



Catholic Social Thought, Political Liberalism and the Idea of Human Rights

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I. The Morality of Human Rights

Human rights is the dominant moral category of modernity. As both a theoretical concept and the basis of legal norms, human rights shapes the way we think and talk about personhood, social justice, and political obligation. Yet, it is also the case that there is no one account of human rights, but rather competing traditions of human rights that strive for primacy. Human rights, in short, is a deeply contested category through which different moral visions aim to shape institutions and policies. In spite of the label, human rights claims are not universal either methodologically or substantively. Rather, under the umbrella of human rights is located a constant struggle between the universal and the particular. How this tension unfolds, and whether it does so in a constructive or disruptive manner, is one of the foundational questions that must be engaged in coming years.

In the past, the tension between universality and particularity was considered most commonly in the context of cultural relativism, with particular attention given to the ways in which human rights was a western construct that could not adequately account for different forms of communal values. This issue remains important, though this paper advances the claim that the most significant point of tension is not between human rights values and non-human rights values, but rather a tension within the idea of human rights. More specifically, the primary fault line concerns the role of religion and religious traditions as they relate to human rights. This tension has long been pregnant within the modern human rights movement, though it has received greater attention in recent years. Increased sociological awareness of the continued relevance of religion, a questioning of the secular, and certainly the engagement between Islam and the West, has generated new interest in the role of religion within political ideas and movements. This sensitivity, in turn, has opened space for exploring religious accounts of human rights, just as it has provoked an awareness of the ways in which there is a secular tradition of human rights that rests on its

own assumptions, methods, and anthropology. The plurality that resides within the liberal human rights tradition, particularly that located on the boundary of secularism and religion, is a necessary backdrop to engaging emerging debates about such significant topics as religious pluralism and religious law. It also must shape our reflections on foundational questions about the limits and possibilities of human rights law.¹

This paper does not engage these broader contested issues but rather considers the background question of how religious traditions, in this case the social thought of the Catholic church, has engaged the idea of human rights and the liberal tradition more generally. In particular, this case study aims to illuminate the process by which Catholicism developed a native human rights tradition and how, in turn, this tradition is distinguished from its regnant secular counterpart. By so doing, this paper aims to texture and ultimately complicate our understanding of the idea and history of human rights, thereby bringing attention to the plural moral and political traditions that reside under the rubric of human rights. This is a story that can and should be retold from the perspective of other traditions, and it is a story that is now unfolding within strands of Islamic thought. The story outlined in this paper is thus one that is largely historical, and concerned with intellectual history at that, but equally one with profound implications for thinking about how religious traditions, in both theory and practice, can relate to the broader human rights movement. Only by assessing the theological particularity of religious traditions can we begin to engage the idea of human rights in its prospective universality.

II. The Catholic Human Rights Revolution

One of the most significant revolutions of the twentieth-century was the transformation of the

¹ See, for instance, Rowan Williams, "Civil and Religious Law in England: A Religious Perspective," *Ecclesiastical Law Journal* 10:3 (2008): 262-282. See, generally, Rex Adhar and Nicholas Aroney, eds., *Shari'a in the West* (New York: Oxford University Press, 2010).

Roman Catholic church from entrenched defender of the *anciène* regime into one of the world's leading advocates of social and political justice, democratic governance, and human rights.² In the period between the French Revolution and the Second Vatican Council, John Witte observes, the Catholic church was transformed "from a passive accomplice in authoritarian regimes to a powerful advocate of democratic and human rights reform."³ David Hollenbach is even bolder in his assessment: "During the last half century and a half, the Roman Catholic church has moved from strong opposition to the rights championed by liberal thinkers of the eighteenth and nineteenth centuries to the position of one of the leading institutional advocates for human rights on the world stage today."⁴ Once among the most steadfast opponents of political liberalism, the Catholic church is now among the staunchest and most important participants in the push for global acceptance of democratic liberalism.⁵ In Eastern Europe and Latin America, Africa and the Philippines, the Catholic church has emerged as a vital institutional advocate for progressive social change, promoting a broad vision of political, economic, and cultural rights. At the root of the church's emergence as a global political actor is two centuries of thought about the relationship of Catholicism and modernity, and in particular, liberal political ideas.

This paper traces developments in Catholic social thought from the French Revolution, through the Second Vatican Council, into the papacy of John Paul II. Catholic thought on social questions has, of course, been diverse in its methods and conclusions. Given the vastness of this history, the account developed herein focuses largely on official church pronouncements. Addressing Catholic social thought from a top-down perspective necessarily means that a certain complexity is bypassed. At the same time, papal statements have been of paramount import in establishing the parameters of the broader Catholic discussion. In exploring this history, the argument developed is that the Catholic church's emergence as a global advocate for human rights occurred only

after the creation of an authentic Catholic liberalism embodied in the adaptation of Catholic moral theology to certain precepts of liberal political theory. The development of a Catholic human rights movement is therefore intimately related to the dissolution of the regnant conservatism that long dominated Catholic intellectual life. Only by accepting certain presuppositions of liberal theory, and incorporating the language of rights into Catholic social thought, was the church able to develop the vision and vocabulary for engaging modernity. Only by appropriating the dominant political paradigm of the age did the church gain the capacity to participate in the broader human rights movement and to think constructively about its role in the formation of a just social and political order.

While the Catholic church has certainly become more accepting of modern political institutions and ideas, this process has not entailed the granting of an unqualified imprimatur to the whole of liberalism. The development of a Catholic liberalism has rather involved the emergence of a distinctive understanding of rights theory that has both incorporated the insights of liberalism while nevertheless remaining at tension with it in several fundamental respects. The emergence of modern Catholic social thought since the late nineteenth century has thus involved the church both opening itself to the modern world while also remaining one if its most insistent critics. Catholic liberalism and secular liberalism possess markedly different histories, and while the gap separating their respective narratives lessened during the course of the twentieth-century, they remain distinct traditions established on distinct foundations. As such, the Catholic church, in spite of its successful reconciliation with much of modernity, remains something of an outsider within the liberal body politic. Ultimately, certain fundamental tensions exist between the Catholic church's conception of the meaning and end of human rights, and that which guides dominant elements of the international human rights movement.

Because of the distinctive politico-ethical visions advanced by Catholic liberalism and secular liberalism, the church has the opportunity to make a unique contribution to human rights. The church's foundational theory of rights, emphasis on the limits and responsibilities of freedom, and insistence on the need to understand rights with the larger context of human dignity and the development of the human person, all pose important challenges to secular

² See Thomas Bokenkotter, *Church and Revolution: Catholics in the Struggle for Democracy and Social Justice* (New York: Image, 1998).

³ John Witte, Jr. "Law, Religion and Human Rights," *Columbia Human Rights Law Review* (Fall 1996): 10.

⁴ David Hollenbach, "A communitarian reconstruction of human rights: contributions from Catholic tradition," in *Catholicism and Liberalism: Contributions to American Public Philosophy*, ed. R. Bruce Douglass and David Hollenbach (New York: Cambridge University Press, 1994): 127.

⁵ David Hollenbach, "A communitarian reconstruction of human rights," 127.

and non-foundational theories. However, these differences also raise questions about the extent to which the Catholic human rights tradition can, and indeed should, engage in cooperative ventures with the broader human rights movement.

III. Catholic Anti-Liberalism in the Nineteenth Century

For nearly two centuries, Catholic social thought was dominated by an entrenched conservatism. The French Revolution sealed the church's decision to cast its lot with the "counter-revolution" and to intransigently insist on the restoration of an alliance between altar and throne.⁶ The church, with some justification, interpreted the liberalism of the French Revolution as anti-clerical, anti-Catholic, and committed to destroying the church's temporal and political authority. Beginning in 1789, the church thus established itself as one of Europe's most obstinate opponents of the democratic transformation of the social order.

Throughout most of the nineteenth century, Catholic thinking about social and political questions was guided by an uncompromising and oftentimes virulent anti-liberalism. The legacy of the French Revolution, the loss of the papal states to Italian unification, Bismark's attack on the church in Germany, and the rise of a hostile socialism, all fostered the church's contempt for the politics of modernity. The church responded by tying itself ever closer to the ancient régime and the glories of a lost Christendom. The church cultivated a fortress mentality in which it was much more concerned with opposing modernity in all its manifestations than in presenting an alternative. It thereby chose to condemn, rather than engage, the modern world.⁷ The only alternative to modernity entertained was a return to an idealized Christian social order lorded over by the Catholic church. The most notable and

robust expression of this anti-modernist impulse was Pius IX's 1864 Syllabus of Errors, which was a comprehensive and unqualified condemnation of the basic tenets of modernity. The Syllabus listed eighty propositions deemed anathema to Catholic teaching, one of which was the idea that "the Roman Pontiff can and should reconcile himself to and agree with progress, liberalism, and modern civilization," made clear the church's determination to resist the prevailing ideologies of the day.

Catholic opposition to modernity was unsparing, rejecting its philosophical, theological, economic, and political manifestations. In the sphere of economics and social reform, the church was far more concerned with condemning the twin evils of capitalism and socialism (both considered to be outgrowths of liberalism) than in responding to the ills that had accompanied the rise of industrial economies. In philosophy, the church rejected modernist epistemologies in favor of a return to the philosophical method of St. Thomas Aquinas (Leo XIII's 1879 encyclical *Aeterni Patris* anointed Thomism the official methodology of Catholic thought), and countered individualism in intellectual life by pronouncing the doctrine of papal infallibility during the First Vatican Council. But the issue that most defined Catholic antiliberalism in the nineteenth century was church-state separation. No issue received more sustained attention and criticism than religious freedom, for to concede religious freedom was not only to deny the church's political authority, but also to concede that people had a right to believe mistruths, in this case, those contrary to the teachings of the Catholic church. The strongest condemnation of separationism came in the writings of Pope Pius IX, and especially the Syllabus of Errors. Of the eighty propositions condemned in the syllabus, several involved religious freedom, including:

- "The Church ought to be separated from the State and the State from the Church." (§55)
- "In the present day it is no longer expedient that the Catholic religion should be held as the only religion of the State, to the exclusion of all forms of worship." (§77)
- "The Roman Pontiff can, and ought to, reconcile himself, and come to terms with progress, liberalism, and modern civilization." (§80)

The writings of Pope Leo XIII, on the other hand, offered a more systematic defense of church-state union. Leo's commentary on the subject lacked the virulence of Pius's, but he was no less

⁶ Peter Steinfels, "The failed encounter: the Catholic church and liberalism in the nineteenth century," in *Catholicism and Liberalism*, 19.

⁷ Bokenkotter, *Church and Revolution*; Tom Buchanan and Martin Conway, *Political Catholicism in Europe, 1918-1965* (Oxford: Clarendon Press, 1996); Charles E. Curran, *American Catholic Social Ethics: Twentieth-Century Approaches* (Notre Dame: University of Notre Dame Press, 1982): 14-16; Gerald R. Cragg, *The Church and the Age of Reason, 1648-1789* (New York: Atheneum, 1961); Michael P. Fogarty, *Christian Democracy in Western Europe, 1820-1953* (Westport, CT: Greenwood Press, 1974); John Molony, "The Making of Rerum Novarum: April 1890 – May 1891," in Paul Furlong and David Curtis, eds., *The Church Faces the Modern World: Rerum Novarum and Its Impact* (Scunthorpe: Earlsgate Press, 1994); Alec R. Vidler, *The Church in an Age of Revolution, 1789 To the Present Day* (Grand Rapids, Eerdmans, 1962).

committed to upholding the Constantinian ideal of church-state union. One American commentator, for instance, noted in 1931 that Leo was “particularly annoyed” with the political system in the United States.⁸ In his 1885 encyclical *Immortale Dei* (“On the Christian Constitution of States”), for instance, Leo asserted that “the State...is clearly bound to act up to the manifold and weighty duties linking it to God, by the public profession of religion,” (§6) while the 1890 encyclical *Sapientiae Christianae* (“On Christians as Citizens”) defended a right to resist if the laws of a state are “hurtful to the Church” or “violate in the person of the supreme Pontiff the authority of Jesus Christ.” (§10) Leo proposed similar ideas in the 1879 encyclical *Aeterni Patris* (“On the Restoration of Christian Philosophy”), the 1888 encyclical *Libertas* (“On the Nature of Human Liberty”), and the 1901 encyclical *Graves De Communi Re* (“On Christian Democracy). Leo even addressed two encyclicals specifically to the American church, where Catholics were showing a marked propensity to support the separation of church and state. The most important of these statements was the 1895 encyclical *Longinqua Oceani* (“On Catholicism in the United States”), in which Leo stressed that while “the equity of the laws which obtain in America” have allowed the church to operate “unopposed by the Constitution” and “hostile legislation,” it would be “erroneous to draw the conclusion that in America is to be sought the type of the most desirable status of the Church, or that it would be universally lawful or expedience for State and Church to be, as in America, dissevered and divorced.” (§6) Leo acknowledged the attractiveness of separationism, but nevertheless rejected the proposition that the American system of government could ever receive the church’s imprimatur.

IV. The Initial Failure of Catholic Liberalism

Conservatism did not go unchallenged in the church during the nineteenth century. There were, to be sure, Catholics in Europe and America who urged the church to more directly engage the modern world and explore the possibility of constructing a tickly integrated Catholic liberalism. In France, Félicité Robert de La Mennais, Jean Baptiste Henri Lacordaire, and Charles de Montalembert called on the church to reconcile itself with such liberal doctrines as the separation of church and state, freedom of conscience, and freedom of the press.⁹

Similarly, in England, Lord Acton and John Henry Newman provided intellectual force to a Catholic liberal movement.

One expression of this liberalizing spirit in Catholic thought was the modernist movement. Modernism was not a unified movement, and those labeled as modernists frequently objected to this characterization of their thought. If anything united the modernists, however, it was a rejection of the rigid formalities of neo-scholastic thought, particularly its opposition to change, historicity, and contingency. As Darrell Jodock observes in characterizing the modernists, “Their approaches and priorities differed, and the specific proposals for updating the structure and theology of the church varied from one Modernist to another, but they agreed that change was needed in order for the church to respond effectively to the challenges of modernity.”¹⁰ The modernists aimed to engage in authentically Catholic thought which, while embedded in the tradition, nevertheless accepted the insights of modernity and the challenge of bringing Catholic thought into line with the intellectual currents of the day. Modernist biblical exegetes sought to incorporate the tools of the emerging historical-critical method of exegesis. Modernist theologians reexamined doctrine as an evolving, rather than static, concept. And in politics, modernists urged the church to open itself to democratic forms of government, even while remaining suspicious of the excesses of a continental liberalism that was defined against the church. In short, the modernists looked to make the church a relevant and transformative institution in European society.

Whatever influence the modernist movement was having on Catholic thought came to an abrupt end when in 1907 Pope Pius X condemned the movement in the encyclical *Pascendi Dominici Gregis*. Pius notes that “these very Modernists who pose as Doctors of the Church, who puff out their cheeks when they speak of modern philosophy, and show such contempt for scholasticism, have embraced the one with all its false glamour because their ignorance of the other has left them without the means of being able to recognize confusion of thought, and to refute sophistry. Their whole system, with all its errors, has been born of the alliance between faith and false philosophy.” (§41)

⁸ Charles Angoff, “Catholicism vs. Democracy,” *The Lowdown* (August 1931): 26.

⁹ Bokenkotter, *Church and Revolution*, 39–81.

¹⁰ Darrell Jodock, “Introduction I: The Modernist Crisis,” in Jodock, ed., *Catholicism Contending with Modernity: Roman Catholic Modernism and Anti-Modernism in Historical Context* (Cambridge: Cambridge University Press, 2000), 3.

There was nothing in *Pascendi* that was at odds with the dominant intellectual paradigm of the age or the long history of Catholic antimodernism. Pius was mainly reasserting a position the church had held for over a century. However, the encyclical proved particularly onerous coming as it did when new and creative modes of thought were emerging. Its unqualified condemnation destroyed modernism in its embryonic state and closed the door on the church's engagement with modernity for several decades.

Modernism was largely a European phenomenon, although it did have an American variant. Fr. John Zahm, a scientist at the University of Notre Dame, was one of the most notable American modernists. His 1895 book *Evolution and Dogma* explored the implications of Darwinian evolution for Christian theism. St. Josephs Seminary, Dunwoodie also became a hub of modernist intellectual activity.¹¹ For a brief period in the early twentieth century prior to *Pascendi's* condemnation of modernism, the priest-scholars at Dunwoodie, through their teaching and writings in the journal *New York Review*, advanced a modernist interpretation of church history and theology.¹² But while Zahm, the Dunwoodians, and a few others were dabbling in these controversial endeavors, the more common expression of a liberalizing spirit among American Catholics came in attempts to reconcile Catholicism and American politics, particularly the separation of church and state.

Nowhere was the liberal Catholic political project more successful and deeply entrenched than in the United States. From John Carroll in late eighteenth century, through James Cardinal Gibbons, Isaac Hecker, and Orestes Brownson in the nineteenth century, the ecclesial and intellectual leaders of the American church had long made a priority of synchronizing the church with the nation's democratic ethos. Boldly ignoring the Vatican's oft repeated rejection of religious freedom, American Catholics declared their support for the separation of church and state. James Cardinal Gibbons, the Archbishop of Baltimore and de facto

head of the church in the late nineteenth and early twentieth centuries, declared "I do not desire . . . that a union of Church and State be had in our country." Similarly, powerful St. Paul Archbishop John Ireland wrote glowingly of the "inestimable advantage" enjoyed by the American church under the Constitution.¹³ As Catholic University moral theologian Rev. John Ryan observed in a 1927 *Commonweal* article, "Practically all American Catholics," agree "that separation of church and state is the best arrangement for the United States."¹⁴ But in spite of the support American Catholics gave to the project of reconciling their faith with liberal politics, these developments had little impact on the larger Catholic world. The American church remained a provincial outpost in the world of Catholic ideas. It would be well into the twentieth century when American Catholicism's positive response to political liberalism began to have a notable influence on broader trends in Catholic political and social thought.

V. The Nascent Liberalism of Pope Leo XIII

The conservatism that had long dominated Catholic social thought gradually began to break down during the late nineteenth and early twentieth centuries. Concern with social and economic questions provoked this development. One of the most important turning points in the development of a Catholic liberalism was the publication of Pope Leo XIII's 1891 encyclical *Rerum Novarum*. The same pope who was so illiberal in certain respects also emerged as the pope who opened the church's doors to the modern world, and in the process, inaugurated the tradition of modern Catholic social thought. One scholar even writes that "Human rights first came into modern Catholic Church social teaching" with *Rerum Novarum*.¹⁵ The language of rights is sufficiently muted, and the encyclical sufficiently shrouded in antimodernist overtones, that it might be overly generous to characterize Leo's writings as having introduced into Catholic social thought the concept of human rights. Yet, the importance of *Rerum Novarum* in furthering the church's rapprochement with

¹¹ On Modernism in American Catholicism see, R. Scott Appleby, "Church and Age Unite!": *The Modernist Impulse in American Catholicism* (Notre Dame: University of Notre Dame Press, 1992). For a broader perspective, Robert D. Cross, *The Emergence of Liberal Catholicism in America* (Cambridge: Harvard University Press, 1958); Thomas T. McAvoy, C.S.C., *The Great Crisis in American Catholic History, 1895-1900* (Chicago: Henry Regnery, 1957).

¹² On Dunwoodie and the *New York Review*, see Appleby, "Church and Age Unite!," 91-167.

¹³ John Ireland, "The Mission of Catholics in America," in *The Church and Modern Society*, vol. 1 (St. Paul: The Pioneer Press, 1905), 82-83; James Cardinal Gibbons, "The Pope and Our Country," *The Tablet*, August 3, 1918.

¹⁴ John A. Ryan, "Church, State, and Constitution," *The Commonweal* (April 27, 1927): 681.

¹⁵ Martin Shupack, "The Church and Human Rights: Catholic and Protestant Human Rights Views as Reflected in Church Statements," *Harvard Human Rights Journal* 6 (1999): 127.

liberalism was tremendous, as it marked the church's first systematic attempt to engage modernity and to construct a framework for thinking about the relationship of Christianity and modern political and economic institutions.

Rerum Novarum was issued on May 15, 1891. The encyclical is commonly known as "On the Condition of the Working Classes," although the title is translated as "Of New Things." The "new things" about which Leo wrote were the things of industrial capitalism: the "vast expansion of industrial pursuits and the marvelous discoveries of science," the creation of "enormous fortunes," and "changed relations between masters and workmen." Above all, Leo's encyclical was driven by a concern with how these "new developments in industry" had brought about the "utter poverty of the masses," and how the church ought to respond to and promote a more just social order. (§1)

Prior to 1891, the church had developed no concerted response to the challenges of industrial capitalism, particularly at the level of ideas and policies. *Rerum Novarum*, in this respect, marked the church's "awakening" to the problems of industrialization.¹⁶ As Pope John Paul II wrote in his 1991 encyclical *Centesimus Annus*, "Towards the end of the last century the Church found herself facing an historical process which had already been taking place for some time, but which was by then reaching a critical point." (§4) *Rerum Novarum* marked the church's bold, if belated, response to these radical changes that had shaken European society during the nineteenth century.

Leo was uncompromising in his critique of industrial capitalism. In the words of one American commentator, *Rerum Novarum* was "the most crushing indictment of the capitalist system from a conservative authority."¹⁷ Capitalism, Leo asserted, was a system whose guiding ethos was the "greed of unchecked competition." Unbound by conscience or law, employers had amassed "enormous fortunes" through the brutal exploitation of workers. The working class, having no protection from the "hardheartedness" of capitalists, was left "surrendered, isolated, and helpless." (§1, 3) Yet, Leo was equally harsh in his assessment of socialism. Though socialism offered the promise of justice, Leo maintained that state ownership of the means of production would "rob the lawful possessor [of

property], distort the functions of the State, and create utter confusion in the community." (§4) In short, *Rerum Novarum* rejected the two main expression of economic modernity – capitalism and socialism – as being incompatible with the natural law and Christian justice.

Though Leo commented extensively on the errors of capitalism and socialism, the encyclical's most important contribution was to present the outlines of an alternative economic system that would avoid the errors of both laissez-faire capitalism and socialism. While emphasizing the inviolability of private property, Leo called on the state to assume a substantial role in regulating the economy and providing for the needs of the poor. The state, he emphasized, has the right to "step in" when the common good is threatened. (§36) The centerpiece of this reform program was the living wage. Leo rejected the argument that wages ought to be "regulated by free consent, and therefore the employer, when he pays what was agreed upon, has done his part and seemingly is not called upon to do anything beyond." (§43) As a principle of natural justice, the pope maintained, employers must pay workers a wage sufficient to support themselves and their families in moderate comfort. Workers are not "bondsmen" enslaved to their employer. They are people "ennobled by Christian character." (§20) Human dignity, not the free market, must be the criteria by which a just wage is to be calculated.

Leo's encyclical was particularly momentous in that it marked the first attempt by an established force of the old order to take up the cause of the working class.¹⁸ In urging Catholics to pursue social reform, *Rerum Novarum* acknowledged that the institutions, practices, and ideas of modernity set the terms of the debate to which the church had to respond. Even if Leo was unprepared to fully embrace modernity, he equally recognized

¹⁶ James O'Connell, "Is there a Catholic Social Doctrine?" in *The Church Faces the Modern World: Rerum Novarum and Its Impact* (Scunthorpe: Earlsgate Press, 1994): 76.

¹⁷ Anthony J. Beck, "Capitalism and Christian Democracy," *Catholic World* (December 1919): 360.

¹⁸ Paul Misner, *Social Catholicism in Europe* (New York: Crossroad, 1991), 214. In the century following *Rerum Novarum*, the church issued numerous statements expanding Leo's ideas on social justice. Pope Pius XI's *Quadragesimo Anno* (1931), written to commemorate the fortieth anniversary of *Rerum*, the 1965 Vatican II statement *Gaudium et Spes* ("The Pastoral Constitution on the Church in the Modern World"), and most recently Pope John Paul II's *Laborem Exercens* (1981) and *Centesimus Annus* (1991), published on the one-hundredth anniversary of *Rerum*, are among the seminal documents in modern Catholic social thought. On the development of the Catholic social thought tradition see, *Catholic Social Thought: The Documentary Heritage*, ed. David J. O'Brien and Thomas A. Shannon (Maryknoll, NY: Orbis, 1992); *Catholic Social Thought and the New World Order: Building on One Hundred Years*, ed. Oliver F. Williams, C.S.C. and John W. Houck (Notre Dame: University of Notre Dame Press, 1993).

that Christendom could not be resurrected. The Catholic church could never regain the position of supremacy it held during the Middle Ages. For the church to continue turning its back on the modern world would leave it irrelevant. Leo thus urged the church to transform modernity rather than aim to defeat it – to work within modernity in order to bring forth a more just and ultimately more Christian expression of the impulse of the age. *Rerum Novarum* was thus not only a statement on economic justice: it was an attempt to redefine the church's relationship to the modern world and to establish the foundations of a new political theology. Protestant theologian H. Richard Niebuhr could therefore appropriately speak of the “epoch-making pontificate” of Leo XIII, which “drew the Roman Catholic church out of its isolationism and its tendency to think of true Christianity as an alien society in a strange world.”¹⁹

Rerum Novarum opened the church to an engagement with the modern world, but the encyclical's outlook remained resolutely conservative in important ways. Ernest Fortin perhaps overstates the premodern character of *Rerum Novarum* when he writes that, “In a nutshell, what the encyclical calls for is nothing short of a wholesale return to a premodern and by and large Thomistic understanding of the nature and goals of civil society.”²⁰ More on target is the assessment of Duke University theologian Stanley Hauerwas, who writes that “*Rerum Novarum* was written before Catholics, and in particular the popes, felt obliged to make their peace with modernity and in particular with liberalism.”²¹ In short, *Rerum Novarum* revealed not only a new openness to engaging modernity, but also the church's lingering disease with the structure of the modern world. Leo, for instance, remained wed to an organic conception of the social order and rejected the individualism that undergirded liberal understandings of person and state. Leo spoke of obligations rather than rights, refusing to adopt what Alan Wolfe refers to as “the language of liberalism.”²² Most revealing is that Leo concluded the encyclical by emphasizing that any deep and lasting solution to the social question would require reestablishing the primacy of “Christian morals,

apart from which all the plans and devices of the wisest will prove of little avail.” (§62) Politics and social policy could never replace culture, through which Christian mores were transmitted to the body politic.

While *Rerum Novarum* remained somewhat reserved in its approval of liberalism, it introduced, as one historian argues, “several nuances” in the church's position.²³ In this respect, Pope Leo XIII's encyclical represented a seminal moment in the church's move towards more fully accommodating itself to the architecture of modernity. The process was neither fluid nor rapid. Leo may well have been, as Bryan Hehir writes, “too much a part of the historical argument of the nineteenth century” to step fully into the modern world.²⁴ But while Leo was not willing to repudiate the anti-modernism of the nineteenth century popes, he also was not “prepared to imitate them.”²⁵ *Rerum Novarum* was neither conservative nor liberal in its outlook. It straddled two worlds – the pre-modern and the modern – and displayed the church's internal struggle to relocate from one to the other.²⁶ The encyclical was the mark of a church seeking to reconcile its traditions to the modern world and to bring its moral teachings to bear on the political questions of the day in a constructive and critical fashion.

VI. Vatican II, Religious Freedom, and the Maturation of Catholic Liberalism

The decades following *Rerum Novarum* witnessed the bumpy and uneven emergence of a Catholic human rights tradition. Leo XIII's two successors Pius X (1904-1914) and Benedict XV (1914-1922) not only failed to push the Catholic liberal project forward, but in fact moved to restore a more traditional mode of theological and political thought.²⁷ Pius XI (1922-1939) and Pius XII

¹⁹ H. Richard Niebuhr, *Christ and Culture* (New York: Harper and Row, 1951): 138.

²⁰ Ernest L. Fortin, “‘Sacred and Inviolable’: *Rerum Novarum* and Natural Rights,” *Theological Studies* 53:2 (June 1992): 208-209.

²¹ Stanley Hauerwas, *In Good Company: The Church as Polis* (Notre Dame: University of Notre Dame Press, 1995), 126.

²² Alan Wolfe, “Liberalism and Catholicism,” *The American Prospect* 11:6 (January 31, 2000): 16-21.

²³ Paul Misner, “Catholic anti-Modernism,” in *Contending with Modernity*, 70.

²⁴ J. Bryan Hehir, “The Social Role of the Church: Leo XIII, Vatican II and John Paul II,” in Oliver Williams, C.S.C. and John W. Houck, *Catholic Social Thought and the New World Order* (Notre Dame: University of Notre Dame Press, 1993), 30.

²⁵ J. Bryan Hehir, “The Social Role of the Church,” in *Catholic Social Thought and the New World Order*, 34.

²⁶ Ernest Fortin suggests that the language of *Rerum Novarum* straddles these two traditions. The encyclical relies both on the premodern teleological language of duty while framing the discussion in terms of the modern concept of rights. Ernest L. Fortin, “‘Sacred and Inviolable’: *Rerum Novarum* and Natural Rights,” *Theological Studies* 53:2 (June 1992): 227.

²⁷ David Hollenbach, *Claims in Conflict: Retrieving and Renewing the Catholic Human Rights Tradition* (New York: Paulist Press, 1979): 50.

(1939–1958), on the other hand, exhibited an openness to developing Roman Catholic thought about human rights. In light of the great depression that hit Europe in the early 1930s, the rise of fascism and communism, and the Second World War, the church was confronted with the need, and the opportunity, to speak out on behalf of human rights. It was not until the Second Vatican Council, however, that the church underwent what David Hollenbach describes as a “fundamental shift” in its understanding of rights.²⁸

There is extensive scholarly debate about the origins of rights language in Catholic social thought. One position is that the concept of natural rights did not appear until at least the fourteenth century. Another perspective, pursued by Jacques Maritain and John Finnis, among others, argues for the existence of a concept of natural rights in the thought of Aquinas. Brian Tierney, one of the leading authorities on this subject, even claims that natural rights is found in the thought of early thirteenth century scholastics.²⁹ Though the importance of these distinctions might seem slight, they are actually of great consequence in clarifying the relationship of the medieval natural law tradition to the modern conception of rights. The natural law tradition emphasized the concept of duties and, though these duties gave men and women claims against each other, these claims were not thought of as subjective individual rights. The early modern concept of a natural or human right, however, conceived of a right as a subjective right that exists prior to the social order and attaches to the individual.³⁰

Beginning with Leo XIII in *Rerum Novarum*, Catholic social thought increasingly appropriated modern rights language to discuss the meaning of political and economic justice. Leo, for instance, repeatedly used the word “right” when referring to the moral and political claims workers had

against their employers. An important linguistic and conceptual shift had taken place. But while Leo and his successors flirted with rights language, a residual premodern impulse loomed in the background. Leo’s use of rights language, for instance, was balanced by his continued concern with the older notion of duties – he refers, for instance, to the “relative rights and mutual duties of the rich and of the poor, of capital and of labor” (§12). It would not be until Vatican II that the church embraced rights language and, even more critically, moved to establish a deeper rapprochement with the liberal tradition.

The three Vatican II documents in which this transformation in the Catholic understanding of rights took place were *Gaudium et Spes* (1965), *Pacem in Terris* (1963), and *Dignitatis Humanae* (1965). All three of these statements affirmed the church’s new position on rights, but *Dignitatis* was the most significant of the three. In this document, the church finally adopted the position that the human person has a right to religious freedom.³¹ Overturning the long-established teaching that church and state should be united, *Dignitatis* declared that a person should not be “forced to act in a manner contrary to his own beliefs, whether privately or publicly, whether alone or in association with others, within due limits.” In order to protect this freedom, “the right of the human person to religious freedom is to be recognized in the constitutional law whereby society is governed and thus is to become a civil right.” (§12) In acknowledging the basic right to religious liberty, the church redefined its relationship to the whole of political liberalism. Not only did *Dignitatis*, along with the other Council documents, affirm human rights generally, it affirmed the right of the person to make a free choice on the most fundamental question of human life: one’s orientation towards God and one’s understanding of the meaning of life itself.

Though *Dignitatis* gave the church’s imprimatur to church-state separation, the document emphasized that the church’s acceptance of religious freedom should not be interpreted as a thoroughgoing surrender to modernity. As George Weigel notes, *Dignitatis* was not “a fatal concession to secular modernity, liberal individualism, and/or religious indifferentism.”³² Far from an act of

²⁸ David Hollenbach, *Justice, Peace, and Human Rights: American Catholic Social Ethics in a Pluralistic World* (New York: Crossroad, 1988): 89.

²⁹ On the different scholarly perspectives and why they hold significant implications for current debates see, Jean Porter, “From Natural Law to Human Rights: Or, Why Rights Talk Matters,” *Journal of Law and Religion* 14 (1999–2000): 77.. See also, Brian Tierney, “Religious Rights: An Historical Perspective,” in *Religious Human Rights in Global Perspective: Religious Perspectives*, ed. John Witte, Jr. and Johan D. van der Vyver (The Hague: Martin Nijhoff, 1996): 17–45.

³⁰ Porter, “From Natural Law to Natural Rights,” 79–90. See also, J. Bryan Hehir, “Religious Activism for Human Rights: A Christian Case Study,” in *Religious Human Rights in Global Perspective*, 97–119.

³¹ On *Dignitatis Humanae* in light of the history of Catholic teaching on church and state see, Avery Cardinal Dulles, “Religious Freedom: Innovation and Development,” *First Things* 118 (December 2001): 35–59.

³² George Weigel, “The Catholic Human Rights Revolution,” *Crisis* (July/August 1996).

surrender, *Dignitatis* was, if anything, a repositioning of the church so that it could more effectively engage and challenge modernity. The church still intended to be a critic of the modern world, only it would now do so from within rather than without.

In accepting religious freedom at Vatican II, the church acknowledged that it had learned from the insights of modernity. But it also maintained that modernity had something to learn from the church. In particular, *Dignitatis* emphasized that human rights, and in particular religious freedom, are meaningful and efficacious only when viewed as creating opportunity for the individual person to pursue and discover the truth. Truth cannot be imposed but rather must be discovered freely. Yet freedom also implies obligation. As *Dignitatis* emphasizes, freedom is balanced by “a moral obligation to seek the truth, especially religious truth.” (§2) To equate freedom of religion with freedom from religion – that is, “to use the name of freedom as the pretext for refusing to submit to authority and for making light of the duty of obedience” – is to deny and corrupt the true nature of the human person. (§8) In other words, the proper end of religious freedom is the free embrace of God in love. This concept of authentic freedom first articulated in *Dignitatis* has now established itself as a cornerstone of Catholic thought on political order. John Paul II’s seminal 1991 encyclical *Centesimus Annus* marks perhaps the fullest development of this idea to date. Writing on the one hundredth anniversary of *Rerum Novarum*, John Paul wrote “freedom attains its full development only by accepting the truth. In a world without truth, freedom loses its foundation and man is exposed to the violence of passion and to manipulation, both open and hidden. The Christian upholds freedom and serves it, constantly offering to others the truth which he has known.”³³ The foundation of this emergent Catholic liberalism, embodied in the church’s embrace of religious freedom, is nothing short of an explicitly theological account of human nature and human destiny.

Implicit in this elucidation of religious and political freedom was, of course, a critique of secular liberalism. As Joseph Komonchak emphasizes, “Those who celebrate the Council as a long-overdue accommodation to modernity often focus on its acceptance of many of the liberal structures of the day but ignore or play down the Council’s

insistence on the substantive relevance of religion to society.”³⁴ Thus in endorsing the normative status of church-state separation, *Dignitatis* did not endorse a liberalism premised on the separation of religion and politics, nor by adopting the language of human rights had the church baptized a liberalism premised on the autonomous individual’s right to unlimited freedom. The Catholic human rights tradition as inaugurated in *Dignitatis* certainly included an appropriation of aspects of the liberal tradition. But *Dignitatis* was just as concerned with establishing the foundations of a distinctive Catholic liberalism that could criticize and renew secular liberalism and human rights theory.

In the years following Vatican II, the Catholic church emerged as a leading voice in the human rights movement. John Paul II, in particular, made human rights a centerpiece of his pontificate. He traveled the world in support of human rights. He addressed the United Nations in 1979, just two months after the beginning of his pontificate, on the occasion of the thirtieth anniversary of the Universal Declaration of Human Rights. He has been credited by some as having played a major role in the collapse of communism in Eastern Europe.³⁵ John Paul II was among the most political of popes, and the cause of human rights was the foundation of his political vision.³⁶ As Robert Traer observed, “John Paul II has not only forcibly spoken out against human rights violations, but explicitly identified human rights with the mission of the church.”³⁷ The most significant of John Paul’s human rights activities, however, was not simply the promotion of human rights but the advancement of the vision of human rights born at Vatican II. John Paul did not simply affirm the church’s commitment to the cause of human rights, but presided over the maturation of a distinctive Catholic human rights tradition.

VII. The Catholic Conception of Human Rights

The Catholic human rights revolution has its roots in the church’s gradual accommodation to

³³ John Paul II, *Centesimus Annus*. This encyclical was published on the one hundredth anniversary of Leo XIII’s *Rerum Novarum* (“On the Condition of the Working Classes”), the statement generally understood to mark the beginnings of the modern Catholic social thought tradition.

³⁴ Joseph Komonchak, “Vatican II and the Encounter between Catholicism and Liberalism” in *Catholicism and Liberalism*, 95.

³⁵ George Weigel, *The Final Revolution: The Resistance Church and the Collapse of Communism* (New York: Oxford University Press, 1992). See also Weigel’s biography of John Paul II, *Witness to Hope* (New York: Harper Collins, 1999).

³⁶ On John Paul II and human rights see, J. Bryan Hehir, “Religious Activism for Human Rights: A Christian Case Study,” in *Religious Human Rights in Global Perspective*, 97–119.

³⁷ Robert Traer, *Faith in Human Rights: Support in Religious Traditions for a Global Struggle* (Washington, D.C., Georgetown University Press, 1991), 42.

the political ideas of modernity. Once among the most anti-modern of Christian communities, the Catholic church during the twentieth century constructed a liberal public theology that positioned it as the Christian community most capable of engaging in a systematic conversation with the broader human rights movement. While other branches of Christianity have either not yet found themselves fully at home in the modern world, or have embraced modernity so fully as to render themselves culturally and politically unable to critique it, the Catholic church possesses the institutional and intellectual resources for placing Christian principles in a meaningful conversation with secular human rights principles.³⁸

While the Catholic church has developed the internal resources for participating in the human rights movement, there remain critical tensions between the Catholic and secular human rights traditions. Although Catholic social thought has gradually adopted many of modernity's political insights, the church has also continually reworked these insights in light of its theological tradition. In particular, the Catholic tradition has emphasized that human rights must be rooted in a religious worldview and, above all, a theological anthropology. John Witte writes that the modern human rights movement represented an "attempt to harvest from the traditions of Christianity and Enlightenment the rudimentary elements of a new faith and a new law that would unite a badly broken world." Christian communities "participated actively as midwives in the birth of this modern rights revolution" but were then marginalized from its main expressions.³⁹ Catholic thought about human rights has sought to return a Christian worldview to the human rights conversation. As such, it has not aimed to supplant modernity but rather to ensure that the ideas and institutions guiding the human rights movement do not shake themselves loose from religion.⁴⁰

The Catholic tradition of human rights as it has emerged during recent decades rests on several foundational principles that distinguish it, in various ways, from aspects of the secular liberal tradition. Some of the most significant might be summarized as follows:

(1) *Human Rights Emerge from Human Dignity:*

The Catholic defense of human rights is primarily anthropological, that is, it derives its reasons from reflection on human nature. As stated in *Pacem in Terris*, "Any well-regulated and productive association of men in society demands the acceptance of one fundamental principle: that each individual man is truly a person. His is a nature, that is, endowed with intelligence and free will. As such he has rights and duties, which together flow as a direct consequence from his nature. These rights and duties are universal and inviolable, and therefore altogether inalienable." (§9)

(2) *Human Rights are Communal, Not Individualistic:*

The Catholic tradition emphasizes that rights exist not just to protect the individual, but to foster the flourishing of the common good. Full personhood can be achieved only through self-donation to others. Thus, political, economic, and social rights all serve the purpose of augmenting the life of the community. Catholic human rights theory sharply rejects the individualism of liberal rights talk.⁴¹

(3) *Human Rights are Teleological:*

Human rights exist not so that people might pursue their own private goals, but in order that they might move towards truth, faith, and the proper ends of life.⁴² The overarching theme of the Catholic human rights movement is the creation of a just society in which freedom is restrained by, and oriented towards, particular moral ends. This understanding of freedom stands in sharp contrast to the regnant liberal understanding that conceptualizes freedom in terms of individual desires and preferences.

(4) *Human Rights Must be Understood Theologically.*

Human rights do not stand alone but are related to the drama of salvation. Bryan

³⁸ For instance, on the relationship between evangelicals and human rights see, Zachary R. Calo, "'The New Internationals': Human Rights and American Evangelicalism," in David K. Ryden, ed., *Is the Good Book Good Enough? Evangelical Perspectives on Public Policy* (Lanham, MD: Rowman and Littlefield, 2011): 149-164.

³⁹ Witte, Jr. "Law, Religion and Human Rights," 5-6

⁴⁰ These tensions became particularly manifest, for instance, during the UN's 1995 Conference on Women, when conflicts arose over issues of family, gender, population control and abortion. See Mary Ann Glendon, "What Happened at Beijing," *First Things* 59 (January 1996): 30-36; Glendon, "Foundations of Human Rights," *American Journal of Jurisprudence* 44 (1999): 1-10.

⁴¹ Kenneth R. Himes, "Rights of Entitlement: A Roman Catholic Perspective," *Notre Dame Journal of Law, Ethics and Public Policy* 11 (1997): 528; David Hollenbach, "A communitarian reconstruction of human rights," 128.

⁴² Jean Bethke Elshtain, "The Dignity of the Human Person and the Idea of Human Rights: Four Inquiries," *Journal of Law and Religion* 14 (1999-2000): 53-65.

Hehir writes that, “The engagement of the church in the struggle for human rights is not only a moral and political task; it is part of the work of preparing a new heaven and a new earth.”⁴³ John Ryan, the leading American Catholic social theorist of the early twentieth century, drew a similar connection in writing that the “salvation of millions of souls” depended on the opportunity to live with dignity, in a society ordered on principles of social and economic justice.⁴⁴ Human rights, Ryan argued, establish an occasion for the person “to know more and more, and to love more and more, the best that is to be known and loved, namely, God.”⁴⁵

- (5) *Human Rights Encompass both Political and Economic Rights*: Addressing the United Nations in 1979, Pope John Paul II stated that, “Man lives at the same time both in the world of material values and in that of spiritual values. For the individual living and hoping man, his needs, freedoms and relationships with others never concern one sphere of values alone, but belong to both. Material and spiritual realities may be viewed separately in order to understand better that in the concrete human being they are inseparable, and to see that any threat to human rights, whether in the field of material realities or in that of spiritual realities, is equally dangerous for peace, since in every instance it concerns man in his entirety.”⁴⁶ John Paul reiterated this theme throughout his papacy, most thoroughly in his 1991 encyclical *Centesimus Annus*, which emphasized the need for the free market to be “appropriately controlled by the forces of society and by the State, so as to guarantee that the basic needs of the whole of society are satisfied.” (§35)
- (6) *Protection of Human Rights is Inseparable from the Culture of Life*. Catholic thought about human rights has firmly rejected abortion, euthanasia, and family planning as inconsistent with a proper conception of human rights and human freedom. This connection was

explored most fully in John Paul II’s 1995 encyclical *Evangelium Vitae*.

While there is much within the Catholic tradition that is compatible with the secular liberal conception of human rights, the two traditions nevertheless stand at odds on matters of fundamental import. The Catholic church has therefore increasingly found itself trying to cooperatively advance the cause of human rights while at the same time prophetically challenging the coherence and sustainability of the secular tradition.⁴⁷ The church’s understanding of human rights more and more embodies a counter-narrative to the secular human rights tradition, as much as it represents a potential bedfellow. This tension between the Catholic and liberal human rights traditions will likely continue to expand, particularly given the growing divergence of opinion on religio-cultural issues. Indeed, the extent to which religious and secular human rights traditions can achieve an overlapping consensus – a consensus perhaps most fully realized in the Universal Declaration of Human Rights – will be a central question for the human rights movement and the Catholic church alike in years to come.⁴⁸

The coming together of the religious and secular human rights traditions was an important – and historically underappreciated – aspect of the twentieth-century human rights revolution.⁴⁹ But the continued viability of such a cooperative endeavor appears less certain. Increasingly contested are not only the particulars of law and public policy, but also the very meaning of human rights, personhood, and freedom. It is against this backdrop that the Church must negotiate its relationship with the human rights movement. For nearly two hundred years the Church struggled to achieve a rapprochement with modernity deep enough to allow for a critical engagement with the politics and institutions of

⁴³ J. Bryan Hehir, “Religious Activism for Human Rights,” in *Religious Human Rights in Global Perspective*, 106.

⁴⁴ John A. Ryan, “The Fallacy of ‘Bettering One’s Position,’” *Catholic World* 86 (November 1907): 148.

⁴⁵ John A. Ryan, “The Cost of Christian Living,” *The Catholic World* 86 (February 1908): 576. See also, John A. Ryan, “Christian Standards in Social Life,” *The Catholic Charities Review* X (February 1926): 51–59.

⁴⁶ Pope John Paul II, Address to United Nations General Assembly, October 2, 1979.

⁴⁷ On whether the idea of human rights needs religion see, Michael J. Perry, *The Idea of Human Rights: Four Inquiries* (New York: Oxford University Press, 1998): 11–42; David Smolin, “Church, State, and International Human Rights: A Theological Appraisal,” *Notre Dame Law Review* 73 (May 1998): 1515–1546.

⁴⁸ Sociologist Peter Berger has noted, for instance, that the human rights conventions and declarations “were not adopted by nations but by a small clique of lawyers, bureaucrats, and intellectuals who are highly westernized and most of who have absolutely nothing to do with the cultures in which most of their fellow nationals live.” Quoted in Smolin, “Will International Human Rights be Used as a Tool of Cultural Genocide,” at 15.

⁴⁹ See Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001).

the modern world. Ineluctable tensions still remain and are now revealing themselves. A rethinking of Catholic public theology, not unlike the rethinking that accompanied the creation of a Catholic liberal tradition, will prove to be necessary as the Church strives to locate itself within the human rights movement.

What, then, is to be the future relationship between the Catholic (and, more generally, religious) and secular human rights traditions? Charles Villa-Vicencio of South Africa's Truth and Reconciliation Commission writes that religion and the human rights movement should engage in a practice of "mutual critique and correction."⁵⁰ This is an appealing vision, and Charles Taylor among others, has written about the ways in which the Catholic encounter with modernity was not univocal but rather constructive and dialogical.⁵¹ At the same time as this offers the hope of a fruitful future engagement, it might well prove increasingly difficult for the Catholic church to realize. As the mainstream human rights tradition becomes more separated from religious moorings and the concomitant moral and anthropological dictates, the points of contact that once allowed for a conversation of mutual critique and correction have withered. Secular accounts of human rights increasingly represent what Michael McConnell has described as a "comprehensive ideology" – that is, they advance a totalizing story of the world that challenges and stands at odds with competing comprehensive worldviews.⁵² As such, a public theology focused on redeeming the idea of human rights through a return to religion might, as a consequence, prove a difficult and perhaps even imprudent goal. It would, of course, be premature to dismiss the viability of Catholic liberalism in its current incarnation working cooperatively to advance the cause of human rights. An important strand of Pope Benedict's public thought has focused on how to engage secular society and culture.⁵³ All the same, the extent to which such a Catholic liberalism ought to embrace the modern human rights movement as the appropriate vehicle for

advancing the cause of human dignity is a question worthy of reflection.

In the end, these points of tension between the Catholic account of human rights and that which shapes the secular human rights movements demonstrates Paolo Carozza's claim that there are "differing traditions of human rights discourse."⁵⁴ The human rights movement is not a univocal phenomenon, despite the aspirations of some to define it as such. It is rather the achievement of an overlapping consensus on important matters of political and moral concern. Beneath these shared points of commonality lie points of disagreement reflective of differences in the foundational principles that inform modes of human rights thinking. It is not surprising that when the Catholic philosopher Jacques Maritain, who maintained an important role in drafting the Universal Declaration of Human Rights, was asked how agreement on these rights was reached across differences in religions and cultures, replied that "we agree about the rights, but on condition no one asks us why."⁵⁵

Whatever this quip tells us about the possibility or desirability of discussing universal rights from reason, it does indicate the extent to which the theory and practice of human rights emerge from distinctive traditions of moral reflection. The Catholic tradition is no exception. Thus, while Catholic social thought has employed the vocabulary of human rights, its account of the foundation and ends of these rights has led the church to cultivate a distinctive witness. Catholicism's embrace of liberalism makes it possible to find common cause with the human rights movement and to participate more generally in moral conversations of modernity. At the same time, however, the Catholic engagement with liberalism has produced a distinctive account of human rights that produces ineluctable points of tension with other traditions of thought. This tension between acceptance and difference has left the church a resident alien within the broader human rights movement, even as it has assumed a position as one of the most influential human rights voices. As Carozza writes, there are both "continuing tensions" and "affinities between the Church and the global discourse of human rights today and in the future."⁵⁶ The challenge moving

⁵⁰ Charles Villa-Vicencio, "Christianity and Human Rights," *Journal of Law and Religion* 14 (1999-2000): 579.

⁵¹ Charles Taylor, *A Catholic Modernity?* (New York: Oxford University Press, 1999).

⁵² Michael McConnell, "Liberalism and People of Faith," in McConnell, et al. eds., *Christian Perspectives on Legal Thought* (New Haven: Yale University Press, 2001): 18

⁵³ On this aspect of Benedict's thought see, Zachary R. Calo, "Human Rights and Healthy Secularity," *Journal of Catholic Social Thought* 7:2 (2010): 231-251.

⁵⁴ Paolo Carozza, "The Catholic Intellectual Tradition and the Idea of Human Rights," Lecture at St. Michael's College (March 2005).

⁵⁵ <http://www.patrickkillough.com/international-un/declaration.html>

⁵⁶ Carozza, "The Catholic Intellectual Tradition and the Idea of Human Rights."

forward for Catholics and other people of faith is to establish the terms on which these tensions are negotiated as well as the aims and methods of political engagement in a secular age.

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