



## Catholic Social Doctrine and Human Rights



**Plenary Session 1-5 May 2009** – ‘Where is your brother?’ God’s question to Cain (*Gen 4:9*) is posed to mankind in all epochs as a central question in the achievement of the Order of the Creation. It is proposed anew every time that the laws of a State or the practice of the international community or the behaviour of a people or the attitude of an individual forget that God is the supreme source of the dignity of the human person and his fundamental rights.

If one begins from this question and answers it by taking advantage of Catholic social doctrine, the listing of human rights emerges with a precise neutral grammar which places rights near to duties in the case of both individuals and communities: the right to life and to a family, to the integrity of the human person, to freedom of conscience, and to freedom of religion or belief. The slow emergence of the rights of freedom (as is the case with the various international charters of the modern age), from individual rights to political rights and social rights, has had to address this question, correlating itself with responsibility and duty as well.

A long historical itinerary, which was already taking place in the age when individual national states were affirming their sovereignty, witnessed the birth and flourishing of the ancient *ius gentium* as a regulator of the relations between peoples. This was a result of the fundamental contribution of the Dominican friar Francisco de Vitoria, a precursor of the idea of the United Nations. He argued that *totus mundus est quasi una res publica*. Other significant stages were reached in subsequent ages, at times in harmony with and at times in divergence with Christian principles.

### The Situation Now

In the contemporary age the Universal Declaration of Human Rights and the references to it that have been made in the subsequent charters of individual States or the international community have been fundamental in the consolidation in the collective consciousness of the importance of respect for human rights. ‘Our society has rightly enshrined the greatness and dignity of the human person in various declarations of rights, formulated in the wake of the Universal Declaration of Human Rights, which was adopted exactly sixty years ago. That solemn act, in the words of Pope Paul VI, was one of the greatest achievements of the United Nations’ (Benedict XVI, Address to the Diplomatic Corps, 7 January 2008).

This sentence confirms that the Universal Declaration of Human Rights was a seminal document in international law and marked a milestone in the journey of humanity towards respect for the rights of every human being. Since 1948 the Universal Declaration, together with other juridical instruments, has played a specific role in inserting new precepts and forms of behaviour into national and international relations. It has helped millions of people in their search for respect for human dignity, in the pathway towards better political systems, and in withdrawing the threat of violence and injustice from life in society. It has helped to install a ‘culture of human rights’ which by now is an essential dimension of the ethical, social and political debate nearly everywhere in the world.

However, we are painfully aware that fundamental human rights are violated often in a way that is equally dramatic to what happened sixty years ago, beginning with the right to life, and that millions of the citizens in the world are denied respect, freedom, development and the possibility of expressing their own opinions, of freely practicing their religion, and of freely enjoying a standard of living that ensures freedom from hunger and thirst. There is also an acute inability to counter the increasing phenomenon of the trade in humans, especially children. An unhealthy habitat, climatic disturbance, local and global inequalities, and an inability to achieve true solidarity towards the weakest regions continue to poison the contemporary world which is not able to pursue the authentic overall development of the person, the human family or the planet. The very pathway towards security and global peace runs the risk of taking more steps backwards than forwards given the absence of a strong system of governance leading towards supranational authorities that are able to work for global ends.

This differential description, made of light and darkness, has a multiplicity of causes, amongst which of importance is a correct understanding of the nature and range of human rights. Here the social doctrine of the Catholic Church illuminates an original approach. The dialectic relationship between the Church and human rights, which has occurred during modernity, cannot be seen as being closed for ever: new problems and new situations constantly emerge and they require discernment and exploration.

This session wants to emphasise once again the specificity of the approach of the social doctrine of the Church which is based upon the notion of the dignity of the person who participates in relationships with others and interacts with the goods of the universe. The social doctrine quite rightly hesitates to engage with a subjective conception of rights. The approach of the Church sometimes gives the impression of not being very different from that of States and international organisations. We should return and pick up the thread that began with the approach exclusively centred on the natural law but which then drifted into an approach centred on the subjective rights of the person. This move should not be understood as an alignment with a specific line of positivist thinking but should be placed in its complete conceptual framework where the reference point remains John XXIII's *Pacem in Terris* (1963). The rights of the human person spring from his nature! They do not spring from his will or his desires. To speak about nature is to recognise the existence of that natural order which one has to study and experience for its laws to be discovered. Thus rights and duties cannot be separated and rights cannot be extended beyond what is revealed by the natural order of things.

### **The Task of the Social Sciences**

In conformity with its specific task, the PASS wants to explore the subject of human rights in relation to the social doctrine of the Church and the social sciences, investigating their relationship, new problems, and their ability to point out new solutions under the impetus of the Gospel of Jesus Christ, which works as a yeast that is able to upset the horizons within which our forms of security are enclosed. In the nexus between human rights and the social sciences questions emerge. For example: to what extent do the social sciences dialogue with human rights? To what extent do they accept or do they change the signs of rationality and spirituality of man to the point of deforming the image of man as a person made in the image of God and in opposition to his singularity from conception onwards? Are the social sciences able to open themselves to the hope of being the bearers of hope? So as not to fall into cynicism or vice versa slip into disappointment, they need principles that go beyond what is convenient or special interests.

Thinking anew about human rights thus becomes of urgent importance and does not involve only leaders in public life but also, and above all else, the social sciences. Law, sociology, economics and political science today have duties that are more in number than those albeit important sciences that are involved in scientific inquiry and research: they have to offer solutions that can be achieved at a practical level, by coming down from the ivory tower of their respective disciplines and addressing actual reality.

### **The Programme**

Divided into three days, the plenary session is organised in the following way:

- 1) The relationship between the Catholic Church and human rights, with attention also being paid to the influence of the former on the latter.
- 2) Thinking anew about human rights in the twenty-first century especially in relation to the nexus between rights and duties, and in some especially sensitive areas: life, the family, religious freedom and international social justice.
- 3) Studying the universality and interdependence of human rights in relation to the rights of the first, second and third generations; assessing the exposure of international law to the idea of the person; and addressing urgent questions such as humanitarian intervention, the crime of genocide, and the protection of human rights by international organisations.

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