

Pacem in Terris and Human Rights

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Pacem in Terris has been called the *Magna Carta* of Catholic engagement in human rights. Since this encyclical was issued in 1963, the Catholic community has become one of the strongest advocates of human rights in the world today. In this essay I will first note some of the developments in human rights thought and practice that have taken place within the cultural and secular political spheres in recent decades. Second I will sketch an important shift in the Catholic approach to human rights that *Pacem in Terris* helped bring about. Third, I will discuss how Catholicism links human rights with the pursuit the common good and with human solidarity, and how this leads to a special concern for the rights of the poor and marginalized. Finally, because Africa is a focus in this conference, I will note a few aspects of the Catholic contribution to human rights in Africa.

Developments in Human Rights Thought and Practice

When the UN Universal Declaration of Human Rights was proclaimed in 1948, many saw it as a promise “never again” to tolerate genocide or the colonial domination of one people by another. Mary Ann Glendon, a legal scholar who has traced the history of the drafting of the *Universal Declaration*, called it a charter for “a world made new.” In the wake of the horrors of World War II, “the mightiest nations on earth bowed to the demands of smaller countries for recognition of a common standard by which the rights and wrongs of every nation’s behavior could be measured.”¹ The absence of such common standards was seen as one of the sources of war itself.

From 1948 to 1989, however, Cold War ideological strife pushed human rights off the international political agenda. But hopes rose again in the

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¹ Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001), xv.

immediate post-Cold War period. For example, at the 1993 UN conference on human rights in Vienna, delegates representing 85% of the world's population reaffirmed the Declaration and declared that the universal binding power of the rights and freedoms it proclaimed was "beyond question." In today's post-9/11 world, however, some see a rising "clash of civilizations" setting Western nations with their democratic values on a collision course with the system of Islamic shari'a and with nations guided by "Asian values." Some post-modernist scholars reject human rights norms as incorrigibly Western in the name of a respect for diverse cultures.² Still others such as former President George W. Bush and President Barak Obama see human rights as truly universal standards closely linked with democracy. Movements for democracy evident in the creation of the new South Africa, in Burma's "saffron revolution," and, most recently, in the Arab spring suggest that human rights are deeply valued outside the north Atlantic context. Thus, despite some setbacks, there is little doubt that human rights have reemerged since the end of the Cold War as important dimensions of international affairs.

Developments in Catholic Tradition in Support Human Rights

In the face of this ebb and flow of opinion, it is striking how since the issuing of *Pacem in Terris* in 1963 and the conclusion of Vatican II in 1965, the Catholic church and its leadership have been strongly affirming human rights as the moral standards to which all nations and cultures should be held accountable. In the late nineteenth and early twentieth centuries several popes rejected emerging modern human rights standards such as freedom of religion. They saw human rights as closely tied with the secularism of the French revolution, which would push religious belief to the margins of society. They also feared individualistic understandings rights, in which the rights of isolated individuals would undermine the social solidarity and commitment to the common good that are central in the Catholic ethos.

Less than a century later, however, *Pacem in Terris* affirmed that because every human being is endowed with intelligence and free will he or she "has rights and duties, which together flow as a direct consequence from his [or her] nature. These rights and duties are universal and inviolable, and therefore altogether inalienable" (no. 7).³

² See, for example, Mahmood Mamdani, *Saviors and Survivors: Darfur, Politics, and the War on Terror* (New York: Pantheon Books, 2009).

³ Major official documents of Catholic social teaching are most often cited in this essay from David J. O'Brien and Thomas A. Shannon, eds., *Catholic Social Thought:*

The Second Vatican Council went even further theologically, proclaiming that the Church proclaims human rights “by virtue of the Gospel committed to her” (*Gaudium et Spes*, no. 41). Thus, in a dramatic shift, the church linked the full range of human rights both with human nature itself and with the very core of Christian faith.

The reasons for these dramatic changes in both secular discussions and in church teaching can teach us much about the importance of human rights today. The bloody experience of the wars of the twentieth century led both secular society and the Catholic community to a new awareness that peace is dependent on respect for human dignity and human rights. The fact that an encyclical entitled *Peace on Earth* begins with a proclamation of the full range of human rights clearly reflects this awareness. Disastrous conflicts like World Wars I and II followed almost inevitably when peoples were divided into us-versus-them based on nationality, religion, or ethnicity. These conflicts in Europe made the twentieth century the bloodiest in European history. Similarly, in group-out group division was at the root of the colonial domination and often led colonized peoples to see armed revolt as the only way to throw off their oppression. Today’s bloody ethnic conflicts are rooted in a denial of the common humanity that universal human rights defend.

The contemporary human rights ethic, therefore, seeks to tear down the walls dividing people into those who count and those who do not count. The inherent dignity of *all* members of the human family must become the organizing basis for the social and political life of global society. The Declaration of Human Rights is universal because it applies to every human being. No white rule over non-white; no Aryan over Jew; no European colonist over non-European colonized; no male superiority to female. The experience of the consequences of dividing the human community into “us” and “them” was the driving force behind the creation of the Universal Declaration of Human Rights. It remains central to the human rights ethos today.

Religious convictions must never be used to deny human rights in the name of God. Ethnic or national identities are never legitimate grounds for excluding people from the requirements of their human dignity. Thus human rights challenge all closed nationalisms. Human rights

The Documentary Heritage (Maryknoll, NY: Orbis Books, 1992). References are indicated in the text in parentheses. Those in the O’Brien and Shannon collection, as well as other major documents, can be found in English translation on the website of the Holy See at: <http://www.vatican.va/phome_en.htm>.

also call for solidarity across economic divisions, challenging the grave inequalities that mar our globalizing world.

Recognition that the emerging human rights ethic was an expression of our common humanity led Pope John XXIII to an unambiguous stand in support of human rights based on the dignity of the person created in the image of God. The social teachings of popes and bishops, as well as the social engagement undertaken by individual Catholics and Catholic associations, have increasingly been formulated in human rights terms. Thus Pope John XXIII affirmed that the Catholic tradition of social thought is now controlled “by one basic theme—an unshakable affirmation and defense of the dignity and rights of the human person.”⁴

This development launched by *Pacem in Terris* has had dramatic consequences for the ministry of the Church in social life. In recent decades, the church has become an activist supporter of human rights around the world. Beginning with support for a move from the authoritarian governments of Salazar and Franco to democracy in Portugal and Spain in the 1970s, to a struggle against military dictatorships and death squads in Latin American countries such as Chile, Brazil and El Salvador and in Asian counties such as the Philippines and South Korea during the 1980s, to opposition to communist rule in Poland that contributed to the fall of the Soviet Union in the early 1990s, the church has become an institutional activist for human rights. This led the late political scientist Samuel Huntington to conclude that the Catholic church has become one of the world’s leading forces for the advancement of human rights and democracy.⁵

It is true, of course, that the church’s engagement in the struggle for human rights has not been uniform and consistent in all countries. In Argentina during the so-called dirty war of the late 70s and early 80s, church leadership remained too closely linked with the repressive regime. In the horrific Rwanda genocide of 1994, the most Catholic country in Africa descended into the ultimate human rights violation. Some Rwandan clerics actually supported the genocide, and some bishops failed to resist. So there is no doubt that Catholic support for human rights has been uneven.

⁴ John XXIII, “A Preview of Mater et Magistra,” in The Staff of the Pope Speaks Magazine, eds., *The Encyclicals and Other Messages of John XXIII* (Washington, DC, TPS Press, 1964), 233.

⁵ Samuel Huntington, “Religion and the Third Wave,” *National Interest* 24 (Summer 1991), 29-42.

Nonetheless, *Pacem in Terris*, along with Vatican II, began a movement that has linked the modern human rights movement with the church's central mission. (*Gaudium et Spes*, no. 41). This is a truly remarkable development.

Solidarity and Human Rights

The church's recognition that human rights need not be linked with an individualistic philosophy that threatens the common good has very important implications for how rights are understood in Catholic social thought. Both *Pacem in Terris* and Vatican II stressed that human dignity can only be achieved through participation in community. Human beings are social by nature, so they cannot achieve their dignity alone. No person "is an island." Linking commitment to human rights with the social nature of personhood and human solidarity means that human dignity requires not only protection of the freedom of persons to act on their own, but the securing of those social conditions needed if they are to be active participants in the life of the community.

Religious freedom, for example, is sometimes understood in the more secularized sectors of Western societies in a way that would marginalize religion from the public life of society. In this view, religion will be tolerated as long as it stays private within the individual's conscience or in the sacristy. The Catholic vision of religious freedom is quite different from this privatized account. The Council stated that "It comes within the meaning of religious freedom that religious bodies should not be prohibited from freely undertaking to show the special value of their doctrine in what concerns the organization of society and the inspiration of the whole of human activity" (*Dignitatis Humanae*, no. 4). The free exercise of religion is a social freedom that includes the right to seek to influence the policies and laws by which a free people will be governed and the public culture they share. Active engagement of religious believers in public life, not privatization of religion, is part of the substantive meaning of the right to religious freedom. Such engagement, of course, must be conducted with deep respect for those who hold differing beliefs. Thus believers should "at all times to refrain from any manner of action which might seem to carry a hint of coercion" (*Dignitatis Humanae*, no. 4). Persuasion through reasonable discourse is the proper mode of public participation by religious believers, especially when they seek to influence law or public policy.

More broadly, a solidaristic understanding has implications for how to address the meaning of the full range of human rights. During the Cold

War, the West was inclined to conceive human rights in individualistic terms and to give priority to the civil and political rights to free speech, due process of law, and political participation. In contrast to this emphasis, Eastern bloc nations and some in the Southern hemisphere that adopted Marxist or socialist ideologies stressed social and economic rights such as those to adequate food, work, and housing. A solidaristic ethic not only suggests that these two traditions ought to learn from each other, but also that the opposition between individual freedoms and social solidarity is a false dichotomy. Persons can live in dignity only when they live in a community of freedom, that is in a community in which both personal initiative and social solidarity are valued and embodied. The give-and-take of social debate in a free society is the intellectual manifestation of the linkage of personal initiative and social solidarity. But this linkage has material dimensions as well. Persons have rights not only to political space for action (civil and political rights), but also to material and economic necessities like food, health care, and education that make such action possible (social and economic rights).

Thus *Pacem in Terris* supported the full range of human rights proclaimed by the Universal Declaration, both civil-political rights such as free speech and self-governance as forms of social participation, and the social-economic rights to food, health care and work, which must also be guaranteed if a person is to be treated with dignity as a participating member of the community. This leads to a distinctive Catholic stress on the link between human rights and social solidarity, a linkage that is particularly important when we seek to address the economic inequalities of our country and our world today.

African Challenges Today

Pacem in Terris's affirmation of the social and economic rights to food, health care, education, and work has important implications for how we think about our duties toward developing and poor countries today, such as those in much of sub-Saharan Africa. As we have noted, in both Catholic and secular thinking, the dignity of the person is the basis of human rights, including the rights of the poor. Also our dignity as persons can only be attained in community. So people who have been left out of the economic benefits of the advancement of our increasingly integrated global economy are harmed by that very fact.

This suggests why the situation faced by many of the poor people of Africa today is such a serious injustice. The US Catholic Bishops have affirmed that "*Basic justice demands the establishment of minimum*

levels of participation in the life of the human community for all persons." They echoed *Pacem in Terris's* stress on the social embeddedness of human dignity when they went on to define human rights as "the minimum conditions for life in community."⁶ Thus, to be excluded from the community or to be simply left behind is to have one's basic rights violated. It is to be treated as if one were not a member of the human family. This means that the very poor are, in effect, being told that they simply do not count as human beings.

Consider how this happens in significant parts of Africa today. In much of Africa poverty both wounds the dignity of poor persons themselves and also undermines the well-being of the communities in which they live. When 50% of Africans today are living on less than \$1.25 per day, this leads to what Jean-François Bayart has called "the politics of the belly."⁷ People with so few economic resources that just getting food is their prime task can become willing barter their political support away for what little economic gain their patrons might provide them. Those who are not willing to make such bargains often face withdrawal of support by their patrons or coercion by those with the guns. Once a pattern of repression has been established, those who presently have the guns stand to lose everything if they lose power, so they are often ready to fight to keep the power they have. This kind of politics is a desperate zero-sum game. It easily falls into violent conflict, as it has in eastern Congo, the Rift Valley of Kenya, and Sudan. Such conflicts in turn create large numbers of refugees and internally displaced persons, as well as further exacerbating the conditions that cause poverty. Conflict, displacement, and poverty thus often reinforce each other in an increasingly vicious circle.

How is this grave situation to be addressed? One response appeals to the dynamics of the global market as a potential solution. The expansion of global markets has indeed brought a decline in the percentage of the human race living in poverty in the world as a whole. We should be grateful for this progress. Global markets, however, have not had uniformly positive impact. More than half the people of the African continent continue to be poor, no lower than in 1981.⁸ The Structural

⁶ National Conference of Catholic Bishops, *Economic Justice for All: Pastoral Letter on Catholic Social Teaching and the U.S. Economy* (1986), at no. 79, in O'Brien and Shannon, eds., *Catholic Social Thought*, 576-77.

⁷ Jean-François Bayart, *The State in Africa: The Politics of the Belly*, trans. Mary Harper (London/New York: Longman, 1993).

⁸ "World Bank Updates Poverty Estimates for the Developing World," press release available on line at: <<http://econ.worldbank.org/WBSITE/EXTERNAL/EXTDEC/>

Adjustment Programs of the IMF and World Bank of the 1980s and early 1990s called for shrinking government and opening up markets. In many African countries, this approach led to declining investment in education and health care. People who are illiterate or sick can be left altogether out of the benefits of global markets. As Pope John Paul II put it, “economic development takes place over their heads” (*Centesimus Annus*, no. 33). Thus in some African countries, integration into global markets has brought simultaneous growth in GDP and growth in the number of poor people.

Catholic willingness to consider limits on the market is reinforced in by the conviction that the advancement of the global common good in an increasingly integrated world calls for stronger structures of transnational governance. In *Pacem in Terris* John XXIII wrote that the global institutions of 50 years ago were “unequal to the task of promoting the common good of all peoples” (*Pacem in Terris*, no. 135.) He called for a “public authority, having worldwide power and endowed with the proper means for the efficacious pursuit of its objective,” namely, the worldwide common good. He gave particular endorsement to the United Nations (*Pacem in Terris*, no. 135-138). Benedict XVI has gone even farther in *Caritas in Veritate*, where he called for global governance of economic and financial institutions that have “real teeth” (*Caritas in Veritate*, no. 67).

Is the church envisioning something approximating a world government to oversee the dynamics of global interaction in the interest of justice? Not quite. Both John XXIII and Benedict XVI call for full respect for the principle of subsidiarity on the global economic level. The contribution of subsidiarity could be clearer, however, if Benedict noted that today’s global order is increasingly the result of a complex network of institutions, some private and some public, some national, some regional, and some global in scope. These institutions range from private entrepreneurs to global financial institutions like the World Bank. They include regional agencies such as the African Development Bank, country to country bilateral assistance programs, private corporations and banks, non-governmental development organizations, and, of course, faith-based organizations such as Catholic Relief Services.

Thus individual nation-states and global political bodies like the UN are far from the only actors with important influence on development. Anne Marie Slaughter has called this the emergence of a “networked

world”⁹ and I have described it as “a network of crisscrossing communities.”¹⁰ In this context, moral responsibility for economic justice falls on many diverse actors that make up the emerging web of interdependence. It will not be achieved solely by the superimposition of a new institutional layer of control above the level of the nation state.

In reflecting on *Pacem in Terris* today we also need to consider the role played by aid from the developed to the developing world in securing social, economic rights. In recent years the effectiveness of aid as a remedy for poverty has been challenged by a number of analysts, most provocatively by Dambisa Moyo, a Zambian woman economist. Moyo argues that, at least in Africa, “the problem is that aid is not benign—it is malignant.” In fact, aid “*is* the problem.”¹¹ In her view, this is so because aid makes the poor dependent on their donors, reducing their incentive to work for their own development, including incentives for trade and investment. Aid reinforces corruption by giving corrupt leaders resources they need to stay in power, which leads to continuing poverty and, in turn, to further aid. It also increases the likelihood of the use of violent force to keep power, or, if one is out of power, to seize it, thus making civil war more likely. Thus in Moyo’s view aid should be replaced by market-based initiatives such as trade, enhanced foreign direct investment, and the micro-finance programs that enable the poor to participate in the market.¹²

Moyo’s analysis contains a number of elements of truth. However, her analysis overlooks the failure of the market-oriented structural adjustment programs of the 1980s and early 1990s. She is also excessively confident that, in the present financial situation, African countries will be increasingly attractive sites for direct foreign investment and will be able to enter into global markets if incentives to do so are increased. Moyo also gives inadequate attention to the effectiveness of some aid programs, such as aid targeted on the alleviation of the effects of HIV-AIDS¹³ and other health needs and educational programs. People who

⁹ Anne-Marie Slaughter, *A New World Order* (Princeton, N.J.: Princeton University Press, 2004), 19-22 and 10. For a study of the emerging role of NGOs, see Margaret E. Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca, NY: Cornell University Press, 1998).

¹⁰ David Hollenbach, *The Common Good and Christian Ethics* (Cambridge, UK: Cambridge University Press, 2002), 229.

¹¹ Dambisa Moyo, *Dead Aid: Why Aid Is not Working and How There Is a Better Way for Africa* (New York: Farrar, Strauss and Giroux, 2009), 47.

¹² See *Ibid.*, 145.

¹³ See the very critical review of Moyo’s book by Michael Gerson, who worked in the White House under George W. Bush, “‘Dead Aid,’ Dead Wrong,” *Washington Post*,

are sick or illiterate not only face violations of their rights to basic economic resources. They are also unable to contribute to economic growth, leading to negative consequences on the social level.

Nevertheless, government to government bilateral aid is not the single key to the alleviation of poverty in developing countries such as those in sub-Saharan Africa. International pressure to deal with corruption and move toward good governance—the protection of civil and political rights and the rule of law—has rightly become a central concern in development initiatives.¹⁴ Good governance, of course, is not guaranteed by the conducting of multiparty elections. When a large percentage of the population is very poor and illiterate, manipulation of elections through patronage and the distortion of information is relatively easy. Therefore development policy, both public and private, should aim to increase the participation of the poor in both the economic and political life of the society being assisted. Aid should be targeted to build the strength of civil society as well as at the reduction of corruption.¹⁵

Working to prevent internal conflicts and civil war should also become a central goal in human rights and development strategy. In 2008, following the unfair Kenyan election, violent conflicts along ethnic and class lines broke out. The post-election violence in Kenya indicates how civil conflict and lack of development can be closely linked in poor nations.¹⁶ Work for human rights in such contexts can thus require political, diplomatic and economic efforts to address the roots of conflict and to prevent it.

Let me conclude by stressing that the pursuit of human rights in Africa today needs to address multiple issues ranging from the health care and education available to poor people, to economic and financial matters of growth and investment, to areas seen as political such as good governance and the prevention of war.

April 3, 2009, online at: <<http://www.washingtonpost.com/wp-dyn/content/article/2009/04/02/AR2009040203285.html>> (accessed Mar. 21, 2012).

¹⁴ See World Bank, *Global Monitoring Report: Millennium Development Goals: Strengthening Mutual Accountability, Aid, Trade and Governance* (2006), online at: <<http://siteresources.worldbank.org/INTGLOBALMONITORING2006/Resources/2186625-1145565069381/GMR06Complete.pdf>>.

¹⁵ See U.S. Secretary of State Hilary Rodham Clinton, Remarks With Kenyan Foreign Minister Moses Wetangula, Nairobi, Kenya, August 5, 2009. Online at: <<http://www.state.gov/secretary/rm/2009a/08/126890.htm>> (accessed Mar. 21, 2012).

¹⁶ See Paul Collier, *Wars, Guns, and Votes: Democracy in Dangerous Places* (New York: Harper, 2009), esp. Chap. 5, “Wars: The Political Economy of Destruction.”

These considerations all point to the interconnection of the diverse forms of human rights—civil, political, social, and economic. Following both *Pacem in Terris* and the *Universal Declaration*, we need to actively pursue all human rights as parts of an interconnected package. Each of these diverse types of rights protects an important dimension of human dignity. And each of them opens up a way for persons both to contribute to the overall common good of the community and also to benefit from the common good that can be achieved only in community. By putting all these diverse types of rights on the agenda of the church's social mission and on the policy agenda of society, *Pacem in Terris* raised a challenge for both the church and civil society that is still before us. We need to continue working for a more effective response to the challenge of *Pacem in Terris* today.