated in Cardinal Tagle's keynote speech, but here as there no amount of demonstration substitutes for the real thing. Indeed, as Deacon Paul Rosenblum shows, the work of ministry is very often precisely the working of coming together with people – *listening* to them and *welcoming* them into our hearts. So we hope not only that you find the articles coming out of this conference informative and useful, but that you feel in them the fellowship of being united in service with all of us who were at the conference, and that you enjoy sharing this fellowship also with the migrants with whom you work. We are certainly grateful for it, to all of this issue's contributors, to the Scalabrinian Congregation, and to all our colleagues these last 50 years.

Siamo lieti ed onorati di essere stati invitati a partecipare alla redazione di questo numero di Studi Emigrazione. Ancor prima di sapere che un'edizione di questa Rivista sarebbe stata dedicata alla Conferenza Mondiale organizzata per commemorare il 50° anniversario di fondazione dell'International Christian Maritime Association (ICMA), rappresentava già motivo di gratitudine per noi lo stretto rapporto esistente tra la nostra Associazione e la Congregazione Scalabriniana attraverso i nostri numerosi membri (alcuni dei quali hanno dato qui il loro contributo), e soprattutto attraverso P. Bruno Ciceri, artefice di questa Conferenza e fonte d'ispirazione per molti di noi, che gli sono riconoscenti in particolare per il sostegno e la difesa del benessere dei pescatori. Tanti sono stati a Kaohsiung gli interventi eccellenti e appassionati sul ministero dei marittimi, dei pescatori e delle loro famiglie, e siamo particolarmente lieti di poterne presentare alcuni affinché possano restare come memoria ed essere condivisi con altri ministeri per i migranti. Ci auguriamo poi che i testi qui raccolti sulla pastorale marittima possano essere informativi e applicabili anche al lavoro di coloro che servono i migranti con modalità differenti.

Siamo grati per la saggezza condivisa negli interventi che questo numero raccoglie sotto forma di articoli, e speriamo che attraverso di essi possa risaltare ciò che più abbiamo apprezzato in questa Conferenza, e cioè la comunione percepita nelle domande subito dopo le presentazioni, nelle escursioni di gruppo e nelle conversazioni durante i pasti. La Conferenza di Taiwan ha rappresentato un'opportunità non solo per insegnare e apprendere gli uni dagli altri, ma anche per rallegrarsi di

essere uniti in uno stesso scopo, affermando con lo Spirito Santo: «Ecco, com'è bello e com'è dolce che i fratelli vivano insieme!» (Salmo 133).

Come dimostra il salmo, stare insieme non è solo un piacere, ma la base su cui Dio ci ordina al servizio sacerdotale e ci benedice. Ben lo ha dimostrato il discorso di apertura del Cardinale Tagle, ma tanto nel suo discorso quanto nel salmo nessun tipo di dimostrazione sostituisce la realtà. In effetti, come rivela il diacono Paul Rosenblum, quello del ministero è molto spesso un lavoro di incontro con le persone – ascoltandole e accogliendole nei nostri cuori. Pertanto ci auguriamo che possiate trovare non solo utili e informativi gli articoli che sono il frutto di questa Conferenza, ma che da essi voi possiate percepire la comunione di essere uniti nel servizio con tutti i delegati presenti all'evento, comunione che speriamo vogliate condividere con i migranti con cui lavorate. La nostra speciale gratitudine va a tutti i collaboratori di questo numero, alla Congregazione scalabriniana e a tutti coloro che hanno collaborato con noi negli ultimi 50 anni.

Welcome!

ANDREW WRIGHT

andrew.wright@missiontoseafarers.org

The Mission to Seafarers

International Christian Maritime Association

As Chairman of the International Christian Maritime Association, it was my great pleasure to be in Kaohsiung for the 11th ICMA World Conference on *50 Years of Working Together to Support Seafarers, Fishers and their Families*. I am continually thankful that our worldwide network has achieved this 50-year milestone. The conference's theme put the focus on *being together*. There were speeches, discussions, and workshops, but, most importantly, we did all these things *together*. We came away with a renewed commitment to the very best in partnership - locally, regionally and internationally. Our 50-year work together also remains focused on the benefit to seafarers, fishers and their families. We hope that the meeting has resulted in renewed partnerships that will produce results. As well, we had a valuable opportunity to speak with the Taiwanese government.

It was a tremendous conference. We celebrated together, we networked together, we renewed friendships, we made new friendships, we debated, and we learned so much together. It feels to me as if we almost relaunched ourselves on this our 50th birthday.

The world, and the maritime environment in which we work, has changed since 1969, and more changes are to come. We must work within an industry in transformation. It was so good to have significant input from different players within our industry. They are our partners, and it is vital that we listen to them and work with them as the pressures on industry give rise to new struggles, new ways to minister, and new opportunities for collaboration.

Yet, for seafarers, fishers, and their families, many of the old challenges remain. Sometimes acutely so, as we hear from stories of abandonment and heard so graphically in the conference's fishing presentations. For all who work at sea, there are still the pressures of long contracts, distance from home, isolation, communication, difficult ports, and lack of access to our normal support networks of

family, friends, and religious communities. In 1969 we would have recognized all these things. But changes in the industry and the world can exacerbate these problems as much as help them.

ICMA is a great platform for sharing ideas and good practice. We did much of that at the conference, as we had glimpses of exciting things emerging from our members: wellness projects and initiatives, social media and financial literacy training, leadership training like Rancho Villavicencio's, and so much more. Never have we more needed examples of new approaches. Many are struggling to reinvent tired ministries, and there is so much good practice to share with them: besides many excellent workshops, Paul Mooney reminded us of what ICMA has done, Doug Stevenson reminded us of its capacity to bring about change, and future plans under our new strategy which Jason Zuidema will lead were discussed.

As important as sharing good practice, ICMA also demonstrates to Christians of all background unity in service. Just think of all those ports 50 years ago where several centers, run by different organizations and different denominations, existed side by side, often without any attempt at co-operation and often to the confusion of seafarers. By coming together our founders led the way in ecumenical cooperation. But perhaps there remains a danger of complacency. We cannot afford to let our sense of association drift or die, retreating tribally into our own camps, as so much of the world is doing. That way lies destruction. As Cardinal Tagle reminded us in his wise words on partnership, if we feel threatened by each other we will become self-defensive, and self-defensiveness is no platform for collaboration. We should look for common ground with potential partners, as Toon van de Sande says, and involve ourselves wherever possible, as does Ricardo Rodriguez-Martos. We must not allow our individual organizations to become fiefdoms, undermining common purpose. That is easy to say and less easy to do.

Very importantly, particularly in this Taiwan context, this conference put a major focus on fishing. Fishing has moved center stage in ICMA, and rightly so. Bruno Ciceri has been flying the flag for fishing over many years, but now many of our members are closely involved in this issue, which has also received significant media coverage. Many are fighting key battles in high places, and it was good to have several organizations represented here this week doing just that. We too must continue with such advocacy work, not least through our ILO team. However, so many here are involved at the front line in some really appalling cases, as became very clear

from the stories we have heard. We salute all those involved, and will develop plans very swiftly to improve networking, information and common action in this most urgent area of working. Indeed, we already have ideas. That message has been clearly heard.

It is my duty to offer profound thanks to all who made this conference possible. I must thank all those in Taiwan who enabled this event to take place, both by their hard, preparatory work and by such vital financial support. The depth of their hospitality, the warmth of their welcome, and the extent of their generosity was wonderful, indeed overwhelming.

I would like to thank: the Ministry of Foreign Affairs; the Embassy of the Republic of China (Taiwan) to the Holy See; the Bureau of Foreign Trade; the Fisheries Agency of the Council of Agriculture, Executive Yuan; the Workforce Development Agency of the Ministry of Labor; the Kaohsiung City Government and its Marine Bureau; the Taiwan International Ports Corporation in the Port of Kaohsiung; the China Area Bishops' Conference; Sin-Lau Hospital; and the PCT General Assembly. I would especially like to thank the PCT Seamen's and Fishermen's Service Center in Kaohsiung. They are a model organization that puts the care of fishers *first* on their agenda.

Beyond Taiwan, I want to thank many others for their support, including the TK Foundation, the ITF Seafarers' Trust, the International Marine Employers' Council, the International Port Welfare Partnership project, ISWAN, the International Chamber of Shipping, the International Transport Workers' Federation, the Dicastery for Integral Human Development, and NAMMA.

I also want to thank the Scalabrinian Congregation for dedicating this issue of *Studi Emigrazione* to the conference's proceedings. I am very proud to work with the many Scalabrinian ICMA members who minister to migrant seafarers and fishers and am pleased to be able to share in the Missionary of St Charles' ministry to migrants everywhere.

I also want to thank, on behalf of us all, Fr Bruno Ciceri, who was unable to be with us but whose long experience in Taiwan and many friends here have been so important to us. This was very much Bruno's vision; indeed, I must admit to some initial skepticism when it was first raised. But, as chairman, Bruno pushed it forward. This was very much Bruno's conference, and he has worked tirelessly with Jason Zuidema, our other staff and the local team to make it happen. It is a great sadness that he was not there to see the fruit of his labors, but its success is a great tribute to him. We salute him, pray for him, and look forward to seeing him soon.

Welcoming Speech

ARCHBISHOP PETER LIU CHENG-CHUNG
kb-p413@umail.hinet.net
Diocese of Kaohsiung

On behalf of His Excellency John Hung Shan-chuan Archbishop of Taipei and President of the Chinese Regional Bishops' Conference, it is a great honour to welcome all of you to Kaohsiung, the Maritime Capital of Taiwan, for the 11th World Conference and the 50th Anniversary of foundation of ICMA.

The Apostleship of the Sea (AOS), as one of the founding members of ICMA, considers important the ecumenical cooperation in the seafaring ministry while respecting one another's ecclesiastical discipline, theology and tradition.

Today, more than ever, we are called to work together in the maritime world to be prophetic and, in cooperation with other maritime welfare agencies, to offer protection from injustices and exploitation to the seafarers, fishers, and their families.

Our interest in seafarers is not to change them or even to change their world. Our commitment is to be at their side, wherever they may be. While taking care of the needs of the men and women who make their living from the sea, on ships and ashore, we are at the service of the God.

Journeying together, in the past fifty years, sometimes was not easy, but it has been an important witness to the words of Christ: «By this all will know that you are my disciples, if you love one another» (John 13:35).

While congratulating the International Christian Maritime Association (ICMA) for its 50 years of service, the Catholic Church will renew its support for the ecumenical work of ICMA.

I wish that ICMA with its members will continue for many more years to bring on board of vessels in any port of the world the Good News of Jesus Christ.

Message of Stella Maris Taiwan

STELLA MARIS TAIWAN
yancerigit@yahoo.co.id

I have the pleasure of representing the Chinese Regional Catholic Bishops' Conference (CRBC) and in particular, the Apostleship of the Sea (Stella Maris - Taiwan) headed by Bishop Bosco Lin.

The Apostleship of the Sea, Taiwan has been providing for the special spiritual needs of those who for various reasons live and work in the maritime world, that was promoted by Pope St. John Paul II in his Apostolic Letter, *Stella Maris* (the Star of the Sea). The Apostolate gives special pastoral assistance for people involved in commercial shipping and fishing, as well as their families, port personnel and all who travel by sea.

The Apostleship of the Sea, Taiwan has a National Directorate located at the offices of the CRBC in Taipei and has three Stella Maris Seafarers' Centers at the main ports of Kaohsiung, Keelung, and Hualien.

As such, it is a great pleasure for the CRBC to take part in the 50th anniversary of ICMA, since it celebrates the many years of commitment and service to seafarers, fishers and their families that the Apostleship of the Sea, Taiwan also shares. It is an opportunity to give thanks to God and to all people of good will who take interest and invest commitment in this shared endeavor all over the world to pastorally provide for our brothers and sisters who make their livelihood in the sea.

In order to show how the pastoral care for seafarers, fishers and their families is important to the Catholic Church, the Dicastery for the Service of Integral Human Development, under Cardinal Turkson, and also Fr Bruno Ciceri, who is the representative of the Apostleship of the Sea International, requested the Holy Father, Pope Francis to address us with a very special message.

I thank the Apostolic Nunciature for sending the CRBC the video message and also for assisting the ICMA delegates in obtaining their visas from the Taiwan government.

Now, as I ask everyone to be carefully attentive, I have the greatest pleasure to present the video message of His Holiness, Pope Francis.

Message of His Holiness Pope Francis

I offer greetings of peace and goodness to all of you, dear Delegates of the International Christian Maritime Association.

You have gathered at Kaohsiung, Taiwan, for your Eleventh World Conference, during which you commemorate the fiftieth anniversary of the foundation of your praiseworthy Association. This anniversary allows me an opportunity to encourage you to persevere, with renewed ecumenical spirit, in your service to seafarers and maritime personnel.

In these days of encounter and reflection, I am confident that you will identify increasingly effective ways of assisting sailors, fishers, and their families. In this regard, the 1997 Apostolic Letter *Stella Maris* remains most timely. There, my Predecessor Saint John Paul II set forth basic principles for the pastoral care of seafarers, their families and all those who travel by sea, and urged that every effort be made to see that they are «provided abundantly with whatever is required to lead holy lives» (II § 2).

I renew that invitation to all of you who represent different Christian traditions. May you help seafarers and maritime personnel to know Jesus Christ and to live in accordance with his teachings, in respect and in mutual acceptance.

I encourage you to surmount whatever difficulties you may encounter in your mission and to promote with conviction the spirit of ecumenism. I accompany you with my prayers and my blessing, which I readily invoke upon you, upon your deliberations in these days, and upon all those entrusted to your pastoral service.

God's Call to Collaboration and *Synodality*

LUIS ANTONIO GOKIM CARDINAL TAGLE
prefetto@propagandafide.va
Archbishop of Manila
President, Caritas International

I would like to thank Jason for the kind invitation to be a part of this 50th anniversary conference of ICMA, and I would like to thank also Fr Bruno, who unfortunately is not with us because of health reasons. It's good to be here, and at the outset we would like to congratulate ICMA on its 50 years of working together, ministering to seafarers, fishers, and their families. We hope that this ministry extends to serving in an evangelical way the businesspeople and those who own the outfits – they also need to be ministered to. This is a time to thank God, a time to renew our commitment in the fast-changing conditions that our world and our brothers and sisters face.

As Jason rightly pointed out, we have in our midst our five Filipino fishers who survived the tragic accident of the collapse of the bridge here in Taiwan, and they are staying in the Ugnayan Center in Taichung with Fr Joy. Their names are Alvin Medriano, from La Union in the northern part of the Philippines; Romeo Culanag from Cebu, the north central part of the Philippines; Renato Ablog, also from La Union; Jason Villaruel from Masbate, Southern Luzon, in the central part of the Philippines; and Nelson Cristobal from Bulacan, the island of Luzon near Metro Manila. We had an opportunity to meet with them before celebrating the mass at Holy Rosary Cathedral this morning, and, while you could see the wounds, you could also see the hope and resilience. They are teaching us how to really be responsible for life and to live. As long as you're alive, you have a responsibility to live and to make life productive, not only for yourselves but your family and the wider society, so I hope that we have an opportunity to interact with them too.

No, I am no expert in the ministry to seafarers and fishers. I tremble before you; I should be listening to you. But what can I do? I'm already here. I was told just to be myself and to share. And what a topic is Christ's call to work together to care for those in distress.

This is a theme not only proper to ICMA, but to all Christian communities and organizations. At a time when many Christians are also persecuted just because they are Christian, I think we need to heed the call of Christ not only to labor, but to labor together with one direction: to be a community of caring in a world where carelessness is becoming a culture, where even young people will just shrug their shoulders. Ask people, «What do you want for breakfast?» «I don't care, whatever». «What do you want to pursue after high school?» «Whatever». «Whom do you want to marry?» «Whatever». Where is caring? Does anybody care anymore? And for us, it is not just a human sentiment; it is a response to a call. So, my sharing will be quite simple, maybe nothing new, and if you are tempted to just take a nap, please yield to the temptation. Resting in the Lord might be important. My sharing will be composed of two parts: the first is Christ's call, and the second is some tips on working together.

Christ's call to collaboration

Christ's call to work together, especially to take care of those in distress: even in what we call the Old Testament, or the Hebrew Scriptures, it is significant that the Almighty God, who can accomplish anything and everything, associates a people to God's saving activity. Even if God could do it alone, and maybe do it more efficiently, the divine methodology, or what we might better call pedagogy, is to involve a family, a people, to do God's work, to labor with God. Especially in setting up a nation, a community that reflects God's justice God's closeness to orphans, widows, and strangers. God invites a people, even *creates* God's own people, to labor with God and to manifest to the world who God is and God's saving action. So, it does not come as a surprise that Jesus at the beginning of his mission called as disciples simple people, fishers.

Fishers were the first called by Jesus to be with him, to see him from within, to listen to the secrets of God's kingdom, and, later, to testify to him. It is significant that *we* serve the fishers and seafarers when *they* are the successors of the original disciples of Christ. And he did not just call them individually; he called them as one together. From the many disciples he called the twelve to be twelve, a potent symbol – that's why when they became eleven, they needed to elect someone to reconstitute the twelve; the symbolism of the twelve had disappeared. He sent them as partners – in Mark 3:13-15, he shared with them his own authority to heal and preach the

good news. In Matthew 9:35-37, seeing the big crowds who were like sheep without a shepherd, Jesus asked his disciples «Pray to the Lord of the Harvest to send more laborers, because the harvest is rich, but the laborers are few». Jesus did not say, «Don't worry, I can do it alone, I'm the Son of God»; no, he asked to pray that there be more laborers to be sent, and at the beginning of the next chapter the prayer was answered. Jesus called the twelve.

When I was younger, there was a song: «You are the answer to my lonely prayer, you are an angel from above». I noticed that I'm alone in my generation. Nobody remembers that song; either you're younger than I am or you're much older than I am. But I say «Wow!» Jesus says, «pray to the Lord of the harvest», and in the following verse the prayer is heard. Jesus seemed to be saying, «Aha! You, you disciples are the answer to the prayer»; and he sends them out together. In Matthew 10:8 he sent them to heal the sick, raise the dead, and heal those suffering from leprosy.

In Matthew 14:14-20 you have the big crowds following Jesus, and then it turned dark, and the disciples said, «Why don't you send them home while they can still reach home?». I guess the disciples wanted to rest. But Jesus said, «Give them something to eat yourselves». They started calculating: «We have only a few loaves of bread and a few fish». But in the hands of Jesus, those meager resources could feed five thousand. You know, it is not a question of how many fish, or how many loaves of bread; sometimes the problem is the hands. If you reverse it, and say you have *five thousand* loaves, if those five thousand loaves pass through greedy and corrupt hands, even five people will still go hungry; but with the blessed and just hands of Jesus, five loaves could produce a miracle, feed five thousand, and leave something for the next meal. It's not always about how many loaves have been a fish, the question is what type of hands are handling the resources that we have. Look at your hands. If they are not blessed hands they will not work together, they will not work for others, and many will grow hungry. No miracle will happen.

Before Jesus died, sharing the meal with his disciples, part of his farewell discourse was this beautiful prayer in John 17: «May they all be one». But what type of oneness? What type of communion? It is not just strategic; for Jesus it is the communion that he enjoys with *Abba*, the Father: *you in me and I in you*. It is that type of coming together that is the foundation of the communion of the disciples, and, again, it is not just for strategy, it is not just for work. For Jesus, the communion of the disciples will give a testimony to the

world; he said: «So that the world may believe that you sent me». So, the working together and coming together of the disciples, founded on the communion of Father and Son in the Holy Spirit, is already a testament to the world about Jesus and his mission.

I'm just tracing something that we already know, but I think we need to be reminded of. In the Hebrew Scriptures, the action of God forming a people and entrusting to God's people a mission, Jesus also associating with himself and his mission a people and praying that they may be one. With the action of the Holy Spirit at Pentecost, disciples were made from the various nations, and they heard the eleven speaking in their own languages. The Holy Spirit was creating a communion based on testimony, the testimony of Christ in diverse languages. The diversity of the languages was not annihilated nor removed; our diversity was respected but brought to a higher unity. That is the mark of the Church in the early Christian community: the community coming together, being gathered, being convoked. *Convocare* is from Latin *vocare*, «I am called», *cum* «with others»!

In Acts 2:41-47, the early Christian community after Pentecost gathered to listen to the teachings of the Apostles, for the breaking of bread, and the sharing of their goods: sharing with others. In Acts 4:32-35, the same Christian spirit is depicted with an added observation: there was no needy person in their midst. The community took it upon themselves, as a community, to take care of the needy, and that testimony added disciples to the community. One important item that is often forgotten in the depiction of the early Christian community is Acts 11:29-30. The community in Antioch took up a collection to be sent to the brothers and sisters in Jerusalem suffering because of the famine there. So here already, at a very early stage, there is even trans-territorial communion. The Christians in Antioch would take up a collection, and St. Paul would lift them up as a model of caring. You don't care only for those who are close to you physically, within your territory; you care also for brothers and sisters wherever they may be in their need. In their need, you respond.

So, in the scriptures we find this thread: God calling us to come together. And it is a coming together that associates us with God's action of justice, caring, compassion, mercy, and love. So again, it is not just a strategy, or to make the work more productive; it is for us an imperative that comes from discipleship. This is how God does it. This is how God seems to be working, and so for Christians it is part of spirituality it is a calling to which we respond.

The right attitude for collaboration

May I now go to the second and last part? You're happy it is the last part. Let me say a few things regarding working together as I already indicated a few minutes ago, for us, it must be inspired by God's own methodology, God's way of acting. We can look to the example of Jesus, and the power of the Holy Spirit, who works in different gifts and through different services - 1 Corinthians 12. All of the gifts, diverse though they may be – and they should be diverse – benefit the whole body of Christ, the whole community, and so as every single gift or service is not done for its own good, for its own consumption, it's the whole community that benefits and grows. According to St. Paul, the bearers of the diverse gifts must aim at the greatest of gifts, love. Without love, the many gifts present in the community will be misused and not redound to the good of the community. You may have the gift of speech, or of tongues, but we all know how speech without love can manipulate rather than build up. I may have the gift of healing, but if I do it without love, I just use it to promote myself or my popularity or increase my wealth. So St. Paul reminds us that working together in the one body of Christ, and even outside the visible boundaries of the body of Christ, is possible only if we use our diverse gifts in love and we aspire only for that higher gift which is love.

Pope Francis in these past years has been challenging the Catholic Church to work in the spirit of what he calls «synodality». *Synodos* is Greek for walking the same path, *hodos*, *syn-*, together. So, I would like to rephrase our theme of «working together» using Pope Francis's image of «walking together», which entails many activities together. First is listening together.

Listening to one another, truly listening, is being eager to learn from each other. Not just a token listening, followed by «Yeah, yeah, yeah, but...» That mysterious «but...» reveals that no one listened really. They've already made up their minds. After three days of nodding our heads and agreeing, maybe in the back of our minds we still say «but...», so we go home with all those «buts», and no opinions changed, no ideas changed, and no mentalities renewed or transformed. Truly listening, listening with eagerness to learn not only from one another but from the people that we serve, involves a personal encounter. That's why it's important that we have here in our midst our five fishermen. I know I share with you some of these predicaments. We read studies and articles, and they're important,

but articles are not the human person. It makes a lot of difference to touch the hand of a seafarer, to see their distress, and to truly listen.

When we're talking about migrants and refugees, at Caritas, we always remind ourselves that they are not numbers, they are not statistics, they are human persons with stories. Part of working together is involving them in the change that we want to affect. Discerning what the Spirit is asking of us involves listening to human stories, listening to the Word of God, and praying together, but always through the spirit of renunciation and letting go. Discernment is not possible if we are already clinging to our ideas and programs and just asking God to adjust to *our* plans. Part of discernment is saying, «We had already planned this, but maybe God has a better plan, a better story». So that freedom of heart that does not insist on *my* project will help us really work and walk, and then, after listening and discerning, act together.

Another important thing is respecting each other's gifts and strengths, even celebrating the strengths present in the others, and not being threatened by them. I can speak as a priest: you know, sometimes we aging priests – maybe I should just say «I», I don't want to implicate the others here – start having back pains, having longer days to catch up with jet lag, and then you know that aging has set in. And then you see younger priests, younger religious and laypeople, and they are very good. And, oh, wow, people look for *them*, and then you say, «Oh my, I'm losing my star, it's fading». As a bishop I've heard of horror stories, like one young assistant pastor had this talent: he would talk, and then, in the middle of his speech, he would break into song. I don't know how he does it, but he links the lyrics of the song with his speech, and so seamlessly it just flows naturally, and people love it. You know our people love entertainment, and they need to be entertained, even in homilies. But this this young priest told me a week later that the elder pastor started singing also during his homilies, as though reminding the congregation «Hey, don't forget me»! Well, it's part of this very human insecurity, but we cannot work together if we are threatened by the gifts of others. A threatened person becomes self-defensive, and self-defensiveness is not the best interior space to have for collaboration. But this must be mutual; we cannot expect others to respect us but not put the same obligation on ourselves.

For you, who deal with seafarers and fishers from different countries, cultures and different Christian and ecclesial communities, part of the respect is listening to their cultures. Listen to

their ways of talking – what are they really saying? how do they chart a future for themselves? and what do they need? For example, right now in the Archdiocese of Manila we have a community-based drug rehabilitation program as a response to the government’s war against drugs. There we say that the success of the battle against drugs should not be measured by the number of arrests and deaths, the success is in the number of lives that you save and lives that are reformed. Unfortunately, the media does not cover the success. We had a graduation of more than three hundred people who have been rehabilitated, and it was on the tenth page of the news. But in the process of rehabilitating them, when we learned that some of them were Muslim and some of them were Presbyterian, at a certain point in the formation we invited a Muslim imam and preachers from the other communities so that they could be given pastoral care according to their tradition. It is part of respect, part of celebrating their gift. But *synodos* is a walking together that is not just based on projects, but also on this inner disposition: listening, discerning together, acting together, harvesting the gifts.

For this to happen we need to avoid some temptations. From the earliest times in the existence of the Church, almost immediately after Pentecost, there were already some of these temptations against communion and working together. These are reminders to us: beware of building personal kingdoms. Very often projects become kingdoms, or more likely fiefdoms, and the goal of the project is no longer to serve the distressed, but to maintain what we have, and we should avoid that. Also seeking recognition. This is very much related to the «kingdom mentality». Right now, we know that, even in the world of politics, it is all about recognition, who gets the credit. And because getting the credit is the main goal, the methodology is blaming others so that I get the credit. Instead of working together, we are blaming together, so that my project or my group would be put on a pedestal. But it does not work that way, it cannot work that way. Then the people that we are serving become pawns; they are brought into these sometimes-unnecessary feudal wars. We wonder of them «Is your loyalty to us or to them?» and their needs are not met anymore. Let us be vigilant about this personal or even corporate pride. Pride destroys servanthood. Pride destroys service. Pride makes me blind to my limitations and weaknesses so that I think I am always right, but pride also makes me blind to the goodness of others, so that I think they’re always wrong, and so working together is not possible with pride.

Servanthood and caring really happen when there are humility nurtured by solidarity with the people that we serve. We do not serve from a posture of superiority, as though we come to the seafarers, fishers, and their families with solutions. Maybe we have done this, but that is not the right posture. Maybe the right posture is coming to them as wounded as they are and as helpless as they are. That prevents us from being proud «problem solvers», when we are not the ones who are really staying in boats for two years, and we do not have to miss our families the way they do. So, it is this humility, born out of real solidarity with them.

Inspirational stories

Let me really close now with some stories. I happened to be in Rome for a meeting, and there was a group of Filipino retired US Navy personnel. They used to work in Naples, Italy, and so they had gotten to know each other there, and when they retired some went back to the Philippines, some went back to the US, etc., but they decided to come together that week for vacation and to reconnect with one another. They heard that I was in Rome for a meeting, so they asked if we could have dinner and I said yes.

One couple had returned to Naples and decided to retire in Naples. I said, «Why Naples? Do you miss your work in the naval base? Are you so attached to the base that you could not leave?». They said, «No, now it is apostolate». They said, «In our years of service in Naples we saw many seafarers, and a many of them Filipinos». They had had a family meeting, and they knew that they would be getting quite a hefty amount for their monthly pension, so they said, «Okay, we will set aside money for our children and their education, but the rest we will use to serve the seafarers». They set up a small restaurant near the port there in Naples, they serve Filipino food that they know the seafarers miss a lot, and they allow them to be as noisy as can be – they miss that too. They allow them just to be themselves, and they pay for whatever Wi-Fi connections and long-distance calls etc. that they needed to make to connect with their families, and they’re trying to convince some of their friends to pitch in, so that if there is a seafarer or fisher who needs financial help to be sent to the families in the Philippines that they could also do that.

Imagine this family making this choice, that a part of their retirement benefit, which they could legitimately claim for their own

enjoyment, will be dedicated to being with the seafarers, and that they would be there with them even physically, staying in Naples so that they are welcomed. I made them realize that there is the Apostleship of the Sea that they might want to connect with, and I don't know if they have already done so, but as a family they are doing it, and it really warms the heart.

Another story: sometimes we don't see the effects of our work. As human beings, we like to look for the fruits of our labour, especially now, if you are applying for funding. You must make sure that the outcomes are clear, and if the outcomes are not reached, you cannot apply for funding next time. That's a good point too, but in real life we seldom really see not the non-measurable effects of our ministry. Much of our ministry is left in mystery: where are the seafarers that you have helped? where are the fishers? how about their families? We just trust that they are well, but we cannot always give a calculation of where it's at. With money we can do an accounting, but with human lives it's quite difficult. But we continue doing it out of trust and working together. I share with you a story which I heard from a woman who used to work for Caritas Lebanon. Her specialization was helping illegal migrant workers, and some of them were seafarers that jumped out of the ship, got lost somewhere, and then started to look for employment, etc. So that was her mission, to address those detained, and she brought me to the detention center.

She told us that once she was invited by Caritas Syria to give a conference or a training program to the staff of Caritas Syria in the area of ministering to illegal migrants. She lived with a convent of sisters, and every day she took a cab to the venue of the conference. One day, she reached the conference venue and asked the taxi driver, «How much do I owe you?». The driver said, «No, you don't have to pay». She said, «Oh, I have money, I can pay you», but again the driver said «No, you don't have to pay». She panicked. She got afraid, thinking «Oh no, what payment will this taxi driver demand of me? Will I be kidnapped? Will I be raped?». So she raised her voice and said, «I have money, I can pay you! Tell me, how much do I owe you!?» and the taxi driver said, «But how can I accept money from Caracas?». He meant «Caritas».

The woman said, «How did you know that I work for Caritas?». He said, «Three years ago, I was imprisoned in Lebanon. I was an illegal worker. And I used to see you there. On the night before my release from prison, I had a terrible headache, and I asked for medicine from the guards. The guards did not give me medicine, they

said, “Oh, anyway, you will be set free tomorrow”. At that moment, you passed by, and I asked you for medicine, and you gave me one, and I slept very well that night, but I was not able to thank you. So now, let me thank you; please don’t pay for this trip». For three years the face of this pastoral worker had been embedded in the mind, the heart, the memory of this Syrian Muslim guy. He never forgot an act of caring and kindness, and by some mysterious act of God their paths met again in Syria. And what an explosion of love.

So, this woman said «I get tired working, and I don’t even know whether my work makes a difference to the lives of people, but I just keep on working. But with this one incident involving one person whose name I don’t even know – what have I done? I just gave medicine. But it’s worth serving. Not looking for recognition but rejoicing that the life of this person is now better. He is employed, he is back to his home, and if I contributed through that paracetamol», she made a vow, «I will continue serving». She announced it in that conference at Caritas Lebanon. I’m sure you all experienced that tiredness too, and sometimes the question, «Are we really making a difference?». In God’s hand, I’m sure there is some mysterious person who may not be able to thank you, but whose life is a testament to the power of love and working together and caring in a world that does not seem to care.

Active Listening: Lessons from Mary and Martha

PAUL ROSENBLUM

paul.rosenblum@stellamarismail.org

Apostleship of the Sea, Charleston SC

When I was first asked to give a presentation on the role of active listening in seafarers' ministry, I wondered whether I was an appropriate person to do this. I am not an expert in communication or a social scientist who deals with interpersonal relationships. But after giving it some more thought I realized that there was a way for me to approach this subject, something I do quite frequently in my diaconal ministry: Turn to scripture and relate what we learn there to the situation at hand. When I decided to take that approach it almost immediately occurred to me that the most appropriate reading was that of Jesus' visit to the home of Mary and Martha from Luke's Gospel.

Before I begin to examine the lessons in that Gospel passage, I need to set out two premises about active listening that I believe to be true in the context of our ministry. First, active listening is an essential component of seafarers' ministry. We must do it as effectively as possible. Mary teaches us why it is so important to do so. Second, active listening is often a very difficult thing to do as we go about our ministry to seafarers. Martha teaches us why that is so.

I think it is worthwhile to read this passage from Luke's Gospel so that we can remind ourselves about what takes place:

Now as they went on their way, he entered a village; and a woman named Martha received him into her house. And she had a sister called Mary, who sat at the Lord's feet and listened to his teaching. But Martha was distracted with much serving; and she went to him and said, «Lord, do you not care that my sister has left me to serve alone? Tell her then to help me». But the Lord answered her, «Martha, Martha, you are anxious and troubled about many things; one thing is needful. Mary has chosen the good portion, which shall not be taken away from her» (Luke 10:38-42).

There are certainly many things we can learn from this passage, but for our purposes we need to think about what it teaches us about hospitality. After, all our ministry is first and foremost one of offering hospitality to the men and women we meet every day. We should first note that both Martha and Mary are offering Jesus good hospitality. Martha is doing everything that a woman in 1st-century Palestine is expected to do: the cooking and cleaning and serving, taking care of the material needs of Jesus as she welcomes him into her house. From that standpoint she offers Jesus perfectly fine hospitality. And we would do well to follow her example, working hard to provide for the material needs of the seafarers. That is an important part of our ministry.

Her sister Mary takes a different approach. We see her sitting attentively at Jesus' feet, actively listening to his teaching. This is hospitality of a different sort than Martha offers. Mary is not only welcoming Jesus into her house, she is welcoming him into her heart. By paying close attention to his words Mary is making Jesus the center of her attention, indeed the center of her world at that moment. She is *guest-centered*. This is an important lesson for us. When we welcome seafarers in this way, by actively listening to what they say, we give them a clear message: You are a valued and valuable person and I care about you and your well-being. That is a vital message to give these women and men who spend much of their lives isolated from family and friends, invisible to most of the world.

Although we recognize the good in Martha's hard work to provide for all of Jesus' material needs, we can also see how that hard work can detract from giving Jesus the true hospitality he deserves. The clue is in the text: «Martha was distracted by much serving». Her focus and attention are on those material needs and how she is going to meet them, not on Jesus himself. She has become *me-centered* rather than *guest-centered*. How often do we find ourselves (I know that I do) in the same situation, distracted, worrying about how we are going to manage transporting the seafarers through heavy traffic and get them back to their vessels on time, or whether we have enough SIM cards on hand to meet the demand, so that we do not take the time to listen to them, to make them the center of our attention? This does the seafarers a great disservice, because when we become *me-centered* we can start to see them as objects to serve, not people to whom we minister.

In the end, we must be both Martha and Mary in our ministry. We certainly need to be Martha, working hard to do all we can to

meet the material needs of the men and women we meet. But that is not all there is to our ministry. We must also be like Mary, actively listening to what they have to tell us, showing them that we value them as people that we have the privilege to meet. The trick is to find the proper balance.

Let us finish with a prayer that we might find that balance: Generous God, whose son Jesus Christ enjoyed the friendship and hospitality of Mary, Martha, and Lazarus of Bethany, open our hearts to love you, our ears to hear you, and our hands to welcome and serve you in others. Amen.

The Importance of Maritime Ministry's Service to the Whole Port Community

RICARDO RODRÍGUEZ-MARTOS
residencia@stellamarisbarcelona.org
Apostleship of the Sea, Barcelona

Usually, when we refer to the activity of seafarers' centers, we talk about the services we directly provide to seafarers. Not to be neglected, however, are the integration of a center in the port, the important service it provides the port, and the need to work side by side with the other entities there. This is *indirect action*, that is, our work to raise awareness about the needs of seafarers, to achieve complicities inside and outside the port, and to demonstrate leadership in really making the port a seafarers' friend.

Establishing the role of seafarers' centers in their ports

Are seafarers' centers important? Looking at our size, one might think not. We are, within a port, a small entity with few resources, but we play a role in many complex situations that exceed the routine work of a port. A director of the port of Barcelona once commented to me: «If there was no Stella Maris in Barcelona, we would have to invent one». ICMA centers should become aware that they are important, not only for seafarers, but also for the entire port community. This gives us a great responsibility, and, consequently, forces us to take an important step: we cannot ask ourselves «what can be done?», but rather must ask, «what should be done?».

We have a few assets for fulfilling these responsibilities. For one thing, we have a good reputation. We are very often the only ones who care directly about the welfare of seafarers. We have a powerful international network. The maritime world in general respects us. Seafarers and fishers trust us. We have no political commitments, nor do we make distinctions for reasons of sex, race, culture or religion.

For another, there is our expertise from familiarity. We are aware of the needs of the crews, we offer a warm welcome, we facilitate

communication with their families and we offer free transportation. In cases of abandoned crews, the port trusts on our good work, because whenever there is a problem that affects a seafarer or a fisherman as a person, there we are.

These assets require maintenance. We are expected to be visible in the port. We are expected to act professionally, not so much by our means that they now they are precarious, as by our availability, commitment and knowledge of the maritime world. We are expected to be able to work in a coordinated manner with the different agents involved in the port. We are expected to be «always prepared». We are valued for being, in one way or another, always available, and for being willing to go at any time and any day when a need arises.

There are also a few fallacies that can hinder our work. We can conform our work to certain imaginary limits, saying «I just do what I can». It is clear that if we do only what we can, and no one can ask for more, but the danger is to fall into conformity. What we can do and what we imagine we can do are often different things. Therefore, it is always important to say to ourselves, «let me do something more». This attitude is vital for improving our work in the port.

Another is thinking we can do it alone, saying «let *me* take care of this». We may be the only mission and the only ones dedicated to visiting ships, but we need the whole port community, and only if we cooperate with that whole community do we serve seafarers as best we can.

Other fallacies, although *we* hopefully know better, may still need dispelling in the rest of the port community. For instance, we cannot be considered simply «good and charitable people». In my work in the port of Barcelona, I hate to hear «Oh, the people of Stella Maris are good boys – it is nice that they do that», because the subtext is that the welfare of seafarers in the port is funny, or some sort of exotic activity. It is a necessary activity. For the same reason, the fallacy of port levies as some kind of charitable donation must be dispelled. I have heard someone else say «If I want to give alms, I will do it in my church». Members of the port community may also consider seafarers' welfare anecdotal, or just the responsibility of ship-owners. These fallacies too must be fought.

Therefore, we have a few objectives towards which we need to work. We need to make the port community understand that seafarers' welfare is a commitment, according to MLC 2006. We have to show that we are competent people, that we work well, that we care about seafarers in a port, and that we solve problems that nobody else solves. We have to try to involve as many people and organisa-

tions as possible in seafarers' welfare, and be seen to be able to collaborate with everyone without losing our own identity. We can't let misplaced fears about losing identity hinder our service to seafarers, which means collaboration. Both we and the port community have to understand that the welfare of seafarers is something necessary and the commitment of all.

Our relationship

Given that our continual tasks of establishing our centers, maintaining our reputation with our community, and involving as many people as possible in seafarers' welfare all involve building and maintaining relationships in the port, we also have to think about all the different entities with which we have relationships and the unique facets of our relationships with each. These include the port community, the city, the region, and the central state.

In the port community, seafarers' centers should maintain a fluid relationship with everyone: first of all, with the port authority, which is the door for all the port community. Without their help little is possible. For instance, Stella Maris Barcelona has an important economical agreement with the port for developing welfare services to seafarers. And then, of course, it is important to maintain good relationship with harbour master, port state control inspectors, ship agents, ship owners, stevedores, pilots, port police, etc. To maintain this relationship with the port community, we need to have a presence in any event, in any critical situation, or in any celebration. If there is an accident at night and there are people coming to the port, we need to be there. I remember one night a fisherman died near the port, ambulances were coming for him, and I was called to the site – momentarily, I asked myself, «what can I do?», but then I went there, and I found so many different people from the port there. Stella Maris was there in a special moment, and that by itself was important. If there is a celebration, we should be there, because celebration too is part of the port. Everyone in the port should know about us, and should know that, whenever anything is happening, we are always there.

Speaking now from my own experience, in the port of Barcelona we have at our disposal three important tools for connecting with the community: the port welfare committee, the «Sustainability Working Group», and the steering council. While these particular institutions are not present in every port, they would be useful for every port, and are worth working towards.

Port Welfare Committee

It is very important to involve the most relevant port organisations in the welfare of the crews. I often get asked how a PWC can be useful when it has no budget, but it is not about budgets. The importance of a PWC is bringing all of the organisations in the port together to talk about seafarers' welfare and get them involved in it. Each one of these organisations can help make the port «seafarers' friend», not by taking over the job of the port chaplain, but by doing their own jobs with consideration for the needs and wellbeing of the seafarers they are working with. The committee as such can promote sensitivity and interest in the welfare needs of the crews through activities, conferences and writings, as well as through the attitude of its members.

Present members of the PWC in Barcelona are: the port authority (chair), the social Maritime Institute, the ship agents' association, the ITF, the pilots' corporation, the ship's masters' association, the ship's engineers' association, the stevedores' association, the tug boats company, the nautical faculty, the fishermen's guild, and the Stella Maris (secretary).

One new initiative, organised by my PWC is what we are calling «dockside experiences» (Apostolado del Mar, 2019): we invite representatives of a ship to sit and dialogue with the people of the port (port state control inspectors, the ITF, the port authority, stevedores, ship's agents, pilots, police, Stella Maris, etc.) about both their personal and professional expectations during the stay in port. We ask the crew what they expect from the port when they arrive, both from a professional and a personal point of view, and then we ask the people from the port whether they can do it. The answer is not always yes, but it gives everyone an opportunity to come together, exchange opinions, and show the crew that we take them into account.

Another simple thing a PWC can do is put up signage to show people where the seafarers' center is. It seems like a simple thing, but not only does it make sure that seafarers find us, it also makes sure that everyone passing through the port sees that the seafarers' center is there and is an important part of the port's functioning.

Sustainability Working Group

The Port of Barcelona has created a sustainability working group that promotes sustainability from a triple perspective: environmental sustainability, economic sustainability, and social sustainability. The preamble of the Port Sustainability Plan says:

If we understand economic development as «the ability of countries or regions to create wealth in order to maintain the prosperity or economic and social well-being of their inhabitants», we must also understand that such capacity implies multiple dimensions, ranging from the development of human capital to critical infrastructure, through regional competitiveness, environmental sustainability, social inclusion, health, security, and even literacy (Arellano, 2018).

The Port of Barcelona subscribed last year to the UN Global Compact, an initiative for businesses to commit to incorporating into their strategic planning the advancement of human rights, labor law, and the environment and fighting corruption (Cabra, 2018). This means that the port is committed to continue the work that started in 2007 on corporate social responsibility, as well as promote a sustainable growth economically, socially and environmentally.

Among the 17 goals of the compact, we find: ending poverty, health and well-being, gender equality, decent jobs, reduction of inequalities, peace and justice, and alliances to achieve these (17 Goals to Transform our World, n.d.). All of them are related to a seafarers' center's work defending the welfare and the rights of seafarers and fishers, so Stella Maris Barcelona is a member of this group and represents the voice of seafarers and fishers there. Because of this, crews are considered a group of interest. Further, one of the objectives of the working group is: «to disseminate the activities carried out by Stella Maris to raise awareness about the crews at the Port of Barcelona» (Barcelona Port Authority Sector Sustainability Plan Annual Report, 2018).

Steering Council

The Steering Council is the body that materialises the desire for cooperation between the Port Authority of Barcelona and all public and private institutions that carry out their activity in the port area of Barcelona, in order to participate in the future development of the Port of Barcelona. The whole port is represented, and Stella Maris is also there. In the 13 December 2018 minutes, it says «Finally, the president emphasises the role and service that is being carried out by Stella Maris in favor of people of the sea, encouraging everyone to collaborate in the task».

Seafarers' centers should also involve themselves with city council, because a port is an important gateway to a city. What happens in it, both from the perspective, economic, social, environmental, human, etc. it concerns the city. In Barcelona we have an agreement with the city council to support welfare services economically.

We are also now studying a new agreement for the “Coastal Plan of Barcelona”. The coastal pan of Barcelona tries to identify the life and work of people on the coast and make it known to the wider society. They asked us to be included in this plan, because they knew we were doing important social work. So, this is another opportunity for us to participate in promoting the study and dissemination of information to the public about the lives of the fishers and seafarers passing through our port, and to show the people of Barcelona the importance of seafarers’ welfare.

A port is not only important for the city, but also for the geographical area around it. Therefore, ICMA centers should also make them aware about the needs of seafarers and fishers. Regional governments need to take into account not only the people living in them permanently, but also the transient population, like seafarers. In Barcelona we have a bi-annual agreement with the Generalitat de Catalunya for the maintenance of welfare services and the support, reception, and accommodation of the people of the sea, because they understand that when a seafarer arrives in the Port of Barcelona, he is also coming to Catalonia, and if he feels well-treated that will translate into a positive opinion of the whole region.

Although not as close, the central state seafarers’ centers should also involve themselves with their central states, through a National Port Welfare Committee if possible. For them, just as the quality of care offered to seafarers in a port is reflected in their perception of the region, it also is reflected in their perception of the country. On our side, a good relationship with the maritime authorities of a country can be very useful, especially when there are ports and regions that don’t understand the importance of seafarers’ centers. National maritime authorities stepping in and reasserting a port’s obligation seafarers’ welfare under the MLC, 2006 can be very helpful for a seafarers’ center that has a difficult relationship with its port.

Conclusion

There are a lot of things seafarers’ centers can do to benefit seafarers when they collaborate with organisations in the port community and the city. We dedicate lots of time to giving direct assistance to seafarers and fishers, but we must also devote time to «indirect action», being in touch with all these organisations. It is very important to devote the necessary time to cultivate relationships within the port, be present in all events and participate in all those working groups

or committees, whose activity can affect the life and work of seafarers. Our voice must be heard; our contribution must be valued. This requires daily effort, but we need their support and they need ours.

References

- 17 Goals to Transform our World* (n.d.). Retrieved Dec. 2, 2019, from <https://www.unglobalcompact.org/sdgs/17-global-goals>.
- Apostolado del Mar (2019). *2018 Annual Report*. Retrieved Dec. 2, 2019, from <http://www.stellamarisbarcelona.org/wp-content/uploads/2019/03/Stella-Maris-Barcelona-Report-2018.pdf>.
- Arellano, Pedro (2018). *Ports and Their Role in Sustainable Development*. Retrieved Dec. 2, 2019, from <https://piernext.portdebarcelona.cat/en/governance/ports-and-their-role-in-sustainable-development/>.
- Barcelona Port Authority Sector Sustainability Plan Annual Report* (2018). Retrieved Dec 2, 2019, from <http://www.portdebarcelona.cat/en/web/comunitat-portuaria/memoria-de-sostenibilitat-sectorial>.
- Cabra, Sixte (2018). *Letter of Commitment*. Retrieved Dec. 2, 2019, from <https://www.unglobalcompact.org/what-is-gc/participants/132971-Autoridad-Portuaria-de-Barcelona>.

Stronger Together: Lessons from the History of ICMA¹

PAUL MOONEY
pgmoon@hotmail.com
Ferns Cathedral, Ireland

In 1968, Bernard Spong of ICOSA (now NAMMA, the North American Maritime Ministry Association) and Dr. Daisuke Kitagawa of the World Council of Churches invited Christian organizations of all stripes involved in care for seafarers to come to Rotterdam to discuss ecumenical cooperation. The meeting there in August 1969, called the Rotterdam Consultation on Services to Seafarers, drew over 100 delegates from fifty-two organizations. People who before would have passed each other on the dockside, sometimes from a distance, came together, prayed together, shared with each other, and came to the unanimous decision to form a working committee to look into the possibilities of forming a common organization with a central secretariat. The first meeting of that working committee named it the International Christian Maritime Association.

Following the Rotterdam Consultation, the words of German Seamen's Mission chaplain Bernard Krüg, who would later serve as ICMA General Secretary, spoke the truth not only for him but for all who experienced the change that those days in Rotterdam brought about: the term "colleagues in maritime ministry" could no longer only refer to members of one's own port ministry, mission society, or church. One's closest colleagues now came from other societies and churches. In a short time, this sense of collegiality would spread across Christian maritime missions and into port ministries, as people in maritime ministry realized that their common concerns and shared objectives in working among seafarers were better served by working together.

¹ The text is based on and excerpt from Paul Mooney's book, *A History of ICMA*, published by MARE in 2019, which was released on the first day of the 11th World Conference and can be purchased online at the NAMMA Bookstore.

In earlier publications, I have taken a wider lens to view the broad strokes of the history of maritime ministry practice and theory. In the past year I have had the privilege of writing the fifty-year history of ICMA – I was glad to share that history for the first time with the members of ICMA during the opening ceremonies of the 11th World Conference. It is good to explore who did what and why, but, equally as important, what this means for our work together in the decades ahead. The central lesson to learn from this history is that we are stronger when we work together.

As an attendee of the conference, I saw around me many flags and logos, badges and titles. This is all good, it is important to appreciate all the organizations that help constitute us. For me, however, studying the history of ICMA has brought renewed focus on individual people. We have never been just the big missions and titles – the Mission to Seafarers, Sailors' Society, and Apostleship of the Sea, the Germans, Finns, Danes, Koreans, and Americans, etc. ICMA's work has not been done by logos or flags, but by individual people working together.

ICMA is very much the story of individual people called to work together among seafarers, fishers and their families in the name of Jesus Christ. This call has brought Christians from various churches and backgrounds to the sea shores and docksides and sometimes out onto the oceans themselves. The work of mission and ministry among seafarers and fishers is as old as the Church itself, but since the early nineteenth century it has taken an organized and continuous form with the emergence of dedicated agencies and ministries. Those who came together in Rotterdam in 1969 from a cross section of the agencies and ministries working among seafarers around the world at that time felt a pervasive sense of God's providence at work among them. Their eyes were opened to their common calling, and they were moved to found a common organization for working together and representing Christian maritime ministry in the shipping industry and the world.

As an association, ICMA's story has been about work among the agencies that make up its membership, hardworking committees and subcommittees and their members, and of those who served in ICMA's Secretariat. Those who led ICMA into existence and guided it during its first decade, and even some of those who led it in its second decade, had lived through their youth and early adulthood during the 2nd World War, and a number of them had been prisoners of war or civilian detainees. They were people of tenacity and persistence, and when they were assured that their course was right, they were prepared to face whatever difficulties they might have

to. Such tenacity and persistence were evident in setting up an organization with no resources of its own except the good will and the generosity of its members and then asserting its right to a place in any council where decisions were made that affected the lives of seafarers. Those same qualities were also important in recognising and dealing with the massive changes that came in the seafaring world in the 1970s and 1980s and in standing for seafarers' rights and dignity in the face of those changes. Each decade in ICMA's story has brought new challenges in the field of maritime ministry, some foreseen and some totally unforeseen, but the solidarity gained in bringing the agencies involved in maritime ministry together has helped meet challenges and formulate responses.

From the very beginning ICMA included two regional networks already active and established locally in maritime ministry: ICOSA/NAMMA and the Nordic Council (bringing together the Nordic Seamen's Churches and missions). As early as January 1970, Johannes Aardal, General Secretary of the Norwegian Seamen's Mission, had foreseen that «besides a world organization, there still will exist a need for regional common forums for consultation and cooperation». Aardal was right; there was not only a need for regional common forums but also a desire among those on the ground in port ministries to meet and form networks as ICMA on a regional basis. In the 1980s and 1990s, ICMA expanded and developed its regional networks; in the mid-1990s, the concept of networking as a model for operating within ICMA was introduced; and, by the start of the new millennium, ICMA had an almost world wide network of regions. These regions have continued to develop, as has the networking structure in ICMA's organizational make up. Again, every decade seems to bring a new focus on an emerging region or regions and emerging ministries within those regions. Much of ICMA's grappling with the issues of the day in maritime ministry and the provision of welfare to seafarers is done in regional conferences, and regional conferences in turn provide a forum for communication between the Secretariat and the Executive Committee and those who work in port ministries.

At the time of the Rotterdam Consultation in August 1969, the Houston International Seamen's Center chaplaincy team was probably the only ecumenical chaplaincy team in seafarers' ministry operating anywhere in the world. Hong Kong followed two months later with the arrival of the first Roman Catholic chaplain to work as part of the Mariners' Club chaplaincy team, and just eight years later, in December 1977, Monsignor Francis Frayne reported to the XVI

Apostleship of the Sea World Congress that inter-confessional collaboration was active in over fifty ports around the world. By the late 1980s, ports that didn't have some form of established ecumenical network, whether operating from a joint facility or not, were the exception rather than the rule. The level that has been achieved in local practical ecumenical cooperation and working together, often from the same facilities sharing chapels and pastoral duties in the ports, has made maritime ministry unique. This is not to say that there haven't been difficulties, tensions, and frustrations at local levels in some instances, but these can happen within denominations and single agency ministries just as easily as across denominations and in teams. On the whole, local cooperation in ports has worked well, and the same experience of recognising a common calling to serve seafarers in the name of the same Lord has engendered respect and solidarity at local level just as in regions and across the world.

ICMA's spread has not only been geographical, nor is it to be counted simply in the number and range of agencies and societies that have become members. ICMA has also facilitated and promoted a number of specialized ministries and activities. Some special ministries have arisen from initiatives within the membership, and others have been organized directly by ICMA. The range of specialized services has typically included advocacy and training but now includes the Ship Visitor App and will surely include more innovations in the future. Specialized services and activities have served to strengthen and enhance the ministry and outreach of all ICMA's members and have acted, directly or indirectly, for the benefit of seafarers and their families.

In 2018, Rev. Heike Proske, then General Secretary of the *Deutsche Seemannsmission*, said in her final address as chairperson of the ICMA trustees that «we are stronger together when we work together». This has been true for ICMA in all its different dimensions throughout its fifty-year history. Similarly, an argument made in a 2003 report presented in Helsinki said that ICMA's core value was to establish links in a network through which those working in maritime mission can support, share with, and empower each other and act as their representative voice at industry level. ICMA has developed as an association that operates on multiple levels and establishes links within and between those levels. It has consistently proved not only that its members can work together and are stronger together but also that the bond of their common identity as ministers among seafarers can transcend divisions without negating each other's distinctive contributions.

ICMA's history is a story to tell to the Church and to the world, a story of support in service and service in support that continues as ICMA goes into its sixth decade. ICMA's task going forward is, as it always has been, to provide space for those who work in ministry among seafarers, fishers, and their families to come from their different churches and agencies to meet, discuss, share, learn, grow, and be stronger together. ICMA is also asked to be the collective and representative voice of those who come together as Christians in the service of seafarers and to stand for seafarers and fishers, especially when their rights are denied or they are in danger. We do not know what challenges this coming decade will bring, but we can be sure that ICMA and its members will face those challenges stronger by facing them together.

ICMA and the MLC, 2006: The Value of a Unified Voice

DOUGLAS B. STEVENSON

sci@seamenschurch.org

The Seamen's Church Institute of New York & New Jersey

The International Christian Maritime Association's (ICMA) experience at the International Labour Organization (ILO) in developing the MLC, 2006 is an example of the contributions ICMA has made, and can make, in advocating for seafarers' well-being.

ICMA has participated in the ILO for more than thirty years. The ILO is a specialized agency of the United Nations, headquartered in Geneva, that creates international standards for decent work. The maritime sector, because of its international character, has been an important part of the ILO's work since it was founded in 1919. Unique among United Nations specialized agencies, the ILO has a tripartite structure that includes representatives from governments, employers (shipowners), and workers (trade unions) in its decision making.

ICMA participates in the ILO as a non-governmental organization (NGO). The participation of NGOs in ILO meetings is limited. They cannot vote, and they can speak in formal meetings only with permission from governments, workers, and employers. Their contributions can, however, be very important and helpful, as ICMA has demonstrated. Seafarers trust port chaplains and confide with them about things that they would not disclose to their supervisors, unions, governments or employers. ICMA representatives enriched the MLC, 2006 by sharing chaplains' insights and experience with other delegations at the ILO behind the scenes and in the ILO corridors.

The process to develop what would become the MLC began in January 2001, when shipowners and trade unions agreed that the ILO should update and consolidate all of its many maritime-related conventions and recommendations into a single, coherent international labor standard. The groundbreaking agreement between shipowners and trade unions, which became known as the Geneva Accord, forced governments to seriously participate in the process.

Following the Geneva Accord, the ILO convened the first meeting of the High-Level Tripartite Working Group on Maritime Labour Standards (TWGMLS) in December 2001. The TWGMLS discussed the Geneva Accord proposal and agreed that ILO international maritime labour standards, including conventions and recommendations, should be incorporated, as a matter of priority, into a single, coherent instrument that would secure the widest possible ratification, be easily updated, and be enforceable.

The TWGMLS met again in October 2002 and agreed that the ILO secretariat should draft a proposed consolidated maritime labour convention taking into account principles discussed at that meeting.

In June 2003, the TWGMLS met for a third time to review the first draft of the consolidated maritime labour convention that had been prepared by the ILO secretariat. The first draft of the convention was contained in three separate documents; one containing draft Articles and Regulations; one containing a draft Code, Part A; and another containing a draft Code Part B. The drafts had been circulated to delegations prior to the June 2003 meeting.

In July 2004, a fourth meeting of the TWGMLS met in Nantes, France to consider the second draft of the convention that took into account comments from the previous meeting. Having made a great deal of progress on the consolidated convention, the TWGMLS recommended that the ILO convene a Preparatory Technical Maritime Conference to finalize the draft convention.

A Preparatory Technical Maritime Conference was held in Geneva in September 2004. Despite the best efforts of participants at the meeting, several parts of the draft convention remained unresolved. The meeting concluded with a recommendation to convene an intersessional meeting to resolve the outstanding issues.

The final text of the consolidated maritime labour convention was agreed to at the Tripartite Intersessional Meeting at the ILO in April 2005. The proposed convention was then presented to the 94th (Maritime) Session of the International Labour Conference in Geneva in February 2006 where it was adopted without any votes against it. It became known as the Maritime Labour Convention, 2006.

The MLC, 2006 is the most significant development in the long history of seafarers' rights law. It provides in one convention a comprehensive statement of seafarers' rights that reflect both seafarers' rights that have withstood the test of time as well as modern shipping realities. The Convention is easy to understand, is capable of ratification, and is enforceable. The most important aspect of the

Convention is its underlying principle of respecting and honoring merchant mariners.

ICMA participated in every meeting in the five-year process to create the MLC, 2006, and it made a difference being there. Even before MLC, 2006 process started, the ICMA Executive Committee decided to appoint a standing delegation to the ILO. (Another standing delegation to the International Maritime Organization was also appointed). The rationale behind establishing a standing delegation was to strengthen ICMA's voice at the ILO by having representatives who were experienced with ILO procedures and issues and who could maintain consistent ICMA policies.

I was asked to lead the ICMA Standing Delegation to the ILO throughout the process and participated in every meeting described above. Two or three other standing delegation members usually joined me at each meeting. Other members of the standing delegation, which changed over the course of five years, included: Domingo Gonzalez Joyanes from the Apostleship of the Sea, ICMA General Secretary Jacques Harel, ICMA General Secretary Juergen Kanz, Jaakko Laasio, from the Finnish Seamen's Mission, Ken Peters from the Mission to Seafarers, Gerard Tronche from the Apostleship of the Sea, ICMA General Secretary Berend van Dijken, and Christopher York from the Apostleship of the Sea.

As chair of the standing delegation, my main task was to prepare ICMA policies regarding the proposed convention. After receiving the first draft of the convention my task was to draft a position paper on proposed ICMA positions and circulate it to all ICMA members and the standing delegation. We then prepared a final ICMA position paper on the draft convention taking into account comments from ICMA members and the standing delegation. There was remarkable agreement to ICMA positions among the ICMA members that commented. We prepared the ICMA position paper in a format that included together the convention's draft Articles, Regulations, Code Part A, and Code Part B along with ICMA's comments and recommendations.

The standing delegation circulated ICMA's position paper to all other delegations at the Third Meeting of the TWGMLS that discussed the first draft of the convention. This document proved to be very helpful to ILO delegations because it enabled them to see the draft articles, regulations, and codes (and ICMA's positions) all in one place instead of their having to search through three separate documents that contained them.

One of the issues that emerged at the Third Meeting of the TWGMLS was a proposal to remove seafarers' welfare provisions from the proposed convention and put them in a separate recommendation apart from the convention. We spoke in opposition of the proposal describing the vital services that ICMA members provide to seafarers in more than 400 seafarers' centers around the world and on-board merchant vessels at sea. We pointed out maritime ministries were respected key members of the maritime community, and that an effort to streamline convention by removing requirements for welfare facilities and services would result in a convention that fell short of its expectations. Welfare provisions remained in the MLC.

Several other ICMA proposals and recommendations were included in the MLC, 2006, some of which were proposed only by ICMA. Primary ICMA recommendations that are included in the MLC, 2006 include: entitlement to shore leave, correcting an error in seafarers' rights to medical care, financial responsibility for repatriation, and social security protections. Fifteen other provisions in the MLC, 2006 which were supported by ICMA and others were also adopted, including provisions related to the convention's format, definitions, recruiting and placement, seafarers' employment agreements, social security, shipboard and onshore welfare, and food and catering.

ICMA's unified voice in advocating for seafarers' well-being provisions in the Maritime Labour Convention is an excellent example of how ICMA members can share their insights and experience with regulators, international organizations, maritime industry stakeholders to improve seafarers' lives.

ICMA and Fishers' Issues: A Conversation

KEVIN WALKER

kevin.walker@namma.org

North American Maritime Ministry Association

One of the foremost priorities of the ICMA 2019 World Conference was refocusing on the needs of fishers, connecting members involved in fishers' ministry to each other, and taking up their cause with the relevant governments and industries. Kaohsiung was a particularly appropriate place for this, as the Taiwanese deep-sea fishing fleet has had many problems with the treatment of its migrant workers, and the Presbyterian Church in Taiwan's Seafarers' and Fishers' Service Center (PCT SFSC) has been exemplary in its work of care and advocacy for them. To reflect this new focus, all of Thursday October 24th's sessions were dedicated to presentations on fishers' issues. Below is a short summary of the day's proceedings, followed by excerpts from the afternoon session's conversation between ICMA members working with fishers on Taiwanese-flag vessels.

Presentations on fishers

The day's first two panels featured experts on different aspects of fishers' issues, including ICMA veterans Stephen Miller and David Dickens, Capt. Hari Subramaniam from the Shipowners' P&I Club of Singapore, Dr. Cherie Chen of occupational medicine from Madou Sin-Lau Hospital, and Chialing Chung of the Taipei Rerum Novarum Center, as well as Su Yu-Kuo of the Taiwanese Ministry of Labor and Liu Chi-Chao of the Fisheries Agency of the Council of Agriculture.

Su Yu-Kuo (2019) and Liu Chi-Chao (2019) touted recent developments in the treatment of migrant workers in the Taiwanese fishery, including mandatory submission by ship owners of life care plans for their fishers to the government, mandatory inspections, a helpline for fishers to call, a significant expansion of their consultants program, and a slew of other regulations and rights to protect fishers from exploitation, crediting all of it in part to the lobbying of charitable organizations like the PCT SFSC and Rerum Novarum.

Improvements in the Taiwanese fishery have led to the European Union lifting its «yellow card» pre-identification of noncooperation against the fishery earlier this year, although the commission's chief concern was illegal fishing rather than labour rights for fishers (European Commission, n.d.).

Dr. Cherie Chen (2019) gave an overview of the different medical hazards faced by workers on fishing vessels. Operating heavy machinery and pulling fishing lines can easily lead to injuries, but this is hardly the extent of it; exposure to spikey fish and shrimp and seawater in open wounds can lead to necrotizing infections, which then go untreated at sea; the salty food typically served to fishers predisposes them to hypertension; and eruptions of violence are attributed to the psychological pressures. As the beginning of a solution to these issues Dr. Chen argued for promoting better health practices like vaccines, safety equipment, first aid, injury care, and good nutrition on fishing boats, while noting that the pride fishers rightly take in their willingness to work in rough conditions can complicate such promotion.

Chialing Chung (2019) of the Rerum Novarum Centre's presentation highlighted human rights violations in the Taiwanese-flagged fishery and ways in which the Taiwanese legal system continues to fail fishers: fishers and even employers are often not aware of what rights fishers have, not knowing Chinese makes it difficult for fishers to use the helplines or medical systems put in place to help them, even complaints properly lodged on the hotlines often are not addressed, and the determination of fishers' wages, rest time, and living conditions is not transparent. Moreover, agents and shipowners often deal with fishers unfairly: some charge fishers for giving them work, some create obstacles to them sending money home, some emotionally or even physically abuse them, and some deny them proper food, clean water, or adequate rest time. Chung also identified problems with some ports in Taiwan - many have no bathrooms, no prayer rooms, and no hot water, and fishers often have to stay on their vessels.

Rerum Novarum, a Jesuit organisation whose objectives in the field of fishers are improving their welfare, the laws protecting it, and their relationships with employers, advances fishers' welfare by equipping them to advocate for themselves. In addition to providing shelter and emergency care, Rerum Novarum's kiosks give lessons on Chinese and education on the rights of migrant workers. They coach fishers in working through the Taiwanese legal and health systems and recruit and train migrant fishers to be leaders in advocacy for migrant workers in each fishing port.

The afternoon concluded with a panel of ICMA members involved in ministering to fishers on Taiwanese-flagged fishing vessels, many of whom had worked with each other in the past. The conversation had a dual purpose: firstly, to bring them together for closer collaboration and exchange of ideas, but secondly, to demonstrate to the rest of ICMA, its partner organizations, and the governments present what the ICMA network for fishers is already capable of accomplishing. The panel included Stacy Lai of the PCT SFSC, Michael Hofmann of the Lutheran Seamen's Mission in Singapore, collaborators Dane Duplessis and Nicholas Barends of Biblia Ministries and the AOS in Cape Town, South Africa; Fr Jacques-Henri David of AOS St Louis, Mauritius; and Fr Frandry Tamar of AOS Montevideo, Uruguay; and was co-chaired by ICMA Chair Fr Andrew Wright.

Excerpts from the conversation

Ministers to fishers on how they serve them

Michael Hofmann: As you know, fishermen are not seen as seafarers, they are not under the Maritime Labour Convention, but as we say in the International Lutheran Seafarers' Mission, though they are not seafarers by law, by that which they do they are more seafarers than anyone else. The danger is much greater, the hours they work are often much longer, and the spaces they live in are much smaller. So, by that which fishers do they are definitely seafarers.

We always say they have zero rights. They get on the vessel, their passports are taken away, and then the captain can do to them what he wants. I should say there are different captains, some take very good care of their crews, but there are others who do not, and then the fishers are in a very unfortunate situation. What is the minimum age to get on a vessel? What is the maximum number of hours you work? What is the maximum amount of time to spend on a vessel? Two years is too much. There are low wages. Their contracts they can tear into pieces and throw away.

At this point I just tell them they should make a pdf of their contract and share it with their friends. It is not possible to keep people at such a level of ignorance with social media now as before. You can think what you want about social media, but here it is something that helps people to connect to their rights, that helps them to save their contracts and their papers, and nobody is able to throw it away and say there was no contract or something like that.

For informing fishers of their rights, we have huge posters, and they are written in English, in Bahasa, in Chinese, in Vietnamese, in pictures. And they say «If you have experienced this, and this, and this, and this, here is the emergency number you can call». The second thing is we try to get in touch with them and to speak with them, but this is definitely something that needs time. It happens, but maybe not the first time that the ship comes to Singapore. In the second time it is a completely different situation. That is when you can start to talk to them. And we have had cases where they dare not leave the fishery port, and then we say to them «Do you have your passport?» «Yes, yes, I have it». «Can I see it?» «Yes, yes». And then I say to them «What your captain says, it is not correct. You can leave». Sometimes you look at their papers and you can say «This is possible for you. You do not need to stay in the fishery port, you can go out».

Dane Duplessis: The first thing Nicholas and I do is we go on a vessel that has just arrived, and we identify certain factors that would potentially indicate to us if it is a vessel that is operating illegally or if it has human trafficking victims onboard. We see if their passports are with them or on them. We see if the contract they signed is on the vessel, we look at their working conditions, their food. If they are being abused and they want to go home immediately, we contact the agent, and the agent and Nicholas and I will sit down with the owner, and we will make our demands known. We tell them «Look here, you're going to pay for his flight home, you're going to give him his remaining and outstanding money», and even if it is five crew or ten crew, they have to do it.

We're lucky to be able to make these demands and threats, because the agents know we make things public. We go to journalists, and they know that if they don't meet our demands their business is going to be bad. We solve these issues ourselves. For us, the police are too slow, and we don't know who is corrupt. We have heard there are government authorities who are corrupt.

My main thing, though, is that this problem will never stop if fishermen don't know their rights. Because we can have all the help in the world, in every port, but if fishermen sign an illegal contract in their home country, it is over and we're back to square one. They need to be educated about their rights.

Stacy: When the fishing vessels come to Kaohsiung Port, we do a ship visit with a pamphlet telling them about us – that they know where we are, that all our services are free, and they can come here and enjoy the free wi-fi and enjoy our small facility.

It takes time to build trust with fishers. We learn some basic conversation in their mother languages, for example in Tagalog, in Bahasa Indonesia. There are also fishers from Myanmar and other countries where we really don't know the language, and then we have to use Google Translate and hope it is a good translation. It is really important if possible, to have an interpreter in another language, for instance, we had a lot of fishers one time from Tanzania who spoke Swahili, but we got help from members of the crew who spoke English and could explain their friends' problems.

We just want to know how they are. It helps a lot to have even basic words in their language, or even special words used by fishers. Many fishing vessels can have a special language mixed with Chinese, Japanese, Taiwanese, and some Indonesian. But learning those words is a great way to get close to them. For finding out how they are doing it is valuable to be able to talk to them as friends.

If they don't trust us, they might be worried about telling us the problems they are facing because they are afraid they might lose their jobs for telling us. Also, most seafarers are very lonely, but because they are men, and they want to be strong, even though they are upset they will give us a sunshine smile and say everything is alright and they don't need any help. But maybe after they have had a video call with their family, sometimes they do get very upset, especially if someone in their family died and they couldn't say goodbye, they might get very upset but not want to cry in front of their family. Or they saw a crew member pass away from sickness on the ship or an accident. We just talk with them and hope that that can relieve their stress.

We will provide a listening ear and ask them what kind of support we will give them. But it is important and we need more training to see what kind of spiritual support to provide them. We want to be good listeners and share the things they are worried about. If they need somebody to talk to and want to use WhatsApp or Facebook Messenger, we will use those to find them what they need, because what they really need is someone to talk with. They don't want their family members to worry about them, so they don't pass on the worst parts to their family members. We provide a listening ear and tell them that we won't tell what they have told us to anyone.

The Fuh Sheng 11 and the importance of networks

Nicholas Barends: This story is about the Fuh Sheng 11, a Taiwanese flagged ship that came to Cape town. The crew were extremely scared of sailing on this vessel as they said it was unseaworthy. After repeated attempts to get the vessel arrested, the vessel was declared sea worthy by SAMSA. It departed from the port of Cape Town and when it eventually arrived in Taiwan it was inspected and was found to be in breach of a number of regulations. It was eventually scrapped and a number of fines were imposed. The crew had given us a hand written letter explaining the safety concerns on board the Fuh Sheng 11 and asking us for help. No fresh clean water to bathe or clean their clothes. If fresh water is required then they have to buy this from the captain. Water is held under lock and key and can only be accessed at meal times and not during working hours.

Very unsafe conditions aboard the Fuh Sheng 11 – the engine room was flooded. Videos and photographs had to be taken in secret. There are often problems when having a mixed crew on board a vessel and often fighting would occur. Food is another problem, as different nationalities prefer their own kind of food. Indonesians on board the Fuh Sheng 11 were forced to eat pork, even though it was against their Muslim faith, as this was what the company bought as it was the cheapest meat available.

Dane Duplessis: As Nicholas said, we were the ones that discovered the dangerous working conditions on the Fuh Sheng 11. I spotted the vessel in poor, very poor condition. I then asked SFSC the history of the vessel, if they were ever given a fine, or a warning, or any deaths, etc. They told me of a murder on board that vessel a few years back. Hearing that, that made me more suspicious.

Nicholas from the AOS then jumped on board to assist. We started doing regular visits and checkups on the vessel. In our interviews with the crew we learned of more problems, like the pork being forced on Muslims, and that some crew had joined expecting to work on a Japanese-flagged vessel or in an engine room. Another important thing we did was share the story on our Facebook.

The vessel was detained (by the ILO) due to it being unstable. This detention was made possible because South Africa had signed the ILO Convention C188 on fishers' welfare, and this was the very first detention under C188.

Once the lopsidedness was corrected, they had plans to sail. However, the crew wanted to leave because they felt the vessel was

unsafe. That's when they slipped a note under Nicholas' office door requesting help. Authorities passed the vessel as safe to sail, despite the vessel taking on water. The captain and officers assured me they wouldn't leave and were just taking on the supplies for their stay in Cape Town, however, the next day they left, despite the crews' fears. Some crew then opted to leave at the nearest port. And the vessel sailed to Taiwan.

Stacy Lai: When we saw Biblia's post we also shared it on our Facebook page, and the same day we contacted the Taiwanese Fisheries Agency, who told us that they had already asked a representative to look at the situation in Cape Town. At around the same time, Fr Bruno Ciceri, head of the AOS, wrote to the Fisheries Agency about the situation and a recent Greenpeace report and asking how the AOS could help.

In the month that followed, we and Fr Bruno continued to urge the Taiwanese Fishery Agency on. This was while Nicholas and Dane were supplying the crew with food, interviewing them, and when they received the letter asking for help.

A week after the report was issued that talked only about seaworthiness, a coalition of NGOs called Human Rights for Migrant Workers held a protest in Taipei over the treatment of migrant fishers like on the Fuh Sheng 11, and Taiwan's Control Yuan ombudsman Wang Mei-Yu launched an independent investigation of the case.

Eventually, the Fuh Sheng 11 arrived back in Kaohsiung at Siaogang fishing port, where its fish was seized and further inspections were done. After some time, we were able to visit with the fishers who were still on the vessel. We provided spiritual support, we welcomed them in our center, and the Fisheries Agency invited us to interview former crew members in Indonesia. Ultimately the Fisheries Agency released a new report, serious punishments were imposed, and the last of the fishers got their pay.

So, as you can see, a lot of helping our fisher friends comes from working together and sharing information with governments, the public, and each other. Because Nicky and Dane worked with authorities in South Africa they were able to help the Fuh Sheng 11's crew there, and because we knew each other and worked together and we both knew Fr Bruno Ciceri we were all able to urge the government on, and ensure better protection, labor rights, and welfare for the fishers.

More examples of ICMA members networking for fishers

Fr Jacques-Henri David: That is a good example of how we do it, and I too have worked with Stacy in helping fishers on Taiwanese vessels.

Our solidarity network does so much good work, and there is so much need for many different kinds of contacts. We are lucky to be in a small port in Mauritius, and everyone is easy to contact. We have a good relationship with all the partners involved in seafarers' welfare: the shipping superintendent, the minister of shipping, everyone, so we can deal with whatever comes up.

I was contacted by Stacy for the first time earlier this year, about a fire on the Taiwanese vessel the *Tenn Ming Yang 268*. As soon as I got to know her, I put her on my list of contacts. Fr Paulo too I know from our regional network, and I work with him frequently. We have a lot of Filipinos, so I need to keep regular contact with him and we exchange a lot of news.

As for agents, whenever we have a problem, the first question we ask is «Who is your agent?». Some agents know us, and we know them, we can call them when we have a problem, we know they are good. But other agents are untrustworthy too. You need to have a good relationship for agents too, not only when there are problems. You need to keep contacts with them, for instance on *Sea Sunday* I always send them invitations, even though they will not come. It is important to show people you know they exist. A Christmas card or a phone call can also be good for keeping in contact.

Dane Duplessis: There are so many good people that have come on board now. We have journalists, the American embassy, A21, which is an organisation that focuses on trafficking, IOM, there is a fishing agency that help us as well. These people have really stepped up to the plate, and when we need something, they are more than willing to help. So, having these guys behind us has been a real help. Nicholas has got an attorney on board as well. Those are the people that we are looking for to help us.

There is a fishing agency with whom we have had troubles in the past, but now they are very willing to accomodate and help us, they are very fair. They will help us, even if it is their guy we have a problem with.

It is strange, because they all came to us. There were two journalists that came to see my work, and once the articles came out a lot of people started taking an interest in our work. And then they

began to realise the seriousness of the situation. People often think of labour trafficking as not such a big thing, but when you see what we see here it is crazy. One or two of the people who reached out to me helped me out on a case, and after that things really started to grow. Especially in the last year, and with the TEDEx talk I did to. Since last year it has been really great, and we have been able to solve every case this year. With the help of these organisations.

Working alone with this type of situation is not easy. Once Nicholas came on board things became so much easier. It is especially important that he not only helps but is passionate about helping people. Nicholas is someone who is willing to help whenever, in the night, no problem. In some ways our work has actually become more difficult because we are encountering more problems, but it is easier to solve because I have someone with me.

Stacy Lai: It is wonderful for us that we have organisations like these in Mauritius, Uruguay, Singapore, South Africa, and the Seychelles that can provide immediate support to these fishers in a different port, and the same has gone for South Africa and Uruguay at other times.

We have worked with the Taiwanese government for over 20 years. We work with them on holding different events like the Fisherman's Festival and a Christmas party, we get government grants and we look for sponsors for specialised things like things to help seafarers relax, free haircuts, and free health checks. Hairdressers and hospitals are especially good partners, and they do voluntary service. We also have great volunteers to help us translate. It is important that we are able to throw a party and provide food and drinks and give the fishers some warmth and hospitality even when they are far away from home in a foreign country. We can't do that on our own, so it is very important that we have a close relationship with NGOs and the government.

We have something like a coalition of NGOs that work together to speak for fishers. We use social media a lot for this. If we got a case in Northern Taiwan, for instance, we can contact our colleagues in the NGOs in Northern Taiwan to visit those fishers and give them prompt support. And if that northern NGO gets a message from fishers in Southern Taiwan, they can let us know and we can go do ship visits with them.

We also work with the Kaohsiung Stella Maris, Fr Yance. Most fishers are Filipinos and Roman Catholics, and to support them we

want to make sure they can get a special blessing or a mass before their departure. Having a Catholic priest to do that can be very important for their religion and for their faith.

We are really working hard at keeping good relations with the government for supporting fisher friends. We are often the ones speaking for the fishers, and we want to have a peaceful platform for communicating with the government, the ship owners, and the brokers in order to protect fishers' labor rights. That way we can hopefully have a more peaceful environment in the whole fishery.

Michael: As a German, a European, I have a big big distance to the fishermen, especially when they are Indonesian. Filipinos are a bit closer, especially because they are mostly Catholics, but Indonesians are Muslims. And they normally dare not come into the center because for them this is not theirs - I would not say that the centre is the enemy, because it is not like that, but it is not a Muslim centre.

We have a volunteer. He is part of the Lutheran church in Singapore, his whole family is active in the Queenstown Lutheran church, and his whole family is active in council and the small groups and on and on and on. It is part of my ministry to approach the congregations in my area to preach and share about our ministry. Through one of my presentations at his church he got interested in the International Lutheran Seafarers' Mission.

I met this volunteer at the center. We would always say we are open for new volunteers to join us and one day he showed up at the centre. I would say he is high in his sixties, and when he started to work with us, he slowly opened up, and then it came out that he is now a Singaporean, but his family background is that he is a refugee. At the age of six years, his family had to flee from the persecution of Chinese people in Indonesia, and then he came along the neighbouring islands, Batam and Bintan, to Singapore before the state was founded. From there he made his way in Singapore. He got into the society, and now he is a Singaporean. Now when he comes with me to the Jurong fishing port, to the fishing vessels, I have a feeling that he is kind of going back to his roots. He has an immediate contact to the fishermen, he approaches them, he speaks to them in Bahasa Indonesia. He goes onto the shipping vessels without any fear or doubt or anything – this is something I dare not do because I see this as their area and do not want to enter their ships, but he feels at home there, he is definitely at home. And he is the one that opens up the hearts of the Indonesian fishermen,

and when they have trouble, when they are sick, when they need medication or whatever, they approach to him and they talk to him.

And since he has been there – and I should say this goes also for others of my colleagues, including my dear friend and brother who has come with me to this conference – I see the other people working in the Jurong fishery port, we are closer to the other Indonesian fishermen. He has taught me a few words in the Indonesian language, and now I am also a bit closer to them. I see this as a kind of a blessed situation, that I, as one from Germany have a big big distance, and without his help I would not be able to closer to them. I really think this is one of those things that there is a blessing behind.

Fr Tamar Frandry: We had one story very recently, near the beginning of this year of 2019. I am told the vessel was named «Chun Hao», but I only heard that in the hospital so I can't be sure. It was definitely a Taiwanese-flag vessel. Stacy was also involved in helping us with legal assistance and the follow up.

There were two fishers from the Philippines, and one of them was sick. He had been working, fishing more than twenty hours, not only for a day but many times, doing the same again, fishing without having any time to sleep. By the end of it he was having so many brain problems he became crazy. And he was tied up and brought to the hospital. The name of the disease that he suffered from was *marchiafava bignami*. He told me: «Father, I would like to commit suicide». So after the hospital he stayed for at least two weeks. He was lacking vitamins in the brain for the first few days. Stella Maris Montevideo and Ana, our contact person, tried to assist him every day.

His cousin was also on board the same vessel, and, them being family, the cousin told me: «Padre, I need to make this decision to go with him.»

I found out about this when he was in the hospital. In this same week I had another seafarer in the hospital, and whenever I go to the hospital, I always leave my phone number with the doctors or the nurses in this sector and tell them, if they have a fisher or a seafarer, they can contact me. At this time, I was visiting all the seafarers - there was one of them with a kidney problem, and at this time I shared this story that I heard. When I let him know about that, I received a call by 10pm, saying «Father, the one we were talking about is in the hospital and is more or less ok». And the next day I went to the hospital to visit with him. So, it is all about networking. Networking works. I try to keep in touch with the hospitals, with

seafarers, sometimes through people that I know at the sea port. Sometimes things might happen at the seaport, and if we don't have friends there no one will tell us about it.

Fishers' ministry and religion

Fr Tamar Frandry: I am part of the Missionary of St Charles, which works with migrants and refugees, and so when I got started in seafarers' chaplaincy what I was trying to do was accompanying people on the move in their daily lives. So, I started with AOS specifically in 2011 when I was a student in Rome, then in Brazil after I was ordained by a priest. Before I came to Brazil, even though I had worked with the AOS, I didn't really know about the reality for fishers and seafarers. My first experiences in Rome gave me a better idea, but then I came to Brazil and worked for some months with Fr Samuel and Stella Maris Santos, and then the Stella Maris in the Port of Rio Grande, and served as a chaplain for four or five years there. That is when I went on board ships and really learned about seafarers' and fishers' lives. And now I am in Montevideo.

This is part of our vocation: we minister to them, we try to be a friend to them, and sometimes we are their chaplain - it depends on their faith. For us religion is not part of it. It is a matter of being there for them, to serve them.

Dane Duplessis: In the past Biblia has been purely mission focused: ministry, evangelism, pastoral counselling, while welfare played a very small role in what we were doing. Now there is a balance. But in the harbour in Cape Town I am fully focused on the welfare of fishermen, because that is what is needed. In the other ports we carry on with mission work and pastoral counselling, but because the situation is so rife and prevalent where I am I need to be involved in it 90% of the time.

I studied theology, but I've done two majors: practical theology and missiology. That put it all in perspective for me. The Christian mission is not all about converting people. It has to do with communities and how we engage with them in a Christ-like manner. Showing a seafarer, especially a fisherman, that you care for them is a far more effective way of doing missions than simply handing out a Bible. These people need serious help and they need it quick.

Fr Jacques-Henri David: I think we must also work for a common root for our spirituality. We say we are Christians, we are like Jesus Christ, but there is something missing: a common strong root, saying that our compassion for seafarers comes from the Gospel. I don't know how to say it myself, but we need something like this. No matter what religion they are, Christian, Buddhist, or Muslim, seafarers need to know that they can use our facilities and we can direct them to a temple or a mosque or whatever they want.

Stacy Lai: By helping these fisher friends we have also learned a lot from their optimism. They are in a difficult situation but they try to be happy. They'll say «I just need money because our house needs repairs» because they don't have money in their hometown, and if they are repairing their roof, and maybe during that time they don't get their salary, if they don't get their salary they have to stop the construction. So, they know this, they are a lot of young people, and they work very hard because they know their families need them to work very hard and provide for them. When I think about this, I am inspired to provide for them and to serve God with the same happiness and hard work.

References

Chen, Nai-Chuan (2019). *Presentation*. Retrieved Dec. 2, 2019, from <https://vimeo.com/368720079>.

Chung, Chia- Ling (2019). *Presentation*. Retrieved Dec. 2, 2019, from <https://vimeo.com/368722665>.

European Commission (n.d.). *Questions and Answers - Illegal, Unreported, and Unregulated (IUU) fishing in general and in Taiwan*. Retrieved Dec. 2, 2019, from https://ec.europa.eu/commission/presscorner/detail/en/QANDA_19_3398.

Liu, Chi-Chao (2019). *Presentation*. Retrieved Dec 2, 2019, from <https://vimeo.com/368724306>.

Su, Yu-Kuo (2019). *Presentation*. Retrieved Dec. 2, 2019, from <https://vimeo.com/368721771>.

Re-writing All Known Rules: How Digitalization is Affecting the Maritime Industry

DIRK MAX JOHNS
max.johns@hsba.de
Hamburg School of Business Administration

Any social work directed at seafarers can only reach its target audience when and if the current markets are understood. The economic situation of seafarers and shipping companies is the canvas on which lives, careers and engagement of seafarers play out. The appearance of the shipping industry as a system mired in tradition can be deceiving. The industry has undergone tectonic shifts in the last few decades that had significant repercussions for all participants, not least the seafarers on board the vessels. Historically, too, the maritime industry has often undergone fundamental changes, such as the propulsion revolutions from sail to steam and diesel engines, major leaps forward in navigation instruments, partial automation, and containerization – to name just a few.

Underlying the development of the last decades has been an unrelenting growth of seaborne trade. This growth took an unprecedented boost after China joined the WTO in 2001 and became the growth driver of global GDP. It is such basic goods as food that continue to be the backbone of trade. However, major bulks such as coal, ore, and steel saw growth rates unseen hitherto. Equally, shipments of consumer goods that were fitted into containers grew at dramatic rates. Distributed production was perfected along the “extended workbench”, whereby the production process of a single product could take place in various countries. All this benefitted the shipping industry greatly.

The shipping industry itself developed ever larger vessels with increasing sophistication. On the shoreside, ports developed at similar speed and could accommodate this growing fleet.

The 20th century has commoditized ships. Although shipping was the privilege of certain parts of society in earlier centuries, anyone with

sufficient funds can acquire a ship today. Markets are highly transparent, fast and competitive. Information technology and practically fully transparent data make ships accessible anywhere on the globe.

Also, ships are designed, financed and built on the global workbench. Since the 1970s, shipbuilding has shifted from the US and Europe to Japan, South Korea, and China. However, some of the most valuable items in ships are their parts. They can be provided by global suppliers which often reside in countries different from the yards'.

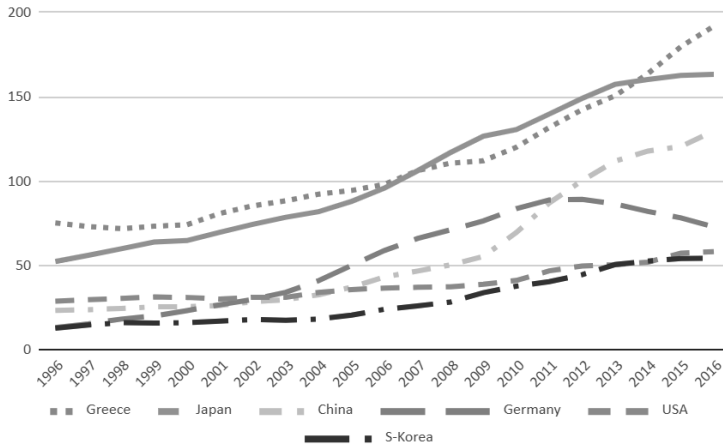
Almost as a precursor of industrial shipbuilding, ship-recycling too has moved around the globe. From the US and Europe, where specialized yards were busy recycling until the mid-20th century, the industry moved through Japan, Taiwan, China, and Korea and is currently settled in South Asia and Turkey.

Together with more and different vessels and increased seaborne trade, the global regulatory framework has evolved. Key shipping regulations are globally recognized conventions.

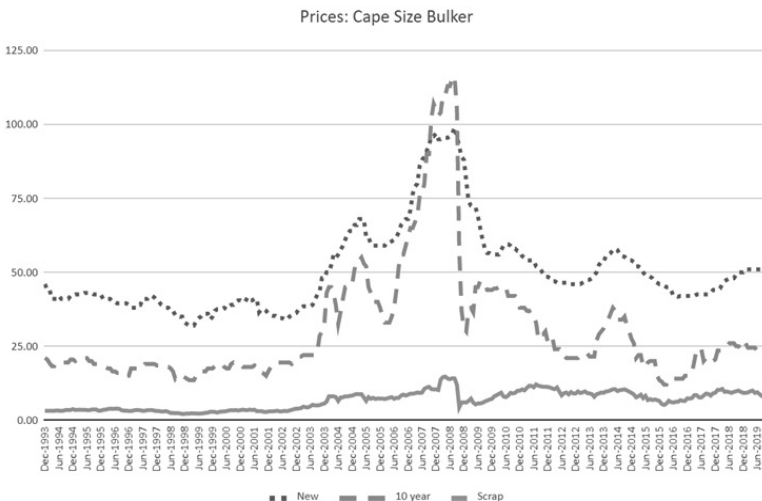
Ships have grown in size and become more efficient. Ships' crews were decreasing at the same time. But global trade outgrew and helped to create around 1.7 million jobs on board merchant vessels around the world. More ships meant more jobs for well-trained men and women.

Shipping is a diverse industry. Different ship types cater to different trades, cargoes and routes. Century old shipowners compete with start-ups, family businesses with global concerns, SMEs with stock-listed entities. While the all-encompassing company has become rare, a division of labour has become the norm. Owners may be specialists in ship-finance and design, operators are focused on the cargo, and since the 1970s an entire industry of ship managers has emerged with sub-divisions in technical, commercial, and crew management.

The 'system ship' is an amalgamation of global ingredients. It would not be uncommon to have a ship built in South Korea, ordered by a Norwegian company, financed by a Danish bank, registered in Liberia, fixed by a commercial manager in London, taken care of by a technical manager in Germany together with its crew manager in Cyprus, who works closely with its manning agents in Manila and other places, with a crew from the Philippines, Latvia, Poland and Russia. This ship may trade between Chile and Australia.



What this illustrates is a sophisticated division of labour on the basis of an equally sophisticated international system of rules, conventions, laws, and regulations. But this division is not only driven by pure market dynamics, driving occupations to places where they are performed most efficiently and cost effective. In shipbuilding and ship recycling, governments use a heavy hand to secure jobs for workers on shipyards. This sometimes distorts the markets, making ships too cheap, and creating an oversupply of vessels.



Unfortunately, shipping markets and seaborne trade are barely predictable. For example, before the financial crisis in 2008, there seemed to emerge a natural law that seaborne container trade should grow by a multiple of 2,5 GDP growth. A decade later the same multiple is below 1. This just illustrates how fast and profoundly markets are changing and shifting. It also illustrates another emerging subject: when markets become increasingly volatile and unpredictable, the investment in a ship with a time-horizon of 30 years will be more speculative than ever. One way out of this dilemma may be increased modularization of the system ship. More often than in the past, entire parts will have to be replaced, decreasing the investment cycle for some parts of the system but keeping the ship economically afloat.



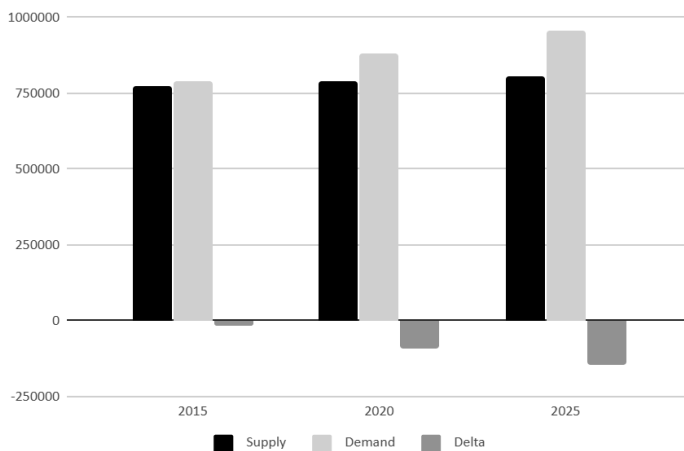
Shipping is confronted in all parts of its value-chain with the chances and challenges of digitalization. From the building and process on the shipyard and the financing, to all processes in the offices over ship management, chartering, and crewing, down to the all-encompassing logistical and transport function, digitalization changes dynamics and adds new players. Crews can increasingly communicate with families and offices, and the ship and all functions around her are becoming more transparent. The drastic increase of data offers opportunities which are not yet fully understood. Despite the observed volatility, the essential message from the markets remains:

world seaborne trade will increase steadily. The number of ships will increase for the foreseeable next two decades also.

Even though ships seem not to have changed very much from the outside, one aspect seems certain, however: ships are becoming more autonomous. Eventually, on some trades, fully autonomous and unmanned vessels may become reality. This disruption will not be sudden. Technical and regulatory challenges will slow the process to a manageable speed and show which developments are helpful and which may never make economic sense.

From the economic and technical aspects, it is then important to turn attention to the people on board, or the “human element” as they are often themed. One consequence is the changing role of personnel on board: while data transmission allows transferring some function ashore, artificial intelligence may replace numerous repetitive functions on the bridge and in the engine room.

Seafarers and shipowners equally are confronted with the question of what all this means for the number of jobs. Will autonomy and digitalization lead to massive job losses? A study conducted by HSBA Hamburg School of Business Administration on behalf of the International Chamber of Shipping (ICS) comes to a clear answer: the number of jobs for seafarers will rather increase than decrease until 2040 (Johns, 2018:17-19). Similar phases with introduction of automated processes have – for instance in the automotive industry – led to stable and increased jobs. But the types of jobs and the type of qualifications needed have changed significantly. Thus, on the surface, there were not job losses on the macro-level; often new people gained jobs, while others lost them. It will be essential to observe this situation in the maritime industry and focus on joint efforts to retrain and retain seafarers.



A decisive work will be done on the regulatory level over the next decade: governments and the industry will update the STCW Convention in order to describe a new framework for training and qualifications for seafarers. This exercise needs to define what role remote operators can play, how we view personnel that is controlling the software of a vessel, and who carries ultimate responsibility for the entire system and operation when its parts are owned by various entities and no or ever fewer people with limited functions are on board.

At the same time, the social partners will have to define what their role and relationship may be once the changing framework begins eliminating old certainties.

The driving forces of digitalization and automation may lead to disruption of the maritime industry. This disruption does not need to be a cause for worries, however, as it offers chances for the incumbents. But changes in regulations, processes and technology need to be embraced and tested now. As long as we create our future actively, we need not worry.

References

Johns, Dirk Max (2018). Seafarers and Digital Disruption. Retrieved Dec. 2, 2019, from <https://www.ics-shipping.org/docs/default-source/resources/ics-study-on-seafarers-and-digital-disruption.pdf?sfvrsn=3>.

Equipping and Empowering Seafarers Worldwide. Maritime Leadership across Cultures and Seafarers' Well-being

RANCHO VILLAVICENCIO
mvformation@yahoo.com
SPWO Philippines

Leadership styles across cultures affect the mental health and well-being of seafarers from all ranks and nationalities around the world. This has a great impact on safety and productivity of our seafarers on board, and, consequently, on the human and economic costs of shipping. Equipping and empowering seafarers worldwide on effective leadership across cultures will enhance seafarers' well-being.

Leadership Styles Affect Crew Well-being on Board

I started sailing in 1987 as an engine cadet. After having a sea experience of twenty months, I became a third assistant engineer and worked on board tanker, bulk carrier, and container ships sailing in Asia, the U.S., and Canada. I circumnavigated the world twice. During those times spent at sea, I saw and experienced how leadership styles across cultures affect the mental health and well-being of our officers and crew. Compelled by the call of God in the ministry, after three years of my shipboard experience, I gave up my sailing career and became a pastor, course developer, and trainer of soft skills to seafarers and their families.

Continuous interaction with seafarers sheds more light on how bad leadership and bullying is leading them to chronic stress, anxiety and depression. In 2005, I officiated at a funeral service of a young and very strict captain. The captain had allegedly been aggressive in his leadership style with a cadet, who allegedly then killed him and jumped overboard. This incident, triggered by bad leadership, had an emotional and economic impact on the affected families and in the company. We as ministers and welfare workers

can work together in helping and adding value for seafarers and our partners in the maritime industry, including welfare organizations and other stakeholders, through an innovative ministry of quality courses on leadership, cross-cultural awareness, and mental health.

2018 Workplace Learning Report

The LinkedIn 2018 Workplace Learning Report on workplace learning trends shows that talent developers, executives and people managers all agree that training for soft skills is the top priority for talent development teams (*The 2018 Workplace Learning Report*). The number 1 most essential soft skill is leadership. As welfare providers, how are we going to respond to the current trend? We at the SPWO Foundation and Seacoms Maritime Development International are offering and have begun delivering soft skills training in the Philippines, countries in Southeast Asia and Europe, and in New York, in the U.S.A. The maritime industry has realized the need to balance technical skills and soft skills training to ensure safety, enhance work engagement, and increased retention rate.

In an article for the *Harvard Business Review*, Emma Seppälä (2015), PhD Yale School of Management, gave a few heavy statistics about the consequences of poor leadership: «Health care expenditures at high-pressure companies are nearly 50% greater¹ than at other organizations», «around 60 to 80% of workplace accidents² are attributed to stress», and «the stress of belonging to hierarchies itself is linked to disease and death. [...]». In a large-scale study of over 3,000 employees conducted by Anna Nyberg at the Karolinska Institute (2009), results showed a strong link between leadership behavior and heart disease in employees». Seppälä's argument concluded «well-being comes from one place, and one place only — a positive culture».

Leadership Across Cultures and Seafarers' Well-being

Leadership across cultures training is crucial in enhancing seafarers' well-being. Influencing ships' crews of different nationalities and cultures towards quality, health, safety, and environmental protection will add value for seafarers, manning and shipping companies, and other stakeholders. We cannot lead people against their

¹ See Azagba - Sharaf (2015).

² See American Psychological Association (2015).

cultures. We need to become flexible and adaptable with people on board and on shore with different beliefs, customs, ways of thinking and behaving. Our leadership effectiveness depends on the level of our influence with others.

The rock foundation of leadership is trust. Integrity builds trust. Trust binds and raises the team together. The highest level of leadership is admiration, not authority; people follow willingly and cheerfully because they admire and respect their leadership. We gain influence when we get the trust of our people. We develop trust when we demonstrate integrity.

A leader with integrity not only mentions but also models strong character, competence and courage. Abraham Lincoln was one of the greatest presidents of the United States of America, and the reverence he was and is given results in large part from his perceived integrity. According to one legend, when he was still working as a cashier at a grocery store, he overcharged a customer three cents. He walked a great distance of 6 miles just to return this small amount of money. Because he could be trusted in small things, in due time, he was entrusted with the great thing of the presidency of the United States in 1861, a troubled time of historic consequence. Last month, while I was speaking to the chief engineer of a bulk carrier, he told me a story of having a hard time dealing and working with his captain, who lacked integrity. One day, he was asked by the captain to sell fuel oil, against his strong convictions. Leading with integrity in the engine department, he refused the master's order, and this began an ordeal of traumatic experience on board, leading to stress and anxiety. The industry needs leaders on board with unquestionable integrity, leaders of character, competence, and courage, who will influence the crew towards safety, productivity, and well-being.

At Seacoms, we believe in five A's of leadership: leadership by authority, association, accomplishment, assistance, and admiration. For now, I will limit my discussion to the first two, because these are the most common kinds of leadership I see on ships. Most officers use leadership by authority on board, so that the crew follows just for compliance. The officer articulates the quality and safety goals and uses intimidation to influence his subordinates, and the crew performs at the minimum requirements and delivers less because of lack of motivation and inspiration. The crew are low morale, and therefore they perform at a low level. The crew needs not only daily instructions, but also inspiration to perform at a higher level. For this to happen, the leaders should grow from leadership by author-

ity to leadership by association. In leadership by association, the crew follow willingly because they are attracted to the leader's behavior. The officer balances the giving of command and providing of care to his crew members. He realized that people do not care how much the officers know until they know how much they care and support their people on personal and professional level. The crew begins to trust the officer because of his character and competence. Likewise, they respect his courage to model integrity by doing the right thing at all times, even though his decisions may be unpopular. These character and competence qualities of leadership build a strong team on board, and that strength brings them to the next level of success, leadership by accomplishment.

As chaplains and welfare workers, we can make a great difference at sea. We are not just leadership trainers, but practitioners in our areas of ministry; we lead people to transformation by changing the way they think and behave. We need to mentor and coach ship officers and crew in leadership and becoming flexible and adaptable in a multi-cultural working environment. The result will be happier seafarers, better value for our partners, and greater harmony onboard.

References

- American Psychological Association (2015). *Stress in America: Paying with Our Health*. Retrieved Dec 2, 2019, from <https://www.apa.org/news/press/releases/stress/2014/stress-report.pdf>.
- Azagba, Sunday; Sharaf, Mesbah F. (2011). Psychosocial working conditions and the utilization of health care services. *BMC Public Health* 11, 642, doi:10.1186/1471-2458-11-642.
- Nyberg, Anna (2009). *The Impact of Managerial Leadership on Stress and Health among Employees*. Stockholm: Karolinska Institutet. Retrieved Dec. 2, 2019, from <https://openarchive.ki.se/xmlui/handle/10616/38102>.
- Seppälä, Emma (2015). Proof That Positive Work Cultures Are More Productive. *Harvard Business Review*. Retrieved Dec. 2, 2019, from <https://hbr.org/2015/12/proof-that-positive-work-cultures-are-more-productive>.
- The 2018 Workplace Learning Report* (2018). Retrieved Dec. 2, 2019, from <https://learning.linkedin.com/resources/workplace-learning-report-2018>.

Best Practice for Engaging with the Maritime Industry for Seafarers' Welfare.

Refocus on our work: Benefit for all?

TOON VAN DE SANDE
info@spiritension.com
Spiritension (Dordrecht)

At the world conference in Kaohsiung I was challenged by two questions Jason Zuidema asked: How can we have a profound impact in the maritime world? Is refocus on our work needed? Or do we have solutions to problems that people don't have? To find answers, I concentrated on our partners, the shipping companies and the port authorities. I began my presentation on this topic with an informal poll of how many ministries represented at the conference had regular and organised contact with shipping companies and port authorities on issues of seafarers' welfare. By count of hands raised, it was about 30%. A bit less than 10% said they planned to change how they were doing things after the conference. I found this rough statistic saddening, because cooperation with other partners in the maritime world is desirable, and it is achievable when common humanitarian values are traced, clarified, and shared between us and our partners.

The maritime industry involves an extensive range of people or organisations. Simply by working in a port, we come to meet seafarers and port employees of all kinds of technical expertise, operating in engineering, inspection, repairs, fuel, safety, electrical systems, communication, and navigation. We work with people in an equally wide range of areas and organisations: the harbour, shipping companies, insurance, finance, medical care, unions, governments, international regulations, and law enforcement, at a start.

What do most of them have in common? Most of these partners in the port are money-driven. They cost money, they spend money, and they do so with the intention of making money. But they see their local port chaplain working more or less for free. For them, this may be cause for suspicion. We are like them, in that we cost

money and we spend money, but without an interest in profit. They may thus ask themselves why we are doing what we are doing, and they may naturally become suspicious of us.

Take the example of a shipping company: because they, like the others in the port, want to make a profit and keep their shareholders satisfied, they minimise costs for managing their ships, they avoid sailing extra miles, they avoid reputational damage, they try to prevent problems caused by disruptive events, and they dedicate extra resources to replacing crew because of conflicts on board. But they also want to keep themselves sustainable and future-proof, and they also work according to their humanitarian values. They have humanitarian values, too – seafarers’ ministries are not the only experts. When they and we recognise this, we can all begin to cooperate.

If you are able to have a serious conversation about shared values, then you may share the same sense of urgency and concern about human values, leading to necessary changes. You may find yourself on common ground with many partners in the maritime world. When human ideals are considered, most of the partners in the maritime world are not our opponents.

But we also need to show them that we are doing a good job. We need to be transparent and professional as well. They are entitled to be critical, sceptical, or even cynical when we fail to explain our professionalism or fail to show them realistic ways to achieve our humanitarian goals. We must avoid hiding ourselves behind vague and aspirational language – so-called «bla bla bla» – and work with the port in a transparent and accountable way, without hidden agendas.

Maritime ministry is made particularly difficult by a lack of feedback and accountability. If a minister or priest working in a land-based congregation is making a mess of it, within four or five weeks the congregation will start to give negative feedback, perhaps in the form of protest or gossip, and the worker will know soon after how to change their work. How long will it take before the seafarers and other people you are dealing with raise their voice, when you are making a mess of your work? The seafarers who come to the port are constantly leaving. The necessary feedback provided by seafarers is very difficult to bring to the surface. In our profession you can hide yourself for years.

Some in our line of work, when asked about accountability, say things like «I do not want to organise my feedback because I am a minister of God, and if I can justify my work before God, that is enough,» or «the genuine smile of a Filipino seafarer is enough». But if we want to collaborate with others, we need to demonstrate the quality of our

work to them. Justifying only for God is not enough, nor can a smile be considered a serious element of feedback about the quality of our work. If we fail in this, we might not be taken very serious by most of the partners in the maritime industry. We need other more accepted methods to show that we are doing the work we are tasked to do.

If we want to best communicate the value of our work, we need a special attitude: honest, individual reflection on the way we work, its possible results, and the willingness to share this with many. This is one element of professionalism.

A working definition of seafarers' ministry

I propose as such a definition of our work that *welfare workers limit themselves to a holistic, clarity-focused, and supportive interaction with seafarers*. This could be a generic concept to describe the main activity of welfare workers in order to assist the seafarers in discovering whatever keeps them busy in their life, in a negative but also in a positive way. Our interactions being *holistic* means that they deal with human beings in such a way that body, mind, spirit, and social environment are not seen apart from each other. Being *clarity-focused* means that the life of the seafarer himself should be the starting point of communication. In our interaction with a seafarer, we should clarify for ourselves the main concerns in the seafarers' life and work from there. *Supportive* means giving assistance for the seafarer, starting from their everyday reality.

Usually, this communication consists of four steps:

1. *I am.... And I am working for*
2. *Welcome in the port.*
3. *How are you doing?*
4. *If appropriate: How and with what can I be of service to you?*

The first step, of introducing yourself honestly, is very important. If you are from a mission, or if you are a pastor, they should know it. I remember one time that I was driving a bus, the seafarers perceived me to be a taxi driver, and they started talking about very personal things amongst each other. Had I told them after this that I was a pastor, I would have embarrassed many of them, so I kept my mouth shut and remained a taxi driver for them.

«How are you?» is a very important question, because it is an open question, and gives seafarers a chance to say «well», «poorly», or whatever they would like, or even just to leave immediately. Their

answers also present us with subtle cues to which we should pay attention. An experienced welfare worker has met many, many seafarers. The result of all those meetings is a sixth sense for discerning potential subjects to communicate about. Therefore, we are trained to value the first sentences spoken by seafarers after having presented ourselves to them and after having asked «How are you?». Seafarers also have a sixth sense about us.

Every seafarer conceals a very individual and private mystery, which guides him through periods of life. Only by exchanging stories might it be possible to unveil or disclose this most intimate part of a person. When there is a mutual trust, when you are on speaking terms, you might get the chance to share confessions and to pray. But forcing people to get at this level of religious communication is offensive and totally disrespectful.

When seafarers feel that our mutual contact is honest and transparent, they may get interested in us and ask us some questions. Then the interaction may become more open to all kinds of subjects, questions, complaints, and good moments in life. They might ask us: «Why do you have such a strange profession, just visiting us and offering your service for free?». If that is the case, we may have the chance to speak about our inspiration, personal history, and other important things. A mutual enriching conversation and sometimes even prayer might then be possible. A good conversation with an atheist can also be purifying for our own faith, because atheists mostly are very capable of questioning our religious beliefs. They make us discover the weak points in our convictions, and in this way our souls could be purified or freed.

Professionalism

In staying critical about our own work, but also in tuned with our partners, the concept of professionalism is paramount. Only as real professionals, could we and should we cooperate with the other partners in the maritime industry. And only by cooperation can we do our work better. Professionalism in focusing our efforts and resources may guide us, our partners, and the seafarers we are dealing with to increased well-being for seafarers and more humanitarianism in the maritime industry.

Professionalism implies that you can explain what you are doing, for instance, how much of your working hours are you spending visiting with seafarers?, how you are doing it, e.g., are you keep-

ing your promises?, why you are acting as you are acting, e.g., are you just trying to convert seafarers to Christianity?, and what the possible results of your work may be, e.g., what will happen if you overstep your competencies? Equally important, you should understand and be able to explain what drives your own involvement. As professionals, we should be able to justify our actions, but there is no logical order in these questions. They are intermingled or intertwined but should be discerned in a professional reflection on our professionalism. This should be a regular individual activity, but also a point of concern in our network.

Tracking your own professionalism is not a private or individual concern, but a joint action with as many concerned participants as possible in a methodically responsible way. It should be a recurring and planned event, organized by your employer. A variety of methods are available. Our partners in the maritime industry like audits. And we? Are we familiar with this kind of reflection and report?

This is not it! - a possible starting point for cooperation

“It” seems to me the most mysterious word in our language. It has been used many times in a great variety of circumstances. In a positive way, «this is it!». And in a negative way, «this is not it».

The negative one is the most valuable emotion and starting point for our interaction. Without this, no light is shed on our work! During this conference we felt *it* when we were visiting the fishers. We felt something without words: «this is not good!». We smelled it. We saw it and we shared it. Some of us would have thought or even shared: «This is not according to God’s will». In Biblical terms, we were moved with compassion (Mark 1:40-45, KJV) and the energy to do something about it was vivid.

Confronted with a new and contrast-full situation, you may get feelings like shock, anger, disappointment, sadness, wonderment, astonishment or bewilderment. Those experiences are normally irrational, but they overtake you mostly by surprise. I think these kinds of experiences are crucial in human life. They also may become preconditions of any program of change. One could flee from them or run away by not letting them in, by ignoring, by forms of addiction like alcohol, drugs, status, etc. In short, when fleeing, you are forcing yourself not to respond to the energy that comes from those experiences of challenge. A challenging experience could be best described as: «This is not it!».

“It” stands for a utopian ideal situation where everyone is happy. This could also be met in reality. If that is the case a positive and optimistic energy may challenge people to act or work to keep it this way. Both the more negative as the more positive experience may be a source of energy to do something. «Go for it!». But, as I said, the starting point is not guided by reason.

The starting point of cooperation between you and the other partners in the maritime industry is exploration of whether the shipping companies and you share the same or similar feelings. If that is the case, then the golden moment is there: the process may continue by analysing, discovering, etc., leading to cooperation. This is not a circular process but a spiral one. Your feeling of ‘this is not it’ may become research, action, and evaluation, only to return to the stage of emotions, feelings, and challenges. And then the process starts again.

Professionalism and knowing one’s limits

The welfare worker must assess which problems he can handle himself and which problems are beyond his capacity. If the latter is the case, he should refer the seafarer to an expert capable of dealing with those specific problems. *A welfare worker isn’t a professional when he oversteps the mark of his own profession.* In more detail: generally speaking, a welfare worker is not a general practitioner, a union representative, a lawyer, a port authority, a psychologist, an inspector, etc. He should not pretend to be one, nor give advice to seafarers on their areas of expertise, nor ever interfere with their work. But he *should* know what those agents can do for seafarers. This is one good reason why a welfare worker should be part of a network of experts and specialists he can refer to.

Respecting seafarers

As said before, most seafarers have developed a sixth sense for the quality of people in general, like welfare workers have developed a sixth sense for humanitarian issues potentially playing a role in the life of the seafarer they meet.

When a seafarer answers the question «How are you?» and refers to the situation he is living in, then you may pay attention to some topics you are alert to from being on his ship or being aware of the life of seafarers in general. These themes are a part of your toolbox and they influence the way you assess situations. Examples of themes to be alert on are the general state of the ship, harass-

ment and bullying, fatigue, possible criminalisation of seafarers, disruptive events, contact with the family, loneliness, and faith related matters. But it is not all negative. There are also other more positive subjects like humour, good atmosphere, pride, going home, professionalism, job satisfaction, and trust in the future. We should not look at seafarers as sets of problems to be fixed, or magnify the negative things in their lives.

Seafarers are professionals. They are strong and robust, ambitious and career-driven, forward-looking, resourceful, resilient, and experienced with different cultures. They are also subjected to stringent health testing before departure on their contracts. In addition, most of them are very well trained to do their jobs and are entrusted with considerable responsibility.

Therefore, the majority are not damaged, disturbed, infirm, helpless, or pathetic. They are not children nor weaklings. The use of stereotypes, stigma, or prejudices looks attractive, but seafarers themselves dislike them very much, and in your dealing with them it may be very counterproductive, especially with their sixth sense for the quality of the people they meet.

Towards a code of conduct

If we are professionals and trusted by our partners in the port, there are lots of questions we should be able to answer, like about how much time we spend meeting with seafarers, what our agenda is, what we do and do not do, how we think of a seafarer, and whether it is clear to everyone that our work is to everyone's benefit.

As one element to increase our professionalism, a code of conduct may be of great value. It would be great if we within and through ICMA could be able to design a code of conduct. I think this would be applauded and supported by our partners in the industry.

Here, at random, are a few elements I recommend be reflected on to make a draft:

- Welfare workers interact with seafarers holistically, with clarity, and supportively, and they allow seafarers to dictate the content of their interaction.
- They do not give false hope. honour their commitments, ensure confidentiality, value transparency, use only authorised and trustworthy information, work in a team, and are self-aware and respectful.

- They are careful not to overstep the limits of their competence, do not interfere in the work of other professionals, are willing to refer seafarers to other professionals.
- They avoid victimising seafarers, in case of disruptive events, treating them as survivors, not victims.

When we are able to evaluate and present ourselves under such a code of conduct, many benefits will result. We will better be able to relate to our partners in the port, seafarers will like us more, and we will be able to think more critically about our work and improve it. All will benefit! Therefore, in the language of ICMA, I say: «Go for it! – Go for God!».

Danses, musiques et (trans)nationalismes
**Coordination : Alice Aterianus-Owanga, Elina Djebbari
et Monika Salzbrunn**
**Alice Aterianus-Owanga, Elina Djebbari
et Monika Salzbrunn**

 Introduction : Pistes pour une
anthropologie des performances
musico-chorégraphiques en
contexte transnational

Nadia Younan

 Stateless Rhythms, Transnational
Steps: Embodying the Assyrian Nation
through *Sheikhani* Song and Dance

Elina Djebbari

 Transpoltitanisme, mobilités et
appropriation : danser la salsa en
Afrique de l'Ouest (Bénin/Ghana)

Ana Laura Rodriguez Quinones

 « C'était la première fois que j'étais
Palestinienne ». Appartenances et
représentations de la Palestine dans
la danse contemporaine

Livia Jiménez Sedano
Kizomba Dance: From Market Success
to Controversial National Brand

Églantine Gauthier

 Du séga créole à la danse nationale.
Recompositions locales et circulations
transnationales mauriciennes

Alice Aterianus-Owanga

 « Sabar, *sama thiosanou* » (sabar,
ma tradition). Frontières et propriété
culturelles dans la transmission des
danses sénégalaises en Europe

Christian Rinaudo

 Musique et danse du Sotavento
mexicain dans la construction locale
et (trans)nationale des appartenances

Varia
Martine Brouillette

Entretien avec François Crépeau

Sergio Caggiano

 Mujeres migrantes y politización de la
experiencia. El lugar del género en tres
organizaciones sociales de Buenos
Aires y La Plata (Argentina)

Catherine Fournet-Guérin

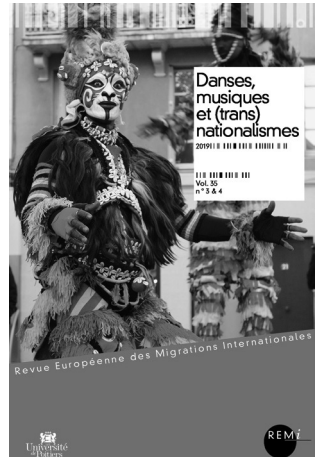
 Être étranger dans les quartiers
populaires de Maputo (Mozambique) :
un cosmopolitisme de voisinage aux
périphéries de la mondialisation

David Lagarde

 Du refuge moyen-oriental à la
dispersion mondiale. Structuration
de l'exode syrien entre 2011 et 2016

Chronique d'actualité
Birgit Ellinghaus et Monika Salzbrunn

 Musique et migration : le carnaval de
Cologne comme état d'esprit

 2019 Vol. 35
n° 3 & 4


La sostenibilità sociale nel settore della pesca e dell'acquacoltura. Comunità internazionale e Santa Sede a confronto

FERNANDO CHICA ARELLANO

osserfao@mhsfao.va

*Osservatore Permanente della Santa Sede
presso la FAO, l'IFAD e il PAM*

Il contributo propone alcune riflessioni sul concetto di sostenibilità sociale nel settore della pesca e dell'acquacoltura, sulla base di quanto emerso dal Congresso internazionale FAO-Conxemar, che si è svolto lo scorso 30 settembre 2019 nella città di Vigo, in Spagna. Le lenti prospettive da cui si dipaneranno le osservazioni commemorative e interpretative che seguono sono: da un lato, quella degli attori della Comunità internazionale, che hanno intensificato la loro azione in contrasto con le pratiche di pesca illegale, non dichiarata e non regolamentata (IUU); dall'altro, quella dei principi della Dottrina Sociale della Chiesa, che si propongono quali «primo e fondamentale parametro di riferimento per l'interpretazione e la valutazione dei fenomeni sociali, necessario perché vi si possano attingere i criteri di discernimento e di guida dell'agire sociale, in ogni ambito» (*Compendio della Dottrina Sociale della Chiesa*, n. 161).

Parole chiave: sostenibilità sociale, lotta alle ingiustizie sociali, tutela dei pescatori, Dottrina Sociale della Chiesa

Introduzione

L'ottava edizione del Congresso Internazionale FAO-Conxemar, svoltasi il 30 settembre 2019 nella città di Vigo, in Spagna, si è incentrata sul tema *La Sostenibilità Sociale nella Catena del Valore del settore della pesca e dell'acquacoltura*. Il consesso è stato preceduto dalla Fiera Annuale dei Prodotti Ittici Congelati, l'evento più im-

portante dell'Europa meridionale e il terzo al mondo – subito dopo il Seafood Expo di Bruxelles e quello di Boston – per ciò che concerne i prodotti ittici. Quest'ultima manifestazione ha visto, infatti, la presenza di 721 stand provenienti da 48 Paesi diversi (Graña, 2019).

In questa cornice, il Congresso internazionale ha interessato un'ampia rappresentanza di attori della Comunità internazionale – le cronache parlano di circa 400 persone tra alti funzionari della FAO, dell'ILO e dell'OCSE, rappresentanti di Governi e di numerose Organizzazioni non-governative di tutto il mondo – da cui sono emersi importanti spunti di riflessione qui di seguito analizzati in breve¹.

Gli attori della Comunità internazionale in difesa della sostenibilità sociale

Con la rinnovata attenzione al tema della sostenibilità sociale, il Congresso ha voluto porre in risalto un elemento chiave nel raggiungimento dello sviluppo umano integrale. Ciò nonostante, tale centralità nel perseguimento dell'obiettivo suddetto, peraltro evidenziata dai relatori², è stata sovente offuscata dalle ben più note accezioni di “sostenibilità ambientale” e “sostenibilità economica”, con cui si è inteso superare la crisi ambientale ed economica. È avvenuto ciò, nonostante la tutela dei pescatori debba considerarsi parimenti rilevante, se non addirittura preminente, rispetto alla conservazione degli stock ittici³.

È, a tal fine, di primaria importanza l'ammonimento in base al quale, in genere, proprio l'assenza di sostenibilità sociale porti ad ostacolare la realizzazione di una sostenibilità ambientale ed economica. «Non serve a nulla possedere il pesce se non ci sono i pescatori», affermava l'assessore al Mare di Vigo, Rosa Quintana (Abuín, 2019), ricordando come siano venuti alla luce ancora troppi casi di schiavitù moderna, sfruttamento minorile, trattamento disumano di lavoratori a bordo dei pescherecci. È per tale motivo che l'attenzione alla dimensione sociale della pesca necessita di essere inserita nell'agenda delle Istituzioni e che il coronamento dello sviluppo so-

¹ Tutti gli interventi ufficiali sono consultabili alla pagina: <http://www.conxemar.com/en/2019-international-congress-social-sustainability>.

² Così Audum Lem, vice direttore per il Dipartimento della Pesca e l'Acquacoltura della FAO, affermava: «¿Por qué ahora se pone el foco en la sostenibilidad social?». No espero respuesta. Es suficiente con mostrar “imágenes reales”» (relazione caricata sul sito Conxemar: <https://conxemar.com/es/files/02audunlemptx>, consultato il 21 ottobre 2019).

³ Così Javier Garat, presidente di Europêche: «Cuidar a los pescadores es tan importante o más que preservar las poblaciones de peces» (Abuín, 2019).

stenibile non può prescindere da una più equa distribuzione delle condizioni di vita, in un'ottica di giustizia e di coesione sociale.

Se, da un lato, gli Stati e i Governi devono rispettare le regole internazionali esistenti in materia di lavoro e, specificamente, nel settore della pesca, dall'altro, anche le imprese che vi operano devono poter agire in modo diverso, nel solco di una sostenibilità sociale, di modo che la visione economica non dimentichi la tutela del lavoro dignitoso insieme a quella ambientale, al fine di creare prosperità sul lungo termine tanto per le generazioni attuali che future.

È per tale ragione che le Organizzazioni internazionali si sono prodigate per estendere il dibattito dalla salvaguardia delle risorse ittiche alla tutela delle persone che operano nel settore della pesca. La FAO, in tal senso, ha già da diverso tempo denunciato le pratiche illegali che vengono perpetrate nella catena di approvvigionamento in tale ambito. Come emerge dal Rapporto della FAO sullo Stato della Pesca e dell'Acquacoltura nel Mondo del 2018, numerose sono ancora le violazioni dei diritti umani dei pescatori e le condotte illecite come la tratta delle persone, il reclutamento fraudolento e ingannevole, gli abusi fisici, mentali e sessuali, lo sfruttamento minorile, la schiavitù del debito, il mancato riconoscimento di una retribuzione equa, l'abbandono, la discriminazione, l'eccessivo orario di lavoro, la scarsa tutela della sicurezza e della salute sul lavoro e la negazione della libertà di associazione sindacale. Questo è stato più volte confermato nell'incontro annuale che coinvolge, a Vigo, tutti gli operatori del settore, e in cui, anche quest'anno, Arni Mathiesen, Vice Direttore Generale della FAO per il Dipartimento della Pesca, ha affermato: «FAO, ILO, OCSE e UNCTAD hanno invitato tutte le parti interessate a promuovere e attuare gli strumenti internazionali e volontari esistenti per il progresso dei diritti umani e del lavoro dei lavoratori della pesca. Queste organizzazioni ricordano anche l'importanza della collaborazione e cooperazione congiunta e attiva tra le parti interessate per raggiungere questo importante obiettivo» (FAO-Conxemar, 2019: 10).

Se è vero che possiamo attualmente constatare il crescente interesse della Comunità internazionale verso questa piaga, è altrettanto vero che continuiamo a ricevere numerose testimonianze e a leggere di pescatori coinvolti in questi drammatici avvenimenti. Si tratta di un fenomeno di cui non conosciamo cifre esatte e in cui l'acquisizione dei dati continua a risultare complessa. Sappiamo, tuttavia, che nel mondo si contano almeno 20,9 milioni di persone che lavorano sotto costrizione, che sono in gran parte impiegati nell'economia informale ed illegale (ILO, 2012) e che il 90% del lavoro forzato riguarda attività come la pesca, perché ad alta intensità di manodopera.

È per far fronte a questa situazione allarmante che la Comunità internazionale ha inteso concludere strumenti normativi atti a porre un freno a queste gravi violazioni dei diritti umani, affinché l'illegalità possa essere concretamente sanzionata. *Ex multis* ricordiamo: la Convenzione dell'ILO sul Lavoro Forzato (N. 29) del 1930 e il suo Protocollo adottato nel 2014 ed entrato in vigore nel novembre 2016; la Convenzione ILO sul Lavoro nel settore della pesca (N.188), entrata in vigore nel 2017; l'Accordo sulle Misure dello Stato di Approdo, entrato in vigore nel giugno 2016, che rafforza le ispezioni nei porti e che permette di negare l'accesso ai porti ai quei pescherecci che praticano la pesca illegale, non dichiarata e non regolamentata (IUU), scoraggiando pertanto tutti coloro che operano delle pratiche lesive della dignità dei lavoratori. In relazione all'impegno dei Governi, importante è stato al riguardo l'appello lanciato dal Ministro della Pesca della Norvegia, Harald Tom Nesvik, affinché gli Stati firmino la Dichiarazione Ministeriale sul Crimine Organizzato Transnazionale nell'Industria Peschiera Globale, strumento attualmente firmato da 18 Paesi (Abuín, 2019). Con riferimento al ruolo del settore privato, un accenno va alle Linee Guida sulla Responsabilità Sociale nelle catene di valore nel settore della pesca, presentate proprio a Vigo, nel novembre 2019, in seno alla 17^a sessione del Sotto Comitato della FAO per il Commercio della Pesca. Servono risposte pratiche e le Linee Guida possono divenire uno strumento essenziale per assistere gli attori della catena del valore di questo settore nell'implementazione di quelle misure concernenti una condotta aziendale responsabile, nel rispetto dei diritti umani e delle norme internazionali sul lavoro.

L'apporto della Santa Sede al dibattito sulla sostenibilità sociale nel settore della pesca e dell'acquacoltura

In attenta valutazione di quanto incide sul benessere della famiglia umana, «la Chiesa, con la sua dottrina sociale, offre soprattutto una visione integrale ed una piena comprensione dell'uomo, nella sua dimensione personale e sociale» (Pontificio Consiglio della Giustizia e della Pace, 2004).

È in questa cornice che la Santa Sede si è in più occasioni prodigata per richiamare l'attenzione, in collaborazione con le Organizzazioni internazionali, sulle questioni relative alla sicurezza in mare, il lavoro forzato e la pesca IUU. Ad esempio, nel contesto della Giornata mondiale della pesca del 2016, essa ha promosso, insieme alla FAO, all'I-

LO, ai rappresentanti del settore ittico e ai sindacati, un evento dal titolo *La violazione dei diritti umani nel settore della pesca e la pesca illegale, non dichiarata e non regolamentata (IUU)*⁴ richiamando per la prima volta l'attenzione sulle difficoltà di vita e di lavoro che migliaia di pescatori vivono. Giova, a tal fine, richiamare le illuminanti riflessioni che il Segretario di Stato, card. Parolin, propose a quell'uditore: «I lavoratori, assunti attraverso agenzie di lavoro, vivono costantemente la precarietà del lavoro, poiché i loro contratti in genere vanno da cinque a sei mesi. La medesima precarietà è vissuta dai lavoratori assunti dalle cooperative, dal momento che uno dei requisiti per rimanere nella cooperativa è quello di restarne impiegati, mentre ad ogni scadenza del contratto non vi è alcuna garanzia di essere riassunti. I lavoratori imbarcati su navi da pesca sono effettivamente isolati per lunghi periodi, privi non solo di garanzie contrattuali, ma anche dei diritti più fondamentali. [...] Gli equipaggi sono costretti a vivere in condizioni degradanti, in spazi ristretti, quasi una detenzione, senza documenti che solo in pochi casi vengono restituiti dopo lunghi periodi di lavoro forzato e sottopagato» (Parolin, in FAO, 2017: 14-15). Da tale iniziativa è scaturito, pertanto, il lavoro del Comitato sulla Pesca della FAO e del suo Sotto Comitato per il Commercio della Pesca a favore della sostenibilità sociale⁵.

Papa Francesco si è pronunciato più volte sul tema in oggetto. In particolare, nella Lettera Enciclica *Laudato Si'*, il Santo Padre ci invitava a comprendere la profonda connessione esistente tra “l'ambiente umano” e “l'ambiente naturale”, denunciando come entrambi si degradino insieme (n. 48). Scriveva il Romano Pontefice: «Non potremo affrontare adeguatamente il degrado ambientale, se non prestiamo attenzione alle cause che hanno attinenza con il degrado umano e sociale» (ibidem). E ancora: «Non ci sono due crisi separate, una ambientale e un'altra sociale, bensì una sola e complessa crisi socio-ambientale» (n. 139).

Bisogna inoltre ricordare come, in modo così eloquente, nel suo viaggio in Madagascar, il Papa abbia sottolineato l'importanza di coniugare «il rispetto dell'ambiente e la giustizia sociale» (Francesco, 2019a). Infatti, la scarsa attenzione verso la sostenibilità sociale rischia di far “naturalizzare” le ingiustizie sociali, «facendo passare

⁴ I frutti dell'evento, tenutosi presso la sede della FAO il 21 novembre 2016, sono stati raccolti nel volume FAO (2017).

⁵ Tale aspetto è stato ricordato anche dal Rapporto della FAO sullo stato della pesca e dell'acquacoltura nel mondo, 2018: 161.

sotto silenzio una storia di differimenti e dimenticanze» (Francesco, 2019b). Serve una continua e costante denuncia delle ingiustizie sociali: solo così potrà essere evitato che esse vengano fagocitate dalla “globalizzazione dell’indifferenza”.

Ecco perché, già da diversi anni e in molteplici occasioni, la Santa Sede si sta esprimendo in difesa di quelle persone provenienti da zone molto povere del mondo – spesso giovani migranti – che vengono spostate in determinate aree geografiche, a seconda dei bisogni dettati dall’industria, ed imbarcate su navi da pesca dove subiscono alcune delle peggiori forme di violazioni dei diritti umani, divenendo vittime di lavoro forzato e di traffico degli esseri umani. Al riguardo, è significativo l’appello del Dicastero per il Servizio dello Sviluppo Umano Integrale nel *Messaggio per la Domenica del Mare 2019*: «Alle Organizzazioni Internazionali, alle corrispondenti autorità governative e ai diversi soggetti della scena marittima, affinché compiano ulteriori sforzi per proteggere e salvaguardare i diritti di quanti lavorano in mare» (Turkson, 2019).

Per di più, il Santo Padre indicava all’ILO che «il lavoro non può essere considerato come una merce o un mero strumento nella catena di produzione di beni e servizi. Piuttosto, poiché è la base per lo sviluppo umano, il lavoro ha la priorità su ogni altro fattore della produzione, compreso il capitale» (Francesco, 2019c). Si tratta di principi da applicare ovviamente nelle situazioni emergenziali sopra descritte ma, allo stesso tempo, estendibili, in via preventiva, anche a tutti quei contesti lavorativi in cui non si sia arrivati all’abuso o alla violazione. E, in tale contesto, giova ricordare l’impegno lodevole di molte aziende che operano nel settore della pesca e dell’acquacoltura e che hanno messo il welfare e la responsabilità sociale al centro della loro cultura d’impresa.

Porre l’attenzione sulla sostenibilità sociale nella catena del valore del settore della pesca e dell’acquacoltura significa operare affinché possa cambiare la prospettiva di tutti coloro che sono a diverso titolo in essa coinvolti, ponendo la centralità della dignità della persona umana a fondamento di ogni attività. Al riguardo, nel Messaggio inviato ai partecipanti alla 108^a Conferenza dell’ILO, Papa Francesco sottolineava come «la nuova rotta per uno sviluppo economico sostenibile deve porre *la persona* e il *lavoro* al centro dello sviluppo, cercando al tempo stesso di integrare le questioni lavorative con quelle ambientali. Tutto è interconnesso e dobbiamo rispondere in modo comprensivo» (*ibidem*). Questa interconnessione ci impone di operare sempre in maniera inclusiva, tanto nelle situazioni emergenziali

quanto nei programmi di lungo periodo, affinché la nostra attenzione non venga mai distolta dalla centralità della persona umana e delle sue condizioni di vita in contesti lavorativi fortemente usuranti.

Conclusione

Dall'ottava edizione del Congresso internazionale di Vigo è emerso che l'obiettivo della sostenibilità sociale debba riacquistare una posizione di rilevanza tanto nei programmi nazionali e degli attori privati, quanto nelle agende delle Organizzazioni internazionali.

A tal fine, occorre far avanzare in quanto si è compiuto proponendo una visione inclusiva nella Comunità internazionale. Infatti, in un mondo globalizzato, le soluzioni alle sfide e ai problemi che dobbiamo affrontare potranno essere rinvenute solamente nell'adozione di una prospettiva multilaterale e attraverso le sinergie di iniziative e programmi. È per questo che la Santa Sede richiama alla necessità di consolidare una comunione di intenti a livello internazionale: solo così potremo migliorare le condizioni di lavoro e sicurezza in mare di tanti pescatori e combattere la pesca illegale, non dichiarata e non regolamentata (IUU), nella speranza di creare un settore della pesca sostenibile dal punto di vista ambientale, economico e sociale.

Bibliografia

- Abuín, Espe (2019). Exigen el cierre del mercado de Japón, la UE y EE.UU. Consultado il 14 ottobre 2019, https://www.lavozdegalicia.es/noticia/maritima/2019/10/01/exigen-cierre-mercado-japon-ue-ee-uu-flotas-esclavos-bordo/0003_201910G1P29991.htm.
- FAO (2017). *La violación de los derechos humanos en el sector pesquero. Discursos de presentación durante el Día Mundial de la Pesca en la FAO*. Rome: FAO Dialogues.
- FAO (2018). *The State of World Fisheries and Aquaculture 2018*. Consultado il 22 ottobre 2019, <http://www.fao.org/fishery/sofia/en>.
- FAO - Conxemar (2019). *International Congress on Social Sustainability*. Consultado il 22 ottobre 2019, https://conxemar.com/sites/conxemar/files/conxemar_revistacongreso2019.pdf.
- Graña, Lara (2019). FAO y Conxemar reivindicán en Vigo el rol social de la pesca en su cita más universal. Consultado il 14 ottobre 2019 sul sito del *Faro de Vigo*, <https://www.farodevigo.es/mar/2019/04/30/fao-conxemar-reivindicacion-vigo-rol/2096185.html>.
- Francesco (2015). *Laudato Si'*. Consultado il 14 ottobre 2019, http://w2.vatican.va/content/francesco/it/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html.
- Francesco (2019a). *Udienza Generale*, 11 settembre 2019. Consultado il 14 ottobre 2019, https://w2.vatican.va/content/francesco/it/audiences/2019/documents/papa-francesco_20190911_udienza-generale.html.
- Francesco (2019b). *Discorso al Vertice dei Giudici Panamericani sui Diritti Sociali e la Dottrina Franceseana*, 4 giugno 2019. Consultado il 14 ottobre 2019, http://w2.vatican.va/content/francesco/it/speeches/2019/june/documents/papa-francesco_20190604_giudici-panamericani.html.
- Francesco (2019c). *Messaggio ai Partecipanti alla 108ª Conferenza dell'ILO*, 10 giugno 2019. Consultado il 14 ottobre 2019, http://w2.vatican.va/content/francesco/it/messages/pont-messages/2019/documents/papa-francesco_20190610_messaggio-labourconference.html.
- ILO (2012). *Global Estimates of Forced Labour 2012: Results and Methodology*. Geneva: ILO.
- Pontificio Consiglio della Giustizia e della Pace (2004). *Compendio della Dottrina Sociale della Chiesa*, n. 522. Consultado il 14 ottobre 2019 http://www.vatican.va/roman_curia/pontifical_councils/justpeace/documents/rc_pc_justpeace_doc_20060526_compendio-dott-soc_it.html.
- Turkson, Peter K. A. (2019). *Messaggio del Dicastero per il Servizio dello Sviluppo Umano Integrale in occasione della Giornata dedicata alla Domenica del Mare*, 14 luglio 2019. Consultado il 23 ottobre 2019, <http://press.vatican.va/content/salastampa/it/bollettino/pubblico/2019/07/14/0591/01220.html>.

Responsabilidad social en las cadenas de valor en el sector de la pesca.

Perspectiva de la Santa Sede

FERNANDO CHICA ARELLANO

osserfao@mhsfao.va

*Observador Permanente de la Santa Sede
ante la FAO, el FIDA y el PMA*

Es fundamental que se otorgue la debida importancia a garantizar la responsabilidad social a lo largo de la cadena de valor del sector pesquero, así como unas condiciones de trabajo decente en dicho sector. Para ello hay que velar por el cumplimiento de los derechos humanos en dicho sector y esto a través de la promoción y aplicación de los instrumentos legislativos internacionales existentes. Esencial es igualmente no quedar atrapados por estrechas miras económicas, buscando que el beneficio y la solidaridad no sean antagónicas, sino que caminen juntas. A ello ayudará fomentar una ética amiga de la persona a la hora de proteger los derechos laborales de las personas que forman parte de la cadena valor del sector pesquero. Se trata de poner la persona y su dignidad esté en el centro de la actividad pesquera y marítima.

Palabras clave: trabajo decente, responsabilidad social, dignidad del hombre, pesca y acuicultura

Hasta hace 50 años, la riqueza de los recursos acuáticos vivos se consideraba, con frecuencia, como un don ilimitado de la naturaleza. Sin embargo, y gracias a un mayor conocimiento científico, esto no puede sostenerse hoy, cuando hemos percibido que estos recursos acuáticos, aunque sean renovables, no son ilimitados, por lo que deben gestionarse correctamente¹. Al mismo tiempo, a lo largo de estos

¹ Texto pronunciado en el Simposio, promovido por *Conxemar* y la FAO, que tuvo lugar el 2 de octubre de 2018 en Vigo (España) bajo el título: «Diálogo de Vigo: Responsabilidad social en las cadenas de valor en el sector de la pesca».

últimos 25 años, la pesca y la acuicultura en el mundo se han transformado en un sector de la industria alimentaria donde el mercado tiene una fuerte prevalencia. Y, para afrontar la creciente demanda internacional, los estados ribereños se han visto obligados a renovar y modernizar sus flotas de pesca, sus infraestructuras y servicios. En este contexto, conviene resaltar que entre el 35% y el 38% de la producción mundial de pescado y mariscos ha entrado a formar parte del comercio internacional, generando 152 mil millones de dólares en 2017 (UNCTAD, 2018: 5). Más del 50% de este comercio proviene de países en vías de desarrollo, en los que el saldo de la balanza comercial (exportación - importación) ha sido valorado en 37 mil millones de dólares y es superior al rendimiento neto de la combinación de la mayor parte de otras materias primas agrícolas (ibidem: 4).

Los datos enumerados no solo nos sirven para poner de relieve la importancia del sector de la pesca en el comercio internacional. Nos llevan también a pensar en todas las industrias relacionadas con dicho sector y el empleo que el conjunto genera. Según recientes estimaciones, cincuenta y nueve millones seiscientas mil personas en el mundo están vinculadas al sector primario de la pesca y la acuicultura, siendo mujeres el 14% de ellas (FAO, 2018: 30). Por tanto, el número de personas ocupadas en el citado sector, según las últimas estadísticas de la Conferencia de las Naciones Unidas para el Comercio y el Desarrollo (UNCTAD), se ha visto triplicado, si tenemos en cuenta a todos los que trabajan en la cadena de valor y en las empresas afines al sector pesquero (UNCTAD, 2018: 6). El empleo y las cadenas de valor en este sector tienen un papel todavía más decisivo si consideramos que el consumo de pescado por persona se ha duplicado prácticamente desde 1960 hasta hoy. Hemos pasado de cerca de 10 kilos a 20,5 kilos *pro capite* (se trata de datos anteriores al 2017). Por consiguiente, alrededor de la mitad de la población mundial obtiene del pescado en torno al 20% del promedio de las proteínas animales que necesita.

El conjunto de datos reseñados, sobre todo los referentes al empleo, nos insta a hablar en términos positivos de la responsabilidad social en este sector. Sin embargo, en la economía y el trabajo no solo son importantes los números. Han de serlo, sobre todo, las personas. Como a menudo nos recuerda el Papa Francisco, el trabajo es fundamental para la dignidad de la persona humana. Al respecto, los estándares de calidad de muchas actividades del sector de la pesca ciertamente responden a paradigmas de un trabajo decente. Ahora bien, por desgracia, existen también «trabajos que humillan la dig-

nidad de las personas» (Francisco, 2017). En efecto, al menos 20,9 millones de personas en el mundo trabajan bajo coacción, gran parte de ellas en sectores económicos informales e ilegales (ILO, 2012: 2).

Según ha sido señalado por la Organización Internacional del Trabajo (OIT), lamentablemente, en algunos ámbitos del sector pesquero se detectan también deficiencias y problemáticas vinculadas a violaciones de los derechos humanos, tales como trabajo forzado y tráfico de personas. A veces, parte del pescado que se distribuye en determinadas regiones del mundo es el resultado de un sofisticado y cruel sistema de explotación. Los que lo padecen son seres humanos, generalmente jóvenes, que se vieron forzados a emigrar. Casi siempre provienen de regiones muy pobres y acaban lejos de sus hogares, víctimas de fríos cálculos e inicuas exigencias industriales. Con engaños, son llevados a grandes o pequeños buques de pesca y en ellos pasan largos períodos, aislados y privados hasta del más mínimo de sus derechos fundamentales. No son pocos los que tienen contratos de trabajo muy precarios o, incluso, carecen de ellos. Los salarios que reciben son ridículos y, en la mayoría de los casos, no corresponden a sus duras y extenuantes jornadas laborales (FAO, 2017a).

Esta vulneración de los derechos fundamentales de los trabajadores no solo afecta negativamente a las víctimas. Daña asimismo la reputación de todo el sector de la pesca y la acuicultura. Se trata de una cuestión que nos interpela a todos (gobiernos, organizaciones internacionales, sector privado y sociedad civil), y que reclama una respuesta justa, concorde e inmediata, que tenga en cuenta la importancia que reviste el incremento de la responsabilidad social en las empresas que se dedican al comercio del pescado. Esto último asume un significado particular si se tiene en cuenta el hecho de que las situaciones que generan violaciones de los derechos humanos de los que trabajan en este sector pueden verificarse en todas las fases de las cadenas de valor, pero especialmente en las actividades relacionadas con la captura, la cría y la elaboración de los productos ícticos. Es, pues, realmente necesario subrayar la importancia de adoptar medidas que permitan un trabajo decente en este sector (Chica Arellano, 2018). Afortunadamente, contamos con instrumentos legislativos adecuados que consienten desarrollar políticas y normativas nacionales en materia de trabajo decente en el sector de la pesca y la acuicultura.

Sin embargo, aunque se perciben considerables avances, es preciso seguir formulando propuestas y abriendo caminos para consolidar la puesta en práctica de toda la reglamentación jurídica que atañe a las cadenas de valor en el ámbito que nos ocupa. En este sentido, y bus-

cando solucionar prácticamente las dificultades que aún se constatan en la aplicación y desarrollo de los convenios y tratados que actualmente lo regulan, en la 16ª reunión del Subcomité de Comercio pesquero del Comité de pesca de la FAO, se recomendó a esta Organización que «explorara la posibilidad de elaborar, en estrecha colaboración con las organizaciones asociadas y las partes interesadas competentes, un documento orientativo para ayudar a los actores de las cadenas de valor a aplicar los instrumentos, criterios y medidas vigentes pertinentes respecto de la conducta empresarial responsable, los derechos humanos y las normas de trabajo internacionales» (FAO, 2017b). Esta idea se retrotrae a los conceptos expresados en 1999 por el Sr. Kofi Annan, en la presentación del *Pacto Mundial de las Naciones Unidas*. Las palabras del entonces Secretario General de las Naciones Unidas sancionaban la creación de una alianza que diera un rostro humano al mercado global e invitaban al sector privado para que abrazase, soportase e implementase un conjunto de valores clave en el área de los derechos humanos, estándares de trabajo y prácticas ambientales (Naciones Unidas, 1999).

Hay que ofrecer un nuevo impulso a las empresas que desarrollan su actividad en la cadena de valor del sector de la pesca y de la acuicultura, para que sus objetivos tengan perspectivas de mayor alcance que el mero beneficio y se inspiren en convicciones éticas que transiten continuamente por la senda de la responsabilidad social y la solidaridad. A este respecto, el documento *Oeconomicae et pecuniariae quaestiones*, firmado el 6 de enero de 2018 por los responsables de la Congregación para la Doctrina de la Fe y del Dicasterio de la Santa Sede para el Servicio del Desarrollo Humano Integral, apunta a la importancia que reviste favorecer «una cultura empresarial y financiera que tenga en cuenta todos aquellos factores que constituyen el bien común. Esto significa, por ejemplo, que hay que colocar claramente a la persona y la calidad de las relaciones interpersonales en el centro de la cultura empresarial, de modo que cada empresa practique una forma de responsabilidad social que no sea meramente marginal u ocasional, sino que anime desde dentro todas sus acciones, orientándola socialmente. Precisamente aquí, la circularidad natural que existe entre el beneficio – factor intrínsecamente necesario en todo sistema económico – y la responsabilidad social – elemento esencial para la supervivencia de toda forma de convivencia civil – está llamada a revelar toda su fecundidad, mostrando el vínculo indisoluble, que el pecado tiende a ocultar, entre una ética respetuosa de las personas y del bien común, y la funcionalidad real de todo sistema económico-financiero» (n. 23).

Profundizando recientemente en estas consideraciones, el Papa Francisco explicaba que una «ética amiga de la persona» ayuda al correcto funcionamiento de la economía, pues se transforma en un poderoso acicate para que la misma abandone planteamientos sesgados. Tenemos, pues, necesidad de un cambio de rumbo, de superar dinanismos que engendren pobreza, esclavitud y exclusión. Para ello hay que fomentar urgentemente «la conciencia de un origen común, de pertenecer a una raíz común de humanidad y a un futuro que se ha de construir juntos. Esta conciencia de base permitiría el desarrollo de nuevas convicciones, nuevas actitudes y estilos de vida. Una ética amiga de la persona tiende a superar la distinción rígida entre las realidades que apuestan por las ganancias y aquellas no orientadas al mecanismo exclusivo de los beneficios, dejando un amplio espacio a las actividades que construyen y amplían el denominado tercer sector. Sin desestimar la importancia y la utilidad económica y social de las formas históricas y consolidadas de empresa, estas realidades hacen evolucionar el sistema hacia una asunción más clara y completa de las responsabilidades de los sujetos económicos» (Gentili, 2018).

Por consiguiente, el Papa Francisco tiene la firme certeza de que actuar correctamente respetando la dignidad de los seres humanos y persiguiendo insistentemente el bien común beneficia a las empresas. Pero esto no se llevará a cabo sin un giro copernicano en los planteamientos económicos actuales, sin la transformación del sistema financiero a través de esa ética que el Santo Padre llama «amiga de la persona», y que se vuelve un elemento esencial para regenerar la economía, de acuerdo a los términos ya también anticipados por Su Santidad Benedicto XVI (2009: 45).

No se trata, pues, de atenuar el valor de las actividades comerciales o de renunciar a ganancias legítimamente obtenidas por medio de ellas. Es cuestión más bien de comprender que el beneficio no puede y no debe ser alcanzado menoscabando la dignidad de las personas y que todo debe estar al servicio de las mismas. De hecho, la búsqueda de la ganancia nunca debería consentir que la actividad financiera y mercantil conduzca «a esclavizar seres humanos, a menospreciar su dignidad personal, a comprarlos, a venderlos y a cambiarlos como mercancía. Es un pecado contra la dignidad de las personas y sus derechos fundamentales» (*Catecismo de la Iglesia Católica*, 1992: n. 2414). Por eso son bienvenidas cuantas iniciativas favorezcan que el beneficio y la solidaridad no sean antagonistas (Congregación para la Doctrina de la Fe y Dicasterio de la Santa Sede para el Servicio del Desarrollo Humano Integral, 2018: n. 11).

Esto no se hará realidad si no se adopta una nueva lógica, la lógica de la solidaridad, que ponga en el centro de toda actividad a la persona. En cambio, si actuamos de otro modo y seguimos mirando el mundo desde la angosta perspectiva del egoísmo, lo que se consigue es desencadenar dinanismos perversos que dejan a muchos hermanos nuestros en las orillas de la vida y el progreso². Por este motivo es tan importante la responsabilidad social de las empresas, la cual ha de ser vigorizada, de modo que asuma un papel determinante y nadie quede atrás, finalidad esta que sintetiza la meta hacia la que tienden *los Objetivos de Desarrollo Sostenible de la Agenda 2030*.

Si aplicásemos esta nueva lógica en el sector de la pesca, por ejemplo, se volverían a adquirir unos valores sustanciales que, sin embargo, se han ido difuminando paulatinamente como fruto de intereses nocivos y cuestionables. Se recuperaría, sobre todo, el valor del trabajo decente, que es el que otorga dignidad a los pescadores, auténticamente expertos en el mar; al tiempo que se recuperaría la pujanza y el valor del bien común, que para el sector pesquero y sus industrias adyacentes

² «La humanidad vive en este momento un giro histórico, que podemos ver en los adelantos que se producen en diversos campos. Son de alabar los avances que contribuyen al bienestar de la gente, como, por ejemplo, en el ámbito de la salud, de la educación y de la comunicación. Sin embargo, no podemos olvidar que la mayoría de los hombres y mujeres de nuestro tiempo vive precariamente el día a día, con consecuencias funestas. Algunas patologías van en aumento. El miedo y la desesperación se apoderan del corazón de numerosas personas, incluso en los llamados países ricos. La alegría de vivir frecuentemente se apaga, la falta de respeto y la violencia crecen, la inequidad es cada vez más patente. Hay que luchar para vivir y, a menudo, para vivir con poca dignidad. Este cambio de época se ha generado por los enormes saltos cualitativos, cuantitativos, acelerados y acumulativos que se dan en el desarrollo científico, en las innovaciones tecnológicas y en sus veloces aplicaciones en distintos campos de la naturaleza y de la vida. Estamos en la era del conocimiento y la información, fuente de nuevas formas de un poder muchas veces anónimo. Así como el mandamiento de «no matar» pone un límite claro para asegurar el valor de la vida humana, hoy tenemos que decir «no a una economía de la exclusión y la inequidad». Esa economía mata. No puede ser que no sea noticia que muere de frío un anciano en situación de calle y que sí lo sea una caída de dos puntos en la bolsa. Eso es exclusión. No se puede tolerar más que se tire comida cuando hay gente que pasa hambre. Eso es inequidad. Hoy todo entra dentro del juego de la competitividad y de la ley del más fuerte, donde el poderoso se come al más débil. Como consecuencia de esta situación, grandes masas de la población se ven excluidas y marginadas: sin trabajo, sin horizontes, sin salida. Se considera al ser humano en sí mismo como un bien de consumo, que se puede usar y luego tirar. Hemos dado inicio a la cultura del “descarte” que, además, se promueve. Ya no se trata simplemente del fenómeno de la explotación y de la opresión, sino de algo nuevo: con la exclusión queda afectada en su misma raíz la pertenencia a la sociedad en la que se vive, pues ya no se está en ella abajo, en la periferia, o sin poder, sino que se está fuera. Los excluidos no son «explotados» sino desechos, “sobrantes”» (Francisco, 2013: n. 52-53).

conlleva la limpieza de los mares, unos océanos sin plásticos ni basuras y la riqueza de unos recursos ícticos colmados de biodiversidad³.

Esta “conversión” del sistema económico, de la que habla el Santo Padre, encuentra sus más hondas raíces en una dimensión interior e individual. ¿Acaso se podría imaginar una fecunda transformación del sistema financiero sin que ello pasara por una conversión personal, cuya cuna se halla en lo más profundo del corazón humano? Si falta este dinamismo regenerativo interno, lo que tenemos es “una ética no amiga de la persona”, impregnada de indiferencia y que pone de relieve que no somos capaces de escuchar ni probar compasión ante el grito de dolor de los demás, que «no lloramos frente a los dramas que destruyen la vida de nuestros hermanos ni

³ Sobre estas cuestiones, el Papa Francisco (2018) ha tenido la oportunidad de pronunciarse de forma nítida: «Tenemos el deber de dar gracias al Creador por el imponente y maravilloso don de las grandes masas de agua y de cuanto contienen (cf. *Gn* 1, 20-21; *Sal* 146,6), y alabarle por haber revestido la tierra con los océanos (cf. *Sal* 104, 6). Dirigir nuestra mente hacia las inmensas extensiones marinas, en continuo movimiento, también representa, en cierto sentido, la oportunidad de pensar en Dios, que acompaña constantemente su creación haciéndola avanzar, manteniéndola en la existencia (cf. S. Juan Pablo II, *Catequesis*, 7 mayo 1986). Custodiar cada día este bien valioso representa hoy una responsabilidad ineludible, un verdadero y auténtico desafío: es necesaria la cooperación eficaz entre los hombres de buena voluntad para colaborar en la obra continua del Creador. Lamentablemente, muchos esfuerzos se diluyen ante la falta de normas y controles eficaces, especialmente en lo que respecta a la protección de las áreas marinas más allá de las fronteras nacionales (cf. *Laudato si'*, 174). No podemos permitir que los mares y los océanos se llenen de extensiones inertes de plástico flotante. Ante esta emergencia estamos llamados también a comprometernos, con mentalidad activa, rezando como si todo dependiese de la Providencia divina y trabajando como si todo dependiese de nosotros. Recemos para que las aguas no sean signo de separación entre los pueblos, sino signo de encuentro para la comunidad humana. Recemos para que se salvaguarde a quien arriesga la vida sobre las olas buscando un futuro mejor. Pidamos al Señor; y a quienes realizan el eminente servicio de la política, que las cuestiones más delicadas de nuestra época – como son las vinculadas a las migraciones, a los cambios climáticos, al derecho de todos a disfrutar de los bienes primarios – sean afrontadas con responsabilidad, previsión, mirando al mañana, con generosidad y espíritu de colaboración, sobre todo entre los países que tienen mayores posibilidades. Recemos por cuantos se dedican al apostolado del mar, por quienes ayudan en la reflexión sobre los problemas en los que se encuentran los ecosistemas marítimos, por quienes contribuyen a la elaboración y aplicación de normativas internacionales sobre los mares para que tutelen a las personas, los países, los bienes, los recursos naturales – pienso por ejemplo en la fauna y la flora pesquera, así como en las barreras coralinas (cf. *ibíd.*, 41) o en los fondos marinos – y garanticen un desarrollo integral en la perspectiva del bien común de toda la familia humana y no de intereses particulares. Recordemos también a cuantos se ocupan de la protección de las zonas marinas, de la tutela de los océanos y de su biodiversidad, para que realicen esta tarea con responsabilidad y honestidad»: *Mensaje para la Jornada mundial de oración por el cuidado de la creación. 1 de septiembre de 2018.*

tampoco los cuidamos, como si no fuera responsabilidad nuestra o fuera algo lejano de nuestras competencias» (Gentili, 2018).

La Santa Sede acompaña con solicitud a cuantos se esfuerzan por mejorar las condiciones de los que trabajan en el sector pesquero y acuicultor. En particular, apoya tenazmente a quienes quieren promover un benéfico cambio de mentalidad, de manera que la persona y sus derechos fundamentales jamás vengán oscurecidos, antes bien ocupen siempre el centro de la escena laboral y económica. Por ello se vuelve cada vez más urgente e imprescindible un vigoroso sentido de responsabilidad empresarial y social, que se traduzca en gestos concretos y eficaces de solidaridad, justicia, libertad, seguridad alimentaria e igualdad de oportunidades.

Bibliografía

- Benedicto XVI (2009). *Caritas in Veritate*. Disponible en http://www.vatican.va/content/benedict-xvi/es/encyclicals/documents/hf_ben-xvi_enc_20090629_caritas-in-veritate.html.
- Catecismo de la Iglesia Católica* (1992). Disponible en http://www.vatican.va/archive/catechism_sp/index_sp.html
- Chica Arellano, Fernando (2018). *El trabajo decente en el sector de la pesca y de la acuicultura. Perspectiva de la Santa Sede*. Studi Emigrazione, 210: 305-313.
- Congregación para la Doctrina de la Fe y Dicasterio de la Santa Sede para el Servicio del Desarrollo Humano Integral (2018). *Oeconomicae et pecuniariae quaestiones*. Disponible en https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20180106_oeconomicae-et-pecuniariae_sp.html.
- FAO (2017a). *La violación de los derechos humanos en el sector pesquero. Discursos de presentación durante el Día Mundial de la Pesca en la FAO*. Roma: FAO.
- FAO (2017b). Informe de la 16 reunión del Subcomité del Comercio Pesquero de la FAO (4-8 septiembre 2017). Disponible en <https://www.fao.org/3/a-i8157t.pdf>.
- FAO (2018). *Report on The State of World Fisheries and Aquaculture*. Roma: FAO.
- Francisco (2013). Exhortación apostólica *Evangelii gaudium*. Disponible en http://www.vatican.va/content/francesco/es/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium.html.
- Francisco (2017). Videomensaje del Santo Padre a los participantes en la 48a Semana Social de los Católicos Italianos sobre el tema «El trabajo que queremos. Libre, creativo, participativo y solidario» (Cagliari, 26-29 de octubre). Disponible en <https://www.revistaecclesia.com/videomensaje-en-la-48a-semana-social-de-los-catolicos-italianos/>.
- Francisco (2018). Mensaje para la Jornada mundial de oración por el cuidado de la creación. 1 de septiembre de 2018. Disponible en http://www.vatican.va/content/francesco/es/messages/pont-messages/2018/documents/papa-francesco_20180901_messaggio-giornata-cura-creato.html.
- Gentili, Guido (2018). Entrevista a Papa Francisco: «I soldi non si fanno con i soldi ma con il lavoro». *Il Sole24Ore*, 7 settembre. Disponible en: <https://www.ilsole24ore.com/art/notizie/2018-09-07/intervista-papa-francesco-i-soldi-non-si-fanno-i-soldi-ma-il-lavoro-114036.shtml?uuid=AEf2V51F>.
- ILO (2012). *Global Estimates of Forced Labour*. Ginebra: ILO.
- Naciones Unidas (1999). La responsabilidad cívica de las empresas en la economía mundial. El Pacto Mundial. Disponible en https://www.um.es/documents/4156512/4572708/RSC_Pacto_Mundial_responsabilidad_civica_empresas_en_economia_mundial.pdf/0ed4049d-ec4a-4346-90e1-9e7b9038fafb.
- UNCTAD (2018). *Achieving Targets of Sustainable Development Goal 14: Sustainable fish and seafood value chains and trade*. Ginebra: UNCTAD.



PONTE DI
DIALOGHI

un progetto di



in partenariato con



**Intorno a te, solo orizzonte.
Sotto di te, il mare profondo.**

Chi ti aiuterà? Chi ti salverà?

PONTE DI DIALOGHI

Il Cammino della Speranza

Vivi in prima persona i viaggi dei migranti e rifugiati. Vai verso la sopravvivenza o verso una vita migliore...

Ricorda però che se per te è un gioco, per molti uomini, donne e bambini è l'unico tentativo a loro disposizione. Mettiti nella pelle dell'altro per poter capire meglio e comunicare.

con il sostegno di



progetto di
Fondazione
Migrantes



Ministero delle Infrastrutture e
Trasporti

tel 06 58 97 664 - infoCser.it - www.cser.it

Pope Francis: Mission, Migration, and Christian Spirituality

STEPHEN BEVANS, SVD
sbevans@ctu.edu
Catholic Theological Union

«Migrants present a particular challenge for me, since I am the pastor of a Church without frontiers, a Church which considers herself mother to all» (Francis, 2013a: 210).

«The Bishop of Rome will not rest while there are still men and women of any religion, whose dignity is wounded and who are deprived of their basic needs for survival, robbed of their future, or forced to live as fugitives and refugees» (Francis, 2013b).

These statements of Pope Francis, written and spoken just a few days apart toward the beginning of his papacy, point to the fact that the tragic plight of migrants – those internally displaced, those forced to leave their homes and homelands because of economic reasons or violence, those fleeing as refugees, or those trapped by human trafficking – is one of the central concerns of his ministry as Bishop of Rome and one of the most important religious leaders of our world. Time and time again in his writings and speeches, Francis speaks of the migration of peoples today as «the largest movement of individuals, if not of peoples, in history» (2014a), «the challenge of our age» (2016a), «the greatest humanitarian crisis, after the Second World War» (2016b), «the real global political dilemma of our time» (2017a). A collection of his statements on migration, compiled by the Section on Migrants and Refugees of the Vatican Dicastery for Promoting Human Development (2020), runs to twenty-seven pages of links, with hundreds of references¹.

¹ At this writing, in March, 2020, the Collection goes up to 20 December, 2019. It is updated regularly.

The centrality of this concern was also dramatically signaled and symbolized by the fact that Francis's first trip outside the Vatican was to the tiny Sicilian island of Lampedusa, just 113 kilometers off the coast of North Africa, often the first landfall of African migrants, but also the scene of many tragic shipwrecks off its coast. On Lampedusa he presided over a celebration of the Eucharist, using a chalice carved from the driftwood of one of the shipwrecks, and gave a powerful homily that challenged the world to take notice of what has now become tens of thousands of asylum seekers and migrants who have drowned in their quest for a better life and a more secure future in Europe (Castillo Guerra, 2017: 43; see also Groody, 2017). «How many of us», Francis (2013c) said, «myself included, have lost our bearings; we are no longer attentive to the world in which we live; we don't care; [...] And when humanity as a whole loses its bearings, it results in tragedies like the one we have witnessed». As Gioacchino Campese (2015: 32) notes, Francis «knows what it means to be an immigrant; he knows the heart of the immigrants because he remembers that he is one of them (Exod. 23:9)»². His is a passionate commitment to those who may be among the most vulnerable people in today's world.

Lampedusa as well, Campese (2015: 24) observes, represents a «paradigmatic moment» in the articulation of Francis's «vision of the church's mission». It is a vision of a church committed to being «poor and for the poor», as Francis has expressed it on several occasions (see, for example: 2013: 198). It is a vision of a church that Francis images as a «field hospital», the first task of which is to «heal the wounds» (Spadaro, 2014: 30). It is a vision of a church without national, cultural, or religious boundaries, as Francis expressed in the first epigraph above, a church that builds bridges not walls (2015), a church in which witnessing and preaching the good news of Jesus shapes its structures and sets its priorities (2013a: 27). It is a «community of missionary disciples» (2013a: 24). It is a vision in which a ministry *among* migrants and a ministry *of* migrants is key (see Bevans, 2008). Commenting on Francis's 2015 Message for the World Day of Migrants, Jorge E. Castillo Guerra (2017: 57) writes: «The mission of a Church that is faithful to the sending by Jesus, has a universal reach that is made specific through the service of the Church to migrants, when she reacts to its urgencies and when she overcomes the barriers between religions and cultures and when she does not allow to be intimidated by human diversity».

² See Francis's own words in his address (2018a) to the Scalabrinian general chapter.

The aim of this essay is to reflect on the teaching of Pope Francis in order to link together the church's concern for migrants, its commitment to mission as a commitment that constitutes its very nature (see Vatican Council II, 1965; see also World Council of Churches, 2012: 57), and a Christian spirituality that arises from both. Such a three-fold linkage is rooted in the missionary nature of a migrant God (see Phan, 2016), who calls women and men baptized in God's name to share in the divine nature and so participate in the divine mission of incarnation (see Bevans, 2016). In the same way that God's Spirit migrated in mission from the very first moment of creation, in the same way that God's Word in Jesus of Nazareth migrated to become one with humanity and all creation (incarnation), and to be empowered in his mission by the same Spirit (see Lk 3:21-22; Lk 4:14-21), so Christians are endowed with the same Spirit to continue Jesus' mission in the world. Christians do this as God's People, chosen for service; as Christ's body, his sacramental presence in the world; and as the Spirit's continuing creation and Temple, open to God's often surprising and vivifying presence among humanity and within all creation (see Vatican Council II, 1964: 6-17; see also Bevans, 2015: 17-18). Christians are *empowered* to do this through the divine life that they share with the Triune God, and it is this life that they share that is the source of their spirituality. To the extent that their discipleship is continually transformed by what the 2018 World Council of Churches' Conference on World Mission and Evangelism in Arusha, Tanzania called their «Christ-connectedness», they are shaped to move in the Spirit as disciples who are committed to transforming the world according to the dream of God that Jesus called the Reign of God (World Council of Churches, 2018). Christians as transformed, missionary disciples practice and are nourished by a «transformative spirituality» that provides «energy for life in its fullness and calls for a commitment to resist all forces, powers, and systems which deny, destroy, and reduce life» (World Council of Churches, 2012: 29). Such a transformative, missionary spirituality is cultivated in a particularly powerful way as Christians today practice of what Pope Francis has named as justice and civility towards, and solidarity with «the poorest and most abandoned; among these are certainly migrants and refugees [...]» (Francis, 2017b and 2015b).

This essay will be divided into two parts. In a first part I will connect migration, mission and spirituality by reflecting on several of Francis's signature phrases and concerns as he has lived out his papal ministry. In a second part I will focus on four verbs that Francis

returns to again and again as he calls Christians and migrants themselves to work for justice, civility, and solidarity: welcome, defend, promote, and integrate (Francis, 2018b). To these four verbs I will suggest one of my own that I think also captures Francis's spirit in terms of migration, mission, and spirituality: lament.

Signature Phrases and Concerns

Several phrases and concerns characterize Francis's papal ministry. Some are not new to Francis. They come out of the rich tradition of Catholic social teaching. Others, while not new as such, are articulated and acted out with a certain freshness in Francis's writings, addresses, and often symbolic actions. These phrases and concerns are evident in Francis's general teachings and in his specific teachings on mission, and are often included in his specific remarks and actions that concern migrants. Taken together they offer a rich spirituality around the issues of migration, refugees, asylum seekers, and victims of human trafficking.

The Basic Dignity of the Human Person

«Every human being is created in the image of God and redeemed by Jesus Christ, and therefore is invaluable and worthy of respect as a member of the human family». This sentence from the first pages of a document published by the United States Catholic bishops in 1998 forms, says William Byron (1998), «the bedrock principle of Catholic social teaching». Every person, because she or he is a human person, has dignity and is worthy of respect, regardless of age, sex, culture, nationality, faith tradition, sexual orientation, occupation, educational level. Human beings are sacred in themselves, and need to be met with awe and reverence. This conviction, often expressed in papal teaching of the past and in the documents of Vatican II (for an overview of Catholic social teaching, see *The Compendium of the Social Teaching of the Church* by the Pontifical Council for Justice and Peace, 2004) is present everywhere in Francis's teaching, and is obvious in the way he relates to people, whether those who are severely disabled, members of other religions, youth, prisoners, or poor.

In his Apostolic Exhortation *Evangelii Gaudium* (2013a: 190), for example, Francis remarks that «With due respect for the autonomy and culture of every nation, we must never forget that the

planet belongs to all mankind and is meant for all mankind; the mere fact that some people are born in places with fewer resources or less development does not justify the fact that they are living with less dignity». Writing in the encyclical *Laudato Si*, in the context of the universal right of human beings for clean water, Francis (2015c: 30) insists that «Our world has a grave social debt towards the poor who lack access to drinking water, because they are denied the right to a life consistent with their inalienable dignity». Early in his papacy the world was astonished to see Francis, on Holy Thursday, washing the feet of young prisoners –women and men, Christian and Muslim. His often-quoted remark about LGBTQ people, «who am I to judge», also comes out of his fundamental respect for human dignity. And his obvious delight with the indigenous peoples of the Amazon was clearly visible in his trip to Peru in 2018 and at the Pan-Amazonian Synod in October of 2019.

Francis frequently links the teaching on human dignity with migration. In a message to the second Holy See-Mexico conference on international migration, Francis insisted that migration is not simply about numbers, but about persons. «These persons, our brothers and sisters, need «ongoing protection”, independently of whatever migrant status they may have. Their fundamental rights and their dignity need to be protected and defended» (Francis, 2018c). In a Christmas homily, Francis (2016c) spoke eloquently and movingly of children «in “squalid mangers that devour dignity”. Children who hide underground to escape bombardment, on the pavements of large cities, in the hold of a boat overladen with immigrants. [...] Let us allow ourselves to be challenged by those children [...] who hold in their hands not toys but weapons». To give one more example, in an address to a conference on «Migration and Peace», Francis makes reference to the United Nations Declaration of Human Rights and quotes Benedict XVI’s encyclical *Caritas in Veritate* in which Benedict speaks specifically of migrants. Then Francis (2017b) adds: «Today more than ever, it is necessary to affirm the centrality of the human person, without allowing immediate and ancillary circumstances [...] to obscure essential dignity». Many more examples could be quoted as well.

The implications for mission and spirituality are quite profound. Christians need to be always mindful that migrants are *human persons*, not numbers, not problems. Migrants are to be embraced, welcomed, sheltered, not ignored or despised or feared. They are to be held constantly in prayer. They are to be constantly the recipients of Christian sacrificial giving, their sacrifices and faith a constant

inspiration for Christians in the countries into which they migrate. Their dignity is enhanced by the fact that, in Francis's words (2015b), they represent the «suffering flesh of Christ», and that in reverencing them, Christians adore and meet their Lord in a powerfully concrete way: «Dear friends, let us not forget the flesh of Christ which is in the flesh of refugees: their flesh is the flesh of Christ» (2013d).

The missional and spiritual implications for migrants themselves are equally profound. Migrants are actors, protagonists, and need to work at recognizing their dignity. They are called to realize that they are loved and cherished by God and called to be witnesses to God's option for the poorest of the poor. The opportunities for ministry among their own communities are plentiful, and their witness and wisdom are precious gifts for their hosts. As Pope Francis has said about the poor in general applies especially to migrants: «They have much to teach us» (2013a: 198). In one of his most significant addresses on migration, early in his pontificate at the Astalli Centre, the headquarters of the Jesuit Refugee Service in Rome, Francis (2013e) expressed it this way: «The poor are also the privileged teachers of our knowledge of God; their frailty and simplicity unmask our selfishness, our false security, our claim to be self-sufficient. The poor guide us to experience God's closeness and tenderness, to receive his love in our life, his mercy as the Father who cares for us, for all of us, without discretion and with patient trust».

God's Mercy and Tenderness

Francis's address at the Astalli Centre touched on another signature concern of his papacy, a fresh appreciation of the mercy and tenderness of God. At the beginning of an interview with fellow Jesuit Antonio Spadaro several months after becoming pope, Francis responds to the question «Who is Jorge Mario Bergoglio?» with the simple statement «I am a sinner». He goes on to mention his episcopal motto «By Having Mercy and by Choosing Him» as «very true for me». And he confides that, when he was asked if he would accept his election he had said: «I am a sinner, but I trust in the infinite mercy and patience of our Lord Jesus Christ, and I accept in a spirit of penance» (Spadaro, 2014: 7,9). This very personal experience of and trust in God's mercy has clearly shaped Francis's personal spirituality and perhaps his main message to the world. Less than a month after his election, for example, Francis (2013f: 3) began his homily at the Mass in which he officially became Bishop of Rome with the fol-

lowing words: «What a beautiful truth of faith this is for our lives: the mercy of God. God's love for us is so great, so deep; it is an unfailing love, one that always takes us by the hand and supports us, lifts us up, and leads us on». Several months later, at the beginning of *Evangelii Gaudium* (2013a: 3), Francis writes, obviously referring to an often-repeated refrain: «Let me say this once more: God never tires of forgiving us; we are the ones who tire of seeking his mercy». Later on, in the document Francis (2013a: 37) quotes Thomas Aquinas, who observed that «it is proper to God to have mercy, through which his omnipotence is manifested to the greatest degree»³.

Francis announced in 2015 that the year 2016 would be a special «Jubilee Year» of God's mercy. In the document that inaugurated this special year, Francis (2015d: 21) quotes St. Augustine's conviction that «it is easier for God to hold back anger than mercy»⁴. The document's title is *Misericordiae Vultus* or *The Face of Mercy*, and Francis names Jesus as that Face. Jesus, he had written in *Evangelii Gaudium*, always offers women and men a new start, «with a tenderness that never disappoints, with a tenderness that is always capable of restoring our joy». Indeed, «the Son of God, by becoming flesh, summoned us to the revolution of tenderness» (Francis, 2013a: 3, 88). Phrases like these appear again and again in Francis's writings and speeches.

Writing in *Misericordiae Vultus*, Francis (2015d: 9) notes that one of the lessons to be learned in the parable of the «ruthless servant» in Matt 18:21-35 is that «mercy is not only an action of the Father, it becomes a criterion for ascertaining who his true children are». In other words, mercy and tenderness are the hallmarks of true Christian discipleship. This is why Francis (2013a: 12, and 2015d: 114) calls the church to be an «oasis of mercy», «a place of mercy freely given». The confessional should not be a «torture chamber», Francis insists. Eucharist is not reward for the perfect but a medicine for those who struggle. When Francis was strongly criticized for being too lax in his attitudes toward couples in «irregular situations», he replied that rigidity in this regard would be the «worst way of watering down the gospel» (2013a: 47, and 2016d: 311). On March 20, 2020, Francis authorized a decree from the Apostolic Penitentiary, which granted plenary indulgences to people afflicted with the coronavirus and to health workers who were risking their lives in service of the sick (Apostolic Penitentiary, 2020). While such

³ Quoting Thomas Aquinas, *Summa Theologiae*, II-II, q. 30, a. 4.

⁴ Quoting Augustine, *Homilies on the Psalms*, 76, 11.

an action might seem somewhat «medieval», it bears important significance. It is a concrete affirmation that God's mercy is available and abundant for those who need it in time of crisis, independent of the ministers and sacraments of the church. As one theologian, James Corkery, commented on the decree, it clearly articulates Pope Francis's understanding of a «merciful, welcoming, “ridiculously pardoning” church» (McElwee, 2020).

God's mercy, and that mercy incarnated in the church, has been foundational in Francis's messages to and about migrants. In his 2016 Message for the World Day of Migrants and Refugees, for example, he pleads: «Dear brothers and sisters, migrants and refugees! At the heart of the Gospel of mercy the encounter and acceptance by others are intertwined with the encounter and acceptance of God himself. Welcoming others means welcoming God in person! Do not let yourself be robbed of the hope and joy of life born of your experience of God's mercy, as manifested in the people you meet on your journey» (Francis, 2016e). During World Youth Day in Cracow, Poland in 2016, Francis spoke of the need for a «merciful heart», one «able to be a place of refuge for those who are without a home or have lost their home; it is able to build a home and a family for those forced to emigrate; it knows the meaning of tenderness and compassion. A merciful heart can share bread [...] and welcome refugees and migrants» (2016f). In his address at the Astalli Centre, Pope Francis (2013e) pointed out that «true mercy, the mercy God gives to us and teaches us, demands justice, it demands that the poor find the way to be poor no longer».

Mercy then, in the thought of Pope Francis, is a profound participation in the mission of God, and a profound spiritual insight into the nature of God. Understanding and accepting the mercy of God moves women and men as disciples of Jesus to be people of mercy themselves, and moves them to the spiritual practice of what Catholics call the corporal and spiritual works of mercy. «Let us rediscover these corporal works of mercy: to feed the hungry, give drink to the thirsty, clothe the naked, welcome the stranger, heal the sick, visit the imprisoned, and bury the dead. And let us not forget the spiritual works of mercy: to counsel the doubtful, instruct the ignorant, admonish sinners, comfort the afflicted, forgive offences, bear patiently those who do us ill, and pray for the living and the dead» (Francis, 2015d: 15).

Creating a «Culture of Encounter»

Nine months after his election as pope, U. S. journalist John Allen remarked that Francis had already used the phrase «culture of encounter» «in too many venues to count». Indeed, observed Allen (2013), it had become the «core signature phrase» of Francis's papacy. By it, Francis means the cultivation among Christians of a certain fundamental stance that reaches out to others as persons, «fostering dialogue and friendship even outside the usual circles, and making a special point of encountering people who are neglected and ignored in the wider world» (Allen, 2013). A fine example of Francis's use of the term appeared in a homily he delivered in September, 2016, on Lk 7:11-17, the story of Jesus' raising of the son of the widow of Nain. Francis describes Jesus as «seized with compassion» as he met the woman, touching the bier on which the young man lay, but also touching the woman – «A caress. Because Jesus was moved». Christians, continue Francis, need to imitate Jesus. So often when faced with suffering we say «what a shame», but then move on. But an encounter is different: «If I do not look—seeing is not enough, no: look - – if I do not stop, if I do not look, if I do not touch, if I do not speak, I cannot create an encounter and I cannot help to create a culture of encounter» (Francis, 2016g). Francis uses several synonyms, like «a culture of friendship», «a culture in which we find brothers and sisters», a «culture of dialogue» or a «culture of inclusion»⁵. Clarifying as well are his use of the antonyms, the «culture of indifference» (which he used in Lampedusa: Francis, 2013c) or a «throwaway culture», which he uses often, for example, in an address at a conference on migration and peace (Francis, 2017b).

To be a person of encounter is to engage in the spiritual practice of «mindfulness» or «paying attention» to oneself, one's world, and especially to our brothers and sisters, especially those on the «peripheries» – another favorite word of the pope (for example, 2019a)⁶. Migrants are not problems to be solved, but persons to encounter, to develop friendships with, to be challenged by their suffering but also by their culture. Migrants themselves need also to truly encounter those among whom they live in their new countries, sharing their culture, offering their skills and experience, challenging their hosts

⁵ Vigil of Pentecost with the Ecclesial Movements, 2013; Angelus Message, 2013; speaking with journalists on the flight from Rio de Janeiro to Rome, 2013. All quoted in Fares, 2015: 17, 63, 69.

⁶ On «paying attention», see Bevans, 2018.

to do justice. «Meet and meet; encourage meetings [...] God did not leave us alone, He came down to meet us. [...] He precedes us, to meet us. Faith is founded on the encounter» (Francis, 2018d).

Commitment to the Protection of Creation

From the first days on his pontificate, Francis spoke about the protection of creation. Toward the end of the homily at his installation as pope, Francis (2013g) summed up what he would say over and over again in the coming years: «To protect Jesus with Mary, to protect the whole of creation, to protect each person, especially the poorest, to protect ourselves: this is a service that the Bishop of Rome is called to carry out, yet one to which all of us are called [...]». He referred briefly to care for the environment in *Evangelii Gaudium* (2013a), in which he equated creation with one of the world's poor. His major statement on ecology, however, was his 2015 encyclical *Laudato Si* – the title from the Canticle of Creation by his namesake Francis of Assisi and the subtitle referring to the earth as «our common home» (2015c: 1, note 1). In this document, Francis appeals to all the peoples of earth – Catholics, other Christians, people of other faiths, people with no faith at all – to enter into «a new dialogue about how we are shaping the future of our planet» (2015c: 14).

Early on in the encyclical he links environmental degradation with the plight of the world's poorest peoples. Poverty and ecological destruction go hand in hand (Francis, 2013c: 13). Early on in the encyclical as well, Francis links ecology to migration. «There has been a tragic rise in the number of migrants seeking to flee from the growing poverty caused by environmental degradation. They are not recognized by international conventions as refugees; they bear the loss of the lives they have left behind, without enjoying any legal protection whatsoever» (Francis, 2013c: 25). This same concern is reflected in several of Francis's talks and writings throughout his pontificate. Addressing the Food and Agricultural Organization (FAO) of the United Nations, Francis (2019b) pointed out that «there is an evident link between environmental instability, food insecurity and migratory movements. The increased numbers of refugees throughout the world [...] have shown us that one country's problem is a problem of the entire human family». Speaking at a workshop on the relationship between climate change and modern slavery, Francis emphasizes how climate change and ecological neglect forces migration to large cities and enables human trafficking. «Why do people come to the

big cities [...]? [...] It is simply because the rural world doesn't offer them opportunities» (Francis, 2015e). In remarks to a meeting in Rome of «popular movements», Francis (2014b), noting the presence of many farmworkers in the audience, emphasized the fact that «it is not because of wars or natural disasters that they are uprooted. Land and water grabbing, deforestation, unstable pesticides are some evils which uproot people from their native land».

There seems to be no doubt that Francis' emphasis on creation care and his call for an «ecological conversion» – a phrase originally articulated by John Paul II – is an integral part of a spirituality that is linked to the church's mission and its commitment to migrants (Francis, 2015b: 216-221 and 5, note 5, quoting John Paul II). This is a call to all Christians, including migrants themselves.

The Four (Five) Verbs

In his address to participants in the International Forum of Migration and Peace on February 21, 2017, Pope Francis articulated for the first time the outline of a «shared response» of politicians, society and the churches to the global reality of migration in all its forms. The articulation took the form of four verbs: «*to welcome, to protect, to promote and to integrate*» (Francis, 2017b). Since these verbs appear in several other papal addresses since, including the 2018 Message for the World Day of Migrants and Refugees, and in a rather definitive presentation by one of the two undersecretaries of the Migrants and Refugees Section, Fabio Baggio⁷, it would seem that these verbs represent a programmatic vision of missionary action on behalf of migrants, «four pillars» (Francis, 2018b; see Baggio, 2017: 5) that might guide theological and missiological thinking about migration in our day. In addition, as Gioacchino Campese (unpublished) thoughtfully points out, these verbs are «*loci theologici*», sources of knowledge about God as such, the missionary *par excellence*. As Christians, we receive our mission from participation in the missionary life of this God, in whose life we find our spirituality.

What I propose to do in this essay's second section is to reflect on each of these verbs, both in respect to God's mission and our own, and the light in the light of their implications for a missionary spirituality of migration. To these four verbs I would like to add one

⁷ Francis mentioned the four verbs most recently in his Address to Refugees from Lesbos (2019c). For Fabio Baggio's address, see Baggio, 2017.

more missionary verb – to pray – and its implication for spirituality as the prayer of lamentation. While this fifth verb is not explicitly articulated by Pope Francis, it is consistent with the totality of his magisterial teaching on mission and migration, and, I believe, deepens the meaning of the other four.

The Mission of Welcome, the Spirituality of Hospitality

The church's mission of welcoming is rooted in the Triune God. God in God's deepest self is the Mystery of welcome, the Mystery of openness and relationship that can only be expressed in a partial and stuttering way. The deepest reality of existence is community, friendship, radical and reciprocal love. God's Mystery spills over into creation as God «makes space» (see Edwards, 1999: 30-32) for otherness and lavishes the divine love on it – gases, atoms, molecules, animals, microbes, trees, human beings. From creation's first nanosecond, God's Spirit is present within creation, welcoming it into existence while cultivating its freedom. As God's mission concretizes in the history of Israel, a central concern becomes the welcoming of strangers and foreigners, always in memory of the fact Israel itself was once a stranger and exile in Egypt (Campese, 2019). The climax of God's creative, welcoming action is becoming part of it in incarnation, taking on the very stuff of the universe in a human body, the body of Jesus of Nazareth. Jesus' mission is characterized by welcoming–welcoming sinners, identifying with the outcast, including all in table fellowship, noticing a migrant Syro-Phoenician woman (Francis, 2018a), preaching a message of «radical kinship» (see Boyle, 2017) that he called the Reign of God. It was on account of such radical welcoming that he was marked by the occupying forces of Rome as dangerous, threatening the positions and influence of the Jewish leaders (see Johnson, 2018: 93, and Fredrickson, 200: 125). And so, they killed him.

But welcoming love cannot be stopped. In three days, Jesus' disciples experienced him as raised from the dead, and his resurrection appearances were marked with acts of hospitality, a guest becoming host at Emmaus, offering peace to the gathered disciples, preparing breakfast for them as they went to meet him in Galilee. After Pentecost, as the disciples discovered themselves invested with the continuation of Jesus' – and so God's – mission, they found themselves impelled by the Spirit to participate in God's welcome to the whole of humanity – to Samaritans, to an Ethiopian eunuch, to a Roman centurion and his household, to Gentiles in Antioch (see Bevans-Schroeder, 2004: 10-31).

This is a thumbnail sketch of the theological background for the church's mission of welcoming migrants today in the spiritual practice of hospitality. In a conversation with young people at the 2018 Synod of Bishops on youth, Francis answered a question by a young man named Michel. Michel had asked how we might be able to overcome the growing mentality of seeing foreigners and migrants as dangerous and threatening. Francis (2018e) answered that «it is overcome with an embrace, by welcoming, with dialogue, with love which is the word that opens all doors». A month before, meeting with fellow Jesuits on a journey to Latvia, Francis (2018f) spoke of not being afraid «of descending into the underworld of people. [...] Touch the sores. And touching the wounds of people, you touch the wounds of Christ». In a Sunday (Angelus) message in 2016, Francis linked hospitality to the corporal work of mercy of welcoming the stranger, and made specific reference to migrants and refugees. «Listen to that painful story», he urged (Francis, 2016h). In his important address at the Astalli Centre, Francis «urged that the whole church and not just a few “specialists” must be involved in the ministry of welcoming the poor and working for social justice» (see Campese, 2015: 26). He continued with a challenge specially to vowed religious women and men: «your empty convents are not useful to the church if they are turned into hotels and earn money. The empty convents do not belong to you, they are for the flesh of Christ which is what refugees are. [...] We need communities with solidarity that really put love into practice!» (Francis, 2013e). In fact, a number of communities have indeed opened up their unused buildings to migrants, at least as much as possible in the context of government regulations.

True welcoming calls for true hospitality, and hospitality is a virtue that is the result of spiritual discipline. As missiologist Cathy Ross (2015: 67-68) summarizes it, hospitality is «a prophetic practice that crosses boundaries, welcomes all and involves taking risks. It is also dialogical as it requires listening and learning. It practices attentiveness and encourages spaciousness». It «cannot be practiced as a monologue. It requires relationship, receiving, community and change». It is an ongoing practice that will be modified and negotiated as «we interact and engage with one another [...] ». Hospitality is, further, not just a one-way street. It is not just serving another; it is receiving service in turn. It is not just the hosting of migrants; it is being hosted by them as well. It is ministering, but it is also being ministered to. It is where mission and spirituality mutually interact.

The Mission of Protection, The Spirituality of Courage

God is the protector of Israel, who neither slumbers nor sleeps (see Ps 121:4)⁸. We see this in God's revelation to Moses in the burning bush, when God tells Moses that God has *seen* Israel's misery, has *heard* their cries, and has *come* to deliver them (see Ex 3:7). Under the leadership of Moses God protects Israel as it crosses the Red Sea, as it enters the Promised Land, and—under Moses, the judges, and other heroes like David, Judith, and Esther – as it encounters dangers throughout its history. God's protective love «endures forever» (see Ps 136). «Even though I walk through the darkest valley», Psalm 23 famously proclaims, «I fear no evil, for you are with me; your rod and staff – they comfort me» (Ps 23:4). In a very particular way, God enlists Israel to protect strangers or sojourners within Israel's borders, and, as pointed out above, to do this as a way of recalling God's protection of Israel while it was in exile in Egypt. «You shall not wrong or oppress a resident alien, for you were aliens in the land of Egypt. You shall not abuse any widow or orphan. If you do abuse them, when they cry out to me, I will surely heed their cry; [...] » (Ex 22:21-23). God identified Godself to Moses, in the opinion of many interpreters, as the one who would always be with Israel, as «power, fidelity, and presence»⁹.

Jesus is remembered as a protector, a healer, as one who involved himself with the pain of women and men. He heals paralytics (Mk 2:1-12), lepers (Lk 17:11-19), blind men (Jn 9:1-41), a woman with a chronic hemorrhage and a girl on her deathbed (Lk 8:40-56), and the daughter of a Gentile woman (Matt 15:21-28). He fed a large hungry crowd (Matt 14:13-21), protected the woman caught in adultery (Jn 8:1-11), and protected his chosen Twelve from drowning on a stormy sea (Mk 4:35-41). In his parting words in the gospel of Matthew, Jesus pledges his protective presence «always, to the end of the age» (Matt 28:20).

The church as God's People, Christ's Body, and the Spirit's vivifying presence as its Temple, continues Jesus' mission in the world (Vatican Council II, 1964: 6-17; see also Bevans, 2015: 17-18), and especially in this context the divine mission of protection and healing. Pope Francis sees this mission as carried out especially in a concern for the world's poor, and in particular those who are the victims of the «globalization of indifference», part of the «throwaway culture»,

⁸ See Ps. 121:4. The NRV translation is that God is the “keeper” of Israel.

⁹ See Brueggemann, 1994: 714. Brueggemann cites here McCarthy, 1978.

the «leftovers», of which the world's migrants make up a major part (Francis, 2013c, 2014a e 2014b, 2015b). In his address to the conference on migration and peace, Francis is quite concrete and specific. Christians and other world organizations need to unite in protecting migrants' «inalienable rights, ensuring their fundamental freedoms and respecting their dignity». These are «duties from which no one can be exempted», and therefore the Christian community will always be involved (Francis, 2017b). One might also think of the duty to protect children and work to keep them with their parents, to protect people in refugee camps from hunger, cold, and disease—especially in our time of global pandemic. Women need also to be especially protected, and migrants' religious freedom need to be defended and protected as well. Migrants' reputations, in addition, need to be protected from being called thieves, rapists, lazy, insensitive to their host cultures.

All of this demands the cultivation of courage, the Christian and spiritual virtue of fortitude. Protecting migrants needs the courage of the Holy Spirit, so that Christians will not let themselves «be held back by fear and by calculation, so as not to become accustomed to walking inside safe borders». Christians need to take risks. It needs «the apostolic courage that the Holy Spirit kindles in us like a fire helps us to overcome walls and barriers, makes us creative and spurs us to get moving in order to walk even on uncharted or arduous paths [...] It is precisely the fire of the Holy Spirit that leads us to be neighbors to others, to the needy, to so much human misery, to so many problems, to refugees, to displaced people, to those who are suffering» (Francis, 2016i). «Jesus», Francis told young people in Cracow, Poland, «is the Lord of risk [...] not the Lord of comfort, security and ease. Following Jesus demands a good dose of courage, a readiness to trade in the sofa for a pair of walking shoes». Jesus points to the «craziness» of God, whom we encounter «in the thirsty, the hungry, the thirsty, the naked, the sick, ... the refugee and the migrant» (Francis, 2016l). This kind of courage, this «boldness», however, Francis (2014c) reminded the San Egidio community, «is not one day's courage, but the patience of a daily mission in the city and in the world». It is a discipline, a spiritual practice.

The Mission of Promotion, The Spirituality of Creativity

The word «promote» for Francis has a rather different sense than it often has in English, where it means something along the line of «advertise» or «publicize». For Francis, as Fabio Baggio

(2017: 6) explains it, «promote» «synthesizes all the actions that are intended as the principle objective of human integral development of migrants and refugees as well as the communities that receive them». This is done, says Francis (2017b) by «providing fair access to fundamental goods for all people and offering the possibility for choice and growth». As such, «promotion» participates in the mission of God who from the very beginning works for the freedom of all creation, and especially for the freedom of all human beings. As theologian Elizabeth Johnson (2014: 159) writes, God's «loving power accompanies the world as the patient, subtle presence of the gracious Creator who achieves divine purpose through the free play of created processes». God, through the active presence of the Spirit, «blows throughout the world with compassionate love that grants nature its own creativity and humans their own freedom, all the while companioning them through the terror of history toward a new future. Not the monarch but the lover becomes the paradigm». This is same idea that Ilia Delio (2011: 10) voices when she speaks of God as «the beggar of love who waits at [every creature's] door without daring to force it open». The power of God is exercised in empowerment, enabling every person – indeed every particle in the universe – to achieve its purpose and integrity. It is this power that is reflected in Jesus' revelation that he had come that people – and in today's understanding all of creation – might have life, and have it more abundantly, to the full (see Jn 10:10).

It is to this life and this fullness that Francis points when he speaks of the mission of promotion of migrants. In his important address to the conference on migration and peace, Francis (2017b) talk of how Christians, in cooperation with other institutions like governments, need to provide the conditions for human rights, both by providing the right to migrate and the right *not to have to migrate* by finding «in one's own homeland the conditions necessary for living a dignified life». For people in their homelands and for migrants arriving in their new homes, families need to be kept together or reunited, employment needs to be offered, educational opportunities need to be developed, religious freedom and health care need to be guaranteed (Baggio, 2017: 6). Francis also makes an additional point of insisting that migrants with disabilities be attended to with special care (see Tan, 2019).

All of this calls for the development of the spiritual capacity for creativity. There is need for new ways of imaging how migrants can be presented in their new homes that will be attractive to the residents of these lands. There will need to be ways for governments and

non-governmental organizations to work together with the Christian community so that opportunities can be created for greater freedom and fullness of life for migrants and their families. There will need to be ways for more affluent nations to affect employment and justice issues in lands of more poverty and inequality among classes. There will need for ways to call people both in homelands and new lands to recognition of injustice and repentance. Exposure to the arts might be a way to touch peoples' hearts to work for greater possibilities for migrants and their families. Novels such as Ellen Wiles's *The Invisible Crowd* (2017), about the plight of an Eritrean asylum seeker in Britain, or Jenny Erpenbeck's *Go, Went, Gone* (2017), a marvelous story of the transformation of an East German man by African refugees, give insight into the humanity of migrants. Films like Jacques Audiard's *Dheepan* (2016), Chris Weitz's *A Better Life* (2011), or John Weiwei's documentary *The Human Flow* (2017) can help shape the consciences of ordinary people and government officials alike. Paintings like Kelly Latimore's *Refugees: La Sagrada Familia* (https://kellylatimoreicons.com/gallery/img_2361/) can illustrate better than words can the connections between the Bible and present-day migration issues. In a noontime (Angelus) address in St. Peter's Square, Pope Francis (2018g) greeted members of Caritas International who had come to Rome on pilgrimage and recommended the initiative called «Share the Journey». This initiative has a marvelous web page (<http://journey.caritas.org>) that offers many creative ideas around the use of art of all kinds, as well as powerful examples of how art can throw light on the need for the promotion of migrants.

The Mission of Integration, The Spirituality of Interculturality

The task of the church's mission is to work with God for the completion of creation, moving the world to a «radical kinship» of «shalom», a «flourishing in community» of all peoples and the entire creation itself (Boyle, 2017; McDonough, 2004: 133). God's goal in mission, in other words, is integration. We see this right in the beginning of the Bible, when Israel is chosen through Abram so «that all the families of the earth shall be blessed» (Gen 12:3). We see it expressed powerfully as well in the prophetic tradition, as Isaiah offers a vision of how «the mountain of the Lord's house shall be established as the highest of the mountains, and [...] all the nations shall stream to it» (Is 2:2), and how «nation shall not lift up sword against nation, neither shall they learn war any more» (Is 2:4). God's vision, God's dream, says Isaiah, will be

a time of harmony of all creation, when «the earth will be full of the knowledge of the Lord» (Is 11:9 – see Is 11:6-9).

The same vision of an integrated creation is what Jesus called the Reign of God, articulated beautifully in the words he read from Isaiah at the beginning of his ministry and setting its agenda: bringing good news to the poor, proclaiming release to captives, bringing sight to the blind, letting the oppressed go free, offering a new chance with God's forgiving grace (see Lk 4:18-18, Is 61:1-11). The new family and community that Jesus set out to form is glimpsed in the opening chapters of the Acts of the Apostles, where the disciples are described as «one in heart and soul» (Acts 4:32). It is expressed by Paul in his image of the members of the church made into one by the power of the Spirit, so as to form the very body of Christ in the world (1Cor 12:4-31). It is expressed as well in Paul's description of the church at Ephesus, where Jew and Gentile have been made one in Christ, where the wall dividing both cultures from one another has been broken down (Eph 4:11-22). The Christian scriptures come to a climax in the Book of Revelation with the vision of «a great multitude [...] from every nation, from all tribes and peoples and languages» (Rev 7:9) standing before God's throne and singing God's praise.

The church is called to work for this grand vision as it seeks to integrate the world's poorest into the new societies into which migrants have come, and as migrants work to integrate themselves through their own gifts and skills. As Francis (2017b) expresses it, the integration that is called for is neither one of assimilation nor absorption, but «a two-way process rooted essentially in the joint recognition of the other's cultural richness». It is not a question of either being dominated by the host culture nor going into cultural or social ghettos. Migrants must respect the local customs and laws, and those who live in the host country need to be tolerant and understanding of migrants' struggles to adjust and fit in. As Francis (2018b) puts it in his 2018 Migration Day message, «I reiterate the need to foster a culture of encounter in every way possible—by increasing opportunities for intercultural exchange, documenting and disseminating best practices of integration, and developing programs to prepare local communities for integration processes».

As Francis hints at above, the spirituality needed for the process of integration is a spirituality of interculturality. A spirituality of interculturality sets us out on a journey that is both enriching and difficult. It involves discipline and asceticism, but its prize is a glimpse and a taste of the «shalom» that God is working for in the

world. As noted author on interculturality, Anthony Gittins (2015: 4-5), points out, it is «urgently desired by God». It is not natural, although it is «perhaps supernatural», and so possible only by being open to grace. It is to be nurtured with «graciousness, diplomacy, compromise, mutual respect, serious dialogue, and the development of a common and sustaining vision». It is only by commitment to this kind of mutual enrichment and challenge (see Schroeder, 2018: 157), that transforms both migrants and hosts into fellow citizens and sisters and brothers in the community of faith and/or society.

A Fifth Verb: The Mission of Prayer, The Spirituality of Lament

To Francis's four verbs, I would like to propose a fifth «to pray» – with a corresponding spiritual practice of lament. As I noted in the introduction to this second section, this fifth verb is never mentioned explicitly in conjunction with the other four. However, in an interest to develop Pope Francis's thought on migration further, especially in conjunction with the implications of his thought for a spirituality of migration, the verb and corresponding spiritual practice would seem consistent with his thinking in this regard. In contemporary missiological thinking, the missionary practice of prayer is often listed as one aspect of mission's «complex reality», as Pope John Paul II expressed it¹⁰, and lamentation has recently emerged as a major practice of the spiritual life (see, for example, Billman - Migliore, 2006; Hinze, 2011; Katongole, 2017; Suna-Koro, 2019; and Price, 2017).

Prayer is in essence a dialogue, an openness, a mutual communication, and in this sense, it describes the essence of God's Triune nature, which is a loving communion in unity and diversity. «In the beginning is communion», Leonardo Boff writes (1988: 9; the quotation is the title of Chapter I). God's «immanent» dialogue expands into the «economy» of salvation history in the creation of the universe, a history, says Paul VI (1964), that is «one long, varied dialogue» (Paul VI, 1964: 70) in which God invites humanity to share the divine life. God's mission, in other words, might be aptly described as God's prayer, God's conversation with the universe, calling it, coaxing it, persuading it, to the full freedom of flourishing.

¹⁰ Prayer (together with “liturgical life” and “contemplation” is included in a multi-faceted description of mission in a 1984 document published by the Vatican's then-Secretariat for Non-Christian Religions (1984). This document spoke of mission as «single but complex and articulated reality». Pope John Paul's phrase appears in his encyclical *Redemptoris Missio*, 41. See Bevans - Schroeder, 2004: 348-395, esp. 361-368.

The natural world, in all its beauty and tragedy, answers God's prayer simply by being itself. «A tree gives glory to God by being a tree», Thomas Merton (1961: 29-30) famously wrote. Human beings answer by entering into prayer themselves, something they have done since the emergence of human consciousness. Our Judaeo-Christian tradition narrates how God chose Abraham (and Sarah) and Israel to participate in God's mission by becoming a blessing for all nations (Gen 12:3), and Israel's early leaders, judges, prophets, priests, sages and entire people stayed in contact with that mission by their prayer and rituals. When they turned away from prayer and neglected their mission, those who were faithful called them back and lamented their betrayal. Sometimes the lamentations were expressions of rage and fury – like Moses expressed when he saw Israel worshipping the golden calf (Ex 32:19-20). At other times the prophets spoke for God as such: «The more I called them, the more they went from me» (Hos 11:2); «O my people, what have I done to you ...? Answer me!» (Mic 6:3). And the people, also, when they experienced the unfairness and suffering that life often gave, prayed like the psalmist, «my God, my God, why have you forsaken me» (Ps 22:1).

Jesus of Nazareth was a man of prayer, spending long hours in prayer to the God he knew as dearly as a parent, and turning to God in time of need (e.g. Lk 6:12, Mk 6:41; Mt 26:36-46). His was an intimate connection with God's mission, and he continued God's mission of free invitation as he healed the sick, liberated people from their captivity to sin, and spoke in powerful parables and aphorisms. When, like other prophets before him, people would not listen, he raised his voice in lamentation – sometimes in righteous anger, sometimes in tenderness and weeping (e.g. Mt 23:1-39; Lk 19:41-48).

In an interview in the midst of the coronavirus epidemic in March, 2020, Francis spoke about his own prayer life in such a difficult time. «How am I living this spiritually? I'm praying more, because I feel I should. And I think of people. That's what concerns me: people. Thinking of people anoints me, it does me good, it takes me out of my self-preoccupation» (Ivereigh, 2020). This is the point of prayer as mission. It takes us out of ourselves and opens us up to God's care and concern for the world, and ultimately leads us to unselfish action. One aspect of that action – and not the least – is the prayer of petition, a prayer that Francis likens, in an address to the general chapter of the Scalabrinians (2018a), to the prayer of migrants. «A migrant prays. He prays because he needs so many things. And he prays in his own way, but he prays. It would be a

danger – for all of us men and women of the Church, but more so for you, because of your vocation–to have no need of prayer». It is not enough, Francis insists, to think, to study, to be involved in activities. One has to know how to beg, to be open to be welcomed by God, like a «migrant to the Lord». Like the migrant Syro-Phoenician woman in the gospel, we need to be «migrants in prayer, knocking on the door to be received by the Lord» (Francis, 2018a).

Thinking of people in prayer, knocking on God's door like a migrant, leads to lamentation. Francis is no stranger to lamentation when it comes to migrants. In address after address he laments how the Mediterranean and Aegean Seas have become cemeteries, how Syrian refugees are suffering from bombings and in refugee camps, how Mexican migrants are experiencing injustice at the U.S. border, how migrants are victims of today's «throwaway culture», how Africans' boats of hope have become vessels of death (for example, Francis 2013c, 2014c, 2014d, 2014e, 2017c and 2018). This last lament appears in Francis' powerful homily on Lampedusa (2013c), in which he calls the women and men of the world to weep. «Has anyone wept for this situation and others like it? Has any one of us grieved for the death of these brothers and sisters? Has anyone of us wept for these persons who were on the boat? For young mothers carrying their babies? For these men who were looking for a means of supporting their families? [...] let us ask the Lord for the grace to weep over our indifference, to weep over the cruelty of our world, of our own hearts, and of those who in anonymity make social and economic decisions which open the door to tragic situations like this».

Ultimately, a missionary spirituality in the light of migration calls us to transforming action. But to stay the course demands a strong sense of compassion, fueled by encountering the reality of the suffering flesh of Christ in the world's migrants. This is the spirituality of lamentation.

Conclusion

What I have tried to offer in this essay is a reflection on the connection among the phenomenon of migration today, the church's mission rooted in the mission of God, and a spirituality that might commit Christians more deeply to the Church's commitment of ministering *among* and cultivating the mission *of* migrants. The inspiration for this reflection has been the ministry of Pope Francis, expressed both in his words and his actions. Perhaps more than anything Francis

says or does, however, commitment to migrants, to God's mission, and a deep spirituality are united in his welcoming, courageous, creative, interculturally sensitive, and deeply compassionate person.

References

- Allen, John (2013). Francis and the Culture of Encounter. *National Catholic Reporter*, December 20. Retrieved at <https://www.ncronline.org/blogs/ncr-today/francis-and-culture-encounter>.
- Apostolic Penitentiary (2020). Decree on the granting of special Indulgences to the faithful in the current pandemic. Retrieved at <https://press.vatican.va/content/salastampa/en/bollettino/pubblico/2020/03/20/200320c.html>.
- Baggio, Fabio (2017). Le risposte della Chiesa alle sfide migratorie a partire dal Magistero di Papa Francesco. Retrieved at <https://migrants-refugees.va/it/wp-content/uploads/sites/3/2017/11/Contributo-Baggio-Friburgo-2017.pdf>.
- Bevans, Stephen (2008). Mission among Migrants, Mission of Migrants: Mission of the Church. In Gioacchino Campese and Daniel Groody (eds.), *A Promised Land, A Perilous Journey: Theological Perspectives on Migration* (89-106). Notre Dame IN: University of Notre Dame Press.
- Bevans, Stephen (2015). Beyond the New Evangelization: A Missionary Ecclesiology for the Twenty-First Century. In Richard R. Gaillardetz and Edward P. Hahnenberg (eds.), *A Church with Open Doors: Catholic Ecclesiology for the Third Millennium* (3-22). Collegeville MN: The Liturgical Press.
- Bevans, Stephen (2016). Missio Dei and Missio Ecclesiae: Trinitarian Mission, Theosis, and the Missionary Nature of the Church. In Jacob Kavunkal and Christian Tauchner (eds.), *Mission Beyond Ad Gentes: A Symposium* (17-30). Siegburg: Franz Schmitt Verlag.
- Bevans, Stephen (2018). Becoming Prophets of Encounter: The Culture of Encounter and Religious Life Today. *Verbum SVD*, 59, 4: 339-59.
- Bevans, Stephen B.; Schroeder, Roger P. (2004). *Constants in Context: A Theology of Mission for Today*. Maryknoll NY: Orbis Books.
- Billman, Kadi; Migliore, Daniel L. (2006). *Rachel's Cry: Prayer of Lament and Rebirth of Hope*. Eugene OR: Wipf and Stock.
- Boff, Leonardo (1988). *Trinity and Society*. Maryknoll NY: Orbis Books.
- Boyle, Gregory (2017). *Barking to the Choir: The Power of Radical Kinship*. New York: Simon and Schuster.
- Brueggemann, Walter (1994). The Book of Exodus: Introduction, Commentary, and Reflections. In Leander Keck, et al. (eds.), *The New Interpreter's Bible*, Volume I (675-981) Nashville TN: Abingdon, 1994.
- Byron, William J. (1998). The 10 Building Blocks of Catholic Social Teaching. *Faith*, October 31. Retrieved at <https://www.americamagazine.org/faith/1998/10/31/10-building-blocks-catholic-social-teaching>.

- Campese, Gioacchino (2015). You Are Close to the Church's Heart: Pope Francis and Migrants. In Susanna Snyder, Joshua Ralston, and Agnes M. Brazal (eds.), *Church in an Age of Global Migration. A Moving Body* (23-34). New York: Palgrave Macmillan.
- Campese, Gioacchino (2019). A People of God Who Remembers: Theological Reflections on a Refugee Crisis. In Afe Adogame, Raimundo C. Barreto, and Wanderley Pereira Da Rosa (eds.), *Migration and Public Discourse in World Christianity* (215-227). Minneapolis MN: Fortress Press.
- Campese, Gioacchino (unpublished). Prophets in an Age of Migration: Welcoming, Protecting, Promoting, Integrating. PowerPoint presentation, used with the consent of the author.
- Castillo Guerra, Jorge E. (2017). «A Church without Boundaries»: A New Ecclesial Identity Emerging from a Mission of Welcome. Reflections on the Social Magisterium of Pope Francis as Related to Migration. *Journal of Catholic Social Thought*, 14, 1: 43-61.
- Delio, Ilia (2011). *The Emergent Christ: Exploring the Meaning of Catholic in an Evolutionary Universe*. Maryknoll NY: Orbis Books.
- Edwards, Denis (1999). *The God of Evolution: A Trinitarian Theology*. New York/Mahwah NJ: Paulist Press., 1999), 30-32.
- Erpenbeck, Jenny (2017). *Go, Went, Gone*. New York: New Directions Books.
- Fares, Diego (2015). *The Heart of Pope Francis: How a New Culture of Encounter is Changing the Church and the World*. New York: Crossroad.
- Francis (2013a). *Evangelii Gaudium*. Apostolic Exhortation. Retrieved at http://www.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium.html.
- Francis (2013b). Address to Participants in the Plenary Assembly of the Congregation for the Oriental Churches. Retrieved at https://migrants-refugees.va/mr_article/address-pope-francis-participants-plenary-assembly-congregation-oriental-churches/.
- Francis (2013c). Homily on Lampedusa. Retrieved at https://migrants-refugees.va/mr_article/visit-lampedusa-homily-holy-father-francis/.
- Francis (2013d). Address to the Pontifical Council for the Pastoral Care of Migrants and Itinerant People. Retrieved at https://migrants-refugees.va/mr_article/address-holy-father-francis-participants-plenary-pontifical-council-pastoral-care-migrants-itinerant-people/.
- Francis (2013e). Address at a visit to the Astalli Centre, the Jesuit Refugee Service in Rome, 10 September. Retrieved at https://migrants-refugees.va/mr_article/visit-astalli-centre-jesuit-refugee-service-rome-address-holy-father-francis/.
- Francis (2013f). Homily for the Mass for the Possession of the Chair of the Bishop of Rome (3-5). In Id., *The Church of Mercy: A Vision for the Church*. Chicago: Loyola Press.
- Francis (2013g). Inaugural Homily. Retrieved at http://www.vatican.va/content/francesco/en/homilies/2013/documents/papa-francesco_20130319_omelia-inizio-pontificato.html.
- Francis (2014a). Message for the 2014 World Day of Refugees. Retrieved at https://migrants-refugees.va/mr_article/message-holiness-pope-francis-world-day-migrants-refugees-2014/.

- Francis (2014b). Address at the World Meeting of Popular Movements. Retrieved at https://migrants-refugees.va/mr_article/address-pope-francis-participants-world-meeting-popular-movements/.
- Francis (2014c). Address to the Sant'Egidio Community. Retrieved at http://www.vatican.va/content/francesco/en/speeches/2014/june/documents/papa-francesco_20140615_comunita-sant-egidio.html.
- Francis (2014d). Message to charity workers in Syria. Retrieved at https://migrants-refugees.va/mr_article/message-pope-francis-charity-workers-syria/.
- Francis (2014e). Address to diplomatic corps. Retrieved at https://migrants-refugees.va/mr_article/address-holiness-pope-francis-members-diplomatic-corps-accredited-holy-see/.
- Francis (2015a). Meeting with Civil Authorities. Retrieved at https://migrants-refugees.va/mr_article/meeting-civil-authorities-address-holy-father/.
- Francis (2015b). Message for the 2015 World Day of Migrants and Refugees. Retrieved at https://migrants-refugees.va/mr_article/message-holiness-pope-francis-101st-world-day-migrants-refugees-2015/.
- Francis (2015c). Encyclical Letter *Laudato Si*. Retrieved at http://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html, 30.
- Francis (2015d). Bull of Indiction of the Extraordinary Jubilee of Mercy, *Misericordiae Vultus*. Retrieved at https://w2.vatican.va/content/francesco/en/apost_letters/documents/papa-francesco_bolla_20150411_misericordiae-vultus.html, 21, quoting Augustine, Homilies on the Psalms, 76, 11.
- Francis (2015e). Address at a workshop on Modern Slavery and Climate Change. Retrieved at https://migrants-refugees.va/mr_article/workshop-modern-slavery-climate-change-commitment-cities-statement-holiness-pope-francis/.
- Francis (2016a). Meeting with the Bishops of Mexico. Retrieved at https://migrants-refugees.va/mr_article/meeting-bishops-mexico-address-holiness-pope-francis/.
- Francis (2016b). Address to the Members of the European Confederation and of the World Union of Jesuit Alumni and Alumnae. Retrieved at https://migrants-refugees.va/mr_article/address-holiness-pope-francis-members-european-confederation-world-union-jesuit-alumni-alumnae/.
- Francis (2016c). Homily at the Papal Mass at Christmas. Retrieved at https://migrants-refugees.va/mr_article/solemnity-nativity-lord-papal-mass-homily-holiness-pope-francis/.
- Francis (2016d). Apostolic Exhortation *Amoris Laetitia*. Retrieved at https://w2.vatican.va/content/dam/francesco/pdf/apost_exhortations/documents/papa-francesco_esortazione-ap_20160319_amoris-laetitia_en.pdf.
- Francis (2016e). 2016 Message for the World Day of Migrants and Refugees. Retrieved at https://migrants-refugees.va/mr_article/message-holiness-pope-francis-world-day-migrants-refugees-2016/.
- Francis (2016f). Address at Welcoming Ceremony by the Young People of World Youth Day. Retrieved at https://migrants-refugees.va/mr_article/welcoming-ceremony-young-people-wyd-address-holy-father/.

- Francis (2016g). Morning Meditation, *For a Culture of Encounter*. Tuesday, September 13. Retrieved at 2016, https://w2.vatican.va/content/francesco/en/cotidie/2016/documents/papa-francesco-cotidie_20160913_for-a-culture-of-encounter.html.
- Francis (2016h). Angelus Message. Retrieved at 2016, https://migrants-refugees.va/mr_article/pope-francis-angelus-15/.
- Francis (2016i). Sunday noon (Angelus) address. Retrieved at https://migrants-refugees.va/mr_article/pope-francis-angelus-16/.
- Francis (2016l). Prayer vigil at World Youth Day, Cracow, Poland. Retrieved at https://migrants-refugees.va/mr_article/prayer-vigil-young-people-address-holy-father/.
- Francis (2017a). Address to the Community of *La Civiltà Cattolica*. Retrieved at https://migrants-refugees.va/mr_article/pope-francis-address-community-la-civiltà-cattolica/.
- Francis (2017b). Address to an International Forum on «Migration and Peace». Retrieved at http://www.vatican.va/content/francesco/en/speeches/2017/february/documents/papa-francesco_20170221_forum-migrazioni-pace.html.
- Francis (2017c). Address to World Meetings of Popular Movements. Retrieved at https://migrants-refugees.va/mr_article/message-holiness-pope-francis-occasion-world-meetings-popular-movements-modesto-california/.
- Francis (2018a). Address to the Scalabrinian general chapter. Retrieved at https://migrants-refugees.va/mr_article/address-of-his-holiness-pope-francis-to-participants-at-the-general-chapter-of-the-congregation-of-the-missionaries-of-st-charles-scalabrinians/.
- Francis (2018b). 2018 Message for World Day of Migrants and Refugees. Retrieved at http://www.vatican.va/content/francesco/en/messages/migration/documents/papa-francesco_20170815_world-migrants-day-2018.html.
- Francis (2018c). Message to the Second Holy See-Mexico Conference on International Migration. Retrieved at https://migrants-refugees.va/mr_article/message-of-his-holiness-pope-francis-for-the-second-holy-see-mexico-conference-on-international-migration/.
- Francis (2018d). Pastoral Visit to Sicily, Meeting with Young People. Retrieved at https://migrants-refugees.va/mr_article/pastoral-visit-of-the-holy-father-francis-at-the-diocese-of-piazza-armerina-and-di-palermo-on-the-occasion-of-the-25th-anniversary-of-death-del-beato-pino-puglisi-meeting-with-the-young-address-of-the/.
- Francis (2018e). Meeting with Young People. Retrieved at https://migrants-refugees.va/mr_article/meeting-of-young-people-with-the-holy-father-and-the-synod-fathers-address-of-his-holiness-pope-francis/.
- Francis (2018f). Meeting with Jesuits in Latvia. Retrieved at https://migrants-refugees.va/mr_article/apostolic-journey-of-the-holy-father-in-lithuania-latvia-and-estonia-22-25-september-2018-meeting-of-the-holy-father-francis-with-the-jesuits/.
- Francis (2018g). Noon Message (Angelus). Retrieved at https://migrants-refugees.va/mr_article/pope-francis-angelus-26/.
- Francis (2018h). Address at the Augustinianum. Retrieved at https://migrants-refugees.va/mr_article/sharing-the-wisdom-of-time-the-wisdom-of-time-dialogue-of-the-holy-father-francis-with-young-and-elderly/.

- Francis (2019a). 2019 Message for World Day of Migrants and Refugees. Retrieved at https://migrants-refugees.va/mr_article/message-of-his-holiness-pope-francis-for-the-105th-world-day-of-migrants-and-refugees-2019/.
- Francis (2019b). Address to FAO. Retrieved at https://migrants-refugees.va/mr_article/address-of-his-holiness-pope-francis-to-participants-in-the-41st-general-conference-of-the-food-and-agriculture-organization-of-the-united-nations-fao/.
- Francis (2019c). Address to Refugees from Lesbos, https://migrants-refugees.va/mr_article/the-pope-meets-refugees-arrived-recently-from-lesbos-with-humanitarian-corridors-address-of-the-holy-father-francis/.
- Fredrickson, Paula (2000). *From Jesus to Christ*. New Haven CT: Yale University Press.
- Gittins, Anthony J. (2015). *Living Mission Interculturally: Faith, Culture, and the Renewal of Praxis*. Collegeville MN: The Liturgical Press.
- Groody, Daniel (2017). Cup of Suffering, Chalice of Salvation: Refugees, Lampedusa, and the Eucharist. *Theological Studies*, 78, 4: 960-987.
- Hinze, Bradford E. (2011). Ecclesial Impasse: What Can We Learn from Our Laments?. *Theological Studies*, 72, 3: 470-495.
- Ivereigh, Austen (2020). "A Time of Great Uncertainty": An Interview with Pope Francis. *Commonweal*, April 8. Retrieved at <https://www.commonwealmagazine.org/time-great-uncertainty>
- John Paul II (1990). Encyclical Letter *Redemptoris Missio*. Retrieved at http://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_07121990_redemptoris-missio.html.
- Johnson, Elizabeth A. (2014). *Ask the Beasts: Darwin and the God of Love*. London: Bloomsbury.
- Johnson, Elizabeth A. (2018). *Creation and the Cross: The Mercy of God for a Planet in Peril*. Maryknoll NY: Orbis Books.
- Katongole, Emmanuel (2017). *Born from Lament: The Theology and Politics of Hope in Africa*. Grand Rapids MI: Eerdmans.
- McCarthy, Dennis J. (1978). Exodus 3:14: History, Philosophy and Theology. *Catholic Biblical Quarterly*, 40: 311-322.
- McDonough, Enda. From Shoah to Shalom: The Case for Abolishing War in the Twenty-First Century. In Ead., *Vulnerable to the Holy in Faith, Morality and Art* (127-136). Dublin: The Columba Press, 2004.
- McElwee, Joshua (2020). Coronavirus indulgences evoke Francis' "ridiculously pardoning" church. *National Catholic Reporter*, March 26. Retrieved at <https://www.ncronline.org/news/theology/coronavirus-indulgences-evoke-francis-ridiculously-pardoning-church>.
- Merton, Thomas (1961). *New Seeds of Contemplation*. New York: New Directions.
- Paul VI (1964). Encyclical Letter *Ecclesiam Suam*. Retrieved at http://www.vatican.va/content/paul-vi/en/encyclicals/documents/hf_p-vi_enc_06081964_ecclesiam.html.
- Phan, Peter C. (2016). *Deus Migrator – God the Migrant: Migration of Theology and Theology of Migration*. *Theological Studies*, 77, 4: 845-868.
- Pontifical Council for Justice and Peace (2004). *The Compendium of the Social Teaching of the Church*. Retrieved at http://www.vatican.va/roman_curia/pontifical_councils/justpeace/documents/rc_pc_justpeace_doc_20060526_compendio-dott-soc_en.html.

- Price, Paula Frances (2017). Lament as a Spiritual Practice. Retrieved at <https://thewell.intervarsity.org/spiritual-formation/lament-spiritual-practice>.
- Ross, Cathy (2015). Hospitality: The Church as “A Mother with an Open Heart”. In Ead. and Stephen B. Bevans (eds.), *Mission on the Road to Emmaus: Constants, Context and Prophetic Dialogue* (67-83). London / Maryknoll NY: Orbis Books.
- Schroeder, Roger (2018). Intercultural Perspective. In Lazar T. Stanislaus vanThanh Nguyen (eds.), *Missionary Discipleship in Glocal Contexts* (151-164). Siegburg: Franz Schmitt Verlag.
- Spadaro, Antonio (2014). *A Big Heart Open to God: A Conversation with Pope Francis*. New York: HarperOne / America Press.
- Suna-Koro, Kristine. (2019). Liturgy and Lament: Postcolonial Reflections from the Midst of a Refugee Crisis. *Liturgy*, 34, 2: (2019): 31-40.
- Tan, Jonathan Y. (2019). Pope Francis’s Preferential Option for Migrants, Refugees, and Asylum Seekers. *International Bulletin of Mission Research*, 43, 1: 58-66.
- Vatican Council II (1964). Dogmatic Constitution on the Church, *Lumen Gentium*. Retrieved at https://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19641121_lumen-gentium_en.html.
- Vatican Council II (1965). Decree on Mission Activity, *Ad Gentes*. Retrieved at http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19651207_ad-gentes_en.html, 2.
- Vatican Dicastery for Promoting Human Development, Section on Migrants and Refugees (2020). Collection. Retrieved at <https://migrants-refugees.va/resource-center/collection/>.
- Vatican Secretariat for Non-Christian Religions (1984). The Attitude of the Church toward the Followers of Other Religions: Reflections and Orientations on Dialogue and Mission. *Bulletin. Secretariatus pro non christianis*, 56, 2: 13.
- Wiles, Ellen (2017). *The Invisible Crowd*. London: HQ.
- World Council of Churches (2012). Together Towards Life: Mission and Evangelism in Changing Landscapes. Retrieved at <https://www.oikoumene.org/en/resources/documents/commissions/mission-and-evangelism/together-towards-life-mission-and-evangelism-in-changing-landscapes>.
- World Council of Churches (2018). Conference on World Mission and Evangelism. Moving in the Spirit: Called to Transforming Discipleship. *International Review of Mission*, 107, 2: 542-546 and 547-560.



La Fondazione CSER, nel 2020, ha deciso di promuovere progetti di formazione per ragazzi migranti o rifugiati, con un'attenzione particolare per le categorie più vulnerabili: Neo maggiorenni (ex MSNA) ed i NEET (Neither in Employment nor in Education or Training). I progetti sono orientati all'acquisizione di competenze digitali che possano essere utilizzate in campo artistico-culturale.

In particolare questo primo ciclo formativo si articola nei seguenti corsi:

- Competenze digitali per l'editoria digitale e le Biblioteche
- Competenze digitali per la realizzazione di campagne Foto e Video di Comunicazione Sociale
- Competenze digitali per il Web Design

I corsi prevedono 320 ore di formazione in aula, sia teorica che pratica, e 320 ore di tirocinio con borsa di studio negli enti del network scalabriniano in Italia.

Il progetto WIP: Cultura e formazione alle Digital Skill per ragazzi rifugiati di massimo 24 anni (ex MSNA) è sostenuto dalla campagna "Liberi di Restare e Liberi di partire" della CEI, il progetto WEB4NEET diretto all'apprendimento di competenze di Web design per giovani migranti in stato di NEET è sostenuto dalla Fondazione Migrantes.

I progetti dal 1° aprile 2020 si stanno svolgendo online, con lezioni quotidiane, collegando ragazzi residenti in diversi centri di accoglienza di Roma, Pomezia, Frosinone e altri comuni del Lazio. La Fondazione CSER si è impegnata in modo concreto, nel mese di aprile e maggio, per permettere ai ragazzi di proseguire la formazione anche durante l'emergenza COVID-19, strutturando lezioni online interattive, creando un canale su Youtube per rivedere le lezioni, fornendo materiali didattici quotidianamente, in attesa di averli il prima possibile in aula per i laboratori tecnici e negli enti scalabriniani per i tirocini formativi.

Guardianship of unaccompanied migrant minors: the EU migration system, the international standards on children's rights, and the case of Spain

PATRIZIA RINALDI

prinaldi@comillas.edu

Universidad Pontificia Comillas (Madrid)

EU legislation provides a comprehensive framework for the protection of the rights of the child in migration covering reception conditions, the treatment of their applications and integration.

The purpose of this article is to analyze the effectiveness of guardianship systems for children in migration to Spain deprived of parental care, considering the European Union rule of law and the international standards on children's rights. It examines on the entry strategies implemented with regard to young migrants who confront the provisions established by the Spanish protection system. After an overview of the phenomenon under scrutiny and an introduction to the definition of "unaccompanied migrant minor" (UMM), the article develops in two parts: the first deals with the general guiding lines of the guardianship system for unaccompanied migrant minors arriving in Europe. The second part evaluates the Spanish reception system for the UMM, which mainly concerns the key aspect of guardianship.

Keywords: Unaccompanied migrant minors, guardianship, children's rights, EU legislation, Spain.

Introduction

This article reviews findings of the research programme carried out during the workings of my doctoral thesis focussing on the transition to adulthood of unaccompanied migrant minors (UMM). The case study relates to the Spanish administrative protection regime.

The objective of this research endeavour is to ascertain whether the system is efficient in human and economic terms. The reception system is paramount to the success of the subsequent integration process. This contribution addresses the general question of whether the instruments of international and European law for the protection of UMMs are adequate within national contexts.

Thus, this article engages in the analysis of child protection legislation at international level, including the European Union, and both nationally and locally. It analyzes the limitations of some aspects of the guardianship systems for migrants pondered in the light of the guidelines set by human rights treaties, such as the EU Charter of Fundamental Rights (the Charter), the European Convention on Human Rights (ECHR) and the UN Convention on the Rights of the Child (UNCRC). In doing so, the relevant jurisprudence of the Court of Justice of the European Union (CJEU) and the European Court of Human Rights (ECtHR), as well as the role of the Committee on the Rights of the Child as monitoring institution is taken into account (see Annex which includes current legislation regarding international, EU and Spanish legal frameworks). The specific examination of the situation of minors in Spain is carried out from the perspective of children's fundamental rights (Dalrymple, 2006; Connolly, 2015), and precedes the identification of three dimensions of vulnerability.

Data for the preparation of this paper was compiled through three main methodological resources: (a) the review of international, European, and national reports and documents issued by international governmental and non-governmental organisations; (b) the consultation of secondary literature on the subject; and (c) the experience provided by participant observation research carried out by the author at a Caritas Refugees Centre.

Migration by children is an epiphenomenon of human history. The various reasons for its existence are similar as in the case of adult people: to flee from violence or poverty, to seek international protection, to pursue better economic or educational opportunities, or just to facilitate family reunification. In addition to those migrant children who are accompanied by their parents or guardians, there are those who travel as "separate children", that is, accompanied by an adult who is not a parent or guardian; or just "unaccompanied" children who travel completely alone (Pobjoy 2015). This last category is on the rise in numbers and is a cause of general concern and emergency in Europe and globally (UNICEF, 2017; FRA, 2016).

This article focuses on the concept and subject of the “Unaccompanied Migrant Minor” (UMM), how the international community defines it and who really they are (Drywood, 2010).

In the EU migration context, an unaccompanied minor (as established by Directive 2011/95/UE) refers to a minor who arrives in the territory of a member state unaccompanied by an adult responsible, or who is left unaccompanied after he / she has entered the territory of the member states.

This article aims at shedding light on who “unaccompanied minors” are with a construction of conceptual categories, which are important not only at the semantic level, but also at the different levels of legal protection (IOM - GMDAC, 2017). Mapping the definitions used in the context of migrant children in Europe reveals a complex and diverse panorama that leaves many opportunities for improving coherence and comparability (Therborn, 1993). Child migration contains many different categories including those related to who is travelling with family members and child migrants who arrive without parents or guardians. The latter can be legally defined as “unaccompanied” or “separated”. There is also concern about children who arrive with an adult but the relationship to that adult is uncertain, such as in cases of teenage or child marriage. These children have been described as “accompanied non-accompanied” (Schwarz, 2016).

There is one system of justice at the EU level (see Annex). Attempts have been made to achieve a certain consistency, although substantial differences persist. In addition, legal definitions of unaccompanied minor need further clarification as different member states recognize unaccompanied minor as in various manners and degrees. This diversity has consequences for the commensurability of statistics regarding the total numbers of UMMs in the European Union. It also has practical implications regarding the protection provided to children considering whether they are deemed to be alone or with an adult. For example, in Poland only those UMMs who arrive alone are counted. The number of them amounts to fewer than 30 minors per year. Only this group can make use of the procedural and reception arrangements in place for minors (European Migration Network, 2014). In Italy, Spain and France protection is provided on separation and age. The consideration of the asylum claim is left at a secondary level. In countries such as the UK and Norway, the application for asylum is of primary importance and is initiated at an early stage. They usually reject claims made by children from so-called safe countries (FRA, 2015a).

Premises and definitions: from child to teenager

What is a People? A focus on the migration of unaccompanied minors brings attention to important definitional questions (Menjivar et al., 2017). Identifying people implies a double act: it denominates a people but it also facilitates the name to act as a people (Isin, 2018).

It is necessary to take into account that migrants were persons before their migration, responding to the need to define “ex ante” our subject matter. The extended experience in the reception of unaccompanied minors has taught us that the initial distinction leads to the best reception, intervention approach, accommodation and education. This accuracy exercise is one of the factors for subsequent successful integration.

The diverse categories mentioned above have direct implications for policy responses. Children who come with an adult as a spouse or partner deserve a proper assessment, as well as children and adolescents who are victims of human trafficking. Furthermore, family reunification should be made possible wherever and whenever possible (ACNUR, 2015) Labels have a great impact on people who are labelled. Let us review some of these:

1. Solo minors without guardian or relatives. According to the definition by the Convention on the Rights on Child and Committee for the Rights of the Child (Committee on the Rights of the Child, 2005): «Unaccompanied children are persons under the age of majority, who are caught up in armed conflicts, migration and refugee movements or natural disasters, and are not accompanied by a parent, guardian or other person legally or customarily responsible for them». The Spanish legislation considers an unaccompanied minor as «[...] a foreign born person who is less than eighteen years of age and who arrives in Spanish territory without being accompanied by an adult responsible, either legally or according to custom... [There is] a risk for an unprotected child as long as such responsible adult has not been effectively taken care of the child, or once in Spain the child is in such situation» (Directorate general of Family, 2012).
2. Separated migrant children are those arriving in country who are often accompanied by a person different from their parents or guardians (Committee on the Rights of the Child, 2005). The official figures are small, but it is clear that children who arrive in a country different from that of their birthplace, are often accompanied by persons other than their parents, relatives or guard-

ians. These children are usually referred to as “separate” kids. Their identification and registration bring additional challenges, and their protection needs are often overlooked. On arrival, these children are often “accompanied”, but the accompanying adult(s) may not necessarily be able or suitable to assume responsibility for their care. These children may have already been abused and are at risk of exploitation. Their reality and special needs require extra attention. The lack of data and guidance on separate children poses a serious challenge for research.

3. Unaccompanied asylum-seeking children. According to the EMN (European Migration Network, 2015) there is a gap regarding asylum-seeking UMMs and non-asylum seeking UMMs. Spain, Italy and France prefer to follow the protection of unaccompanied minors but not simply as migrants, while other countries, such as Austria, the United Kingdom or Norway, prefer the asylum procedure to ensure immediate protection for minors. This is an important variable because UMMs do not benefit from the same level of protection in law or in practice. In some member states, all third-country national UMMs apply for asylum (Finland and Sweden, for example).

There are significant differences between member states with respect to national definitions and recording practices, such as the establishment of age limit and whether or not they are unaccompanied. In some member states, statistics include all those who claim they are (before an age assessment has confirmed this), whereas others only count those recognized as such by a competent authority (following an age assessment according to Art. 2(1) of Directive 2011/95/EU, Recast Qualification Directive).

The legal-rational denomination is to be underpinned by logic definitions. Subjective definitions are to be in line with administrative categorisations. The necessity of structured definitions is typical of a legal-rational framework: any law or international treaty begins, therefore, with definitions (Stoecklin, 2018).

While the terminology of “asylum seekers” has persisted in Central and northern European countries, the nature of this definition as well as its meaning puts minors under the laws of migration. Unlike the countries of southern Europe, they protect the youngest migrant as a “minor”, assimilating it to the national minors, without any distinction. This distinction, which may seem only procedural, creates different categories that are difficult to compare. The pendulum swing between migrant and child is thus a persisting pending problem (see Table 1).

Table 1. Terminology and Definitions

TERM	LEGISLATION	DEFINITION
Child	UN Convention on the Rights of the Child	«For the purposes of the present Convention, a child means every human being below the age of eighteen years».
Minor	European Union Asylum System	«a third-country national or stateless person below the age of 18 years old».
Unaccompanied children	General Comment no.6 of the UN Committee on the Rights of the Child, on the treatment of unaccompanied and separated children outside their country of origin.	“Unaccompanied children” (also called UAMs) are children, as defined in Article 1 of the Convention, who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so.
Unaccompanied Migrant Minors	Council of Europe	Recommendation of the Committee of Ministers on life projects for unaccompanied migrant minors. There commendation does not distinguish between regular or irregular migrants, asylum-seekers or others in need of protection.
Unaccompanied Minor	European Migration Networks Glossary	A minor who arrives in the territory of the member states unaccompanied by an adult responsible according to law or by the practice of the Member State concerned, and for as long as they are not effectively taken into the care of such a person. It includes a minor who is (left) unaccompanied after they have entered the territory of the member states.

Source IOM-GMDAC (own elaboration)

The term “unaccompanied minor” may limit the application of legal provisions protecting migrant children in contrast with those who are not in the company of other adults. This can be dangerous because some children are brought through border controls with smugglers, traffickers or other adults who are not their primary caregivers. In addition to that of “unaccompanied minor”, the term “separated child” used by the Committee on the Rights of the Child (Comment no. 6) alerts entering states about the wide array of circumstances in which children might find themselves, concerning for example the search for relatives. Adopting a more inclusive definition by using the term “separated children” rather than “unaccompanied minors” may encourage states to put in place more robust systems for identifying migrant children alone.

The legal framework of guardianship

Since minors are generally protected and assisted by their parents, a child’s parents take all the legal decisions that may be necessary for their well-being. However, in cases of minors arriving without a legal guardian, they may need a separate individual to take care of their legal rights. In these cases, a guardian can either be chosen voluntarily by the family and relatives or appointed by the court (Arnold et al., 2014).

At the international level, the Convention on the Rights of the Child and Committee on the Rights of the Child (2005), the General Comment no.6 provide an adequate framework to define the role of guardians for the protection of children. The UN Convention on the Rights of the Child (UNCRC) indicates that legal guardians are a priority for any protection system for children who are temporarily or permanently deprived of their family environment and cannot have their interests represented by their parents (Arnold et al., 2014, Hedlund et al, 2018). For the purpose of our analysis, the three core principles of the UNCRC are a primary consideration in all actions concerning the child (Shamseldin, 2012), These are: (a) the principle of non-discrimination on any ground ensuring equal treatment of all children (Art. 2); (b) the right of the child to be heard and the due weight to be given to his or her views (Art. 12), (c) and the right of the child to life, survival and development (Art. 6).

Furthermore, the UN Guidelines set out concrete guidance for policy and practice implementation on the protection and well-being of children deprived of parental care (United Nations Assembly, 2009).

The UNCRC and Comment no.6 go into details about the role and guardians' responsibilities for those migrant minors who arrive alone.

The concept is clear but the terms are not. In this article the term "guardian" is used to describe the person responsible for safeguarding the well-being and the best interest of the child. A guardian is a person who takes legal decisions for another person, called a ward, who is not able to make such decisions alone. A guardian must have:

- legal responsibility for ensuring the well-being of the child;
- legal responsibility for safeguarding the best interest of the child;
- legal representation in various legal procedures.

Just like nationals, immigrant children have the right to protection. As a child deprived of parental care, domestic law generally makes provision to appoint a guardian or a representative to exercise the role of parents. In order to apply the principle of the best interest for unaccompanied minors, international and European law are especially relevant. In particular, there are three articles highly important to achieve such a goal:

1. Art. 20 of UNCRC (Convention on the Rights of the Child, 1989)
2. Art. 3 (3) of the Treaty on European Union (European Union, 2007)
3. Art. 24 of the Charter (European Union, 2000)

Additionally, the EU asylum *acquis* also contains provisions relating to legal representation and the appointment of a guardian to applicants for international protection who are unaccompanied by their parents.

- Art. 31 of the Qualification Directive (2011/95/EU) refers to unaccompanied children represented by a legal guardian or by an organization responsible for the care and well-being of minors.
- Art. 24 of the Reception Conditions Directive (2013/33/EU) and Art. 25 of the Asylum Procedures Directive (2013/32/EU) allude to "representatives" of unaccompanied children (without referring to a "guardian" specifically).
- Art. 2 (j) of the Reception Conditions Directive¹.
- Art. 2 (n) of the Asylum Procedures Directive.

¹ "Representative" means a person or an organisation appointed by legal and administrative competent bodies in order to assist and to represent an unaccompanied minor in procedures provided for in this Directive, with the aim of ensuring the best interests of the child and exercising legal capacity for the minor where necessary (Reception Conditions Directive 2013/33/EU).

Concerned with human trafficking, the EU noted the absence of a “uniform definition” of guardian and/or representative across the member states (European Commission, 2012). This lack of uniform approach makes it difficult to do comparative research and to commensurate outcomes (Hedlund, 2018).

The majority of EU member states have entrusted guardianship functions to municipal or local level social services, and only a few member states have a central guardianship authority at national level. When guardianship is placed at regional or local levels, different approaches are sometimes applied in different parts of the country.

The time dedicated to participant observation in which I engaged during my fieldwork at a Caritas Refugees Centre showed me that the effectiveness of the protection provided to UMMs largely depends on the nature of the guardianship functions and how they are carried out. The research covers four particular areas, namely the:

- type of guardianship systems in place;
- profile of appointed guardians;
- appointment procedures; and
- tasks of the guardians.

In principle, constitutional and domestic law provisions of all member states recognize that all children within their boundary limits should have equal protection, therefore regardless of residence status (Blommaert, 2013).

Until now, only four member states have set up a separate guardianship system for unaccompanied migrant (or not residential) minors: Belgium, Denmark, Finland and the Netherlands (Kalverboer et al, 2017; De Graeve et al., 2017). In the rest of EU there are in practice different arrangements.

The majority of EU member states have entrusted guardianship functions to municipal or level of social services. Only a few member states have a central guardianship authority at national level. Frequently, guardianship institutions delegate some duties to third parties. In Austria, for instance, the Child and Youth Welfare Office hands over some tasks to the residential care facility or Caritas. Similarly, in Slovenia other professionals exercise some of the guardian’s duties on its behalf and under its supervision. Also in Greece, the public persecutor acting as a provisional guardian may delegate certain tasks to third party, as NGO.

In some countries, like Poland, Belgium and Finland, the authorities for national children guardianship are located at local

level, while the awarding of guardianship for foreign children rests upon a national level institution (FRA, 2015a).

The terminology used a national level varies significantly. “Legal representative” or “representative” has a restricted mandate, like to represent the child only in particular proceedings, for example asylum proceedings. The difference between “guardian” and “legal represent” persists also in Czech Republic, Portugal, Germany and Slovakia.

Otherwise, the role of the “guardian” goes beyond mere legal representation and includes all the tasks related to the promotion of the well-being of a child and safeguards “the best interests of the child” (Shamseldin, 2012).

In general, welfare law and provisions of EU states delineate a profile of guardian or appointed persons with moral qualities, as “adequate” or “suitable” person, often affiliated with the guardianship authority. In case of institutional guardianship, their employees are required to have particular education and professional qualifications.

Institutions entrusted with guardianship usually assign each child to a particular individual. In some countries (Austria, Ireland and the Netherlands), the individual assignment takes place internally inside the same institutions. In around one third of EU members states guardianship is specifically assigned to the director or legal representation of those institutions.

Differences are noticeable concerning the appointment procedures among EU member states. Guardianship is usually regulated by civil law, in particular by family law (for nationals and non-nationals). Competent judicial authorities assign guardians, although in some member states this responsibility lies with administrative or local authorities, like in Latvia (Orphan’s Court). In Ireland, for instance, the matter is part of a general welfare law (*guardian ad litem*). In other countries, like Denmark, the guardian (*vaerge*) is appointed under civil law but the representative (*personligrepraesentant*) is under migration law; only when the minor has a resident permit the “custody holder” takes over under national civil law (FRA (b), 2015; Arnold, 2014).

In addition, the persons or institutions that are assigned with guardianship duties can also differ. Institutional guardianship is frequently applied in cases of unaccompanied children and child victims of trafficking and exploited, since they usually do not have close relatives or other family members residing in the host country.

When the guardianship rests upon as a competence at regional or local level, there are different approaches and, sometimes, heterogeneous discordance in different parts of the same country (as in Spain).

The Spanish Protection System

Child immigration in Spain deals with two main types of border (maritime and terrestrial), and has three chronological phases according to the following evolution and features:

1. The “drop effect” typology typically corresponded to young males of African origin who arrived irregularly on the coast of Andalusia (second half of the 90s), poorly educated and looking for employment. This immigration was autonomous and spontaneous, something that did not involve any particular arrangement or institutional organization.
2. A new phase began in the first decade of the 21st century and this was linked to both the programmed migration networks and the human trafficking. In this period, together with the changes in the geopolitical origins of migrants and the various access routes, the remarkable increase in the number of girls is to be highlighted. Over the years, the type of “human trafficking” has become preponderant with the exponential increase in individual costs.
3. Differential mobility is the result of different models of administrative management between organizations such as consulates, government delegations, ministries and police. Besides, the system is increasingly slow, disorganized, and has limits for labour integration of the migrants. It does not reduce the so-called “pull effect” and it produces undesirable side effects such as an increased leakage of protection centres and the abandonment of immigrants to the mercy of street life (IOM - GMDAC, 2017; IRRC, 2018).

Spain belongs to the Mediterranean or southern European model that privileges the status of “minor” to that of “migrant”, together with France, Italy, Greece and Bulgaria, following the binary-migrant-minor procedure. Instead, for the Scandinavian countries, Germany (for minors over 16), and all other member states that joined the Union after 2007, the procedure follows only asylum legislation. A special mention goes to Belgium, a country that created a specific regulation for unaccompanied migrant minor asylum seekers (Senovilla, 2014).

In the Spanish legislation, the best interest of the child is included in Art. 2 of the Organic Law for the Legal Protection of the Child (*Ley Organica 1/1996*). There is also the pre-eminence and priority of “being minor” to that of “being a migrant”. National central authorities and regional authorities share the responsibility for unaccompanied migrant minors in a mixed-system (see Annex).

Although there is a statutory guidance (Protocollo MENA, 2015) regarding the care of UMMs, the implementation at the local level varies markedly. In the process of reception, the figure of the minor is conditioned by the migrant status, and vice-versa. Indeed, the relationship between law and migration policies should be examined specifically without losing sight of the overriding concern for the best interests of the child (Parrilla Fernandez, 2016).

A first critical point regards access to the territory, detention and retention at the border. The lack of legal pathways and the externalization of border controls are the cause of most human rights violations. According to Art. 2 of the Resolution of the Council (EU Council, 1997), the European Union is concerned about the trafficking of human beings and demands recipient countries to stop this illegal human trafficking. However, such resolution is not binding on all member states and does not sufficiently protect the vulnerability of minors, as it allows and authorizes the rejection of minors and their repatriation if there are guarantees in the country of origin. Spanish legislation adopts this measure (Real Decreto 864/2001), and it can refuse these minors. At the border, and without any assessment of the age, minors can also be rejected and “re-sent” for family reunification in their country of origin; or may be considered just irregular migrants, without any age consideration (OHCHR, 2015).

A second point relates to the evidence of age determination by the Spanish Regulation of the Aliens Act Spain (Reglamento de la Ley de Extranjería, 2011). It is expected that age could be verified by legal documents. Only when minors are undocumented and with the doubt about their age, medical tests proceed subsequently under authorization of the judge². This is the backbone of all following analyses. Being “minor” allows the entry into the protection system. Being an “adult” means irregular migrant on Spanish territory. The alleged minors are subjected to medical tests in the appropriate centres, mainly by means of the “Greulich and Pyle” test, but the literature says it is not very reliable. The test has a two-year uncertainty about the biological age (Lazaro, 2010; Schmelting et al, 2011; Defensor del Pueblo, 2011). In our case study, we know that the waiting time for the test result is variable depending on the administrative operability of the Spanish regions (CCAA, or *Comunidades Autónomas*)³, and sometimes the test is repeated

² Ley Orgánica 4/2000, Art. 35.3

³ They are 17 Autonomous Communities and 2 Autonomous Cities (North-African towns of Ceuta and Melilla).

several times. At this point in the reception process, the minor is enrolled in the national registry: Registro de Menores Extranjeros no Acompañados (Registry of Unaccompanied Alien Minors)⁴.

One of the fundamental aspects concerning child's protection is the that concerning *desamparo*, or lack of protection. When a foreign minor is alone, and without the protection of an adult, he/she must be considered under the provision of Art. 172 of the Civil Code as unprotected. Legal protection should be rendered immediately, but there is a difference time-wise depending upon the action of the CCAA involved, and often in the local provinces that composed each CCAA. The implementation of those measures may be delayed months and even years (Capdevilla, 2003; Martínez, 2016).

The next step is facilitating legal representation and assistance to minors (Kanics, 2016). The importance of having both, as well as the support of an interpreter, is put forward in Art. 8.4 of the Regulation of the Asylum Law (Reglamento de la Ley de Asilo 9/1994). The administrative resolutions adopted are of great importance for the life of the minor, as the latter should have a maximum of guarantees. The resolutions are generators of a clear conflict of interests between the protected minor and the child protection services. Thus, the consent of the minor must be requested for the performance of medical tests, explaining its purpose and consequences, given the legal significance they entail for their own personal concern. The procedures for repatriation could be initiated where appropriate. Documentation procedures for the minor could be initiated or not, and an adequate educational and training resource is to be facilitated. For all these reasons, the minor must have at his / her disposal a competent lawyer (Kanics, 2016; Rinaldi, 2012). One of the principles of the child's best interest is his / her right to be heard⁵.

The duty of care for these minors is ruled by the Reglamento de Extranjería 2011⁶ as amended by the Real Decreto 557/2011 and the Ley Orgánica 4/2000. Under these provisions, the Servicios de protección al menor (Child Protection Services) determine the status of *desamparo* (destitution), and the appropriateness for the minor to be transferred for the care of the Regions/ Provinces /Autonomous Cities. The regions (CCAA) are legally empowered to assign the

⁴ Ley Orgánica 4/2000, RMENA, Art. 60.2

⁵ UN, Convention on the Rights of the Child, 1989, Art. 12.2

⁶ Aliens Regulation of Immigration Law, Art. 189-198, cap. III devoted to the MENA (non-accompanied minors)

guardian so that the child can have the necessary moral and material assistance. In general, the Child Protective Services intervene almost automatically in the situation of an “unprotected” minor. After the communication of an administrative body or a complaint, the protection is declared temporary – pending the necessary investigations – until it becomes effective and final.

The responsible authorities must find stable solutions for the “unprotected” minor, which are mainly the repatriation or the family reunification. When there is no possibility of safe repatriation, or after 9 months of a child protection procedure, according to Art. 191.1 of the Real Decreto 557/2011, the UMM ought to remain under CCAA protection.

When the options of family reunification and repatriation fail, the procedure passes to integration measures within Spanish territory following the principle of the best interest of the child. It implies integration in the host country, involving documentation and residence for the minor. All children protected by a public body in Spain, or after a judicial resolution, should become regular citizens (Protocollo MENA, 2015)⁷.

Guardianship in Spain, a critical assessment

Since the beginning of the child, protection process guardianship is the priority. When a child is deprived of parental care, domestic law provides the appointment of a guardian or a representative to exercise the role of parents. For unaccompanied migrant minors, the appointment of relatives is not usually an option, as in the majority of cases the child lacks of a family environment or network in the host country (Pobjoy, 2018). Institutional guardianship is frequently applied in cases of unaccompanied children and child victims of trafficking and exploitation, simply because the lack of other family members residing in the host country. As an example, Spanish law establishes two possibilities:

1. Civil guardianship (Art. 222 to 228 of the Civil Code), when a suitable person is from the child’s family environment is appointed as a guardian.
2. Competent public authority (Art. 172 to 174 of the Civil Code) could assign the guardian by law. When the guardianship is provided at regional or local level, there are sometimes different approaches and discordance in different parts of the same country.

⁷ Ley Orgánica 4/2000, Art. 35.7.

In Spain, according to Organic Act 1/1996⁸ the responsible institutions are at regional level. To preserve the independence of the guardian, in Spain guardianship is not assigned to the body responsible of the accommodation facility hosting the child.

The independence of the guardians from migration and asylum authorities is important for children who are subject to migration law or seek international protection. Nevertheless, in some EU member states – also in Spain – migration authorities play a role in the choice of guardians or representatives. There are three types of guardians:

1. A relative or another person closed to the child.
2. A professional employed by guardianship institutions or other responsible authority.
3. Volunteer guardians, no related to the child, who are recruited by public authorities.

According to Spanish legislation (Table 1), national or domestic law, recognize equal protection to foreign or national minors.

Table 2. Spanish National Legislation on Guardianship and Legal Representation of children deprived of parental care.

Civil Code, 25 July 1889. Art. 172-174. 228 CC. 234 – 235 CC.
Organic Act 1/1996 on the Legal Protection of Minors.
Act 13/2009, on the Reform of the Procedural Legislation for the purpose of the implementation of the new Judicial Office.
Circular 8/2011 of the General Public Prosecutor’s Office, on criteria for the unity of the specialized intervention of the Public Prosecutor’s Office, regarding the protection of minors.
Framework Protocol (2011) for protection of victims of human trafficking.

Source: own elaboration

When there is situation of deprivation in which a minor can be found without parental care (*desamparo*), the guardianship is transferred *ex lege* to the Autonomous Community, that is to say, the public entity competent in matters of child protection (Lazaro, 2002).

⁸ Ley Organica 1/1996 de Protección jurídica del Menor, Art. 19-22ter.

In its last report, among the concerns of the Committee on Rights of the Child (2018) three stand out: devolution at the border, determination of age and guardianship. These serve to highlight the weaknesses identified by on the case of Spain and the UMMs.

The system has set up layers of protection for migrant children that are often vulnerable. Some of these factors of vulnerability stem from circumstances in the countries of origin, such as the lack of formal education that leave adolescents at greater risk, or the lack of vital perspectives that drives them into the unknown without their families. The success in the reception and integration policies should follow the good practices of protection with the aim of preventing these children from ending up outside the law (Zorilla, 2015).

UMMs are especially vulnerable to a broad array of human rights violations (Smith, 2013). Appointing guardians to unaccompanied children is an important safeguard to ensure their best interests. With the assistance of a legal representative and adviser, they should not be required to decide difficult legal matters on their own. A person responsible for child protection should therefore be present at an early stage of the identification and registration phase. There is an urgent need to integrate child protection at hotspots by appointing a child protection officer (European Commission, 2012). Three challenging situations could be monitored as follows.

Firstly, as already mentioned, Spain regulates the protection at the local national and regional level. The Article 149.1.2 of Spanish Constitution grants exclusive jurisdiction to the central state regarding foreign matters. However, there are three Autonomous Communities that, in application of section 1.8, have developed their own system in matters of child protection: Navarra, Catalonia and Aragon. The article 148.1.20 of the 1978 Spanish Constitution has made it possible for the Autonomous Communities to have exclusive competence in matters of social assistance. Accordingly, those CCAA assume the protection of the minor in the reception centres present in their territory and the guardianship. Consequently, there exists a complex and heterogeneous legal framework regarding the protection of UMMs. Thus, there are no homogeneous criteria for action in the legal protection of foreign minors not accompanied (Moreno-Torres Sanchez, 2010). The main criticism regards the Art. 14 of LOPJM (Ley Organica 1/1996).

All procedures regarding minors should be processed with a degree of urgency. However, the findings in the fieldwork carried out for the purpose of this article show that children systematically lack legal support and often minors do not have the assistance of a

lawyer during the interview at the reception centre and not even a translator when necessary.

Secondly, regarding the guardian profile and skills, professional or educational qualifications are not always appropriate. In practice, Spanish a variety of employees of governmental institutions or other bodies designated by law or by private persons exercise guardianship duties. However, for them training is not always compulsory, including specific categories such as identification of vulnerabilities, victims of trafficking or minors with health problems. Another missing data relates to supervision and support tasks for guardians, including access to legal advice and translation services.

Thirdly, it is important to ensure the impartiality of the guardians. Moreover, the independence of migration and asylum authorities is vital for unaccompanied children who are entitled to legal protection. To protect the interests of children under guardianship, and when their guardians are not performing their duties soundly, judicial defenders should be appointed. The designation of the defender must always respect the will of the minors. Otherwise, reasons that have not been taken into account must be specifically motivated. In securing independence, it is necessary to separate child protection from the management of migration and border control. However, migration authorities are often involved in the recruitment and appointment of guardians or legal representatives. Sometimes the reception facility, under the management of migration authorities, is assigned with guardianship duties.

More shadows obscure the appropriateness of some management activities. The duties and tasks of the guardians are very often defined in general manner. In practice, very often the concrete tasks and duties depend to a certain extent on the legal basis of their appointment. In some cases, certain tasks and responsibilities are transfer to third parties.

Concluding remarks

One in six children lives in an area affected by a conflict (357 million children worldwide). Countries should be ready to receive migrants because migration is inevitable. An extra effort should be made with regard to those who are among the most vulnerable: the children (Migration Data Portal, 2018).

The migration crisis raises serious questions about the effectiveness of Europe's migration framework, its position towards its international obligations, and the achievement of adequate migration and security policies concerns of the member states (Save the

Children, 2018; Petrillo, 2018). It should not be forgotten that the international obligations regarding the protection of minors seek, first and foremost, the best interest of the child. The UN Convention on the Rights of the Child plays a significant role in defining suitable and agreed parameters for the treatment of minors.

The migration crisis has brought to the spotlight the importance of a full and correct implementation of these standards at the national level (Humphris et al. 2017). In the case of Spain, it appears that the laws on migration and the protection of minors are in conflict for the uneasy coexistence between of the three state, regional and local legal frameworks. Given the current legislation, the protection of minors could be substantially improved. When it comes to minors, the highest standards of care are expected. The preservation of their fundamental rights is a primary consideration in legislation and policy development, and should be optimised at all levels of governmental decisions. At present, Spanish law and procedure in guardianship for UMMs is wrought with many doubts. It is certainly difficult to deal with an integrated reception system, but the achievement of a lasting and coordinates solution is most desirable in the next future to come. Regional legislations ought to define clearly the profile of guardians for a durable solution. External monitoring should also be strengthened together with implementation of a child's friendly environment. Prior challenges and recommendations can be summarised as follows:

1. Creation of a specific interregional authority on UMMs, for coordination, cooperation, communication and information of the Children's Services of the regions (CCA) and the state central administration. This would involve the establishment of an integrated system for UMMs across the Country.
2. Guaranteeing the minimum conditions of access and exercise of the rights recognized for minors in the regional (CCAA) protection systems, and maintaining quality standards of suitability for guardians in order to promote a trustful relationship with the child.
3. Introduction of working protocols among the CCAA themselves to avoid saturation of the protection centres for UMMs (NB. At the time of writing these lines a number of local authorities were largely overburdened).
4. Establishment of guidelines for immigrations officials and guardians. They should allow the processes of decision-making to be based on the best interests of the child and should pursue the well-being of each child in all circumstances.

Annex 1: Current legislation.

International

- The Hague Conference on Private International Law, Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition, Enforcement and Co-operation in respect of Parental Responsibility and Measures for the Protection of Children. 9 October 1996. (The Hague: 1996).
- CRIN, The Ljubljana agreement on violence against children and girls. (01/01/2005). (Ljubljana: 2005).
- The Hague Conference on Private International Law, Convention on the Civil Aspects of International Child Abduction, 25 October 2005. (The Hague: 2005).
- Legge Zampa, n. 47. (7 April 2017). Disposizioni in materia di misure di protezione dei minori stranieri non accompagnati. (Roma: 2017)
- Home Office, Safeguarding Strategy Unaccompanied asylum seeking and refugee children. (London: 2017).

United Nations

- UN General Assembly, Declaration of Rights 1959, resolution 1386 (XIV) of November 20, 1959. (New York: 1959).
- UN General Assembly, International Covenant on Civil and Political Rights of 16 December 1966, A/RES/2200A (XXI). (New York: 1966).
- UN General Assembly, Declaration on the social and legal principles applicable to the protection and well-being of children, with particular reference to adoption and positioning at custody sites at national and international level. A/RES/41/85. (New York: 1986).
- UN General Assembly, Convention of 20 November 1989 on the Rights of the Child Art. 1 and 22. (New York: 1989).
- Three protocols on:
- 2.1 Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (resolution A / RES / 54/263 of 25 May 2000).
 - 2.2 Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography (Protocol 54/263, 16 March 2001).
 - 2.3 Optional Protocol to the Convention on the Rights of the Child on a communications procedure adopted by the General Assembly of the United Nations on 19 December 2011 by its resolution A / RES / 66/138.
- UN General Assembly, Resolution "A Child-friendly World", A / RES / S-27/2 of 10 May 2002. (New York: 2002).
- United Nations High Commissioner for Human Rights to the Economic and Social Council, Recommended Principles and Guidelines on Human Rights and Trafficking in Human Beings. Report of the (20 May 2002). (New York: 2002).
- United Nations General Assembly, Resolution of the on the Rights of the Child, Resolution A / RES / 61/146 of 19 December 2006. (New York: 2006).

United Nations General Assembly. Human Rights Council, Guidelines for the Alternative Care of Children. New York City: 2009.

United Nations Organization, Committee 3: Promoting and Protecting Minor Rights. Declaration, 15 October 2014. (New York: 2014).

UN General Assembly, Declaration on Refugees and Migrants, (New York: September 2016).

The rights of the child are written in the universal rights:

a. UN Declaration of Human Rights of 1948 (Paris: 1948).

b. The Refugee Convention, 1951 (Geneva: 1951).

European Union:

Primary Legislation:

The Charter of Fundamental Rights of the European Union (Brussels: 2000).

Treaty of Lisbon on the European Union (2007).

Treaty of Amsterdam (1997).

Legislative Acts:

Directives

Directive 94/33 / EC of 27 June 1994 on the protection of young people at work.

Directive 2003/86/EC of 22 September on the right to family reunification.

Directive 2004/38/EC of Free Movement.

Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in member states for returning illegally staying third-country nationals.

Directive 2011/93/EU, Directive on combating the sexual abuse and sexual exploitation of children and child pornography.

Directive 2011/36 / EU on the fight against trafficking, 5 April 2011. Article 15 appointing a guardian.

Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted.

Directive 2012/29/EU on minimum standards on the rights, support and protection of victims of crime.

Directive 2013/33 / EU, Article 2 (j) and the Asylum Procedures Directive, Article 2 (n), define the organic authorities to assist and represent unaccompanied children.

Dublin Regulation (N. 604/2013).

Regulations:

Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the member states by a third-country national.

Council of Europe:

The European Convention on Human Rights.

Convention on Action against Trafficking in Human Beings. 15 May 2005.

Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention), 25 October 2007. European Committee of Social Rights (ESCR).

Convention on the Legal Status of Children born out of Wedlock, 15 October 1975.

Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children, Luxembourg 20 May 1980.

Convention on the Exercise of Children's Rights, 25 January 1996

Convention on Contact Concerning Children, 15 May 2003

Convention on the Adoption of Children, revised in 27 November 2008

Spain

Reglamento de la Ley reguladora del derecho de asilo y la condición del refugiado, 9/1994.

Ley Orgánica 1/1996, de 15 de enero, de Protección Jurídica del Menor, de modificación parcial del Código Civil y de la Ley de Enjuiciamiento Civil.

Ley Orgánica 7/2000, de 22 de diciembre, de modificación de la Ley Orgánica 10/1995, de 23 de noviembre, del Código Penal, y de la Ley Orgánica 5/2000, de 12 de enero, reguladora de la responsabilidad penal de los menores, con los delitos terrorismo.

Real Decreto 864/2001, artículo 62 Menores extranjeros en situación de desamparo.

Real Decreto 864/2001 aprueba el Reglamento de ejecución de la Ley Orgánica 4/2000

Protocolo MENA (2005).

Ley 12/2009 reguladora del derecho de asilo y de la protección subsidiaria.

Real Decreto 557/2011, de 20 de abril, por el que se aprueba el Reglamento de la Ley Orgánica 4/2000, sobre derechos y libertades de los extranjeros en España y su integración social, tras su reforma por Ley Orgánica 2/2009.

Reglamento de Extranjería 2011 (art 1889-198, cap. III).

Dirección General de Familia, 2012.

Protocolo Marco MENA (2015).VIII chapters 35 sections.

Protocolo para la Coordinación de Actuaciones de las Entidades Públicas competentes en materia de Protección de personas menores de edad, en supuestos de traslados. (25 de marzo de 2015).

Ley Orgánica 8/2015, de 22 de julio, de modificación del sistema de protección a la infancia y a la adolescencia (LMSPIA).
Ley 26/2015, de 28 de julio, de modificación del sistema de protección a la infancia y a la adolescencia (LOMSPIA).
Tribunal Constitucional. (2008). Sentencia 184/2008. Madrid.
Comisaria de Extranjería y Fronteras. (2009). Circular 10/2009. Madrid.
Circular 10/2009 de la Comisaria de Extranjería y Fronteras.
Fiscalía General del Estado. (2001). Circular 3/2001. Madrid.
Constitución Española, Art. 39 y ss.
Código Civil, Art. 172.1

Bibliographical references

- ACNUR (2017). *Desplazamiento forzado en 2017*. Geneva: ACNUR. <http://www.unhcr.org/statistics>.
- Arnold, Samantha; Goeman, Martine; Fournier, Katja (2014). The Role of the Guardian in Determining the Best Interest of the Separated Child Seeking Asylum in Europe: A Comparative Analysis of Systems of Guardianship in Belgium, Ireland and the Netherlands. *European Journal of Migration and Law*, 16: 467-504. DOI:10.1163/15718166-12342066.
- Blommaert, Jessica (2013). Access to international protection for foreign unaccompanied children: the Belgian model. In Irene Claro Quintás and Isabel Lázaro González (eds), *Infancia y Protección Internacional en Europa* (47-65). Madrid: TECNOS.
- Capdevilla, Manel; Ferrer, Marta (2003). *Los menores extranjeros indocumentados no acompañados*. Barcelona: Centre d'Estudis jurídics i Formació Especialitzada de Generalitat de Catalunya.
- CMW-CRC (Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families - Committee on the Rights of the Child) (2017). *Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return*. New York: UN.
- Connolly, Helen (2015). Seeing the Relationship between the UNCRC and the Asylum System through the Eyes of Unaccompanied Asylum-Seeking Children and Young People. *International Journal of Children's Rights*, 23: 52-77.
- CRC (Comité de Derechos del Niño) (2005). Comentario General N.6. Tratamiento de niños no acompañados y separados fuera de su país de origen. Nueva York: ONU.
- CRC (2013). Observación general sobre el derecho del niño a tener su interés superior como consideración principal, n. 14, Art. 3, párrafo 1. Nueva York: ONU.
- CRC (2016). *Observación general num. 20 sobre la efectividad de los derechos de niño durante la adolescencia*. Nueva York: ONU.
- CRC (2018). *Observaciones finales sobre los informes periódicos quinto y sexto combinados de España*. Nueva York: ONU.
- Dalrymple, Joyce Koo (2006). Seeking Asylum Alone: Using the Best Interests of the Child Principle to Protect Unaccompanied. *Boston College Third World Law Journal*, 26, 9: 1-39.
- Defensor del Pueblo de España (2011). *¿MENORES O ADULTOS? Procedimientos para la determinación de la edad*. Madrid: Defensor del Pueblo.
- De Graeve, Katrien; Bex, Christof (2017). Caringscapes and belonging: an intersectional analysis of care relationships of unaccompanied minors in Belgium. *Children's Geographies*, 15, 1: 90-92.
- Drywood, Eleanor (2010). Challenging concepts of the "child" in asylum and immigrant law: the example of the EU. *Journal of Social Welfare & Family Law*, 32, 3: 309-322.

- European Migration Network (2014). *Glossary and Thesaurus 3.0*. Brussels: European Migration Network.
- FRA (European Union Agency for Fundamental Rights) (2015a). *Guardianship systems for children deprived of parental care in the European Union*. Luxembourg: Publications Office of the European Union. DOI:10.2811/63966.
- FRA (2015b). *Handbook on European law relating to the rights of the child*. Luxembourg: Publications Office of the European Union.
- FRA (2016). *Current migration situation in the EU: separated children*. Vienna: Publications Office.
- Hedlund, Daniel; Salmonsson, Lisa (2018). Challenges in the Guardianship of Unaccompanied Minors Seeking Asylum. *International Journal of Children's Rights*, 26, 3: 489-509.
- Humphris, Rachel; Sigona, Nando (2017). Outsourcing the "best interests" of unaccompanied asylum-seeking children in the era of austerity. *Journal of Ethnic and Migration Studies*, 45, 2: 312-330.
- International Red Cross (2018). *Migration and Displacement*. Geneva: IRRC.
- IOM - GMDAC (2017). *Fatal Journeys*, vol. 3. Geneva: IOM.
- IOM - GMDAC (2018). *Insights from the Global Migration Data Portal*. Berlin: GMDC.
- Isin, Engin (2018). Mobile People: Transversal Configurations. *Social Inclusion*, 6, 1: 111-123.
- Kalverboer, Margrite; Zijlstra, Elianne; van Os, Carla; Zevulun, Danielle; ten Brummelaar, Mijntje; Beltman Daan, (2017). Unaccompanied minors in the Netherlands and the care facility in which they flourish best. *Child and Family Social Work*, 22: 587-596.
- Kanics, Jyothi (2016). Challenges and Progress in Ensuring the Right to Be Heard and the Best Interests of Children Seeking International Protection. *Refuge*, 32, 3: 18-29.
- Lázaro González, Isabel (2002). Menores en situaciones de conflicto. In Ead. (ed), *Los Menores en el Derecho Espanol*. Madrid: TECNOS.
- Lázaro González, Isabel (2010). La situación actual de los menores extranjeros no acompañados en España. In I. Lázaro González and B. Moroy Arambarri: 17-34. TECNOS.
- Lázaro González, Isabel; Moroy Arambarri, Beatriz (eds) (2010). *Los menores extranjeros no acompañados*. Madrid: TECNOS
- Migration Data Portal (2018). https://migrationdataportal.org/?i=stock_abs_yt=2017.
- Martinez Garcia, Clara (ed.) (2016). *Tratato del Menor. La Proteccion Juridica a la Infancia y Adolescencia*. Cizur Menor: Aranzadi.
- Menjívar, Cecilia; Perreira, Krista M. (2019). Undocumented and unaccompanied: children of migration in the European Union and the United States. *Journal of Ethnic and Migration Studies*, 45, 2: 197-217.
- Moreno-Torres Sanchez, Julieta (2010). Proteccion juridica de menores tranjeros no acompañados: ¿un sistema constitucional?. In I. Lazaro González and B. Moroy Arambarri: 97-112.
- Núñez Zorilla, Carmen (2015). El interés superior del menor en las últimas reformas llevadas a cabo por el legislador estatal en el sistema de protección a la infancia y a la adolescencia. *Persona y Derecho*. 73, 2: 117-160.

- OHCHR (2015). *Estudio para el Consejo de Derechos Humanos sobre los migrantes en tránsito*. Nueva York: OHCHR.
- Parrilla Fernández, Víctor Ramón (2016). *Análisis crítico del sistema español de protección de los menores extranjeros no acompañados*. Elche: Universidad Miguel Hernández.
- Petrillo, Enza Roberta (2018). Vulnerable and voiceless on the move. *FEPS Policy Brief*, January: 1-6.
- Pobjoy, Jason M. (2015). The best interest of the child principle as an independent source of international protection. *International and Comparative Law Quarterly*.64: 327-363.
- Pobjoy, Jason M. (2017). *The Child in International Refugee Law*. New York: Cambridge University Press.
- Rinaldi, Patrizia (2012). *The Best Interest of the Child: Tabhita Case*. Madrid: Universidad Pontificia Comillas.
- Save the Children (2018). *Los mas solos*. Madrid: Save the Children España.
- Schmeling, Andreas; Garamendi, Pedro Manuel; Prieto, Jose Luis; Landa, Maria Irene (2011). Forensic Age Estimation in Unaccompanied Minors and Young Living Adult. In Duarte Nino Vieira (ed.), *Forensic Medicine. From Old Problems to New Challenges* (DOI: 10.5772/19261). London: IntechOpen.
- Schwarz, Ulrike (2016). *Minor refugees and the German system of protection and the best determination*. Nuremberg: IOM.
- Senovilla, Daniel (2010). Modelo de acogida e integración de los menores no acompañados y separados en Europa. In I. Lazaro González and B. Moroy Arambarri: 77-96.
- Senovilla, Daniel(2014).Menores no acompañados y no protegidos: resultados de una investigación en cuatro estados europeos. *Revista Interdisciplinaria de Mobilidade Humana*, 42: 81-96.
- Shamseldin, Lisa (2012). Implementation of the United Nations Convention on the Rights of the Child 1989 in the Care and Protection of Unaccompanied Asylum-Seeking Children: Findings from Empirical Research in England, Ireland and Sweden. *International Journal of Children's Rights*, 20: 90-121.
- Smith, Ciara (2013). Is the Right of the Child to Liberty Safeguarded in the Common European Asylum System? *European Journal of Migration and Law*, 15: 111-136.
- Stoecklin, Daniel (2018). Institutionalisation of Children's Rights: Transformability and Situated Agency. *International Journal of Children's Rights*, 26: 548-587.
- Therborn, Goran (1993). Los derechos de los niños desde la constitución del concepto moderno del menor: un estudio comparado de los países occidentales. In Luis Moreno (ed.), *Intercambio social y desarrollo del bienestar* (77-143). Madrid: CSIC.
- UNICEF (2014). Observaciones Generales del Comité de los Derechos del Niño. Nueva York: UNICEF.
- UNICEF (2017). *A child is a child*. New York: UNICEF.

Recensioni

Connell, William J.; Pugliese, Stanislaw G. (a cura di) (2018). *The Routledge History of Italian Americans*. New York-London: Routledge. 218 pp.

Connell, William J.; Pugliese, Stanislaw G.; Tirabassi, Maddalena (a cura di) (2019). *Storia degli italoamericani*. Firenze: Le Monnier Università. 886 pp.

Gli studi italoamericani possono festeggiare l'uscita di un corposo volume di sintesi della ricerca nel settore degli ultimi trent'anni. Si tratta di *The Routledge History of Italian Americans*, una collettanea di saggi pubblicata lo scorso anno negli Stati Uniti e adesso tradotta ed edita in Italia in versione rivista e ampliata da Le Monnier Università con il titolo di *Storia degli italoamericani*. In linea con l'indirizzo non più strettamente "storico" degli Italian American Studies, il volume indaga il passato della popolazione di origine italiana negli Stati Uniti attraverso una molteplicità di canali — la letteratura, la musica, il cinema e la televisione, il linguaggio, il cibo e la cultura materiale — riflettendo potenzialità, ma anche criticità del *turn* interdisciplinare in atto.

La prospettiva di lungo periodo, dai viaggi di Colombo (William Connell) fino all'emigrazione odierna (Teresa Fiore), è articolata in quattro sezioni: I) Explorations and Foundations; II) The Great Migration and Creating Little Italies; III) Becoming American and Contesting America; IV) Postwar to Post-Ethnic? Le prime due si spartiscono il "prima" e il "dopo" emigrazione di massa. La periodizzazione è meno chiara nelle sezioni successive, con differenze tra le edizioni dei due paesi in relazione all'organizzazione dei saggi. Nell'edizione originaria, la Pt. III colloca il saggio di Dominic Candeloro sulla Seconda guerra mondiale all'interno di un ampio arco cronologico, che parte dal periodo "tra le due guerre" e arriva ad oggi — salvo poi ridedicare uno spazio specifico al Secondo dopoguerra nella Pt. IV. Nell'edizione italiana, invece, il periodo "tra le due guerre" è per lo più anticipato nella Pt. II, mentre la Pt. III inizia direttamente con la Seconda guerra mondiale in un *continuum* con la Pt. IV titolata, semplicemente, "Verso una postetnicità?". Alla

luce di tali differenze, viene da chiedersi: la Seconda guerra mondiale è o non è uno spartiacque? Certamente, leggendo il volume, un'interpretazione trapela: sebbene «WWII changed everything» (p. 370), consentendo importanti avanzamenti sociali, gli italoamericani rimasero in una condizione di *alterità* inscritta nelle Leggi Quota degli anni Venti. Ciononostante, un'introduzione storica, generale o a ciascuna sezione, avrebbe aiutato a evidenziare cesure e fasi cruciali dell'esperienza italoamericana, dato l'obiettivo dichiarato di tracciarne una storia, tanto più che molti saggi, avendo carattere tematico, trascendono i limiti temporali delle sezioni confondendo la stessa architettura cronologica.

L'attenzione nel volume non è sbilanciata a favore dei periodi tradizionalmente più studiati. La fase pre-emigrazione di massa è ben esaminata attraverso quadri d'insieme e approfondimenti. Mentre John Paul Russo passa in rassegna le diverse tipologie di italiani (clerici, letterati, esiliati) presenti negli Stati Uniti della prima metà dell'Ottocento, Don Doyle si concentra su Garibaldi con un focus sulla "trattativa" per un suo ruolo militare nelle file dell'Unione durante la Guerra di secessione. In questa prima sezione emerge in maniera spiccata l'approccio transnazionale di molti saggi. Come spiega Maddalena Tirabassi nella prefazione all'edizione italiana, il volume non propone solo una storia degli italiani in America, ma anche dell'America in Italia e dell'Italia in America (p. XIV). Ciò è evidente nel caso del saggio di Dennis Looney dedicato alla diffusione della figura di Dante nell'accademia, nella politica e nella cultura popolare americana tardo Ottocentesca e in quello del saggio di Edoardo Tortarolo sulle relazioni Italia-Usa nel Settecento all'interno delle quali si staglia la figura di Filippo Mazzei.

Nella Parte II risaltano i filoni di ricerca più recenti relativi allo studio dell'identità italoamericana attraverso diverse lenti: del cibo con Simone Cinotto e del linguaggio con Nancy Carnevale. Il processo di "razzializzazione" degli italiani è esaminato da Peter Vellon, mentre l'intreccio tra "radicalismo" e storia del lavoro è sciolto assegnando a Marcella Bencivenni l'integrazione sindacale e a Michael Topp un focus su Sacco e Vanzetti. L'intenzione del volume di divulgare storie nuove si evince dal saggio di James Periconi dedicato alla vitalità culturale ed economica dell'editoria nelle comunità italoamericane, evidentemente non così illetterate. Da notare che nell'edizione italiana il saggio di Mark Choate sull'emergere del Made in Italy ad inizio Novecento viene più propriamente inserito in questa parte sulla Grande Emigrazione. L'assenza

inoltre, nell'edizione in lingua inglese, di un saggio che segnali la cesura rappresentata dalla Grande guerra nella storia italoamericana viene colmata, nella versione italiana, attraverso un diverso scritto di Francesco Durante che analizza «i più vertiginosi prodotti artistici relativi alla guerra» (p. 327) concepiti all'interno delle *Little Italy*: non solo la produzione giornalistica, ma anche romanzi, drammi teatrali e canzoni popolari. Si rafforza così nel volume anche il periodo tra le “due guerre”, di per sé poco considerato, se non in relazione allo scontro tra fascismo e antifascismo da Stanislao Pugliese.

Positivamente, il Secondo dopoguerra (Pt. III e IV) non è più un'appendice della storia italoamericana. Uno degli obiettivi è problematizzare il processo di “assimilazione” degli italoamericani superando la copertina patinata degli anni Cinquanta (p. 3) che li ritrae celebri e destinati a scomparire nell'America “bianca”. Questa immagine viene messa in discussione non solo tramite lo studio della persistenza dei pregiudizi anti-italiani (Salvatore J. LaGumina). Più interessante è l'approccio al problema dell'assimilazione in relazione ai comportamenti politici (Stefano Luconi), alle dinamiche residenziali dei *suburbs* (Donald Tricarico) e alle produzioni musicali degli italoamericani (John Gennari) innervate da un “soul etnico” affine a quello afro-americano. Emerge un ritratto complesso del Secondo dopoguerra, caratterizzato da tendenze contraddittorie: la persistenza del retaggio etnico, seppur modulato in forme assai diverse all'interno del gruppo, come suggerisce l'indagine di Rosemary Serra sulle molteplici identità italoamericane; dall'altra, il “tramonto dell'etnicità” rimarcato da Richard Alba sottolineando però nella sua analisi le variabili sociali, familiari, generazionali interne al processo di assimilazione. A plasmare l'identità etnica nella contemporaneità contribuiscono i musei italoamericani esaminati da Laura Ruberto e Joseph Sciorra in un saggio presente unicamente nell'edizione italiana con il fine di comprendere il modo in cui la cultura materiale viene utilizzata per dare determinate rappresentazioni della comunità, e la conseguente intrinseca “politicalità” di questi luoghi.

Dal punto di vista metodologico, il volume si contraddistingue per l'interdisciplinarietà. Ciò non implica solo l'apertura della storia ad ambiti meno investigati in passato, come lo studio degli italoamericani nell'industria cinematografica proposto da Giuliana Muscio. Il carattere interdisciplinare diviene strutturale attribuendo alle varie discipline il compito di affrontare, in autonomia, un aspetto della storia italoamericana. Il tema della famiglia, per esempio, è esaminato dalla narrativa italoamericana con i saggi di Mary Jo Bona sulla

relazione madri-figlie e di Joanne Ruvoli sulla condizione di “transnational minority” degli italoamericani nelle “famiglie nazionali” di partenza e di adozione. Si evita così di riproporre una storia della letteratura italoamericana (meno scontata per il cinema) e, soprattutto, si rinnovano i contenuti. L’approccio interdisciplinare è altresì evidente nella trattazione delle questioni di genere, centrali per costruire, come dice Anthony Tamburri (p. 452), un discorso rigoroso che controbilanci l’immagine dell’Italia/Americana patriarcale e maschilista. Al posto di una più classica “storia delle donne”, Ilaria Serra propone un saggio sulla “femminilità” basato sulla scrittura autobiografica delle italoamericane. Fred Gardaphé si occupa della “mascolinità” italoamericana mescolando critica letteraria e cinema. George de Stefano approfondisce la duplice emarginazione che colpisce gay e lesbiche italoamericani: in quanto omosessuali nella comunità italoamericana, in quanto italiani nel mondo gay (p. 570).

Infine, temi vecchi sono trattati in maniera nuova. *Le Little Italy* diventano spazi non solo fisici, ma anche sentimentali e “semiotici” nei saggi di Maria Susanna Garroni e Jerome Krase. Il tono celebrativo di alcuni saggi, come quello sullo sport di Lawrence Baldassarro, è bilanciato dalla trattazione di aspetti anche critici, come il crimine con Antonio Nicasio. Nel volume, non può mancare ovviamente la religione, affidata alla penna di Richard Juliani. Fuori dagli schemi, si segnalano i saggi a carattere più interpretativo dell’esperienza italoamericana, in relazione al processo di integrazione, con Peter Caravetta, e al rapporto con l’Italia, con Robert Viscusi.

Bisogna ammettere che non sempre i saggi riescono a costruire quel «coro di voci» unitario di cui si parla nelle conclusioni (p. 634). Più che una “nuova storia” degli italoamericani (p. 6), il volume offre una nuova serie di saggi nel settore degli studi degli italoamericani. La sfida dell’interdisciplinarietà avrebbe meritato una maggiore attenzione all’organicità dei contenuti. Il problema dell’assenza di una narrazione lineare, riconosciuto nell’introduzione (p. 2), avrebbe potuto essere attenuato lavorando su una struttura solida, sia cronologica che tematica. Il volume ha comunque il merito di tracciare quello che sarà il modo di scrivere la storia italoamericana. Se l’Accademia vuole dare un «futuro al passato» (p. 630) dell’Italia/Americana è senza dubbio necessario un aggiornamento negli strumenti. Una buona selezione di essi si trova in *The Routledge History of Italian Americans* e nella sua versione italiana.

TOMMASO CAIAZZA

Iula, Emanuele (2019). *Migrazioni & Modernità. Una lettura generativa*. Brescia: Queriniana. 224 pp.

Confrontarsi col tema dell'emigrazione non è mai cosa semplice, perché gli interrogativi su questo impegnativo argomento risultano essere sempre molto pregnanti; ed a volte anche fuorvianti. Occorre analizzare sicuramente, con attenzione e senza pregiudizio, le innumerevoli motivazioni che spingono donne e uomini a spostarsi dai propri paesi di provenienza ed affrontare viaggi non sempre sicuri. Ma occorre pure chiedersi quale contributo offra loro la nostra società, oltre che interrogarsi entro quali prospettive analizzare il contributo offerto ai migranti nell'attuale contesto sociale, politico ed economico europeo. Occorre viaggiare sul filo della *reciprocità reciprocante*, perché «è un lemma che richiama un dinamismo in cui vi è un qualcosa che va avanti e indietro, uno scambio, una donazione reciproca, una sorgività e una destinazione intenzionale» (Antonio Bergamo, *Levinas e la curvatura dello spazio intersoggettivo*, Roma, Città Nuova, 2018, p. 131).

Un interessante apporto a questo "viaggio" di conoscenza ce lo offre il recente lavoro di Emanuele Iula, gesuita di origini romane e docente di etica e di mediazione dei conflitti a Napoli, presso la Pontificia Facoltà Teologica dell'Italia Meridionale, Sezione San Luigi. Nel suo volume *Migrazioni & Modernità. Una lettura generativa*, edito per Queriniana, lancia «provocatoriamente una sfida che nasce da un ribaltamento di prospettiva. Se si vuole andare alla ricerca di un senso possibile del fenomeno della mobilità umana, è troppo poco limitarsi a sapere se coloro che si spostano hanno un futuro nel Paese d'arrivo. Al contrario, si potrebbe provare a chiedersi se queste persone danno un futuro e dischiudono prospettive alle società in cui giungono. Questo capovolgimento è la chiave di volta che il cosiddetto "pensiero generativo" vuole offrire al dibattito sulle migrazioni» (dalla terza di copertina).

L'autore, sin dalle prime pagine del testo, invita il lettore ad affrontare un'attenta riflessione sulla identità del migrante, per avere chiaro l'obiettivo umano, teologico e pastorale per la definizione di un profilo pedagogico che non induca a idee fuorvianti: «Per cogliere il senso del migrante non basta interrogarsi sulle cause, siano esse prossime o remote. Occorre uno sguardo ulteriore, cioè capace di andare oltre. Per strutturare meglio la nostra intenzione di cogliere l'orizzonte più ampio entro cui le migrazioni si stagliano avremo bisogno di un percorso che permetta di entrare nel

merito di una domanda non legata a contingenze, ma che non fa altro che esprimere qualcosa a cui ogni essere umano è sensibile: la propria identità» (pp. 11-12). Identità che dialogano, identità che si interrogano, identità che reciprocamente sono fonte e motivo di conoscenza, generano rapporti nuovi che muovo oltre i dati, i numeri, le statistiche, i confini, le differenze religiose e sociali.

Il volume di Iula è molto utile allo studio delle migrazioni con lo sguardo *nuovo* della “lettura generativa”; il testo – inoltre – apre interessanti riflessioni anche se, come lo stesso autore dichiara in premessa, «più dell’esaustività abbiamo puntato sulla profondità derivante dal confronto non solo con i dati raccolti dalle scienze sociali, ma anche con alcuni autori che, spingendosi oltre i dati, si sono sforzati di cogliere il senso del migrare come tale. Per questa ragione, una delle direttrici del nostro modo di procedere è stato il costante tentativo di dialogo con saperi afferenti a sfere disciplinari diverse: filosofia, sociologia, antropologia e, non ultima, la teologia biblica. L’intento può apparire ambizioso. Forse lo è davvero. Questo non ci impedisce tuttavia di contribuire al dibattito più ampio» (pp.6-7).

Sette intensi capitoli che scandiscono la riflessione dell’autore e inducono ad una rinnovata ricerca di senso sul concetto e sull’idea di migrazione nella società moderna. Ma cosa si intende quando si afferma che occorre una lettura generativa del fenomeno migratorio, quali sono le prospettive sulle quali tentare un approccio costruttivo? La risposta ci viene offerta dall’autore stesso a conclusione del percorso generato dalla sua ricerca: «L’invito dell’approccio generativo è di superare la tentazione di giudicare l’incompiutezza che determinati viaggi possono assumere, soprattutto quando non portano ai frutti desiderati agli occhi di chi li ha vissuti in prima persona. Da un lato bisogna interrogarsi sulla legittimità delle aspettative che c’erano all’inizio. Dall’altro, c’è l’aspetto dell’intergenerazionalità. L’implicazione per il migrante è duplice. La prima è l’aver stabilito che si ha l’intenzione di tessere un legame con un certo luogo. La seconda è che per vedere davvero i frutti più compiuti di un *viaggio occorre aspettare la ricezione che, di tutta la vicenda, verrà fatta dalla generazione successiva*» (pp. 214-215).

Pur essendo pienamente consci, tra l’altro, che «la gestione di una mobilità compatibile con un umanesimo del XXI secolo è complessa» siamo anche convinti che le «nuove forme di migrazione già adesso sconvolgono le regole del

gioco» (Catherine Wihtol de Wenden, *Il diritto di migrare*, Roma, Ediesse, 2015, pp. 67-68). Torna, allora, in gioco la riflessione iniziale – di carattere prettamente antropologico e teologico – sulle identità reciprocanti per rammentare che «[l]a vita è una questione di tessitura. Senza legami, non avrebbe alcun senso parlare di migrazione generativa. Non si tratta dunque di sapere cosa farò nel futuro, ma chi è o chi sono le persone che vorrei accanto a me per poterlo realizzare. Nella misura in cui si comincia a dare una risposta a questa domanda, il lutto è finito si può finalmente tornare a vivere con pienezza» (p. 221). È questa l'idea in cui Emanuele Lula ci invita a sperare.

PIERO MANCA

Willis, Deborah; Toscano, Ellyn; Nelson, Kalia Brooks (a cura di) (2019). *Women and Migration, Responses in Art and History*. Cambridge: Open Book Publishers. 637 pp.

Women and Migration interroga il ruolo che la storia, l'arte, la scrittura e il cinema svolgono nell'esperienza migratoria femminile. Quarantadue saggi di autrici con percorsi e nazionalità diverse affrontano, a partire da un approccio interdisciplinare, un'eterogeneità di temi quali lo spostamento, la memoria, i confini, la famiglia, il concetto di luogo, l'identità, il piacere, la politica, l'amore. Per armonizzare tante note musicali in una stessa partitura, il volume è stato organizzato in otto parti.

La prima parte, *Imagining Family and Migration (Immaginare la famiglia e la migrazione)*, è composta da racconti di vita migrante. Trattano il modo in cui l'immigrazione ri-articola i legami familiari e comunitari nei territori d'origine, così come la dimensione corporea della migrazione. I saggi in *Mobility and Migration (Mobilità e migrazione)* permettono di scoprire i modi creativi che dipingono il movimento migratorio. Esplorano anche la figura della donna portatrice di ricordi, di materiali e di tradizioni. *Understanding Pathways (Capire i percorsi)* affronta l'esperienza migratoria attraverso immagini e documentazione che, di volta in volta, illuminano od oscurano nozioni preconcepite di identità, transnazionalità o etnia. La quarta parte, *Reclaiming Our Time (Reclamare il nostro tempo)*, è costituita di narrazioni in cui il significato specifico dell'esperienza di donne di colore è stato trascurato. Storie dimenticate o emarginate di donne migranti vengono alla luce in *Situated at the Edge (Situare al bordo)*. I saggi della sesta parte, *Transit, Transiting, Transition (Transito, Transitare, Transizione)*, mostrano come le nozioni di mobilità e identità cambiano a seconda dei media in cui circolano, per esempio internet e il cinema. *The World is Ours, Too (Il mondo è nostro, anche)* presenta storie di donne migranti che hanno conquistato la possibilità di esprimersi in vari paesi e luoghi tra il XIX e il XXI secolo. Le narrazioni dell'ultima parte del libro, *Emotional Cartography: Tracing the Personal (Cartografia emozionale, tracciare il personale)* si concentrano su questioni relative alla (ri)costruzione, (ri)invenzione, (ri)presentazione e (ri)interpretazione nel contesto migratorio. Nel loro insieme, tutte le parti del libro rivelano che il termine migrazione deve essere inteso in senso ampio, al fine di cogliere questioni di natura

geografica, politica, storica, giuridica e, inoltre, lo stesso termine deve essere riferito tanto ai movimenti internazionali quanto agli spostamenti interni.

Questo lavoro collettivo permette quindi al lettore di esplorare una miriade di temi riconducibili all'ambito migratorio. Contestualmente, attraverso l'articolazione delle storie, offre diverse prospettive su un stesso soggetto (a volte simili a un gioco di specchi rovesciati): una mobilità scelta o subita, ciò che è considerato "reale" e ciò che esiste in spazi mediatici alternativi, il modo in cui un soggetto si costruisce e quello in cui è costruito per altri, ciò che viene mostrato e ciò che non viene fotografato, un percorso obbligato e un altro volontario, la visione di chi parte e di chi rimane. Inoltre, tra i singoli saggi si genera una tensione tra vicinanza e lontananza. Se da un lato il libro crea intimità attraverso la ricchezza di dettagli sulla vita delle donne migranti e sulla loro quotidianità, dall'altro stabilisce una distanza portando uno sguardo critico, (ri)interpretando il modo in cui le questioni migratorie vengono discusse e teorizzate. *Women and Migration*, per concludere, fonde una molteplicità di sguardi sulla complessità di un fenomeno e, attraverso le sue pagine, immerge il lettore nell'universo delle migrazioni.

LAURA AMIGO

Segnalazioni

Barcella, Paolo (2019). *I frontalieri in Europa. Un quadro storico*. Milano: Biblion Edizioni. 168 pp.

L'autore lavora da tempo sull'argomento, come mostrano anche i numerosi contributi alla nostra rivista, in particolare la cura del numero 211 del 2018, dedicato a *Frontiere e frontalieri tra Europa e America del Nord*. Progressivamente dal pristino interesse per i frontalieri italiani in Svizzera, parte della sua più vasta ricerca sull'emigrazione dal nostro Paese in Elvezia, si è allargato alla dimensione internazionale del frontalierato e al suo ruolo nell'economia del lavoro europeo ed americano. In questo libro troviamo così un primo preciso *assessment* di quanto ci sia da sapere sulla consistenza e l'importanza dei movimenti frontalieri all'interno del nostro continente. MS

Barcella, Paolo; Moreschi, Alessandro; Pelli, Mattia; Rossi, Gabriele; Valsangiacomo, Nelly. *Der Streik in den SBB-Werkstätten in Bellinzona: Arbeitskämpfe im 21. Jahrhundert*. Zürich: Edition 8. 200 pp.

Due anni fa usciva da Donzelli il volume di *Scioperare nel duemila. Le Officine ferroviarie di Bellinzona e la memoria operaia*, oggi tradotto e aggiornato in tedesco. Il titolo indica che si tratta di un contributo alla storia del lavoro, ma nelle pagine del libro questo tema si intreccia con quello della storia delle migrazioni. D'altronde è oggi praticamente impossibile considerare separatamente i due filoni di ricerca, basta consultare la collana avviata dalla Società Italiana di Storia del Lavoro (storialavoro.it/) con la collaborazione della casa editrice New Digital Frontiers e inaugurata nel 2015 da *Lavoro mobile. Migranti, organizzazioni, conflitti (XVIII-XX secolo)*, a cura di Michele Colucci e Michele Nani. A ribadire questi intrecci Paolo Barcella nella introduzione e Nelly Valsangiacomo nel capitolo sugli scioperi in Svizzera sottolineano l'apporto degli immigrati agli scioperi locali. In particolare la seconda evidenza come tale partecipazione dati al 1968, quando la manodopera, a grandissima maggioranza italiana, della

Penrex di Mendrisio entra in agitazione per la decurtazione dei giorni di vacanza e delle ore di lavoro a cottimo. Due anni dopo stagionali italiani e spagnoli scioperano assieme a edili svizzeri contro la Murer, ditta ginevrina di costruzioni. Le agitazioni operaie e la partecipazione immigrata continuano nei decenni successivi, pur con un calo a partire negli anni 1980, e riprendono a ridosso delle proteste analizzate nel volume. A proposito di esse, Barcella e Valsangiacomo notano nel capitolo finale quanto sia stata forte la partecipazione dei lavoratori stranieri, soprattutto italiani, alle lotte operaie e quante difficoltà abbia comportato. Nello scontro contro la proprietà delle officine è stato infatti continuo il riferimento ai bisogni e ai sentimenti del territorio e della comunità locale, ma a quest'ultima non erano estranei i sentimenti xenofobi ormai permeanti il Ticino. Di conseguenza molte interviste spiegano gli accorgimenti del Comitato di sciopero per trovare «termini comuni e [...] fattori trasversalmente identificanti» in grado di unire abitanti e scioperanti. Da notare, a tal proposito, che il libro non offre soltanto un utilizzo preciso di una documentazione recente diversa dalle tradizionali fonti storiche, ma anche una discussione, grazie soprattutto a Moreschi e Pelli, di come raccogliere e analizzare le nuove fonti per la storia del lavoro (anche migrante). MATTEO SANFILIPPO

Carletti, Gabriele (2019). *O cattolici col papa, o barbari col socialismo. L'antisocialismo in Italia (1849-1899)*. Napoli: Guida editori. 301 pp.

Questo volume non riguarda le migrazioni ottocentesche, essendo una sintesi degli studi sull'antisocialismo cattolico in Italia. Tuttavia un capitolo è dedicato alle opere di Geremia Bonomelli e Giovanni Battista Scalabrini e mostra come e quanto l'impegno sociale di questi ultimi sia condizionato dal timore del socialismo. Le pagine in questione servono all'autore per evidenziare come siano egualmente socialisti sia i cattolici transigenti, che quelli intransigenti. Come sottolinea, «le velenose dispute dottrinali tra tomisti e rosminiani, l'ostinata avversione tra conciliatoristi e oppositori di ogni forma di conciliazione tra Stato e Chiesa sembrano improvvisamente scomparse di fronte all'individuazione di un nemico comune, la cui minaccia è tale da indurre tutti, indistintamente, a unire le proprie forze per combatterlo» (p. 219). In particolare Scalabrini vede nell'impegno in campo migratorio la possibilità per la Chiesa di acquisire un peso

preponderante in campo sociale. Inizialmente il vescovo piacentino immagina che grazie ad esso si potranno spengere i conati massonici, esplicitamente citati in una lettera a Leone XIII del 1887. Ma poi si rende conto, in particolare dopo le giornate milanesi della primavera 1898, che il vero pericolo sono le spinte alla rivolta nella stessa Penisola e che la lotta al socialismo non è più procrastinabile. MS

Lombino, Santo (a cura di) (2019). *Tutti dicono spartenza. Scritti su Tommaso Bordonaro*. Palermo: Centro di studi filologici e linguistici siciliani. 207 pp.

Santo Lombino ha curato per il Centro studi filologici e linguistici siciliani un interessante volume su Tommaso Bordonaro, siciliano di Bolognetta che, nel marzo 1947, emigrò con moglie e figli negli Stati Uniti. Nel luglio 1988, lo stesso Bordonaro consegnò a Santo Lombino tre quaderni di scuola «con copertina nera compilati con la sua scrittura incerta di semi-analfabeta ottantenne» (p. 15). Nelle intenzioni del loro autore, quelle memorie avrebbero dovuto avere per titolo *La storia di tutta la mia vita da quando io rigordo ch'ero un bambino*. Lombino – insegnante e attento studioso di scritture di gente comune, frequentate anche attraverso i circuiti culturali della rivista trentina *Materiali di lavoro* e del Museo di Pieve Santo Stefano – lesse con entusiasmo le pagine di Bordonaro, cogliendone immediatamente il valore linguistico e documentario. I quaderni vennero così proposti al concorso nazionale per le memorie autobiografiche Premio Pieve-Banca Toscana, ottennero il prestigioso riconoscimento nel 1990 e, un anno più tardi, vennero pubblicate da Einaudi con il titolo *La spartenza*. Trent'anni dopo, il volume curato da Lombino ripercorre la vita e l'opera dell'emigrante di Bolognetta, riprendendo e integrando gli atti di un convegno del 2011, attraverso un ricco corpus di contributi. Nella prima sezione, Luisa Amenta presenta un saggio dal titolo *La spartenza e Terra matta* che confronta l'opera di Bordonaro con quella di Vincenzo Rabito. La stessa autrice analizza in un secondo saggio l'italiano dei semicolti tra contatti e conflitti. Lucia Comparato indaga in un secondo saggio la poetica di Bordonaro, analizzando la particolare forma espressiva che ne caratterizza la scrittura. Rita Fresu e Ugo Vignuzzi osservano l'opera nella sua dimensione di scrittura popolare, definita “consapevole” dai due studiosi. Nicola

Grato, mentre presta attenzione allo stile e al linguaggio, studia *La spartenza* come racconto autobiografico. Marcello La Matina, Franco Lo Piparo e Giovanni Ruffino chiudono la sezione con tre ulteriori e distinte letture dell'opera di Bordonaro. Il volume aggrega quindi una sezione di recensioni e di brevi interventi, a cui Lombino ha deciso di aggiungere, nella terza e ultima parte del volume, una selezione di documenti fotografici. PAOLO BARCELLA

Morselli, Stefano (2019). *Nessuno è straniero. La Filef a Reggio Emilia dopo Dante Bigliardi: ricordi di ieri, storie di oggi, progetti per domani*. Reggio Emilia: FILEF. 142 pp.

Dante Bigliardi, partigiano in Jugoslavia, militante nel Partito comunista in Sicilia, membro della Consulta degli emiliano-romagnoli nel mondo e infine a fianco degli immigrati non-europei in Emilia e in particolare a Reggio Emilia, è stato uno dei fondatori e storico presidente dell'associazione Filef a Reggio Emilia, la Federazione Italiana Lavoratori Emigrati e Famiglie. Animato in questo ruolo da uno spirito democratico, antifascista e di giustizia sociale si è prodigato con generosità e abnegazione in un'instancabile azione di solidarietà, tutela e assistenza verso i lavoratori emigranti e gli immigrati in Italia. A dieci anni dalla sua scomparsa nel dicembre 2009, *Nessuno è straniero* è il terzo volume curato dal giornalista Stefano Morselli che celebra la figura di Bigliardi, la sua passione, il suo impegno culturale e politico in Filef, e verso la sua Reggio Emilia per la quotidiana affermazione dei diritti delle persone e per la crescita di ogni individuo. Il libro rappresenta nondimeno l'opportunità di ripercorrere le tante attività dell'associazione Filef nell'ultimo decennio e di riflettere sulle progettualità future. Molteplici sono le azioni promosse nel campo dell'accoglienza, dell'integrazione alla vita sociale e civile, della cooperazione internazionale verso migliaia di emigranti e immigrati. A dar voce e corpo a queste attività sono le molte storie e testimonianze di chi ha raccolto la sfida di Dante Bigliardi nel sostenere e vincere le sue battaglie per le "cause perse": questa l'espressione scherzosamente usata dall'autore durante le loro quotidiane conversazioni. A rendere tributo a Bigliardi non sono solo i collaboratori, i soci ed i dirigenti dell'associazione, ma anche gli amici, gli insegnanti volontari dei corsi per stranieri, gli allievi, gli attivisti e amministratori pubblici (italiani e

immigrati) che, nei loro racconti ripercorrono l'incontro con Filef o si interrogano sul percorso da intraprendere domani, su come preservare e al tempo stesso rinnovare le motivazioni originarie del fondatore. Nella sezione finale del volume le esperienze narrate sono arricchite da un repertorio fotografico che documenta i numerosi interventi di formazione socio-educativa e professionale e le svariate attività ricreative realizzate da Filef a favore di bambini e adulti immigrati.

STEFANO DEGLI UBERTI

McCollum, Victoria (a cura di) (2019). *Make America Hate Again. Trump-Era Horror and the Politics of Fear*. London-New York: Routledge. 215 pp.

McGuinness, Margaret M.; Fisher, James T. (a cura di) (2019). *Roman Catholicism in the United States. A Thematic History*. New York: Fordham University Press. 335 pp.

A prima vista questi due volumi non appaiono poter interessare una rivista di studi sulle migrazioni. Invece propongono due approcci che evidenziano un rilevante problema per questo genere di studi nella cultura di lingua inglese degli ultimi decenni, ovvero la pretesa, forte pur se mai esplicitata nettamente, che la dimensione migratoria sia di fatto scomparsa. Fondamentalmente la storia del cattolicesimo statunitense proposta da McGuinness e Fisher e quella del cinema horror negli ultimi due decenni curata da McCollum prescindono infatti da qualsiasi elemento legato alle migrazioni tradizionali. Le tensioni e le paure non nascono dalla convivenza di vari gruppi provenienti da diversi continenti, ma dal rifiuto di coloro che sono fuori dai propri confini e vi vogliono entrare, dunque i messicani intesi come una sorte di sineddoche per tutti i latino-americani, o sono dentro e minacciano di corrodere gli equilibri, dunque i neri. In questa prospettiva le migrazioni europee hanno cessato di avere una qualsiasi importanza, come se non esistessero o non incidessero più. In compenso diventano fattori integranti della dialettica storica gli scontri e la dinamica tra i gruppi o generi sessuati che si confrontano nell'arena odierna.

In entrambi i volumi questo approccio suggerisce alcune brillanti aperture su quanto è avvenuto di recente, ma offusca la percezione del passato, tranne in pochi saggi. Penso, in proposito, ai contributi di Timothy Matovina sui catto-

lici di origine latino-americana nel Sud-Ovest degli Stati Uniti e di McGuinness sulle suore di Our Lady of Christian Doctrine, due importanti lavori che sanno evidenziare ed avvalersi della dimensione storica. Quello che voglio dire è che in questa prospettiva post-migratoria (un tema per altro ripetutamente utilizzato dalla storiografia di lingua inglese negli ultimi trenta anni): 1) si fanno sparire alcuni protagonisti della vicenda, anche recente, si ricordino gli asiatici; 2) si ha una distorta visione del passato, letto soltanto con gli occhi del presente. Si immagina infine una storia del cattolicesimo e della società statunitensi innervata soltanto dagli elementi in essi visibili dopo il 1970, si interpreta la storia del cinema e del romanzo secondo dettami recentissimi. Nel libro curato da McCollum si legge la figura letteraria del vampiro, affermatasi a fine Ottocento, come una metafora antisemitica, mentre il punto in quel secolo era piuttosto la paura dell'immigrato est-europeo (che poteva anche essere ebreo, ma non doveva per forza esserlo). Analogamente si offre una lettura di genere del celebre romanzo *It* di Stephen King tutta giocata sulla dialettica maschio-femmina e quindi evidenziante il ruolo minore, almeno quantitativamente, delle donne in quest'opera, ma non si coglie che il tema, allora, era la paura dell'energia atomica (il romanzo era ambientato nel Maine non soltanto per la passione di questo scrittore per questo stato, ma anche per l'impianto nucleare che vi era stato costruito). *It*, la cosa, simboleggiata dal clown assassino, era l'energia atomica che tutto corrompe, in particolare gli adulti, e ad esso/essa si potevano contrapporre soltanto i ragazzini, perché nonostante tutto ancora esenti della corruzione degli adulti.

Insomma in entrambi i volumi, al di là di alcune eccezioni, si finisce per vedere la storia della religione, della cultura e dell'emigrazione attraverso la lente del presente e se ne perde quindi la profondità e la ricchezza. MATTEO SANFILIPPO

Miletto, Enrico (2019). *Gli italiani di Tito. La Zona B del Territorio libero di Trieste e l'emigrazione comunista in Jugoslavia (1947-1954)*. Sovieria Mannelli: Rubbettino. 343 pp.

Nell'arco di una quindicina di anni Miletto ha esplorato con attenzione la diaspora istriana successiva alla seconda guerra mondiale. In primo luogo ne ha censito la dimensione in Piemonte. Basti ricordare i suoi precedenti *Con il mare*

negli occhi. Storia, luoghi e memorie dell'esodo istriano a Torino (Franco Angeli, 2005) e *Arrivare da lontano. L'esodo istriano, fiumano e dalmata nel biellese, nel Vercellese e in Valsesia* (Istituto per la storia della Resistenza e della società contemporanea nelle province di Biella e Vercelli "Cino Moscatelli", 2010), nonché l'archivio online *L'esodo istriano-fiumano-dalmata in Piemonte. Per un archivio della memoria* (intranet.istoreto.it/esodo/) coordinato nel 2009 con Carlo Pischedda per l'Istoreto, la Regione Piemonte e la Provincia di Torino. In terzo luogo, ha inserito tale esodo nella vicenda novecentesca italiana ed europea: *Senza più tornare. L'esodo istriano, fiumano e dalmata e gli esodi nel Novecento europeo* (Seb 27, 2012). Infine si è interrogato sulla dimensione e sulle realtà di partenza in *Istria allo specchio. Storia e voci di una terra di confine* (Franco Angeli, 2007) e in questo volume, che è dunque la produzione più matura di una lunga riflessione.

Gli italiani di Tito è incentrato sulla situazione successiva alla seconda guerra mondiale e il montare della pressione jugoslava sulla popolazione italiana della zona B, cui vengono progressivamente tolte tutte le garanzie possibili. Tale congiuntura determina la spinta verso la partenza dei molti che tentano la fortuna in Italia (con scarsi esiti, vista la posizione assai negativa di quest'ultima riguardo a questi profughi, immediatamente definiti come stranieri indesiderati) e verso l'assimilazione di un numero altrettanto significativo che sceglie di rimanere, anche a costo di rinunciare alle proprie tradizioni religiose e culturali. Il quadro già così assai complesso si complica ulteriormente, perché nel frattempo un gruppo di italiani varca la frontiera e migra in Jugoslavia, pensando che qui si possa costruire il socialismo. L'ultima parte del volume, che ne costituisce di fatto un buon terzo, illumina la difficile sorte di questi migranti, che entrano in conflitto con le autorità locali, da essi accusate di aver tradito il socialismo, e sono imprigionati.

Il volume rende conto con grande abilità di quanto al di qua e al di là della frontiera e ci permette di aggiungere un altro tassello non soltanto alla storia del dopoguerra italiano, ma anche alla vicenda di profughi e migranti in quegli anni difficili

MATTEO SANFILIPPO

Stiaccini, Carlo (2019). *Andar per mare. Storie di navi, capitani coraggiosi e migranti tra Otto e Novecento*. Torino: L'Harmattan Italia. 198 pp.

Da quasi dieci anni l'autore lavora alacremente a decrittare i diari di bordo (si veda nel libro la sua precisa spiegazione di questa tipologia di documenti) trovati nel fondo Giornali nautici dell'Archivio di Stato di Genova. In questa sua ultima fatica ne sceglie alcuni per commentare i momenti topici del viaggio per mare, sia quello dell'emigrante, sia quello dei vari imprenditori che tra fine Ottocento e primi Novecento contano di commerciare con le Americhe e l'Oriente. Inoltre li monta secondo un percorso cronologico che evidenzia alcuni passaggi chiave nella storia della navigazione italiana e dell'emigrazione: dai grandi e celebri naufragi ai ritorni per combattere nella prima guerra mondiale. In ogni capitolo quanto riportato serve anche a evidenziare elementi specifici di questa storia: la (scarsa?) attenzione per l'igiene dei passeggeri; le crisi sanitarie e le quarantene; i problemi nella gestione di uno scafo; i rapporti con le autorità portuali; la dinamica nella formazione e nella coesistenza di un equipaggio; i vari aspetti delle migrazioni; i passeggeri clandestini. Si tratta di uno studio meritorio, che trova il suo limite (ma è un peccato veniale) nella non approfonditissima conoscenza della storiografia più recente su alcuni di questi problemi. MS