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“Behold, Now Is the Acceptable Time for a Change of Heart” A Christian Response to the Migration Problem

Abstract: The 50th anniversary of the announcement of the Pastoral Constitution on the Church in the Modern World, *Gaudium et Spes*, raises the questions of to what extent the global community of Catholics adopted the teachings included in *Vaticanum II*, and to what extent we, the Catholics of the day, are willing to follow the indications of this document in our lives. Currently, one of the most difficult challenges the international community faces, especially the people of Europe, is the problem of refugees from areas affected by war and terror caused by militants of the so-called Islamic State. Governments of different countries make political decisions dictated by both their *raison d'état* and the desire to defend particular interests of their own citizens. In these decisions, the good of the most deprived persons, banished from their homes and deprived of their livelihood, remains a secondary issue. This state of affairs can be considered reasonably justified from the point of view of the absolute rules that govern the political game of the world, but it creates a clear discord with the *Magisterium Ecclesiae*, especially with the moral teaching from *Gaudium et Spes*. The present text is to analyze selected parts of the pastoral constitution regarding the application of its indications in light of the challenges raised by the issue of refugees.

Keywords: refugee, *Gaudium et Spes*, mature love of fellow human being, change of heart, borders of responsibility

The problem of a mass influx of people to Europe, people who lost everything they had and despairingly seek an opportunity for a new beginning, putting their life at stake and often losing it during extremely dangerous crossings of the Mediterranean Sea, constitutes not only a historical, but also a political,

cultural, and moral precedent. Europe, for ages immersed in a replete and uncritical self-worship, turned out to be completely unprepared for the gruesome scenario that we are currently witnessing. Neither the attempts of a cowardly concealment of the tragedy of millions of people, nor the attempts, undertaken finally under the pressure from the growing international tension, of reacting to the Middle Eastern and North African humanitarian calamity, brought any results commensurate with the expediency. Together with the lapse of time and an escalating phenomenon of a great migration, we can see more explicitly that the entire Europe, in order to rise to the occasion as a solidary community, ready to deliver selfless aid to those who are threatened with cruel death or slow dying in conditions that are beneath human dignity, needs a fundamental transformation. We already know that emergency activities and cunctatious decision of politicians, who care, first of all, about their popularity among constituents, are insufficient. The great and proud community of Europeans will not pass the historical exam if a change of hearts does not occur in its members.

Fifty years ago in Vatican the worldwide Council of the Catholic Church was concluding its proceedings. Its participants represented a high level of understanding of the needs, problems, and threats of the then contemporary world and expressed it a great many times during the conciliar sessions. Also, in the final documents, published after the conclusion of the Second Vatican Council, the pastoral concern of the people of the Church for the lot of an enormous population of the underprivileged, suffering, stricken with disability and those devoid of possibilities of a full-fledged life, was audible. One of such documents is the Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*, announced by Pope Paul VI on December 7, 1965. It includes, among others, an appeal that refers to St. Paul's words inscribed in the Second Letter to the Corinthians: "Behold, Now is the Acceptable Time for a Change of Heart."¹

Today, in the context of the unprecedentedly difficult challenges that the humanity is facing in connection with the crisis in Syria, Iraq, Sudan, and many other countries, these words have to be repeated with a full conviction. The aim of the following reflections is to bring closer the answer to the question what inspiration for the realization of the assignment of the change of hearts we can trace in the teachings of the Catholic Church—both in its official documents, words of individual popes, as well as in the first and the most fundamental source for every Christian which is the Bible, and also in reflections offered by Catholic philosophers and determination of the Catholic social ethics.

Luke the Evangelist described the following conversation Jesus had with the Pharisee—a rare example of a harmonious dialogue between the Old and New Testament in the Holy Bible: "And, behold, a certain lawyer stood up, and tempted him, saying, Master, 'what shall I do to inherit eternal life?' He said

¹ *Gaudium et Spes*, n. 82.

unto him, 'What is written in the law? how readest thou?' And he answering said, 'Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy strength, and with all thy mind; and thy neighbor as thyself.' And he said unto him, 'Thou hast answered right' (Lk 10:25–28). A similar scene, however with reversed role, can be found in the Gospel according to Matthew: "The Pharisees [...] were gathered together. Then one of them, which was a lawyer, asked him a question, tempting him, and saying, 'Master, which is the great commandment in the law?' Jesus said unto him, 'Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment.' And the second is like unto it, 'Thou shalt love thy neighbor as thyself.' On these two commandments hang all the law and the prophets" (Mt 22:34–40).

We really have to notice that also in Islam the command to love your neighbor has a very important role: in both hadiths²—Al-Bukhari and Muslim—we can trace Prophet Muhammad's words: "No person is a true believer unless he desires for his brother that which he desires for himself."³ While, the Quran includes a message about the love of God, expressed, among others, in the following words: "If you should love Allah, then follow me, [so] Allah will love you and forgive you your sins. And Allah is Forgiving and Merciful" (Quran 3:31).

All the quoted texts of the Holy Books prove explicitly that the element which constitutes the common denominator for the followers of the Old and New Testament, as well as the followers of Islam, is an absolute predominance of the commandment to love the Lord and the neighbor. The above-mentioned element is extremely crucial within the context of a reflection upon the European identity. Since Europe emerged on the foundations of the Judeo-Christian tradition,⁴ and for over one thousand years has remained in close (although not always amicable and peaceful) relations with the Muslim world. We also are the inheritors of this tradition. The awareness of this fact is different in various circles and social formations, but, according to Samuel Huntington,

in many modernizing countries [of the world] an unusual revival of the religious life is observed [...] it is also difficult to say about Europe that it

² "These sayings, called in the plural *ahadith*, were assembled after his [Muhammad] death and, after much critical study, collected in canonical collections by both Sunni and Shi'ite scholars. They form, after the Quran, the most important source of everything Islamic and constitute, in fact, the first commentary upon the Quran. Technically, the *Hadith* is part of the *Sunnah*, which means all the doings or wonts of the Prophet. The *Sunnah* is the model upon which Muslims have based their lives." Hossein Nasr Seyye, *The Heart of Islam. Enduring Values for Humanity*. An e-book excerpt from Perfect Bound, p. 37, online, accessed July 29, 2016.

³ Ibid.

⁴ See: Hugh Trevor-Roper, *The Rise of Christian Europe* (London: Thames and Hudson, 1965).

lost its Christian identity. One hundred years ago instead of talking about the Western Europe we would talk about western Christianity. Also today Christianity is deeply ingrained in the western identity. [...] Religious tradition defines identity even in these societies which seem to be completely secularized.⁵

We are, therefore, obliged not to succumb to, no matter how strong, Faustian temptations of living in present, rejecting the emotional baggage, and shaping the contemporary countenance of civilization (or at least own, private existence) without having regard for the cultural, and especially ethical achievements of the bygone generations.

Even though Europe is an “unfinished adventure”⁶ it does not justify the drive towards discontinuing the cultural continuity. Quite the opposite: the European identity is deeply ingrained in the collective past and, at the same time, belongs to the paramount values, which we should protect at any price. The environment which consistently supports and animates attitudes of faithfulness towards constitutive moral norms is the Catholic Church. Its standpoint, related to this matter, was explicitly formulated by John Paul II in his encyclical *Veritatis Splendor*:

The Church’s firmness in defending the universal and unchanging moral norms is not demeaning at all. Its only purpose is to serve man’s true freedom. Because there can be no freedom apart from or in opposition to the truth, the categorical—unyielding and uncompromising—defence of the absolutely essential demands of man’s personal dignity must be considered the way and the condition for the very existence of freedom. This service is directed to *every man*, considered in the uniqueness and singularity of his being and existence: only by obedience to universal moral norms does man find full confirmation of his personal uniqueness and the possibility of authentic moral growth. [...] These norms in fact represent the unshakable foundation and solid guarantee of a just and peaceful human coexistence.⁷

In a different place we read:

The relationship between faith and morality shines forth with all its brilliance in the *unconditional respect due to the insistent demands of the personal dignity of every man*, demands protected by those moral norms which prohibit without exception actions which are intrinsically evil. The universality and the

⁵ Samuel Huntington, *Rozważania na becze prochu*. Jacek Żakowski interviews Samuel Huntington, 1998, in Jacek Żakowski, *Trwoga i nadzieja. Rozmowy o przyszłości* (Warszawa: Sic! 2003), 201–2.

⁶ Cf. Zygmunt Bauman, *Europe: An Unfinished Adventure* (Cambridge: Polity 2004).

⁷ John Paul II, *Veritatis Splendor*, n. 96.

immutability of the moral norm make manifest and at the same time serve to protect the personal dignity and inviolability of man, on whose face is reflected the splendour of God.⁸

European identity, based on respect of personal value and dignity of every single human being, nobody excepted, is nowadays in danger due to at least two reasons. The first of them is the invasion of an alien culture, which, according to a great many civilization experts and theoreticians, impends over us. In the face of a global clash of civilizations,⁹ predicted by Samuel Huntington, it is possible that Europe will have to face a radical alternative: "Either Islam gets Europeanized, or Europe gets Islamized. A third option does not exist"—Bassam Tibi claims.¹⁰ The second menace is embedded inside Europe and consists in the loss of cultural identity in the way of a renouncing own ideals and values. In 1996 Ralf Dahrendorf formulated the following forecast:

We Europeans have to face great, new problems—economic, social, and also political, which require a serious review of our beliefs. [...] Global competition of the 1920s, between economic systems, states, big corporations, but also between us all and every single one of us individually, rocked the value system and the entire European model of life to its foundations [...]. The disintegration of the social bonds constitutes a threat to our democracy, to our European values. [...] A conflict between the prosperity and social solidarity. [...] The following decades will bring phenomena, in the face of which it will not be easy to defend prosperity and freedom at the same time. We will also find it difficult to defend the twenty-century-long canon of European values. [...] A new vision of life, a new concept of our social bond is being imposed on people.¹¹

The second scenario—of an internal disintegration of the idea of Europeanism—is similarly probable as the first one and also similarly dangerous. In order to protect ourselves against it, we need a genuine reflection. In the con-

⁸ Ibid., n. 90.

⁹ In 1996 Huntington wrote: "In the emerging world, the relations between states and groups from different civilizations will not be close and will often be antagonistic. Yet some intercivilization relations are more conflict-prone than others. At the micro level, the most violent fault lines are between Islam and its Orthodox, Hindu, African, and Western Christian neighbors. At the macro level, the dominant division is between "the West and the rest," with the most intense conflicts occurring between Muslim and Asian societies on the one hand, and the West on the other. The dangerous clashes of the future are likely to arise from the interaction of Western arrogance, Islamic intolerance, and Sinic assertiveness." Samuel Huntington, *The Clash of Civilisations and the Remaking of World Order* (New York: Simon & Schuster 1996), 182.

¹⁰ Bassam Tibi, "Muzułmańscy obywatele Europy," *Więź*, no. 7/537 (2003): 106.

¹¹ Ralf Dahrendorf, *Nie o takiej śniliśmy Europie*. Jacek Żakowski interviews Ralf Dahrendorf, in Jacek Żakowski, *Trwoga i nadzieja*, 26–32 *passim*.

temporary political and cultural situation the fundamental aim ought to be the creation of, on a great many planes of social life, conditions that would make a peaceful integration of all those whose complicated fortune threw them onto the European soil possible. One of the tools applied to realize this aim is education and intercultural pedagogy, concentrated on educating towards a “change of heart.”¹² As a part of this strategy of operations, what is indispensable is the necessity to prepare such a model of interhuman relations, embracing all people we meet on our path of life, which would be based on an observance of precisely these universal and rudimentary values, to the cultivation of which Europe owes its extraordinary cultural face. As archbishop Józef Życiński remarked: “I do not think we will have to accept one ontology of value in order to agree to the necessity of an affirmation of humanity in the European culture, to the protection of dignity and human rights [since] we intuitively feel a certain axiological horizon established by truth, hope and sacredness.”¹³ Bassam Tibi, professor (currently retired) of international relations at the University of Göttingen, who introduces himself as a “Muslim with Oriental origins [he was born in 1944 in Damascus in Syria—author’s note], who after making a conscious decision became a citizen of Europe—so in this way belongs to both civilizations,”¹⁴ notices in the European Culture “a leading thread” (*Leitkultur*), which consists of the following elements: tolerance, religious and cultural pluralism, modern country with democratic foundations and a civil society.¹⁵

Talking about pluralism as a European model of referring to religious and cultural values, it is worth to take into consideration inspirational Józef Tischner’s remarks related to the necessity of deepening and differentiating the reflection upon the relations between pluralism and fundamentalism. Tischner points out that even if the idea of pluralism is nowadays unambiguously understood and generally accepted—“we can say: pluralism consists in the fact that people reciprocally acknowledge their rights to differences,”¹⁶ then we have a problem with our approach to fundamentalism: “so far the notion of fundamentalism seemed quite pleasant to us. It put forth the image of the fundament and encouraged to a concern for elementary values. We were aware: we should not build a house on the ground without a foundation. Recently, however, this word begins to look gloomy and sound menacingly. This more likeable semantic content was hidden in a shadow and a negation came to the fore: all that averts

¹² Cf. *Gaudium et Spes*, n. 82.

¹³ Józef Życiński, *Aksjologiczna perspektywa dialogu Kościoła ze światem w myśli ks. Józefa Tischnera*, in *Człowiek wobec wartości*, ed. Jarosław Jagiełło and Władysław Zuziak (Kraków: Znak 2006), 167.

¹⁴ Tibi, “Muzułmańscy obywatele Europy,” 105.

¹⁵ Cf. *ibid.*, 104–5.

¹⁶ Józef Tischner, *Nieszczęsny dar wolności* (Kraków: Znak 1993), 151.

from the fundament is a departure and treachery."¹⁷ Therefore, the author suggests that we should distinguish 'good' and 'bad' fundamentalism. Referring to the latter one he says: "the negative meaning of fundamentalism would not be the acknowledgement of the right to differences, but a denial of this right. Let us imagine Saint Peter, who announces: 'Only my experience of Christ is authentic, all others are unimportant'. [...] Fundamentalism understood as a negation of pluralism is closely connected with the desire of power and resorting to violence."¹⁸ Something completely different, according to Tischner, is the "good fundamentalism," about which he says:

Seeing the peril of negative fundamentalism, we should not, however, overlook the positive meaning of this notion. First of all, we have to realize that the final source of understanding man is and will remain love toward him. Love enables understanding. [...] Fundamentalism in the positive context means: all has to be brought to the fundament of all understanding, which is love.¹⁹

This perspective, imbued with a deep concern for values and respect towards man, cautions against a simplified and thoughtless perception of a complex axiological map in our culture. Not every understanding of the notion of 'fundamentalism' refers to the dangerous attitudes that demand condemnation. Analogically, not all that is embedded in the content of the notions of 'pluralism' and "tolerance" is suitable for an unconditional acceptance, since a too flexible understanding of these notions can expose our attitude toward these values, which we do not have a right to relativize, to danger. Since love and respect toward people who practice a different religion and a different system of value is something different than a conviction, which results from an improper understanding of the idea of pluralism, that individual beliefs and systems of value are, in substance, not different and the choice of any of them is solely a matter of personal inclinations and subjective outlooks. The principles of pluralism and tolerance understood that way would hinder the creation of any axiological community, leading inevitably toward an atrophy of the European ethos and a crush of societies into a loose sum of autonomous individuals, following in their lives individual aims and subjective grading criteria.

However, if we acknowledge the rightness of the statement which suggests that the existence of an international community of countries, nations, and various social groups requires a common, extrasubjective reference to clearly defined fundament, then it is difficult to find a better one than the one indicated in Rev. Tischner's statement, and simultaneously the deepest rooted, both in this general axiological intuition, which bishop Życiński evoked, and in the Eu-

¹⁷ Ibid., 150.

¹⁸ Ibid., 151.

¹⁹ Ibid., 152.

ropean *Leitkultur*, which Bassam Tibi indicated in his text. It is about love, which in case of the broadly understood interhuman relations spanning people of different cultures and religions, races and customs emerges in the form of the love of neighbor, to which every human being, and especially a Christian that believes, is called and obliged in his conscience.

In order to look closer and more precisely into the Christian understanding of the idea of the love of neighbor, let us analyze an extract from Antoni Siemianowski's book *Zrozumieć Miłość. Fenomenologia i Metafizyka Miłości*. In the chapter entitled "Miłość bliźniego," Siemianowski writes: "Love of neighbor [...] cannot be exclusive and restricted to a narrow group. It would be a terrible mistake if I could choose and select people whom I would love like my neighbors. [...] Every man, who stands in our life path, is my neighbor. [...] Since the foundation of love of neighbor is humanity in every one of us, the solidarity of an earthly filiality with every human being."²⁰ What follows is a characteristic of a specific Christian approach to this category: "Jesus Christ went even further. Answering the question, in the Parable of the Good Samaritan, who is my neighbor, he did not really broaden our perception of a neighbor, but he changed its direction. According to this parable [...] the accent is not placed on the other human being as an object of love, but on me as its subject, on my reference to the other, on my attitude and behavior toward him, namely, on the way and quality of my being for the other human. Neighbor is not this or that man. I become the neighbor toward the one whom I show my heart and toward whom I serve. So it is when I notice the presence of the other man and express interest in his situation, when I go out to meet him and I open my heart and I welcome him with open arms."²¹

As it can be concluded from the quoted description, to be a neighbor, against all appearances, is not easy. The term neighbor, in the meaning which Siemianowski derives from the Parable of the Good Samaritan, indicates toward a relation, which, similarly to Emmanuel Lévinas's category of meeting, is by no means symmetrical. Since the answer to the question who is my neighbor (and the answer is: every man) looks different from the question what it means for me to be a neighbor for the other. The following are the most important features of this 'vector' of love of neighbor, which stems from me as a subject and is deliberately directed at different people: (1) contrary to different forms and varieties of love, "can be a subject of a command and obligation"²²; (2) has an unlimited range, since I cannot exclude anyone; (3) is not restricted to verbal declarations, but it should bear practical, measurable fruit, becoming a service to the neighbor: "Love is not merely a sentiment. [...] It is characteristic of ma-

²⁰ Antoni Siemianowski, *Zrozumieć miłość. Fenomenologia i Metafizyka Miłości* (Bydgoszcz: Labirynt, 1998), 243.

²¹ *Ibid.*, 243–44.

²² *Ibid.*, 243.

ture love that it calls into play all man's potentialities; it engages the whole man. [...] Only my readiness to encounter my neighbor and to show him love makes me sensitive to God as well. Only if I serve my neighbor can my eyes be opened to what God does for me and how much he loves me"²³; (4) when I experience a calling to its practical realization, I am simultaneously faced with the problem of the limits of responsibility, which can be expressed in the famous question by Immanuel Kant: "What should I do?"

Especially the latter problem, with a view to avoiding hasty judgments and actions, should be treated with utmost seriousness. Józef Tischner rightly pointed out that "the issue of a proper perception of what is and what is not within the scope of responsibility, is a fundamental issue of human life. Therefore, it should be a topic of a frequent critical reflection."²⁴ Let us, thus, follow for a while this reflection, which the author of the quoted words suggests: "Even though man's good will, his moral sense and his conscience constitute conditions that are essential for the feeling of responsibility to appear in man, these conditions are not enough for this experience. Additionally, in order to secure the development of this sense, man has to be aware (have a conviction) that in a particular situation that he found himself in, not only did he know what to do, but he really could do something. [...] 'to want' is something else than 'to be able to.' Good will, moral sense, preferences, and conscience are on the 'to want' side. The sense of responsibility emerges not only on the foundation of 'to want' something, but also on the foundation of the possibility to act. Man's responsibility does not reach beyond the limits of the possibilities of an effective acting, albeit it emerges on a groundwork directed toward the good or the evil of the desire."²⁵ Creating specific action projects as an individual or communal answer to the sense of responsibility, born from the experience of the love of neighbor, we have to, on the one hand, avoid the manifestations of 'moral oversensitivity,'²⁶ which—paradoxically—effectively hampers bringing help to those in need, since it "gives birth to a peculiar type of suffering referred to as a moral impotence."²⁷ On the other hand, we should, with a full determination, strive for eliminating from our inside, and also from those manifestations of public life, over which we have influence, attitudes of egoism, insensibility, indifference, and first and foremost—bureaucratic heartlessness. Since it is very likely that such attitudes lead to generating solutions ostensibly optimal, fulfilling the required norms and procedures, but in fact professing conservative ideals, so in reality protecting exclusively the interest of ingenious Europeans, and even

²³ Benedict XVI, *Deus Caritas est*, pts. 17 and 18.

²⁴ Józef Tischner, "Etyka wartości i nadziei," in *Wobec wartości*, ed. Józef Tischner and Jan Andrzej Kłoczowski (Poznań: W Drodze, 2001), 75.

²⁵ *Ibid.*, 71–2.

²⁶ Cf. *ibid.*, 73.

²⁷ *Ibid.*

only its privileged strata, at the expense of unnecessarily exposing to suffering those who with hope and determination expect from us support in providing at least the simplest material and psychical conditions, which would make a life adequate for a human being possible.

A Christian should strive for the issue of refugees (both those who come to the European continent, as well as those who are stuck in extremely primitive conditions in camps in Middle East countries) to be examined, discussed, and solved within the perspective of personalistic ethics. Naturally, it is neither obvious, nor easy, since it is connected with looking for strategic solutions, effectively influencing the fate of millions of people. It surpasses the possibilities of an individual human imagination.

In 2015 a movie by László Nemes *Son of Saul* was released in European cinemas. The movie in an excellent way tells a story of one of Jewish prisoners of the Auschwitz concentration camp. Asked about the reason for focusing on this topic, the director answered: "It is not possible to tell a story about six million Holocaust victims. However, it is possible to tell a story of a one man." It can be also understood on the way of a rational reasoning (although it slips out both emotions and imagination) that a group of several million refugees from countries stricken with a humanitarian disaster is nothing else than a sum of single, individual fate, suffering, and tragedy, out of which every single one deserves attention and interest, love and respect. Therefore, we must not lose sight of this inconceivable and impossible to embrace with empathy, however, surely real, personal aspect of the issue.

We know more than enough, on the basis of a great many painful historical experiences, that whenever governments and state institutions made decisions in the administrative mode concerning large population of people, who found themselves in extraordinary life conditions, the social consequences of such decisions brought—instead of relief and improvement—intensification of personal disasters and suffering of people, who had to comply with heartless, bureaucratic regulations. There is also today a real danger that the decision making and undertaking activities, as a part of the official competences in a case, in which the results of such decisions and activities can have a principal influence over the living conditions of large masses of people—predominantly composed of people who have no personal affiliation with decision-makers, and especially belonging to the dramatically alien environment, not evoking any positive associations or emotions—will plant in the people responsible for the shape of this decisions a temptation to eliminate from their motivational sphere a moral feeling of responsibility to the benefit of an artificially created principle of official obedience and compliance. Such a scenario is forecasted by Neil Postman in his book *Technopol*. Referring to Adolf Eichmann's trial in Jerusalem, he writes about a corrupting function of a bureaucratic way of work and management:

The bureaucrat considers the implications of a decision only to the extent that the decision will affect the efficient operations of the bureaucracy, and takes no responsibility for its human consequences. Thus, Adolf Eichmann becomes the basic model and metaphor for a bureaucrat in the age of Technopoly. [...] Although the jobs of bureaucrats in today's Technopoly have results far less horrific, Eichmann's answer is probably given five thousand times a day in America alone: I have no responsibility for the human consequences of my decisions. I am only responsive for the efficiency of my part of the bureaucracy, which must be maintained at all costs.²⁸

Referring to Frederick W. Taylor's work *The Principles of Scientific Management* (New York and London: Harper 1911), Postman claims that in a technocratic society (such one like the contemporary western society) "the primary, if not the only, goal of human labor and thought is efficiency; that technical calculation is in all respects superior to human judgment," so "that the affairs of citizens are best guided and conducted by experts."²⁹

Commenting on this fragment of Postman's book, Rafał Włodarczyk remarks:

it is not that the Postman's specialist is not responsible. However, it is a restricted responsibility and often a formal one, which happens within the limits of law and internal regulations defining the scope of duties. Nevertheless these duties—as general and subjected to incessant changes—are not so accurate as to every single time put them on a par with a specific case, as well as so coherent with one another as to exclude the possibility of their collision. A civil servant referring to the letter of law, displaying his own obedience and professionalism, concealing this side of his activity, which is connected with judging and making decisions, so also responsibility for them.³⁰

The aim of Christian ethics and pedagogy is taking countermeasures in the face of the danger of reaching out for technocratic, so dehumanized, methods of solving problems which Europe has to cope with in connection with the escalating migration crisis. Within this scope what becomes a pressing subject of reflection is the attempt to find effective ways of stimulating in people, who make decisions, a feeling of responsibility in the moral and personal dimension, and not only legal and professional. Such responsibility should, on the one hand, span the ability of a sensible assessment of possibilities and ways of acting, and on the other, not lose sight of the human, personalistic dimension of the problem.

²⁸ Neil Postman, *Technopoly: The Surrender of Culture to Technology* (New York: Vintage Books, 1992), 86–7.

²⁹ *Ibid.*, 51.

³⁰ Rafał Włodarczyk, *Lévinas. W stronę pedagogiki azylu* (Warszawa: Wydawnictwo Uniwersytetu Warszawskiego, 2009), 219.

The range of the indispensable organizational activities spans a set of crucial sectors, among others: economic (how to secure sufficient financial means for the aid for refugees), organizational (what people and institutions are supposed to take care of particular sets of designated tasks, what procedures should be introduced, etc.), informational (how to secure a reliable and credible flow of information about the problem for the widest possible audience) and educational (how to shape proper attitudes, not allow the irrational fear to spread and eliminate the symptoms of hatred, aggression, and unfounded hostility). Further reflection will concentrate on the last area.

Seeing a human being, a person, a subject of inalienable personal values and dignity in every refugee is an obligation of not only committed Christians. Even though the notion of personal dignity emerged in the current of Christian reasoning, when it comes to its range it is not restricted exclusively to the representatives of this religious outlook. Rev. Antoni Siemianowski sheds more light on the meaning of this notion:

We will see now how, in the light of theoretical reflections, the status of Christian values look like. What are these values characterized by? What does their Christian character consist in? [...] the other human being [...] has a value in his own as a human being, without reference to anything or anyone. The value of a human being—we can also say “dignity”—does not depend on whether someone believes in Jesus Christ or not. When we are talking about man’s dignity, about his right to freedom, generally about human rights, then it is always about something that is effectively vested in a human being just because he is a human being, and not because of the outlook, agreement or a resolution of some parliament. No one bestows dignity on man, man has this dignity from the very moment he was born. [...] At the same time we cannot say that the understanding of dignity for a Christian is different from the understanding of dignity for a non-believer. Dignity understood that way in the European culture, is a fundamental value and its recognition and observance definitely distinguishes the Western culture from different ones.³¹

Refugee—is the newcomer, about whom we read in the Gospel according to Saint Matthew:

Then shall the King say unto them on his right hand, Come, ye blessed of my Father, inherit the kingdom prepared for you from the foundation of the world: For I was an hungred, and ye gave me meat: I was thirsty, and ye gave me drink: I was a stranger, and ye took me in [...] Then shall he say also unto them on the left hand, Depart from me, ye cursed, into everlasting fire,

³¹ Antoni Siemianowski, “O wartościach—w tym także chrześcijańskich—z filozoficznego punktu widzenia,” in *Usilnie myśleć i poszukiwać. Studia i eseje filozoficzne*, ed. Antoni Siemianowski (Poznań: Wydawnictwo Uniwersytetu Adama Mickiewicza, 2012), 348.

prepared for the devil and his angels: For I was an hungred, and ye gave me no meat: I was thirsty, and ye gave me no drink: I was a stranger, and ye took me not in. (Mt 25:34–35; 41–43)

He is a neighbor and a person, object of love, and bearer of personal value and dignity. Educational effort has to be directed toward defying dehumanization and depersonalization of the image of a refugee. Media persist in creating an image of an enormous mass of anonymous figures, the uninterrupted wave of those who flow through the borders of European countries and ignite an entire set of real risks. It sometimes resembles the wartime propaganda and is conducive to perceiving the oncoming migrants as a sort of an enemy army, which violently invaded our territory and unlawfully strive for our property. Creating such an image can lead to triggering off, in the recipients, a set of negative emotions, such as fear, sense of threat, anger, hostility, and aggression. These feelings are aimed at all newcomers, regardless of the reason and intents they had to get on the road. These symptoms escalate even more as a result of the fact that media reports on real acts of terror and violence carried out by people often referred to as of 'Arab origin' appear more and more frequently.

What constitutes a problem is the fact that these pieces of information carry in their, the so-called peripheral route of perception,³² a clear and readable presupposition: they are all bad, dangerous, and have evil intentions toward us. The results of research conducted, among others, by Elizabeth Loftus and in Poland by Józef Maciaszek, show that people tend to perceive presuppositioned information as true ones, especially in situations when it is difficult to compare to content of presupposition with impartial facts.³³ As a result, such information, which reaches recipients who lack genuine knowledge about the true situation and who are not interested in obtaining objective information, contributes to creating an undesired atmosphere of fear and tension, which can unfavorably impact the condition of future relations, which will inevitably be established between the inhabitants of the European continent and the newcomers. In the light of the inhibitions acquired today, tomorrow it will be difficult to see in the newcomer a human being, someone who deserves respect and many a time needs our specific help.

Taking every man into our confidence, when establishing a relationship, is not, however, tantamount to a naive conviction that we can expect from him only goodness and kindness. In every group and human society, and especially

³² Richard E. Petty and John T. Cacioppo, *Communication and Persuasion: Central and Peripheral Routes to Attitude Change* (New York: Springer, 1986).

³³ Cf. Elizabeth Loftus, "Reconstructing Memory. The Incredible Eyewitness," *Psychology Today* 8 (1974), 116–19; Józef Maciaszek, *Automatyzmy i bezrefleksyjność w kontekście wywierania wpływu społecznego: o przetwarzaniu negacji, metafor, wieloznaczności i presupozycji* (Warszawa: Wydawnictwo Naukowe PWN, 2012).

such which suffered traumatic experiences, like those who having experienced torment in their fatherland are looking for a new place to live, there are people who turn to violence and are ready to fight for their rights or claims. For such situations, which already happen and will undoubtedly still happen, we also have to be prepared. Not only public servants appointed to protect the safety of the citizens, but also believers, who want to voluntarily engage in solving the problems of migration, ought not to forget about the principle of social justice. This obligation is explicitly inscribed in the fundamentals of the Catholic ethics.

Rev. Jan Piwowarczyk writes,

Catholic social ethics compartmentalizes all social rights and duties according to two principles: social justice and love. [...] The term 'justice' includes the term 'law,' which Polish word 'justice' superbly reflects (*sprawiedliwość, prawo*—translator's note). Law, therefore, is the subject of justice, which means that in the legal relationship one party is entitled to something [*ius suum*], whether the other has an obligation [*debitum*]. Whenever such an arrangement of relations happens, in which someone does not fulfill his duty towards someone else, who had a right to demand this duty to be fulfilled, we will be able to speak about a violation of justice.³⁴

Therefore, a fundamental and inalienable duty of every man is both observing the rule of justice, but also demanding its observance from other people, including those who are at a territory, where specific norms and regulations that normalize the social order exist. It would be absurdity to allow to create, within a territory of a 'state of justice,' enclaves inhabited by people who represent different culture and are used to different rules, toward whom the same laws and norms, which bind together the conduct of all citizens of a given country, would not apply. Even allowing individual exceptions would constitute a dangerous infringement of the jurisdiction system. Therefore, under no circumstances should we resign or cushion the consistent requirement, which assumes that everyone who is a guest in the territory of a given country must be obliged to observe rules of law in the same way that people who have a citizenship and permanent residence are.

Bassam Tibi, already quoted in this study, promoter of the idea of intercultural and interreligious integration, based on the principles of peaceful coexistence, remarks:

I have to admit that a lot of my brethren and sisters in the faith do not accept my concept. I, however, repeat that the alternative [...] is a Muslim ghetto

³⁴ Jan Piwowarczyk, *Katolicka etyka społeczna*, vol. 1 (London: Veritas, 1960), 59–61 *passim*.

[in Europe]. If they prefer the second option, then they will remain strangers in Europe, simultaneously depriving themselves of the right to complain about their fate. Furthermore, we have to notice that the opponents [of integration] act to the advantage of Islamic fundamentalists, who—by making religion political—do harm to religion, drive a wedge between the Western world and that of Islam, which, in turn, makes it practically impossible for Muslims to integrate with the remaining part of the society.³⁵

As an example of a difficult, confrontational situation, which needs to be resolved exclusively by way of mutual understanding and recognition of the right to distinctness, Bassam Tibi concentrates on the condition of the two-way relations between Germans and Muslim immigrants, who live in this country, at the beginning of the first decade of the twenty-first century:

In Germany the equivalent of the [European] chauvinism is the ethnic and religious fundamentalism of the immigrants. Muslims constitute one third of all immigrants in this country. Confirming that among them are also fundamentalists and subsequently compartmentalizing them the same way as the representatives of radical right wing is breaking a certain taboo subject. Since the German public opinion is dominated by the "dictate of love toward strangers," which is the aftermath of the modern history of this country and does not allow it to notice some issues. Fundamentalists make use of this fact and treat every form of criticism aimed at them as a proof of a negative attitude toward Islam as such. However, from the point of view of the enlightened Islam it is the fundamentalists who are the real enemies of this religion.³⁶

As we can see, on the basis of this, balanced and conciliating, comment of a representative of moderate circles of Muslim intellectuals, a radical confrontation of two different civilizational patterns, which gives birth to a mutual hostility and hatred, is not the only possible scenario of Europe's encounter with the problem of the influx of masses of people of Muslim denomination. There are many different, more or less possible, scenarios of the turn of events. Until we have influence over it, we should definitely aim at—as long as possible—implementing peaceful solutions and creating favorable conditions that will be conducive to the integration of the newcomers with the local population. A very bad solution is intensifying (both on one and the other side) two-way hostility by disseminating harmful stereotypes.

Some degree of attention should be given to the issue of the attitude toward the cultural norms, customs, and moral tenets that prevail in the community which accommodates the newcomers. In some cases it would be an overuse of the principle of hospitality to demand the guests to abandon their own tradition,

³⁵ Tibi, "Muzułmańscy obywatele Europy," 105.

³⁶ *Ibid.*, 105–6.

customs, religious beliefs, and the norms regulating the everyday life that result from them, and completely adapt to the life style of the community, which they found themselves among. In such cases, what is necessary is to work out the ability of a practical application of the norms of coexistence that stems from the principle of pluralism, understood as a mutual recognition of the right to disparity.³⁷ On the other hand, we should not absolutize such disparities. The indispensable condition of the process of building reciprocally acceptable principles of integration is respecting constant, unchangeable and universal moral norms, which have its roots in the natural law and in the common history of the entire humankind. Only something that is built on a common foundation can guarantee, in a longer perspective, a fair and peaceful coexistence of people of different cultures, denominations, and outlook. Within this context worth recalling are Pope John Paul II's words he addressed in 2004 to the European Union ministers of internal affairs: "we are one family of people called to build a more just and brotherly world."³⁸

In 2015 we celebrated the fiftieth anniversary of the declaration of the Pastoral Constitution on the Church in the Modern World *Gaudium et Spes*. This document includes many indications, which can prove extremely timely and inspiring for someone who is looking for an optimal model of relations between the community of believing Christians, who live in Europe, and microcommunities, which are created within the borders of the continent, fed by the influx, uninterrupted for several years, of people from the countries of Africa and Middle East, as well as countries that have unstable political systems. Because of this practical context, the preferred form of reading the conciliar constitution will be the application of a hermeneutical method of reading and interpreting the text, taking into consideration the notion of hermeneutical situation, introduced by Hans-Georg Gadamer. An important interpretative indicator for Catholics is the current Holy Year of Mercy, declared by Pope Francis on December 8, 2015. In the papal bull *Misericordiae Vultus*, published in connection with the Year of Mercy, the pope emphasized:

Mercy: the fundamental law that dwells in the heart of every person who looks sincerely into the eyes of his brothers and sisters on the path of life. [...] I have chosen the date of 8 December because of its rich meaning in the recent history of the Church. In fact, I will open the Holy Door on the fiftieth anniversary of the closing of the Second Vatican Ecumenical Council. The Church feels a great need to keep this event alive. With the Council, the Church entered a new phase of her history. The Council Fathers strongly perceived, as a true breath of the Holy Spirit, a need to talk about God to men

³⁷ Cf. Tischner, *Nieszczęsny dar wolności*, 151.

³⁸ John Paul II, "Speech Given to European Union Ministers of Internal Affairs," *L'Osservatore Romano*, no. 3 (2004): 19–20.

and women of their time in a more accessible way. The walls which for too long had made the Church a kind of fortress were torn down and the time had come to proclaim the Gospel in a new way. It was a new phase of the same evangelization that had existed from the beginning. It was a fresh undertaking for all Christians to bear witness to their faith with greater enthusiasm and conviction. The Church sensed a responsibility to be a living sign of the Father's love in the world.³⁹

In the further part of the document the pope evokes the statements of his predecessors in the Holy See, whose pontificate is closely connected with the historic event of the Second Vatican Council—John XXIII and Paul VI. The first of them, at the beginning of the Vatican Council, said: "The Catholic Church [...] wants to show herself a loving mother to all; patient, kind, moved by compassion and goodness toward her separated children."⁴⁰ Then Pope Francis quoted Paul VI's stance:

Blessed Paul VI spoke in a similar vein at the closing of the Council: "We prefer to point out how charity has been the principal religious feature of this Council... the old story of the Good Samaritan has been the model of the spirituality of the Council... a wave of affection and admiration flowed from the Council over the modern world of humanity. [...] all this rich teaching is channeled in one direction, the service of mankind, of every condition, in every weakness and need."⁴¹

Gaudium et Spes read within this context, proves extremely helpful, since the indications it includes are not only a set of advice dedicated to our ancestors more than fifty years ago, but bear a surprising currency. What we need to do is to make an effort to read them in the horizon of the present challenges, which shape the contemporary nature of the world and define the most important field of activities, in which we are obliged in our conscience to practice the evangelical virtue of mercy.

Let us dwell for a while on Pope Paul VI's words evoked by Pope Francis: "The old story of the Good Samaritan has been the model of the spirituality of the Council." The question which we should ask ourselves is: to what extent can the Parable of the Good Samaritan be capable of becoming an interpretation key to the encounters with migrants, who come to Europe, which we are currently participating in? How much truth is in the statement which suggests that nowadays we are witnessing a peculiar realization of this Jesus's parable?

³⁹ Pope Francis, *Misericordiae Vultus*, https://w2.vatican.va/content/francesco/en/apost_letters/documents/papa-francesco_bolla_20150411_misericordiae-vultus.html, accessed February 7, 2016.

⁴⁰ Ibid.

⁴¹ Ibid.

The truth is that on our everyday path we meet—not a single one, but several dozen and hundreds of thousands, and soon millions—neighbors, victims of bandits, and those devoid of all they had in their life. These people definitely need help. The question is: Do they need our help? What should we do in the face of this situation?

The strongest temptation is to behave like the first heroes of the mentioned parable: the priest and the Levite. They were, after all, commonly respected members of the community, equipped with prestige and esteem. They for sure had important and sufficient arguments to do what they did. Undoubtedly, no one would dare to reproach them for that. Samaritan is something else: indeed, his act was surely noble and praiseworthy, but, at the same time, insane and unpredictable. Is someone like that a proper model of behavior for all people in every single situation?

The next reflection which can come into our head is the incomparability of the two situations. Jesus Christ talked about establishing a personal relation between me and you; neighbor manifests, in my presence, his unique, only face—a face of human in need, in a direct threat to his life. Therefore, I am the participant of the epiphany of the face of the other, and that is what introduces me into an ethical relation. As a participant of the meeting I become the addressee of the call to act: through his nakedness and defenselessness he seems to be saying: “You can save me.”⁴² Since I was called to act, directly touched in my subjectivity, a personal responsibility for my neighbor rests with me, from now on whatever I do, it will be subjected to a judgment within the vista of this responsibility. Refraining from acting, resigning from the engagement in the work for the well-being of the encountered neighbor in need, will no longer be a morally neutral decision, but an attempt at escaping from responsibility, which will burden my conscience. Therefore, we can say: yes, yes it is all true, our moral sensitivity is capable of accepting the Lévinas’s concept of responsibility ethics; however, under the condition that it concerns one neighbor in need, and not an exorbitant number, the abstract size of which exceeds the limits of our imagination. We can say like that: we are law-abiding citizens, we pay taxes, owing to which the country maintains its specialized institutions; it will be enough if the country takes care of those problems and we concentrate on our business.

The above-delineated defense of the calmness of our conscience does not, however, stand the confrontation with the arguments enumerated in the previous parts of this text. We are called to realize the evangelical idea of the love of neighbor not in declarations that sound perfect and are unfounded, but in specific existential situations—to the extent of the sensible possibilities and

⁴² Cf. Emmanuel Lévinas, *Totality and Infinity. An Essay on Exteriority*, trans. A. Lingis (Pittsburgh, PA: Duquesne University Press, 2011), 234.

realistically defined sense of responsibility. We are, at the same time, authorized to, in every need, reach for auxiliary means, which the Catholic Church has at its disposal. Among them we have the teaching of the Second Vatican Council, including the text of the *Gaudium et Spes* constitution. The editors of the text declare in the Introduction: "This sacred synod [...] offers to mankind the honest assistance of the Church in fostering that brotherhood of all men."⁴³

As Christians we are called to follow the example of Jesus Christ. In what? Conciliar constitution suggests: in aiming at the fellowship of all people, also different races, cultures, and denominations, since no one should be a priori eliminated from the common fellowship; including, to save, and not judge, serve, and not allow to be served. Therefore to serve means: to actively meet the real human needs, especially the most basic ones, like protection of life and health, respect of human dignity, providing the minimum conditions for human existence.

Our Christian obligation toward those in need in *Gaudium et Spes* is as follows: "Developing nations should take great pains to seek as the object for progress to express and secure the total human fulfillment of their citizens."⁴⁴ "It is the role of the international community to coordinate and promote development, but in such a way that the resources earmarked for this purpose will be allocated as effectively as possible, and with complete equity" [86 c]. We must not promote such technical solutions, which influence exclusively the material realm of human life, but "contrary to man's spiritual nature and advancement" [86 d]. We should deepen the community with different cultures on the spiritual plane, since "every sector of the family of man carries within itself and in its best traditions some portion of the spiritual treasure entrusted by God to humanity."⁴⁵

The pastoral constitution encourages all Christians to an active participation in building a just, peaceful system of relations between people, nations, and countries:

Christians should cooperate willingly and wholeheartedly in establishing an international order that includes a genuine respect for all freedoms and amicable brotherhood between all. This is all the more pressing since the greater part of the world is still suffering from so much poverty that it is as if Christ Himself were crying out in these poor to beg the charity of the disciples. Do not let men, then, be scandalized because some countries with a majority of citizens who are counted as Christians have an abundance of wealth, whereas others are deprived of the necessities of life and are tormented with hunger, disease, and every kind of misery. The spirit of poverty and charity are the

⁴³ *Gaudium et Spes*, n. 3.

⁴⁴ *Ibid.*, n. 86 a.

⁴⁵ *Ibid.*, n. 86 d.

glory and witness of the Church of Christ. Those Christians are to be praised and supported, therefore, who volunteer their services to help other men and nations. Indeed, it is the duty of the whole People of God, following the word and example of the bishops, to alleviate as far as they are able the sufferings of the modern age. They should do this too, as was the ancient custom in the Church, out of the substance of their goods, and not only out of what is superfluous.⁴⁶

“This will come about more effectively if the faithful themselves, conscious of their responsibility as men and as Christians will exert their influence in their own milieu to arouse a ready willingness to cooperate with the international community.⁴⁷

The realization of these indications requires the development of the virtue that John Paul II referred to as the “imagination of mercy,” which makes it possible to broaden the spiritual outlook on reality and rise above particular interests. This need is also emphasized by the following fragment of the *Gaudium et Spes* constitution:

Today it certainly demands that they extend their thoughts and their spirit beyond the confines of their own nation, that they put aside national selfishness and ambition to dominate other nations, and that they nourish a profound reverence for the whole of humanity, which is already making its way so laboriously toward greater unity. [...] It does them [i.e. political or spiritual leaders] no good to work for peace as long as feelings of hostility, contempt and distrust, as well as racial hatred and unbending ideologies, continue to divide men and place them in opposing camps. [...] the Church of Christ [...] intends to propose to our age over and over again, in season and out of season, this apostolic message: “Behold, now is the acceptable time for a change of heart; behold! now is the day of salvation.”

The conclusion of the Pastoral Constitution *Gaudium et Spes* leaves no room for doubt when it comes to the scope of our obligation of love of neighbor. It includes a declaration which implies that the Church feels called to initiate and conduct a dialogue with “all people, of any nation, tribe or culture.” We are supposed to “foster [...] mutual esteem, reverence and harmony, through the full recognition of lawful diversity [...] let there be unity in what is necessary; freedom in what is unsettled, and charity in any case.”⁴⁸ Today it is not about a verbal dialog, considering arguments and shaping beliefs—time has come for a dialogue of heart and act, for a sacrifice of our own comfort and prosperity, which we are not given forever, but we are given to make a good use of them. It is clearly

⁴⁶ Ibid., n. 88.

⁴⁷ Ibid., n. 89.

⁴⁸ Ibid., n. 92.

illustrated by pt. 93. It includes an explicitly formulated call to act: Christians cannot yearn for anything more ardently than to serve the men of the modern world with mounting generosity and success [...] the Father wills that in all men we recognize Christ our brother and love Him effectively, in word and in deed."

Such are our duties as Christians. We are called to the acts of mercy by the utmost important documents of the Church, the importance of which, in the spiritual life of the believers, has been emphasized by popes of the last decades—from John XXIII to Pope Francis.

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Krzysztof Wieczorek

« Le voici maintenant le temps favorable de la conversion des cœurs »
La réponse chrétienne au problème de migration

Résumé

Le jour du cinquantième anniversaire de la publication de la Constitution pastorale sur l'Église dans le monde de ce temps *Gaudium et Spes* naît la question à quel degré la communauté mondiale des catholiques a assimilé le contenu de l'enseignement du Concile Vatican II et à quel degré nous, les catholiques d'aujourd'hui, sommes enclins à appliquer dans notre vie les indices de ce document. Aujourd'hui, l'un des plus difficiles défis auquel fait face la communauté internationale—et en particulier les habitants de l'Europe—est le problème de réfugiés provenant des régions envahies par la guerre et la terreur provoquée par les militants du soi-disant État islamique. Les gouvernements des pays particuliers prennent dans cette affaire des décisions politiques dictées par la raison d'État ainsi que par la volonté de protéger les intérêts individuels de leurs propres citoyens. Dans ces décisions, le bien des personnes les plus sinistrées, congédiées de leurs domiciles et dépourvues de moyens de vie reste une question secondaire. On peut considérer cet état de choses comme rationnellement motivé du point de vue des règles intransigeantes du jeu politique mondial, mais il reste en désaccord explicite avec *Magisterium Ecclesiae*, en particulier avec l'enseignement découlant de *Gaudium et Spes*. L'objectif du présent texte est d'analyser des extraits choisis de la Constitution pastorale sous l'angle de l'application de leurs contenus à la lumière des défis lancés par le problème lié aux réfugiés.

Mots clés: réfugié, *Gaudium et Spes*, amour mûr pour autrui, conversion du cœur, limites de la responsabilité

Krzysztof Wieczorek

«Ecco ora il tempo favorevole per trasformare i cuori»
La risposta cristiana al problema della migrazione

Sommario

Nel cinquantenario della promulgazione della Costituzione Pastorale sulla Chiesa nel mondo contemporaneo *Gaudium et Spes* sorge la domanda su quanto la comunità mondiale dei cattolici abbia assimilato il contenuto dell'insegnamento del *Vaticanum II* ed in quale misura noi, cattolici di oggi, siamo disposti a farci guidare nella vita dalle indicazioni di quel documento. Attualmente una delle sfide più difficili dinanzi alla quale si trova la società internazionale, ed in particolare gli abitanti dell'Europa, è rappresentata dal problema dei profughi provenienti dai territori colpiti dalla guerra e dal terrore causato dai militanti del cosiddetto Stato Islamico. I governi dei diversi stati intraprendono in tal merito decisioni politiche dettate dalla ragion di stato e dalla volontà di difendere gli interessi particolari dei propri cittadini. In tali decisioni il bene delle persone maggiormente danneggiate, cacciate dalle case e private dei mezzi di sostentamento, rimane una questione secondaria. Si può considerare tale situazione razionalmente argomentata dal punto di vista delle regole spietate del gioco politico mondiale, ma rimane in netta dissonanza con il *Magisterium Ecclesiae*, in particolare con l'insegnamento morale che scaturisce dalla *Gaudium et Spes*. Lo scopo del presente testo è rappresentato da un'analisi di brani scelti della Costituzione Pastorale dal punto di vista dell'applicazione del loro contenuto alla luce delle sfide portate dal problema dei profughi.

Parole chiave: profugo, *Gaudium et Spes*, amore maturo del prossimo, trasformazione del cuore, limiti della responsabilità