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Philosophy and Canon Law 3, 109-126

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2017

Artykuł został opracowany do udostępnienia w internecie przez Muzeum Historii Polski w ramach prac podejmowanych na rzecz zapewnienia otwartego, powszechnego i trwałego dostępu do polskiego dorobku naukowego i kulturalnego. Artykuł jest umieszczony w kolekcji cyfrowej [bazhum.muzhp.pl](http://bazhum.muzhp.pl), gromadzącej zawartość polskich czasopism humanistycznych i społecznych.

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## Pope John Paul II's Criticism of "Human Rightism" and Its Further Development

**Abstract:** The paper deals with the concept of human rights in Catholic social teaching, especially regarding the trends of the so-called human rightism, viz. the ideological broadening and utilitarian relativizing of the concept of human rights in recent decades. It concludes that since the constant reference point of the Catholic moral perspective on human rights is still primarily the concept of natural law, it does not accept all the developmental trends in this sphere and consists in a certain fairly narrow understanding of human rights. The criticism of the inadequate progression and errors in the sphere of the further expansive development of human rights began especially in the era of the pontificate of John Paul II and is still being developed.

**Keywords:** Catholic social teaching, human rights, hierarchy of human rights, criticism of human rights, human rightism, natural law, John Paul II

## Human Rights in Catholic Social Teaching and "Human Rightism"

The relationship of Catholicism to human rights is often said to have undergone a revolutionary development. However, as I will attempt to show, the Catholic position has been very much constant on a long-term basis. For over a century the Church has approached the deformed conception of human rights with distrust, and this holds all the more for the present. In the 18th and 19th century, official church representatives and church documents tended to reject the idea

of human rights and for a long time the modern conception of human rights was regarded as problematic and dangerous in a way. These concerns were justified in a specific way, since the ethos of human rights is interrelated with radical social transformations, with aggressive secularism, with various radically individualistic doctrines, or with collectivistic and utilitarian ones. Since the representatives of the church had respect for the tradition of reasoning based on natural law and the rights and obligations that can be deduced from it, they did not regard the modern concept of rights as a suitable conceptual basis to safeguard human dignity. But the older documents of modern Catholic social teaching define many specific rights of the human being with reference to the natural law (to have a family, to own property, to gather in public, to receive just wages, etc.). Even since Leo XIII, there has been criticism of the declared “human rights,” which stand in tension or in contradiction with the natural law as the so-called new rights (see *principia et fundamenta novi iuris*). It is especially a radical concept of equality, self-determination, and rejecting authority as such, which results in a radical concept of democracy, in which everything is determined exclusively by the will of the people (*principatus non est nisi populi voluntas*), not by respect to the natural law.<sup>1</sup>

Already in the course of World War II and subsequently at the time of the Second Vatican Council, motivated by experience with the reality of the totalitarian regimes degrading the basic axioms of humanity and also in connection with a deeper acknowledgement of the need for an institutional grounding of the fundamental human rights, the concept of human rights was received in the Catholic Church. The understanding of the concept of human rights was to a great extent derived from the Universal Declaration of Human Rights, which had been newly promulgated at the UN. Especially in the era of the pontificate of John XXIII and the Second Vatican Council the idea of human rights was fully appropriated by and placed at the very core of Catholic social teaching. In *Pacem in Terris* John XXIII gives a detailed list of rights, which to a great extent coincides with the promulgated Declaration, which for him was “a clear proof of the farsightedness” of the UN and “a step in the right direction, an approach toward the establishment of a juridical and political ordering of the world community.”<sup>2</sup> He also perceived some justified objections and reservations regarding some articles of the Declaration, but he did not indicate which ones. However, subsequently the concept of human rights came to be fully at home in Catholic social teaching and became one of the basic concepts of the ethos of the social encyclicals. The idea of human rights was further received, developed, and given creative theological interpretation in the course of the subsequent era, especially in the course of the long pontificate of Pope John Paul II, dur-

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<sup>1</sup> Cf. *Immortale Dei*, n. 10.

<sup>2</sup> Cf. *Pacem in Terris*, nn. 143–44.

ing which the Catholic Church even became a key global and strong-sounding defendant of human rights in a broad sense of the word.

The Catholic moral tradition does not accept all the developmental trends in the sphere of human rights, whereby it maintains a constant prophetic-critical character, whose basic point of reference is primarily the concept of natural law and consists in a fairly narrow understanding of human rights, which opposes the non-adequate progress and errors in the sphere of the further expansive development of human rights. The conceptual neologism "human rightism," which is sometimes used to designate the ideological, activist, and expansionist elements in the human rights ethos, can be used as an umbrella term for problematic trends in the sphere of human rights tending towards a deformed perspective of the idea of human rights—the political ideologization of the human rights agenda, the re-definition of the perception of human rights to claims and rights without a relationship to duties, the shift away from understanding human rights in their personalist and *ius naturalist* meaning towards a positivist, relativist or utilitarian approach, giving precedence to the "new laws" over the fundamental laws. The term "human rightism" is not put to extensive use—it is commonly associated especially with the more radical conservative criticism of the human rights agenda. It has been promoted especially by the former Czech president Václav Klaus (*human-rightism*), an example being his *Speech at the Cardinal Stefan Wyszyński University* (2012)<sup>3</sup> on the occasion of receiving honorary doctorate. But it can be encountered in the Moslem world, for example in the criticism of the Western forms of the human rights agenda presented by Najib Razak,<sup>4</sup> the prime minister of Malaysia (*human rightism*). Alain Pellet, a French international law expert, comments on the concept already in his paper "'Human rightism' and International Law" (2000),<sup>5</sup> although he regards it as a neutral concept and associates it with the human rights activism, which he regards in general as a rather desirable phenomenon in the global spreading and asserting of human rights. So, in the context of this debate, can the Catholic perspective be regarded as "human rightist" in the sense of identifying with human rights, or as implicitly criticizing human rightism for the way it deforms the human rights ethos?

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<sup>3</sup> Václav Klaus, *Speech at the Cardinal Stefan Wyszyński University* (2012), <http://www.klaus.cz/clanky/3209>.

<sup>4</sup> PM says 'human rightism, humanism, secularism' new religion threatening Islam (2014), <http://www.themalaymailonline.com/malaysia/article/pm-says-human-rightism-humanism-secularism-new-religion-threatening-islam>.

<sup>5</sup> Cf. Alain Pellet, "*Human rightism*" and international law (2000), [https://alainpellet.sha-repoint.com/Documents/PELLET%20-%202000%20-%20Human%20rightism%20and%20international%20law%20\(G.%20Amado\).pdf](https://alainpellet.sha-repoint.com/Documents/PELLET%20-%202000%20-%20Human%20rightism%20and%20international%20law%20(G.%20Amado).pdf).

## The Era of John Paul II and the Criticism of the Trends in Human Rights

In the era of Pope John Paul II an expansion and a dynamic development of the concept, contents, and breadth of human rights began—and at the same time, there appeared a stronger critical reaction to these trends. In this era many critical incentives against the dynamics, expansion, and certain unsatisfactory trends in the sphere of the human rights development appeared, worded by him and by other church texts and documents, which has received surprisingly little attention. The generally expansive development in the human rights sphere motivated Catholic social teaching to a certain reserve and to a return to more modest lists of human rights, which were again more closely linked with the old *ius naturalist* tradition.

John Paul II repeatedly spoke of the Declaration as of a key document converging to a great extent with the Catholic moral tradition,<sup>6</sup> however, for example, in the encyclical *Centesimus Annus* (1991) he focuses on the four essential and elementary rights derived from the classical *ius naturalist* tradition:

Among the most important of these rights, mention must be made of the right to life, an integral part of which is the right of the child to develop in the mother's womb from the moment of conception; the right to live in a united family and in a moral environment conducive to the growth of the child's personality; the right to develop one's intelligence and freedom in seeking and knowing the truth; the right to share in the work which makes wise use of the earth's material resources, and to derive from that work the means to support oneself and one's dependents; and the right freely to establish a family, to have and to rear children through the responsible exercise of one's sexuality. In a certain sense, the source and synthesis of these rights is religious freedom, understood as the right to live in the truth of one's faith and in conformity with one's transcendent dignity as a person.<sup>7</sup>

The wording shows that, compared to the lists cited above, he places greater emphasis on the sacred character and inviolability of an (unborn) human life and on religious freedom as a key condition of human dignity, which are the two spheres in which he saw a fundamentally problematic development taking place. The emphases of John Paul II must be viewed in a close connection with

<sup>6</sup> Cf. *Address to the General Assembly of the United Nations* (1979), where John Paul II assesses the *Declaration* as “a real milestone on the path of the moral progress of humanity” (7); in 1995 he said in the same place that the *Declaration* “remains one of the highest expressions of the human conscience of our time” (2).

<sup>7</sup> *Centesimus Annus*, n. 47.

the "culture of death" he criticized, which is also projected onto a deformed conception of human rights, as he writes also in the newer encyclical *Evangelium Vitae* (1995).<sup>8</sup> According to the pope, the culture of death is derived from a totally individualist concept of freedom, which does not maintain its fundamental connection with truth and which issues in some sort of freedom of the stronger against the weak. He is thinking especially of violating the "right to life," and he does not hesitate to speak of political structures that enforce such a concept of the human being and freedom as of "a form of totalitarianism."<sup>9</sup> John Paul II regards even a democratic form of government as principally illegitimate, if it is the mere rule of the opinion of the majority and an element of respect for the natural law is absent from its core.<sup>10</sup> In his *Message for the World Day of Peace* (2003) the pope even speaks of the problematic trends in the human rights agenda and the expansion of the controversial "new rights":

There is still in fact much hesitation in the international community about the obligation to respect and implement human rights. This duty touches *all* fundamental rights, excluding that arbitrary picking and choosing which can lead to rationalizing forms of discrimination and injustice. Likewise, we are witnessing the emergence of an alarming gap between a series of *new "rights"* being promoted in advanced societies—the result of new prosperity and new technologies—and other more basic human rights still not being met, especially in situations of underdevelopment. I am thinking here for example about the right to food and drinkable water, to housing and security, to self-determination and independence—which are still far from being guaranteed and realized.<sup>11</sup>

The fact that all the ideals that are at present subsumed under the concept of human rights are not of the same significance and importance, especially from a theological and ethical point of view, was elaborated and commented upon in the era of John Paul II also by other Church documents. It is, for example, the key document of the International Theological Commission *The Dignity and Rights of the Human Person* (1983),<sup>12</sup> which directly speaks about the "hierarchy of human rights." It distinguishes between three levels of rights—the really "fundamental," pre-state and inalienable ones on the one hand, and "rights of a lesser nature" ("civil, political, economic, social, and cultural rights"), concerned with more particular situations, which specify some of the basic rights and are contingent on historical and cultural factors. At the lowest level, there

<sup>8</sup> Cf. *Evangelium vitae*, n. 19.

<sup>9</sup> *Ibid.*, n. 20.

<sup>10</sup> *Ibid.*, n. 70.

<sup>11</sup> *Message of His Holiness Pope John Paul II for the Celebration of the World Day of Peace* (2003), 5.

<sup>12</sup> ITC. *The Dignity and Rights of the Human Person* (1983), n. 1.2.

are rights like “postulates of an ideal” that are not requisites of the rights of nations or strictly obligatory norms, but express certain human requirements, demands, and desires from the point of view of practical application.

This key emphasis on a certain minimalism of the basic, really universal, and elementary human rights was then adopted into the *Catechism of the Catholic Church* (1991), where elementary rights coincide to a great extent with the definition of the common good. The common good must be sought in the basic essential human rights and their securing on the part of the political authority, which is associated with four spheres principally identical with the basic enumeration of human rights in John Paul II. According to the *Catechism*, the common good contains four essential elements, which translated to the language of basic human rights can be succinctly enumerated as follows:<sup>13</sup>

- freedom of religion, conscience, and true information;
- the right to basic material living conditions;
- the right to start a family and the right to privacy;
- the right to peace, safety, and justice.

## The Continuing Criticism of “Human Rightism” in Benedict and Francis

The critical view of some forms of the human rights ethos is most sharply pointed in Benedict XVI in the encyclical *Caritas in Veritate*:

Nowadays we are witnessing a grave inconsistency. On the one hand, appeals are made to alleged rights, arbitrary and non-essential in nature, accompanied by the demand that they be recognized and promoted by public structures, while, on the other hand, elementary and basic rights remain unacknowledged and are violated in much of the world... [...] The link consists in this: individual rights, when detached from a framework of duties which grants them their full meaning, can run wild, leading to an escalation of demands which is effectively unlimited and indiscriminate.<sup>14</sup>

The significance of the natural law in a broader context and with respect to the universal dimension of the natural law and the philosophico-theological debate is again underlined in the era of Benedict XVI by the document of the International Theological Commission *In Search of a Universal Ethic: A New Look at the Natural Law* (2009). It understands the natural law as a point of departure for a universally valid ethics and for searching for an ethical language common

<sup>13</sup> Cf. *Catechism of the Catholic Church* (1991), nn. 1907–9.

<sup>14</sup> *Caritas in Veritate*, n. 43.

to all people vis-à-vis the contemporary challenges. Based on the natural law and based on appreciation of the changing situations in which people live and the judgement of practical reason, it is possible to formulate a norm of natural justice, which can take the form of mildly different and epoch-contingent expressions in history.<sup>15</sup> The document views the expansive concept of human rights as a step away from the natural law towards a "utilitarian legalism" and reinforcing the consumer and hedonistic lifestyle:

Moreover, a certain propensity towards multiplying human rights more according to the disordered desires of the consumerist individual or the demands of interest groups, rather than the objective requirements of the common good of humanity, has—in no small way—contributed to their devaluation.<sup>16</sup>

At the same time, it praises the legacy and constant significance of the Declaration and its natural law grounding:

Contemporary attempts to define a universal ethic are not lacking. Shortly after the Second World War, the community of nations, seeing the consequences of the close collusion that totalitarianism had maintained with pure juridical positivism, defined in the Universal Declaration of Human Rights (1948) some inalienable rights of the human person. These rights transcend the positive law of states and must serve them both as a reference and a norm. [...] The Universal Declaration of Human Rights constitutes one of the most beautiful successes of modern history. It "remains one of the highest expressions of human conscience in our times," and it offers a solid basis for promoting a more just world.

With respect to further development and historical experience it also perceives some requirements of the Declaration as too "Western" and calls for a "more comprehensive" reformulation.

Nevertheless, the results have not always been as high as the hopes. Certain countries have contested the universality of these rights, judged to be too Western, prompting a search for a more comprehensive formulation.

Pope Francis does not lay back in this criticism of "human rightism" and in a similar spirit emphasizes the deformation of the human rights ethos in the sense of abuse and excessive individualism, for example in his Address to the European Parliament (2014):

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<sup>15</sup> Cf. ITC. *In Search of a Universal Ethic: A New Look at the Natural Law* (2009), 90.

<sup>16</sup> *Ibid.*, 5; including subsequent citations.

At the same time, however, care must be taken not to fall into certain errors which can arise from a misunderstanding of the concept of human rights and from its misuse. Today there is a tendency to claim ever broader individual rights—I am tempted to say individualistic; underlying this is a conception of the human person as detached from all social and anthropological contexts, as if the person were a “monad” (*μονάς*), increasingly unconcerned with other surrounding “monads.”<sup>17</sup>

Similarly, Pope Francis confirms a modest and natural law core of understanding human rights, when in his Address to the United Nations (2015) in New York he again focuses on a modest enumeration of human rights, converging with the basic requirements of natural law, which he evidently regards as panhuman and universal:

Government leaders must do everything possible to ensure that all can have the minimum spiritual and material means needed to live in dignity and to create and support a family, which is the primary cell of any social development. In practical terms, this absolute minimum has three names: lodging, labour, and land; and one spiritual name: spiritual freedom, which includes religious freedom, the right to education and all other civil rights. [...] essential material and spiritual goods: housing, dignified and properly remunerated employment, adequate food and drinking water; religious freedom and, more generally, spiritual freedom and education. These pillars of integral human development have a common foundation, which is the right to life and, more generally, what we could call the right to existence of human nature itself.<sup>18</sup>

## A Constant Emphasis on the Natural Law?

We can see that despite a certain broader reception of the human rights ethos in Catholic social teaching, which to a great extent overlaps with the highly appraised Universal Declaration of Human Rights of the UN, the popes repeatedly return to a somewhat more modest expression of basic human rights, which is derived from the classical formulations of the natural law. In fact, a list of human rights similar to the ones that can be found in the encyclical *Centesimus Annus* by John Paul II, the *Catechism of the Catholic Church* and in the Address to the United Nations (2015) by Pope Francis can surprisingly be found already in Pius XII at the time of World War II, that is, already before that “human rights turn” in Catholic social teaching, in his *Radio Christmas Message* (1942):

<sup>17</sup> *Address of Pope Francis to the European Parliament* (2014).

<sup>18</sup> *Address of the Holy Father, United Nations Headquarters, New York* (2015).

Fundamental personal rights—the right to maintain and develop one's corporal, intellectual and moral life and especially the right to religious formation and education; the right to worship God in private and public and to carry on religious works of charity; the right to marry and to achieve the aim of married life; the right to conjugal and domestic society; the right to work, as the indispensable means towards the maintenance of family life; the right to free choice of state of life, and hence, too, of the priesthood or religious life; the right to the use of material goods; in keeping with his duties and social limitations.<sup>19</sup>

Hence it is possible to say that all the popes of the second half of the 20th century as well as numerous accompanying church documents agree on this certain minimalism of human rights, which can be traced down to the four basic human goods known already since Thomas Aquinas.

Unlike some contemporary and debated views of global social justice, which in a certain sense expect the application of the broader social rights and standards developed in prosperous societies, Catholic social teaching certainly does not call for a consolidation of social rights and redistribution mechanisms in analogy to the developed prosperous societies of the West, which markedly contributed to the development of deformed forms of economy and of a consumer mentality. In general, Catholic social teaching calls for solidarity and for the assertion of basic social rights, although in a principally narrower sense of the word than is common in the contemporary human rights rhetoric. The economic goal it apparently views as crucial is precisely attaining the minimal standards to eliminate poverty in the sense of the minimal material means to secure a dignified livelihood. This continual position is linked to the basic ideas of natural law, which constitutes the permanent core of Catholic ethics.

Even though the expression of these rights can differ in a minor way depending on the historically changeable situations and judgments of practical reason, the requirements of the *ius-naturalis* tradition in the Catholic interpretation are fairly modest and the requirements of the *Declaration* are their "upper limit." It understands the natural law as a starting point for constructing a global moral order, but at the same time perceives some requirements of the *Declaration* as too "Western" and calls for a "more comprehensive" reformulation. The *Declaration* contains elements that go beyond the minimalist elements of the traditionally conceived natural law—"the right to democracy," certain stronger "social rights," and other. These more demanding values are also highly appraised by Catholic social teaching, but they are not perceived as necessary for a universal and transcultural harmony in the sphere of human rights. So from this point of view the effort to set through a broader conception of human rights at the

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<sup>19</sup> Cf. Pius XII *Radio message Con sempre nuova freschezza for Christmas* (December 24, 1942).

global level over and above the Declaration is an expression of a certain limited Western or Eurocentric perspective, as is the case to a great extent with, for example, A Report to the Bishops of COMECE, when it requests that the Charter of Fundamental Rights of the European Union become the starting point for a global basis of human rights.<sup>20</sup>

The whole Catholic view of human rights is to a great extent based on the classical concept of the natural law. This continual position is linked to the basic ideas of the natural law, which constitutes the permanent core of Catholic ethics. Thomas Aquinas understands natural law as the rational cognition of the natural goals of human nature, viz. the human goods (*bona humana*)—sustaining one’s own life, sustaining the human species, knowing the truth about God, life in community. According to these formulations, the basic presuppositions of human dignity include not only freedom (the right to life, religious freedom, and the right to family life), but also the right to basic material security deriving from the concept of the universal destination of created goods. Despite the interpretational breadth of this conception and despite the departure from rigid scholasticism, it is certain that the natural law still constitutes the core of Catholic moral theology and thereby also of modern Catholic social teaching. In this context beyond the narrower framework of Catholic social teaching it may be noted that with his encyclical *Veritatis Splendor* (1993) John Paul II again emphasized the natural law as the core and basis of Catholic moral doctrine. He rejects the relativization of natural law and its requirements, its universality, and the possibility of cognizing it by the power of human reason, as well as the alleged contradiction between the demands of the natural law and human freedom. The natural law is not “a set of norms on the biological level,” but “the rational order,” that “expresses and lays down the purposes, rights, and duties which are based upon the bodily and spiritual nature of the human person.”<sup>21</sup> The basic moral principles of the natural law can be historically and culturally formulated in mildly different ways, but that does not cast any doubt on their unchangeable and universal character.<sup>22</sup>

It is interesting that one can find a deep connection and remarkable correlation between the sober ius-naturalist approach of Catholic social teaching and, for example, Roosevelt’s famous Four Freedoms Speech (1941),<sup>23</sup> which expresses a similar foursome of human rights as the minimalist definitions of human rights in Catholic social teaching quoted above. In his famous speech, Roosevelt speaks of the hope for a future world based on “four basic human freedoms,” which are the foundation of the “moral order”—freedom of speech

<sup>20</sup> Cf. A report to the Bishops of COMECE: Global Governance. Our responsibility to make globalisation an opportunity for all (2001), 27.

<sup>21</sup> Cf. *Veritatis Splendor*, n. 50.

<sup>22</sup> Cf. *ibid.*, n. 53.

<sup>23</sup> Cf. Franklin D. Roosevelt, *Four Freedoms Speech* (1941).

and expression, freedom to worship God in one's own way, freedom from want and freedom from fear. The situation is similar, for example, in the case of the classical theorist of justice John Rawls, who sees the basis of an international coexistence in an enumeration of human rights, which is very close to their usual ius-naturalist expressions and thereby also to the enumerations contained in Catholic social teaching:

Among the human rights are the right to life (to the means of subsistence and security); to liberty (to freedom from slavery, serfdom, and forced occupation, and to a sufficient measure of liberty of conscience to ensure freedom of religion and thought); to property (personal property); and to formal equality as expressed by the rules of natural justice (that is, that similar cases be treated similarly). Human rights, as thus understood, cannot be rejected as peculiarly liberal or special to the Western tradition. They are not politically parochial.<sup>24</sup>

## Conclusion

A document witnessing to a shared ecumenical (Judeo-Christian) attitude on the question of human rights consisting in an appraisal of the Declaration and a criticism of "human rightism" is *A Statement of the Ramsey Colloquium* (a group of Jewish and Christian theologians, ethicists, philosophers, and scholars) of 1998, formulated on the occasion of the fiftieth anniversary of the Declaration's adoption,<sup>25</sup> which takes a principally identical perspective on the issue of human rights as Catholic social teaching. The *Statement* underlines the importance of the Declaration as "a decisive moment in the moral, cultural, and political history of the world"<sup>26</sup> and appeals to Christians and Jews to understand it as a fundamental expression of human rights deriving from the Judeo-Christian perspective and the natural law tradition. At the same time, the *Statement* is critical of principal steps away from the Declaration in the sense of a resignation on the concept of human unity, radical multiculturalism, or disputing the sacred character of human life and human dignity. It also does not omit the problem of an ideological multiplication of human rights, by which the concept of human rights is obfuscated:

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<sup>24</sup> John Rawls, *The Law of Peoples. With "The Idea of Public Reason Revisited"* (Harvard: Harvard University Press, 1999), 65.

<sup>25</sup> Cf. Michaela Moravčíková, *Lidské práva, kultura a náboženstvo* (Praha: Leges, 2014), 194–96.

<sup>26</sup> *A Statement of the Ramsey Colloquium* (1998).

Also in the name of human rights, the number of rights is multiplied to the point that the very idea of rights is dangerously diluted. The Declaration is neither exhaustive nor perfect in its articulation of rights. But the essential rights specified by the Declaration are weakened by multiplying the number of interests, goods, and desires that are elevated to the status of rights.

One of the putative rights it gives as an example is “the right to abortion.” It warns against the application of such a deformed concept of human rights which will evidently be perceived from religious perspectives as an imperialism of the fallen forms of Western secularism and disrespect for the culture of life. In the case of social rights, which have also become an object of confusion and hypertrophy, the *Statement* says that they must be perceived in their ontological difference. They are not rights that can be generally enforced and “claimed,” based on a simple declaration, but a requirement for human goods that should be understood as “our duties of solidarity rather than as the rights of others,” in relationship to the economic possibilities of the individual states. The *Statement* rejects their “confusing moral symmetry,” which it regards as an ideological construct of collectivistic and totalitarian regimes that preferred social and economic rights to the detriment of basic and political rights.

From the point of view of the intercultural debates on human rights the Catholic ethic of human rights takes the so-called essentialist position,<sup>27</sup> because, as compared to the relativist or constructivist positions, it sees their grounding in a transcendent moral order and regards them as universal, that is, belonging to all human beings. It assumes that they are universal and is not satisfied with simply reaching an agreement by negotiation from various cultural and religious perspectives. But due to the modest enumeration of these rights based primarily on the classical ius-naturalist tradition, this position is suitable as a point of departure for further intercultural and interreligious dialogue.

As for other religions and their relationship to the issue of human rights, it is a topic for a separate treatise. But in general it is possible to say that on the part of Catholic social teaching it is possible to identify some key challenges, with which the traditional emphasis on the natural law constitutes a certain dissent against the contemporary trends in the sphere of human rights—the issue of rejecting the expansive interpretation of human rights over and above the framework of natural law, the issue of basic global solidarity associated with rejecting consumerism and developed forms of “Western” lifestyle, and the issue of the spreading of the structures of “culture of death.” By these emphases Catholic ethics diverges from the dominant “human rightist” concept of values, which has culturally and institutionally adopted many trends originating from

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<sup>27</sup> Cf. Marek Hrubec, Předpoklady interkulturního dialogu o lidských právech, in Marek Hrubec, ed., *Interkulturní dialog o lidských právech. Západní, islámské a konfuciánské perspektivy* (Praha: Filosofia, 2008), 30.

Western secularism and from deformed concepts of freedom and human dignity. A similar attitude of criticism of "human rightism" can be assumed in other religions. In these aspects the Catholic idea converges to a great extent with the alternative and "non-Western" understanding of human rights in non-Christian religions and other civilizational ambits, which could become a certain shared "religious contribution" towards the basic universal value framework of human rights. Among the efforts for a definition of human rights from the point of view of Islam the Cairo Declaration On Human Rights in Islam (1990)<sup>28</sup> stands out. Despite the fundamental diversity and plurality of positions in the context of Islam, it must be perceived as a key point of departure for a dialogue on human rights with the Moslem world, at least confirmed by its official political representatives. It declares equality "in terms of basic human dignity and basic obligations and responsibilities, without any discrimination on the basis of race, colour, language, belief, sex, religion, political affiliation, social status or other considerations" (art. 1). In many aspects and formulations the Cairo Declaration is close to the Catholic idea of guaranteeing the basic rights—in protecting human life, including life before birth and natural death ("throughout the term of time willed by Allah," art. 2c), and also in the fairly modest formulation of social rights, which is narrower than in the Universal Declaration of Human Rights—it consists in the right to work ensured for all (13) and in warrants of a "decent living" of the human being and persons depending on him or her, "including food, clothing, housing, education, medical care and all other basic needs," albeit within the limits "provided by society and the State within the limits of their available resources" (all in 17). At the same time, the Cairo Declaration emphasizes the role of Islam as a warrant of this dignity and a path to human perfection. Islam is conceived as "the religion of true unspoiled nature" and it is prohibited to exert any form of pressure on a human being or to make use of his poverty or lack of education "in order to force him to change his religion to another religion or to atheism" (10). Here we already encounter the sensitive issue of religious freedom and conversion, which is possible and desirable from another religion to Islam, but not vice versa. Other freedoms and rights in general can also be interpreted and accepted only in the context of the Sharia law (25), so that it limits the equality in contracting marriage (5), freedom of speech (22), or gender equality (6), as they are normally understood. Despite an evident intersection in numerous spheres and basic human rights, from the Catholic perspective there remains a fundamental problem in the perspective principally bound to religious texts, in the issue of religious freedom, freedom of expression, and equality of men and women. In a more radical interpretation the Cairo Declaration could mean a legitimization of an active discrimination of persons of other faith and non-believers and limiting freedoms on the part of the

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<sup>28</sup> *The Cairo Declaration On Human Rights In Islam* (1990).

state in the name of “the right to live in a clean environment, away from vice and moral corruption” (17).

Despite a possible value convergence in key areas, the issue of freedom of conscience and religion still remains a constant object of dispute and discord. In the Catholic context this has been gradually placed in the very centre of human rights from a theological perspective, as a basic prerequisite of the dignity of a human person. Since the declaration *Dignitatis Humanae*, religious freedom is even conceived as the first and highest human right grounded in human dignity and, at the same time, as a key prerequisite of global human cohabitation (“in order that relationships of peace and harmony be established and maintained within the whole of mankind”).<sup>29</sup> John Paul II regards religious freedom as the source and synthesis of all further rights of a human person. He also links his concept of “civilization of love” closely with the (more broadly conceived) “culture of freedom”—the freedom of individuals and the freedom of nations, who live in a self-giving solidarity and responsibility. He associated human freedom closely with human dignity and regarded it as a universal value, which constitutes a key dynamics in history. He spoke of the global acceleration of the “quest for freedom” and even of a “universal longing for freedom.”<sup>30</sup>

Of course, the emphasis on freedom, as it was developed within the official positions of Catholicism, is very close to the “Western” concept of freedom, in whose core there is a fundamental emphasis on the dignity of a human person and human individuality, although some specific characteristics may be mentioned (the close association with responsibility and the obligation to the cognized truth). Certainly, the emphasis on freedom in a form close to the “Western conception” is not shared globally, despite its essential reception in the Declaration. It is evident that in the context of non-Western civilizational ambits such a concept of freedom may be perceived as too extensive and not sufficiently linked to the “community” and social dimension of the human being. In some religions the freedom of religion and the associated freedoms of speech and expression are accepted only conditionally and in the sphere of Islam, for example, they are fully respected only in the “most liberal” interpretations of Islam and in countries that have adopted a “secular” political order. On the other hand, in upholding the key values of religious freedom and the associated freedoms it is necessary to perceive the fact that Christianity itself (especially Catholicism) fully accepted many values of human freedom (human rights, democracy) as late as the second half of the 20th century—in many spheres, Catholic Christianity has historically and still fairly recently taken positions close to those that are criticised from the contemporary viewpoint in the (non-liberal) Islam

<sup>29</sup> *Dignitatis Humanae*, n. 15.

<sup>30</sup> Cf. *Address of His Holiness John Paul II, United Nations Headquarters, New York* (1995).

(domination of religion over politics; rejection of human rights, freedom of conscience, democracy; literal and ahistorical reading of sacred texts, etc.). It is also necessary to perceive the fact that from the perspective of "non-Western" religions and civilizational contexts the "liberal" concept of human freedom is closely mixed with the secularistic and excessive forms of freedom, which are rightfully criticized and understood as a product of the civilizational degeneration of the West, which is why they are accepted only conditionally and with suspicion.

Despite respect for a pluralist attitude to the nature of human rights the question that remains crucial is the issue of religious freedom (and, more broadly defined freedom in general), which from the "non-Western perspectives" often appears excessive and too broadly delineated. In the context of Western civilization, freedom has in a certain way become dislocated from the traditional Christian contexts and has acquired many deformed shapes and expressions, which often becomes an argument against absolutizing it and applying it in different cultural and religious contexts. The Western civilization is an ambivalent fruit of Christianity, where human freedom has flourished and its institutional anchoring has become exemplary for the rest of the world, but where at the same time the most deformed forms of freedom contradicting the Christian tradition and the natural law have developed. Despite acknowledging this fact—which has also been criticized by Catholic social teaching—human freedom is still at the centre of Christian anthropology and the human rights ethos, and religious freedom is even understood as the "source and synthesis" of all rights grounding the transcendent dignity of the human person. The Christian concepts of the human person, freedom, and the greatness of human dignity, which are derived from the notion of the human being as an image of God and from the premise of Christ's incarnation and human redemption, are really so strong that they in a certain way clash against other limited perceptions of human dignity in non-Christian religions, where human freedom is adumbrated or limited in a certain way, in some cases with reference to the freedom and greatness of God, in others with reference to stronger emphases on the human collective. So certain forms of tension and non-consensus can be expected on this issue, which it will be difficult to overcome. The way without doubt consists in an emphasis on satisfactory progress concerning the issue of freedom accompanied by respect for certain historically and culturally conditional limits.

The trends of the so-called human rightism are foreign (not only) to the Catholic tradition of human rights and it is not possible to speak of a further continuing convergence of the human rights ethos between the religious position and the secular one, over and above the Universal Declaration of Human Rights, which is a certain upper (or even questioned) limit of the global ethos of human rights. Years ago, Pope John Paul II began to openly criticize ideological human rightism and even today his criticism must be understood as a key dimension of

the “prophetic and critical” ethos in the debate on the human being, his essence and human rights in general, and at the same time as a remarkable contribution to the interreligious dialogue on human rights.

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Roman Míčka

## La critique de l' « idéologie des droits de l'homme » par le pape Jean-Paul II

### Résumé

L'article analyse la conception des droits de l'homme dans l'enseignement social catholique, en particulier en relation avec les tendances de la soi-disant « idéologie des droits de l'homme », c'est-à-dire l'élargissement idéologique et la relativisation utilitariste de la conception des droits de l'homme dans les dernières décennies. L'auteur de l'article constate que si le point stable de référence de la perspective catholique morale des droits de l'homme est toujours avant tout une notion de droit naturel, il n'accepte pas toutes les tendances de développement dans ce domaine et il consiste dans une certaine compréhension, assez étroite, des droits de l'homme. La critique de la progression inadéquate et des erreurs dans la sphère du développement expansif ultérieur des droits de l'homme a commencé en particulier à l'époque du pontificat de Jean-Paul II et elle est toujours développée.

Mots clés : enseignement social catholique, droits de l'homme, hiérarchie des droits de l'homme, critique des droits de l'homme, idéologie des droits de l'homme, droit naturel, Jean-Paul II

Roman Míčka

## La critica di papa Giovanni Paolo II all'«ideologia dei diritti umani»

### Sommario

L'articolo tratta la concezione dei diritti umani nell'insegnamento sociale cattolico, specialmente rispetto alle tendenze della cosiddetta "ideologia dei diritti umani", vale a dire dell'espansione ideologica e utilitarista della relativizzazione della concezione dei diritti umani negli ultimi decenni. Enuncia che, poiché il punto di riferimento costante della prospettiva morale cattolica

dei diritti umani continua ad essere soprattutto il concetto del diritto naturale, esso non accetta tutte le tendenze di sviluppo in tale campo e si basa su una comprensione abbastanza ristretta dei diritti umani. La critica dei progressi inadeguati e degli errori nella sfera dell'ulteriore sviluppo espansivo dei diritti umani è cominciata specialmente nell'epoca del pontificato di Giovanni Paolo II e continua ad essere sviluppata.

Parole chiave: insegnamento cattolico sociale, diritti umani, gerarchia dei diritti umani, critica dei diritti umani, ideologia dei diritti umani, diritto naturale, Giovanni Paolo II