



Slovak Bishops Conference, *The Church and Human Rights*
Bratislava, 4 March 2014

The Catholic Church and Human Rights

Cardinal Peter K.A. Turkson, President

In the name of the Pontifical Council for Justice and Peace, I congratulate the Slovak Bishops' Conference for the initiative to hold this conference on the Church and human rights.

Ever since the Pontifical Council for Justice and Peace began its work, soon after the Second Vatican Council,¹ the promotion and protection of human rights have been essential components of our mandate.¹

So thank you for the opportunity to explore with you some of the ways in which the Catholic Church teaches, promotes and protects human rights.

Introduction

After the 1948 Universal Declaration of Human Rights, Blessed John XXIII and his successors have developed the Church's social doctrine in the area of human rights. The Church affirms the foundation of fundamental human rights in human dignity and therefore defends the universal character of these basic rights. The Church rejects the relativism that some national regimes and interest groups increasingly apply to rights.

In his first World Day of Peace Message, Pope Francis expressed this deep regret: "In many parts of the world, there seems to be no end to grave offences against fundamental human rights, especially the right to life and the right to religious freedom."²

Violence against religion is suffered disproportionately by Christians. The Church urges that religious freedom be treasured and defended by all, whatever their own convictions, because it epitomizes the freedom to live by one's deepest understanding of truth.

As Pope Benedict XVI explained, this is consistent with the healthy secularity of the legitimate modern State in which religious and temporal matters are separate. But such freedom is opposed by the aggressive secularism that attacks any beliefs that it does not share, and by some religious fundamentalists with the same tendencies.

Inherent Dignity of the Human Person

Many people speak of human rights. Very rightly, they refer to their violations. Very rightly, they proclaim that human rights must be protected. Very rightly, they advocate that human rights must be promoted. Yet what are the human rights we are talking about?

In order to have a well-grounded sense of this subject, let us recall what led the United Nations to

¹ Vatican II, *Gaudium et Spes*, § 90; Paul VI, *Populorum Progressio*, § 5; John Paul II, *Pastor Bonus*, §§ 142-44.

² Pope Francis, *Message*, World Day of Peace, 2014, § 1.

issue the Universal Declaration of Human Rights (UDHR) in 1948.

The Second World War had still not ended when the United Nations was founded in 1945. In some areas, wars continued. The drafters of the Universal Declaration were well aware of the countless grave violations of human rights that had been committed especially in the two World Wars. Member States were in agreement that a blatant disregard and contempt for human rights had resulted in barbarous acts which outraged the conscience of mankind.³

For this reason, Member States desired a bold agreement: a consensus document that would proclaim to the world those values that are common to all of humanity. Thus, soon after the birth of the United Nations,⁴ Member States issued the Universal Declaration “as a common standard of achievement for all peoples and all nations.”⁵

I draw your attention to the words “common standard of achievement”. This text was to enshrine the aspiration to which every person and every organ of society should subscribe.

With this aspiration in mind, what do we mean? To what should all humankind aspire? Rather than enumerate rights and freedoms, I invite you to focus on their foundation.

The first sentence of the Preamble of the Universal Declaration states: “Whereas recognition of the *inherent dignity* and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.”⁶ That is, the ground, the foundation, the substrate of human rights and freedoms is “the inherent dignity of the human person”.

This dignity is perceived and understood first of all by reason. It is not found in the human will or in the reality of the State or in public powers. It is found in the human person himself and in God his Creator. The philosopher Jacques Maritain, who helped to draft the Universal Declaration, put this point succinctly when he wrote:

the worth of the person, his liberty, his rights arise from the order of naturally sacred things which bear upon them the imprint of the Father of Being and which have in him the goal of their movement. A person possesses absolute dignity because he is in direct relationship with the Absolute, in which alone he can find his complete fulfilment.⁷

This is utterly radical. Your human rights and mine do not depend upon the will of other people. Human rights arise from our dignity as created in the image and likeness of God. Thus we should not be surprised that the Catholic Church regularly affirms the inherent dignity of the person as the foundation of human rights, and the right to life from conception to natural death as the first among all human rights and the condition for all other rights of the person.⁸

“The dignity of the human person and the common good rank higher than the comfort of those who refuse to renounce their privileges,” Pope Francis teaches. “When these values are threatened, a prophetic voice must be raised.”⁹ Therefore the Church is a vigorous partner in efforts to make human rights a reality.

Touchstones of Human Rights

In the *Compendium of the Social Doctrine of the Church*, human rights are described as universal, inalienable and inviolable.

³ Cfr. Preamble of the UDHR.

⁴ The San Francisco Conference which adopted the Charter of the United Nations (25 June 1945) began its work on 25.04.1945. The UDHR was adopted on 10.12.1948.

⁵ Preamble of the UDHR.

⁶ General Assembly Resolution 217 A (III) of 10.12.1948 [emphasis added].

⁷ J. Maritain, *The Rights of Man and Natural Law*, Ignatius Press 2011, p. 67.

⁸ Cfr. Congregation for the Doctrine of the Faith, Instruction *Donum vitae*, 22.02.1987.

⁹ Pope Francis, *Evangelii Gaudium*, § 218

Human rights have these three characteristics not by human dictate or even universal democratic agreement. Rather they stem from the deepest “foundation stone” of divinely-given human dignity. From this comes the natural vocation of all men and women to transcend themselves. The deep yearning for transcendence can never be extinguished. It will always surface in efforts towards achieving the common good and peace.

Human rights are *universal* in that they apply to all humans without exception of time, place or subject, as the Vienna Declaration states: “The universal nature of these rights and freedoms is beyond question.”¹⁰ They are *inviolable* insofar as they are inherent in the human person and in human dignity, and because the proclamation of these rights demands their complete respect by all people everywhere and for all people everywhere. Finally, these rights are *inalienable* insofar as no one can legitimately deprive others of these rights, whoever they may be, since this would do violence to their nature.¹¹

In his 2008 visit to the General Assembly of the United Nations, Pope Benedict XVI reiterated this truth. He noted how “human rights” has grown as the common language and the ethical substratum of international relations. However, he warned against the ideology of relativism. Relativism removes these rights from their proper context because it implies that rights are not based on the natural law inscribed on our hearts and thus not present in all cultures and civilizations.

This relativistic conception restricts the range of application of rights because it permits the meaning and interpretation of rights to vary and their universality to be denied in the name of different cultural, political, social and even religious outlooks.

Quite to the contrary, a great variety of viewpoints must not be allowed to obscure the basic truth: rights are universal, and so too is the human person who is the subject of these rights.¹² The fact that there are unchanging values common to all of humanity means quite simply that human rights are a given. They are common to all persons. They do not depend upon the fashions and trends of societies or on the will of governments. In everyday terms, this means that everyone has them; no one can lose or misplace them; and they cannot legitimately be denied or removed.

On the sixtieth anniversary of the Universal Declaration, at the United Nations in Geneva, the Holy See drew attention to another cause for concern: ideologies that attempt to rewrite human rights or create new ones. Perhaps proponents are misled by the fact that fundamental rights can be expressed in different particular manners in different social and cultural contexts. A “healthy realism” will recognize that this variation is compatible with the universal character of the underlying rights, and it will block the misguided proliferation of pretended rights:

A healthy realism, therefore, is the foundation of human rights, that is, the acknowledgement of what is real and inscribed in the human person and in creation. When a breach is caused between what is claimed and what is real through the search of so-called “new” human rights, a risk emerges to reinterpret the accepted human rights vocabulary to promote *mere desires* and measures that, in turn, become a source of discrimination and injustice and the fruit of self-serving ideologies.¹³

The Church has a serious concern when the ideology of a particular group of individuals can somehow create a new human right. One example is the attempt on the part of some to legitimize the killing of an unborn child through the promotion of so-called “reproductive rights”, “reproductive services” and other loaded terms which mask the tragedy of abortion.

¹⁰ Vienna Declaration and Programme of Action, 1993, A/CONF.157/23, OP1 and OP5.

¹¹ Cfr Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*, Libreria Editrice Vaticana, 2004, paragraph 153.

¹² Benedict XVI, *Address* to the 62nd session of the United Nations General Assembly, 2008.

¹³ Silvano M. Tomasi, *Address* on the occasion of the commemoration of the 60th Anniversary of the Universal Declaration of Human Rights, Geneva, 12.12.2008, 2.

Euthanasia, according to some, should also be a human right, and not only for adults! For the first time in history, in February 2014, the Belgian parliament accepted the principle that even a child, with no limit of minimum age, could ask to be killed to end his/her suffering. "This law – the Bishops of Belgium wrote – opens the doors to the extension of euthanasia to the handicapped, the demented, the mentally ill and eventually to those who are tired of life."¹⁴ Jean Vanier, the founder of L'Arche, said it is urgent to rediscover how to support the vulnerable people around us so that our society can once again call itself "human society".¹⁵

Another example is the use of the term "gender" to suggest that sex is not biologically grounded as male and female but is simply a social construct or produced by what individuals think or feel they are. Moreover, attempts to recognize those engaging in homosexual behaviour as a specific group to be accorded human rights go beyond the protection to be guaranteed to all people under the Universal Declaration of Human Rights. Related to this is the suggestion that marriage could somehow be redefined, despite the fact that marriage is, by nature, between one man and one woman for their mutual love and increase of the human family, as affirmed in international law.¹⁶ Such positions distort reality because they attempt to rewrite human nature, which *de natura* cannot be rewritten.

As Cardinal Francis George of Chicago stated with great clarity, "The nature of marriage is not a religious question. Marriage comes to us from nature. Christ sanctifies marriage as a sacrament for the baptized, giving it significance beyond its natural reality; the State protects marriage because it is essential to family and to the common good of society. But neither Church nor State invented marriage, and neither can change its nature."¹⁷

In this context, the Church vigorously upholds the rights to life and bodily security of everyone, everyone, regardless of their perceived "sexual differences".¹⁸ The Church sees this as a matter of the most basic rights. Homosexual persons "must be accepted with respect, compassion and sensitivity. Every sign of unjust discrimination in their regard should be avoided."¹⁹

Thus, while the Church regrets the discordance between homosexual behaviour as such and what we understand as the norm for God-given human nature,²⁰ she upholds the integrity of everyone's rights. See our Lord's reaction when the townspeople wished to stone a woman to death for adultery: He managed to preserve her life and bodily security (John 8:1-11).

Religious Freedom

Let me now focus on one fundamental right, namely, religious freedom.

The Universal Declaration of 1948 already upheld freedom of religion as one of the fundamental human rights inherent in every person. As it states, "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in

¹⁴ Communiqué of Belgian Religious Leaders on euthanasia, 6.11.2013. info.catho.be/2013/11/06/communique-des-chefs-religieux-en-belgique-au-sujet-de-leuthanasie/#.UwsjinmYbcs

¹⁵ Interview by the network "Vivre dans la Dignité", in « Des experts en humanité dénoncent le Projet de loi 52 », 7.02.2014, on the blog vivredignite.blogspot.fr.

¹⁶ Cfr. UDHR, Article 16; International Covenant on Civil and Political Rights (ICCPR), Article 23, and International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 10.

¹⁷ Francis George, "Legislation creating 'same-sex' marriage: What's at stake?" Chicago: *Catholic New World*, 6-19.01.2013

¹⁸ See in 2009, 'The Vatican's legal attaché to the United Nations issued a Dec. 10 statement saying the Holy See continues to oppose «all grave violations» of homosexual persons' human rights', at www.catholicnewsagency.com/news/holy_see_reiterates_opposition_to_violation_of_homosexual_persons_human_rights. See also: www.news.va/en/news/holy-see-addresses-un-human-rights-council-on-gend www.zenit.org/rssenglish-32108.

¹⁹ *Catechism of the Catholic Church*, § 2358.

²⁰ Cfr. Mark 10:6 as an expression of the natural created order.

teaching, practice, worship and observance.’²¹

Let me repeat: the right to freedom of religion is inseparable from freedom of thought and conscience. It applies to everyone. It includes the freedom to change one’s religion or belief. It also includes the freedom to manifest that religion or belief both in private and communally.

Less than two decades later, the Fathers of the Second Vatican Council affirmed these same principles in *Dignitatis humanae*, the Declaration on Religious Liberty. They specified that the right of the individual and of communities to social and civil freedom in religious matters carries with it the right “to be immune from coercion on the part of individuals or of social groups and of any human power, in such wise that no one is to be forced to act in a manner contrary to his own beliefs, whether privately or publicly, whether alone or in association with others, within due limits.”²² In addition, they pointed out that

It is in accordance with their dignity as persons – that is, beings endowed with reason and free will and therefore privileged to bear personal responsibility – that all men should be at once impelled by nature and also bound by a moral obligation to seek the truth, especially religious truth. They are also bound to adhere to the truth, once it is known, and to order their whole lives in accord with the demands of truth. However, people cannot discharge these obligations consistently with their own nature unless they enjoy immunity from external coercion as well as psychological freedom. Therefore the right to religious freedom has its foundation not in the subjective disposition of the person, but in his very nature.²³

One year after the promulgation of *Dignitatis humanae*, the UN General Assembly adopted the International Covenant on Civil and Political Rights (ICCPR). Happily, Article 18 of this Covenant restated and expanded upon the principle of religious freedom as contained in the Universal Declaration. The Covenant affirmed that:

- no one should be subject to coercion that would impair his freedom to have or to adopt a religion or belief of his choice;
- freedom to manifest one’s religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others; and
- States Parties are called to respect the liberty of parents to ensure the religious and moral education of their children in conformity with their own convictions.²⁴

Moreover, the *ICCPR* also affirmed the right of minorities to profess and practice their own religion.²⁵

In 1991, Blessed John Paul called religious freedom “the source and synthesis” of all the basic human rights. He defined religious freedom as “the right to live in the truth of one’s faith and in conformity with one’s transcendent dignity as a person.”²⁶

Present-day Challenges to Religious Freedom

The principle of freedom of religion is enshrined in international human rights law. One of the great tragedies of today is that it is not upheld in all countries and by all governments.

Pope Benedict drew attention to this grave situation in his 2011 Message for the World Day of Peace. He observed that in some areas of the world, to profess one’s religion endangers one’s life and personal liberty. In other areas there are more subtle and sophisticated forms of prejudice and

²¹ UDHR, Article 18.

²² *Dignitatis humanae*, § 2.

²³ *Ibid.*, 2.

²⁴ ICCPR, Article 18, 2-4.

²⁵ *Ibid.*, Article 27.

²⁶ John Paul II, *Centesimus Annus*, § 47.

hostility towards believers and religious symbols.²⁷ At present, Christians are the religious group which suffers persecution in the largest number of countries on account of its faith.²⁸ They experience daily affronts and often live in fear because of their faith in Christ, their pursuit of truth, and their plea for respect for religious freedom. This situation constitutes a grave violation of human rights and must be confronted on all levels. Governments have a responsibility to their people, whatever their religion, to protect them from violations of their human rights, including their right to freedom of religion.

Moreover, as Pope Benedict XVI pointed out during his Apostolic Journey to Lebanon in September 2012, for the right to religious freedom to be upheld, it must also be preserved free from two opposed trends today that run contrary to freedom of religion. These are extreme and negative forms of secularization, and a violent fundamentalism that claims to be based on religion.

Pope Benedict decried the *secularism* that wants to reduce religion to a purely private concern, and that sees personal or family worship as unrelated to daily life, ethics or one's relationships with others. Further, secularism gives the State control over religious expression and denies citizens the right to express their religion openly. By contrast, "secularity"²⁹ is a positive orientation. It "frees religion from the encumbrance of politics"; it maintains

the necessary distance, clear distinction and necessary collaboration between the two spheres. [...] No society can develop in a healthy way without embodying a spirit of mutual respect between politics and religion [...] while they] cooperate harmoniously in the service of the common good. This kind of healthy secularity ensures that political activity does not manipulate religion, while the practice of religion remains free from a politics of self-interest which at times is barely compatible with, if not downright contradictory to, religious belief.³⁰

The other problem is extreme forms of fundamentalism. Pope Benedict explains how this phenomenon arises from

"economic and political instability, a readiness on the part of some to manipulate others, and a defective understanding of religion. [It] afflicts all religious communities and denies their long-standing tradition of co-existence. It wants to gain power, at times violently, over individual consciences, and over religion itself, for political reasons".³¹

It follows "a logic opposed to divine logic, in other words, not by teaching and practicing love and respect for freedom but rather by intolerance and violence".³² This is not religion but a falsification of religion, for religion in its essence seeks reconciliation and the establishment of God's peace throughout the world. Religions are therefore called to cleanse themselves from such temptations and to illumine and purify consciences.

Religious Education for Building the Social Order

What kind of change is needed for human rights to be better protected and upheld in all parts of the world? "Religious education" is of inestimable value in this regard. Pope Benedict has called it the "highway" that leads new generations to see others as their brothers and sisters – as brothers and sisters with whom they are called to work and to journey – as brothers and sisters who know that they are

²⁷ Benedict XVI, *Message*, World Day of Peace, 2011, § 1.

²⁸ 'Rising Tide of Restrictions on Religion', 20 September 2012, at www.pewforum.org/Government/Rising-Tide-Of-Restrictions-on-Religion-findings.aspx. See also www.theweeklynnumber.com/1/post/2012/10/5-religious-groups-experience-4-year-high-in-harassment.html.

²⁹ The French notion of *laïcité*.

³⁰ See Benedict XV I, Post-Synodal Apostolic Exhortation *Ecclesia in Medio Oriente*, § 29. Cfr. Paul VI, *Address to the Parliament of Uganda*, 1.08.1969.

³¹ *Ibid.*, § 30.

³² Benedict XV I, *Homily* opening II Synod for Africa, 4.10.2009.

members of the one human family, from which no one is to be excluded.³³

Allow me to provide a powerful expression of this one human family. In September 2010 it was my honour to lead the Holy See delegation at the Plenary Session of the United Nations General Assembly. The topic was poverty and development. I pointed out that development is seriously undermined by irresponsible governments, global processes and major institutions when their policies and actions fail to uphold the inherent and equal dignity, the individuality, and the transcendence of every human being. The methods of some anti-poverty campaigns tended to target the poor in ways that suggest that the solution to global poverty is to eliminate the poor. Furthermore, material poverty has partners – relational, emotional, and spiritual poverty.

So we reminded the General Assembly that the human person must be at the centre in our quest for development. To combat global poverty requires justice and solidarity in the form of investments in the resourcefulness of the poor and, far from eliminating them, making them protagonists in their emergence out of poverty. The poor need education to be transformed from dependency to resourcefulness. If everyone's political, religious and economic rights and freedoms are respected, the paradigm will shift from mere poverty management to wealth creation; from viewing the poor not as a burden but as part of the solution.

Finally, we should not only recognize that religious freedom is the source and synthesis of all human rights. We should also recall what genuine religious belief contributes. Genuine religious belief points us beyond present practicalities towards the transcendent; and it reminds us of the possibility and the imperative of moral conversion of all persons, of the duty to live peaceably with our neighbour, of the importance of living a life of integrity. In the apt words of Jürgen Habermas, "Among the modern societies, only those that are able to introduce into the secular domain the essential contents of their religious traditions which point beyond the merely human realm will also be able to rescue the substance of the human"³⁴ Properly understood, religious belief brings enlightenment; it purifies our hearts and inspires noble and generous action to the benefit of the entire human family; and it motivates us to cultivate the practice of virtue and to reach out towards one another in love.³⁵

CONCLUSION

May God bless today's Conference with all the compassion, creative fidelity and courage necessary to make human rights truly and really accessible for everyone throughout the world.

Moreover, may today's Conference encourage the Church in Slovakia in all that you are doing to promote respect for human rights.

Let us make our own the hope of the Holy Father, "that the daily commitment of all will continue to bear fruit," and that all God's people may enjoy genuine peace "as a fundamental human right and a necessary prerequisite for every other right."³⁶

³³ Benedict XV I, *Message*, the World Day of Peace, 2011, § 4.

³⁴ J. Habermas, *An Awareness of What is Missing. Faith and Reason in a Post-Secular Age*, Cambridge 2010.

³⁵ Cfr. Benedict XVI, *Address*, St. Mary's University College, Twickenham, 17.09.10.

³⁶ Pope Francis, *Message*, World Day of Peace, 2014, § 7.