

THE CHURCH AND HUMAN RIGHTS

By GERARD O'CONNELL

A PART FROM the People's Republic of China, the Roman Catholic Church is the single largest grouping of people in the world. As such it has a unique historical role to fulfil in the service of humankind at this particular moment of history, when suffering of an unprecedented nature is being experienced by so many millions of the world's citizens.

The unique historical role for the Church is that of protector and promoter of the dignity of the human person, and of those rights — socio-economic, cultural and civil-political — which are a reflection of that dignity. The Church should work to ensure that these rights are respected not only throughout the world but also within the community of believers. The present article seeks to outline how the Church might best address itself to this historical task in the next decade. It is written in the belief that the Church should face the present historical task with a great trust in God, and filled with the conviction that the God in whom Christians believe is the Lord of History. History has shown that this God, in his Providence, ensures that the community of believers in every age has adequate resources with which to face the particular problems of that particular period. So it is with the present era: an era which is experiencing a global denial of the most fundamental rights of people. The Church is prepared for its historical task, because in the past twenty years, since 1961, she has developed her theory and practice in the field of human rights. Thus, today, the Church is recognized, by believer and non-believer alike, as potentially the greatest defender of human rights in the world.

This article will first seek to present the reader with a brief historical sketch of the development of Church teaching and practice over the past twenty years. The second part will be devoted to a presentation of the key issues in the field of human rights today. Finally, it will attempt to suggest a programme of action for the Church: one which will centre on the major human rights issues both in the world and in the Church itself.

Less than twenty years ago, when the Catholic Church was preparing for the Second Vatican Council, a number of preparatory documents were drafted: seventy in all. Only one of these seventy was devoted to the social order. This accurately reflected the place that catholic social teaching had in the minds of most church people. This single document soon gave place to another, *Schema XIII*, which went through many adventures before it finally emerged as the Pastoral Constitution, 'The Church in the Modern World'. This soon became the *Magna Carta* for church social teaching and practice.

A debt of gratitude for this document is owed to Pope John XXIII. His writings, *Mater et Magistra* (1961) and *Pacem in Terris* (written on his death-bed, 1963) helped to inspire the council fathers' deliberations, caught the imagination of the world, and facilitated the birth of *Gaudium et Spes*. Gratitude too must go to Pope Paul VI, who guaranteed the eventual existence of the document, and who contributed in no small way to the awakening of the catholic conscience through the documents of his own pontificate: *Ecclesiam Suam* (1964), *Populorum Progressio* (Easter Sunday, 1967), and *Octogesima Adveniens* (15 May 1971). Finally, in this list of acknowledgments, two other names must be mentioned: Dr Lukas Fischer of the World Council of Churches, and Dom Helder Cam ara. Dr Fischer made some valuable theoretical contributions, and Dom Helder, as secretary of the Brazilian Bishops' Conference, gave the initial impetus that ultimately led to the birth of the document. This pastoral constitution became the inevitable point of departure for subsequent church teaching. As Charles Moeller writes:

It seems to me that the introduction of the theme 'the image of God' in connection with the presence of the Church in the world is just as important a fact as the adoption of the themes of 'collegiality' and 'people of God' in *Lumen Gentium*. . . .¹

The introduction of the theme 'man made in the image of God', and the further focus on the dignity of the human person, gave a substantial basis for subsequent teaching and activity in the field of social justice.

Documents alone do not change the world. One also needs structures to give life to the fine words of the documents. Paul VI, keenly aware of this fact, created the Pontifical Commission for

¹ Commentary on the Documents of Vatican II, ed. Vorgrimler (London/New York, 1969), vol 5, p 5, note 4.

Justice and Peace in 1966. To it he gave the task of ensuring that the Church's social teaching became a living reality. The early years of the Commission's life were marked by solid research, the spirit of dialogue, a sense of creativity, and a feeling of joy that flowed from the recognition that the gospel had indeed meaning for modern man, and could surely be of service to the peoples of the world.

The Pontifical Commission soon gave birth to similar bodies in different parts of the world, which in turn bore much fruit, 'though not without suffering', imprisonment, harassment, and even death. One has only to think of the Justice and Peace Commissions of Rhodesia, Brazil, South Korea, Chile, to name but a few. These, and many more, continue to give solid and active witness to the love of God for people. But in some countries the commissions were moving too fast for some people, and often they did not have full episcopal backing. Hence, in the latter years of his reign, Paul VI brought the Pontifical Commission under the direct control of the Secretariat of State. The result was that its original charisma became formalized, and its creativity and work watered down. Soon many of the members of the original Commission left it for other work.

At the present moment, the Commission is experiencing a period of waiting for a decisive lead. Under the first months of John Paul II, it has felt itself committed to a role of affirmation of the Church's position, rather than to one of creative research and dialogue. But these are early days in the reign of the new Pope; and it is to be hoped that the spirit of research, dialogue and creativity will again be given free rein both within and outside the Commission. The Universal Church, as well as the many local Churches, need the inspiration, creative impulse and strong encouragement that only the Vatican's Justice and Peace Commission can give them, if they are to fulfil their historical task and face the challenges of the next decade.

As a result of her lived experience over the past twenty years, the Church has come to realize, ever more clearly, that she does not have an economic programme to offer the world, nor a political system that she can present as God-given, nor a social model that is valid for all times. She has come to recognize the need to remain independent of every political system. She can usefully fulfil the role of independent critic, but she must never totally identify with any political system. She knows in advance that every political system will be found wanting; no one of them can institute the kingdom of God on earth.

The Church has also come to realize, as Pope John Paul II pointed out in his first encyclical, that she does have a certain criterion by which to judge the different economic, social, political and cultural programmes that are offered to the people. These criteria are the human person and those rights which are a reflection of the person's dignity.² The Church examines in the light of these rights each programme that is offered and put into practice in a particular State. Often she is forced to take a stance in the name of these rights. The rights reflect the dignity of the person; and it is the person who is the central concern of the Church. In the past twenty years, the dignity of the human person has become one of the central and unifying themes of her teaching and pastoral activity; since it is founded on the fact that the human person is made in the image and likeness of God, is redeemed by the Son of God Incarnate, and is called and destined by the Spirit to the fulness of life, in that future world which the Book of Revelation calls 'the home of justice'.

It is with this preparation, and armed with these criteria, that the Catholic Church faces the problems of the 'eighties. As she enters this new decade, she is confronted by a world where even the most fundamental rights are being denied to individuals and to whole peoples, as a result of national and international politico-economic programmes. In order to understand the task facing the Church, it is important that the reader understand clearly the contemporary problems.

Today, the greatest suffering is experienced where fundamental socio-economic rights are being denied to the younger section of the world's population. According to the World Food Congress's assessment in 1974, and matters have not improved since, the overall situation is as follows:

1. There are in the world at the present time at least 200 million suffering children — almost one out of every seven children in the world.
2. Of the 200 million, children under 5 years of age fall into the following categories:
 - (a) Suffering from severe malnutrition at any given time: 10 million. Here the child is in danger of dying, unless something is done immediately.

² These rights are spelled out in the Universal Declaration of Human Rights, in the Covenant on Socio-Economic and Cultural Rights, and in the Covenant on Civil and Political Rights.

- (b) Suffering from moderate malnutrition: 80 million. Unless help is given soon, these too will die.
- (c) Suffering from less obvious, and more difficult to define, forms of malnutrition: 120 million.
3. As a result, about 50 per cent of all young children in the developing countries may be inadequately nourished.
 4. More than half of the total deaths in developing countries are at present among children under 5 years of age.
 5. Most seriously affected by the economic crisis in thirty-two countries are 400 million young people (15 years and under). Most are suffering from malnutrition.
 6. Of the 18 million blind people in the world, a very large proportion are children, whose blindness, which can be prevented, is the result of a lack of proper nutrients, such as Vitamin A, poor health care, and polluted water.
 7. Among young african children, 85 per cent of the deaths could be prevented by providing clean drinking water, environmental sanitation, and education in nutrition and in health.³

The net result of this malnutrition is that millions die; whilst of those who live many become a part of a new generation of deformed or handicapped people: one that can be counted in millions.⁴

When one examines the other socio-economic and cultural rights of people, one sees that in most cases they are aspirations rather than realities. In the field of primary education, for instance, where basic literacy skills are taught, 26 per cent of african children, 37 per cent of asian children, and 50 per cent of latin-american children never reach literacy levels. Millions lack a home; whilst a job is part of an impossible dream.

In the field of civil and political rights there is much suffering too. Today, in 111 countries of the world, under every political system, there are 'prisoners of conscience': that is, men and women detained for their beliefs, colour, sex, ethnic origin, language or religion, who have never used or advocated violence. These prisoners might number a half-million. There are hundreds of thousands of other prisoners, too, who are in jail for political reasons. Many of these have been tortured, many more are suffering in forced labour camps.

³ UNICEF Conference, Lomé, Togo, 1972.

⁴ At the World Food Congress, Rome, 1974, it was pointed out that:

(a) Twenty dollars *pro capita* would be adequate to pay for food and nutrition for at least 50 million children each year.

(b) Vitamin A could be provided at a cost of one dollar for every fifty children.

Some are sent to psychiatric hospitals or to re-education centres for rehabilitation. More are confined in maximum security prisons; others simply disappear off the face of the earth; whilst still others are harassed and condemned to what John Paul II called 'a civil death'. The list is long, but each category that is named witnesses to the same fact: the dignity of the human person is flouted.

Finally, in this catalogue of denial of fundamental human rights, there is one other subject that cannot be ignored because it impinges on their totality, and is one of the reasons for the lack of resources to feed the hungry. This subject is the arms race, and the arms stock-piling. On a global scale, this is the most terrifying spectre. The military establishments of the great powers, and of some not so great, have created such a powder-keg on earth that the world's future is one of total uncertainty. In March 1978, the jesuit-run Centre of Concern in Washington, D.C., in its monthly news-letter, outlined the link between the arms race and underdevelopment in the world:

Military expenditures throughout the world are staggering in themselves, but particularly when related to the human needs of millions of people in the developing countries. Of the total 239 billion-dollar world-figure for military costs, developing countries accounted for 50 billion dollars. World health and education expenditures — 428 billion dollars — surpassed the military budget by 139 billion. But the 59 billion-dollar military budget of the developing countries amounted to 3 billion more than their budget for human services (health and education). Total economic aid to these countries came to a miniscule 5 per cent of world military expenditure.⁵

Add to this hazard the new peril of nuclear power, and it is not difficult to see how the fundamental rights of every living and future citizen of this universe are in danger of total denial.

What then is the Catholic Church to do in the next decade, faced as it is by such overwhelming problems on the global scale? It is the present writer's conviction that it must, in the words of the 32nd General Congregation of the Jesuits (1974-75), 'engage . . . under the standard of the Cross. The crucial struggle today is being waged on the field of faith, and the justice integral to it'.⁶ The human person, and the peoples of every nation, today need the Church more than ever before. They need to be offered faith, they need to be given hope in the future, and they need a strong protector

⁵ *Center Focus*, Issue 24 (March 1978).

⁶ Cf *Supplement to The Way*, 29/30 (Spring 1977), p 12.

of their most basic rights as human beings. The Church must preach the message of hope in the risen Lord to these people, because their situation often leads to despair. The Church must work for the full respect of human rights on the world scene, and she must respect those same rights within the community of believers.

In her work for human rights, the Church should adopt a 'holistic' approach, thereby emphasizing that all human rights are interlocked, and that to deny one does injury to all. This approach shows the linkages between the socio-economic structure of society and the civil-political protections afforded to its citizens. This approach, embodied by the Two Covenants, is feared by some people because it definitely moves 'beyond humanitarianism' to imply structural change in some societies. . . .⁷

In the view of this writer, the Church in the 'eighties should focus its attention on the right to life. Traditionally, this has been understood as the fight against abortion; but this problem is only a fraction of the total reality connected with the right to life. The struggle for the right to life is the struggle to save hundreds of millions of people from starvation, from deformation or serious handicap in life. This is the most urgent and crucial struggle of the moment. Here the Church must adopt a dual strategy; to continue and develop its relief work, in liaison with other organizations, and to work for a new international economic order. Relief is necessary: yet this cannot, in the long run, solve the major problem of the lack of food. The problem of the world-wide distribution of resources must be tackled. As every serious study of the problem has shown, the essence of world hunger is a distribution problem, not a problem of insufficient resources. China, Cuba, the USSR, the USA and the Vatican all agree on this point. The problem is how to bring about a new international economic order, as advocated by the non-aligned countries at many UN meetings. The problem is how to create a political will among the world super-powers, and among the block of nations like the EEC, which will agree to a new international economic order. The Church can help to bring this about by helping to form coalitions with other organizations who also advocate such a new order, and by teaching her own members what the real problems are: thus inspiring them to act in their individual and collective capacities to resolve them. In seeking to combat abortion, the Church often seeks to change the laws of

⁷ Cf. *Center Focus*, Issue 28 (November 1978).

States. In seeking to combat the problem of world hunger and the problem of distribution of human resources, she must also seek to change the laws of nations and of the international economic order. This may seem a far cry from the Gospel; but it might well be seen as the contemporary equivalent of the command of the Lord, 'Give them something to eat yourselves'.⁸

Furthermore, the right to life is the right to a dignified life, to a certain quality of life. But the quality of life is seriously impaired for millions of people, due to the problem of unemployment. Unemployment diminishes the human person, it makes that person feel unwanted, even unnecessary to the life of this world. Unemployment itself is also a result of the socio-economic order. Its root cause, like that of world hunger and the problem of distribution of resources, lies in the present international economic order. In working to change this present order, the Church is not only saving human lives; it is also helping to guarantee the quality of human life.

Again, in defence of the right to life, the Church, at all levels, must take an unequivocal stance against the arms race and the stockpiling of munitions. This will inevitably bring her into confrontation with the military-industrial complexes of the East and the West. It is not a stance that will be welcomed by those in high places, or even by many of church membership. But it must be taken in the name of humankind's present and future, simply because the arms industry absorbs badly needed resources and puts the future of the race in deadly peril. Hence a committed stand on nuclear power will also have to be taken by the Church.

In defence of the right to life, the Church must take a strong and unequivocal stance against physical violence and maltreatment or torture of individuals. She must encourage her members to speak out, to denounce such acts, whenever they are known. Too often a curtain of silence protects these acts of brutality to the human person; and often believers form part of the curtain of silence. The Church should reject violence from whatever quarter, whether it be from the State or from terrorist groups. Furthermore, she should encourage and teach people in the ways of non-violence; People frequently resort to violence because they know of no other way of protecting or gaining their rights.

All these suggestions constitute a distinct challenge and a full programme for the Church in the 'eighties. A national Church

⁸ Mt 14, 16.

which throws all its resources and influence behind the campaign against abortion, and is lack-lustre in the greater struggle for life outlined above, is myopic in its vision of human reality, an infant in the struggle for justice, and is in no sense a mature and adult witness to the love of God for his people.

The Church may seek to defend the dignity of the human person in the modern world; but she must also ensure that this dignity is respected within the community of believers. Here, all is far from well. It is sad to have to say that within the Church herself, the person is sometimes not accorded full dignity: women, for example.⁹ For women to have full rights within the Catholic Church they must be given new tasks, and above all their dignity as persons must be acknowledged in the Church's teaching and preaching. This will require a more adequate theology of woman, of man, of sexuality. It will require a more adequate theology of the human person. The Church has already set out; but the journey has only begun. Similarly, it is encouraging to witness the beginnings of involvement of women in apostolic commitment and in church councils on parish, diocesan and Vatican levels. This again is the first step towards total franchise. Furthermore, the Church has not only to reform its structures and offices in relation to women; it must also reform the language it uses, which is 'sexist' and offensive to so many women who have come to a new consciousness of their own dignity as persons. In hope, the Church will carry out these reforms in the next decade; she will learn to give a full role in her community to all those who share the Spirit of Christ, irrespective of sex. This would be a major achievement within the community of believers.

A second area where human rights must be given full respect is within the Church's legal system. Here, she should exercise mercy as well as justice. In the scriptures, the concepts of justice and mercy are usually intertwined. The Church is aware of this, and in her practice has often pleaded with States to grant amnesty or pardon to those whom they consider as dissenters. Yet, within the community of believers, the Church is extremely reluctant to show mercy. She is unwilling to grant an amnesty or to give a pardon to those who are dissenters in terms of opinions, or to those who have, in one way or another, expressed dissent by transgressing the Church's laws. If laws are of God, so is the granting of mercy. One can think,

⁹ Cf Sr Elizabeth Carroll, letter from the Centre of Concern, 18 February 1978; and an account of the Houston Conference on Women, in *America*, 17 July 1978.

in this context, of the many people in irregular marriage situations, and who, in one way or another, have transgressed the Church's laws. One can also think of those who have taught opinions judged to be 'not in accord with the magisterium', and also of those who have left the ministry. Why should the Church be so ready to ask States to grant amnesty or pardon, and yet be herself so reluctant to do so? Why should mercy be left to God alone? A truly great Church also knows how to use mercy wisely.

Finally, there is another issue of human rights which concerns the Church: that of the way she deals with her personnel. She is one of the great trans-national employers. Her dealings with her personnel should be exemplary to the world; sadly, however, this is often not so in many of her institutions, even at the centre. In the name of higher motives, the dignity of persons can too easily be dismissed and forgotten. This is sad, and should not happen in the Church of God. It is fair and just to admit that the situation has improved in recent years; but there is still room for significant improvement. The goodwill exists; but sometimes the consciousness of people has to be awakened to what is really happening. We are hopeful that it will not be necessary to mention such inadequacies at the close of the decade.

The reader will recognize that the programme proposed for the Church in the field of human rights is daunting and challenging; and also that much has been left unsaid for reasons of space. These pages are the view of the author, but he knows that they are shared by many people on both sides of the Atlantic. They are shared with the reader in the hope that they may be of some help; and in the further hope that in some small way they may assist in clarifying the task of the Church in the last decades of this millenium, in the field of human rights.