

Edited by

Mary Ann Glendon, Russell Hittinger, Marcelo Sánchez Sorondo

# The Global Quest for *Tranquillitas Ordinis* *Pacem in Terris*, Fifty Years Later

The Proceedings of the Plenary Session  
27 April-1 May 2012



Vatican City 2013

**The Global Quest  
for *Tranquillitas Ordinis*  
*Pacem in Terris*, Fifty Years Later**

*The Pontifical Academy of Social Sciences Acta 18*

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of the 18<sup>th</sup> Plenary Session on*

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Mary Ann Glendon  
Russell Hittinger  
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VATICAN CITY 2013

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The opinions expressed with absolute freedom during the presentation of the papers of this meeting, although published by the Academy, represent only the points of view of the participants and not those of the Academy.

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THE PONTIFICAL ACADEMY OF SOCIAL SCIENCES • VATICAN CITY



Peace is a gift which God entrusts to human responsibility, to be fostered through dialogue and respect for the rights of all, through reconciliation and through forgiveness. In the prophecy of Zechariah, Jesus found not only the image of the king of peace arriving on a donkey, but also the vision of the slain shepherd, who saves by his death, as well as the image of the Pierced One on whom all eyes will gaze. As Prefect, Pilate represented Roman law, on which the *Pax Romana* rested – the peace of the empire that spanned the world. This peace was secured, on the one hand, through Rome’s military might. But military force alone does not generate peace. Peace depends on justice.

(Benedict XVI, *Angelus* 28 March 2010; *Jesus of Nazareth*; Vatican City 2011, pp. 16, 200)









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# Message of His Holiness Benedict XVI on the occasion of the 18<sup>th</sup> Plenary Session of the Pontifical Academy of Social Sciences

*To Her Excellency Professor Mary Ann Glendon  
President of the Pontifical Academy of Social Sciences*

I am pleased to greet you and all who have gathered in Rome for the Eighteenth Plenary Session of the Pontifical Academy of Social Sciences. You have chosen to mark the fiftieth anniversary of Blessed John XXIII's Encyclical Letter *Pacem in Terris* by studying the contribution of this important document to the Church's social doctrine. At the height of the Cold War, when the world was still coming to terms with the threat posed by the existence and proliferation of weapons of mass destruction, Pope John addressed what has been described as an "open letter to the world". It was a heartfelt appeal from a great pastor, nearing the end of his life, for the cause of peace and justice to be vigorously promoted at every level of society, nationally and internationally. While the global political landscape has changed significantly in the intervening half-century, the vision offered by Pope John still has much to teach us as we struggle to face the new challenges for peace and justice in the post-Cold-War era, amid the continuing proliferation of armaments.

The world will never be the dwelling-place of peace, till peace has found a home in the heart of each and every human person, till all preserve within themselves the order ordained by God to be preserved (*Pacem in Terris*, 165).

At the heart of the Church's social doctrine is the anthropology which recognizes in the human creature the image of the Creator, endowed with intelligence and freedom, capable of knowing and loving. Peace and justice are fruits of the right order that is inscribed within creation itself, written on human hearts (cf. Rom 2:15) and therefore accessible to all people of good will, all "pilgrims of truth and of peace". Pope John's Encyclical was and is a powerful summons to engage in that creative dialogue between the Church and the world, between believers and non-believers, which the Second Vatican Council set out to promote. It offers a thoroughly Christian vision of man's place in the cosmos, confident that in so doing it is holding out a message of hope to a world that is hungry for it, a message that can resonate

with people of all beliefs and none, because its truth is accessible to all.

In that same spirit, after the terrorist attacks that shook the world in September 2001, Blessed John Paul II insisted that there can be “no peace without justice, no justice without forgiveness” (Message for the 2002 World Day of Peace). The notion of forgiveness needs to find its way into international discourse on conflict resolution, so as to transform the sterile language of mutual recrimination which leads nowhere. If the human creature is made in the image of God, a God of justice who is “rich in mercy” (Eph 2:4), then these qualities need to be reflected in the conduct of human affairs. It is the combination of justice and forgiveness, of justice and grace, which lies at the heart of the divine response to human wrongdoing (cf. *Spe Salvi*, 44), at the heart, in other words, of the “divinely established order” (*Pacem in Terris*, 1). Forgiveness is not a denial of wrongdoing, but a participation in the healing and transforming love of God which reconciles and restores.

How eloquent, then, was the choice of theme for the 2009 Special Assembly for Africa of the Synod of Bishops: “The Church in Africa at the Service of Reconciliation, Justice and Peace”. The life-giving message of the Gospel has brought hope to millions of Africans, helping them to rise above the sufferings inflicted on them by repressive regimes and fratricidal conflicts. Similarly, the 2010 Assembly on the Church in the Middle East highlighted the themes of communion and witness, the oneness of mind and soul that characterizes those who set out to follow the light of truth. Historic wrongs and injustices can only be overcome if men and women are inspired by a message of healing and hope, a message that offers a way forward, out of the impasse that so often locks people and nations into a vicious circle of violence. Since 1963, some of the conflicts that seemed insoluble at the time have passed into history. Let us take heart, then, as we struggle for peace and justice in the world today, confident that our common pursuit of the divinely established order, of a world where the dignity of every human person is accorded the respect that is due, can and will bear fruit.

I commend your deliberations to the maternal guidance of Our Lady, Queen of Peace. To you, to Bishop Sánchez Sorondo, and to all the participants in the XVIII Plenary Session, I gladly impart my Apostolic Blessing.

*From the Vatican, 27 April 2012*

# The Global Quest For *Tranquillitas Ordinis Pacem In Terris*, Fifty Years Later

## *Report of the President 2012*

The Academy's Eighteenth Plenary Session was the second of its three projected meetings devoted to reflection on the themes of Pope John XXIII's encyclical *Pacem in Terris* in the light of the changes that have taken place since that historic document was issued nearly fifty years ago. The Academy began its examination of the current status of those themes in 2011 with a Plenary devoted to the encyclical's engagement with the modern human rights project, focusing specifically on religious freedom as emblematic both of the aspirations and the dilemmas of the universal human rights idea. This year, in an outstanding program coordinated by Professor Russell Hittinger, we turned directly to the global quest for peace. We were honored to receive a message of encouragement from Pope Benedict XVI in which he emphasized that those who wish to promote peace must find ways to combine justice and forgiveness:

Historic wrongs and injustices can only be overcome if men and women are inspired by a message of healing and hope, a message that offers a way forward, out of the impasse that so often locks people and nations into a vicious circle of violence.

The Plenary yielded a sobering answer to the question that Pope Benedict had posed to representatives of the world's religions who gathered at Assisi last year to pray for peace: "What is the state of play with regard to peace today?" Many speakers noted how much the global landscape had changed since *Pacem in Terris* addressed the threats to peace in 1963. Yet there was general consensus that today the reign of peace remains elusive, menaced by regional conflicts, civil wars, the proliferation of weapons of mass destruction, and the rise of terrorism by non-state actors, some claiming religious motives. The *political* and *juridical* context for peace-building has been altered not only by the demise of totalitarian regimes in Eastern Europe, but by decolonization, new experiments in supra-national governance, and great migrations of peoples. The *economic* landscape has been transformed by globalization, increased interdependence, and growing economic disparities, with women and children comprising the bulk of the world's poverty population. The *cultural* landscape of the West has been reshaped

by the revolution in manners and morals that took rise in the 1960s, and by an explosive growth in information and communications technology. Man's natural environment, too, is ceaselessly changing.<sup>1</sup>

Accordingly, Academicians from the various social science disciplines, along with several distinguished invited experts, sought to assess the new challenges that have arisen and to identify ideas, agents, and authorities that offer the most potential to aid in humanity's never-ending quest for peace. Their conclusions are ably summarized by Professor Hittinger in his final report. A number of speakers, taking their cue from the Pope's writings on religion as "the path to peace", paid particular attention to the role of religion: How and under what circumstances religion can foster peace and progress? And how can religious actors help to shift probabilities toward "peace on earth"? Another major topic was the need for reform of global financial policies and institutions. That complex topic, with its obvious relation to the principles of subsidiarity and solidarity, led directly to the subject of what will be the Academy's third and final meeting devoted to the themes of *Pacem in Terris*.

\*\*\*

### **The 2013 Workshop**

In lieu of a Plenary Session in 2013, the Academy will hold a two-day workshop on "Governance in a changing world: meeting the challenges of liberty, legitimacy, solidarity and subsidiarity". The Council's decision to treat this topic in a workshop format was motivated in part by financial considerations and in part by the view of some members that the Academy's work would benefit from following the practice of our sister academy, the Pontifical Academy of Sciences, which meets in Plenary Session every other year, with workshops on particular topics in between.

The workshop, to be held on April 26 and 27, will be coordinated by Professor Luis Ernesto Derbez Bautista, and participation will be drawn mainly from the Academy's membership, with a few outside participants invited on the basis of their special expertise.

<sup>1</sup> These social, economic and political developments have been major topics of previous studies by this Academy. See especially, "Globalization: Ethical and Institutional Concerns", 7<sup>th</sup> Plenary Session, 2001, E. Malinvaud and L. Sabourin eds.; "The Governance of Globalisation", 9<sup>th</sup> Plenary Session, 2003, E. Malinvaud and L. Sabourin eds.; "Intergenerational Solidarity, Welfare, and Human Ecology", 10<sup>th</sup> Plenary Session, 2004, M. Glendon ed.; "Democracy in Debate", Hans F. Zacher ed. 2005; "Vanishing Youth: Solidarity with Children and Young People in an Age of Turbulence", 12<sup>th</sup> Plenary Session, 2006, M. Glendon and Pierpaolo Donati eds.



## The 2014 Plenary Session and Beyond

Looking ahead to 2014, the Council has received a most promising proposal for a joint PASS-PAS Workshop to be held in conjunction with the 2014 PASS Plenary. The proposal, titled “Sustainable Humanity, Sustainable Nature”, has been submitted by PASS Academician Partha Dasgupta and Professor Veerabhadran Ramanathan of the PAS. It would deal with such urgent questions as: “Are Humanity’s dealings with Nature sustainable? Should one expect the global economic growth that has been experienced over the past six decades to continue for the foreseeable future? Should we be confident that knowledge and skills will increase in such ways as to lessen Humanity’s reliance on Nature despite our increasing economic activity and growing numbers? Is the growing gap between the world’s rich and world’s poor in their reliance on natural resources a consequence of those growths?”

Since the year 2014 will also mark the 20<sup>th</sup> anniversary of the Academy’s founding by Blessed John Paul II, the suggestions of the Members on how best to commemorate this occasion would be most welcome.

In addition, all Members are urged to think deeply about promising topics for future programs, and to communicate their thoughts (ideally in the form of a detailed proposal) to the President and the Council.

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## Membership

As always, the need to replenish our membership remains acute. Members are earnestly requested, therefore, to send their *well-documented* nominations of promising candidates to the Chancellor so that they can be evaluated by our Committee on new members. Please keep in mind our need for members who are not only highly qualified, but who are able and willing to participate actively in our work.

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## 2013 – The “Year of Faith”

Finally, as we look forward to our work in the coming year, I would like to mention Pope Benedict’s call for the entire Church to observe a “Year of Faith” from October 11, 2012, to November 23, 2013. For our Academy, this represents an invitation to reflect deeply upon our mission. In that connection, Members may find it helpful to consult the Pope’s remarkable writ-

ings on faith and reason, especially the 2006 speech on “Faith, Reason and the University” where he called for a “profound encounter of faith and reason” and cautioned that “disturbing pathologies of religion and reason” can erupt when faith and reason are separated.

Respectfully submitted,

■ **MARY ANN GLENDON, PRESIDENT**

## Introduction

*Pacem in Terris* reflected a profound sense of its own historical moment, both sacred and secular. In less than five weeks' time (11 October – 16 November 1962), Pope John XXIII had convened the Second Vatican Council, negotiated behind the scenes during the Cuban crisis, and had learned from his physicians that he only had a short time to live. Officially published on Maundy Thursday (11 April 1963), *Pacem in Terris* is often called his “last will and testament”. Perhaps Cardinal Suenens put it better when he delivered a copy of the encyclical to the United Nations and characterized this document, addressed to “all men of good will”, as “an open letter to the world”. The encyclical’s approach to “reading the signs of the times” would be incorporated only a few years later by the Council’s Pastoral Constitution, *Gaudium et Spes* (GS §44).

In his World Day of Peace Address (2003), marking the fortieth anniversary of *Pacem in Terris*, Pope John Paul II said: “Looking at the present and into the future with the eyes of faith and reason, Blessed John XXIII discerned deeper historical currents at work. Things were not always what they seemed on the surface. Despite wars and rumours of wars, something more was at work in human affairs, something that to the Pope looked like the promising beginning of a spiritual revolution” (WDP, §3).

Commenting on the sub-title of the encyclical – “On Establishing Universal Peace in Truth, Justice, Charity, and Liberty” – Pope John Paul insisted that these are the “essential requirements of the human spirit”, and therefore of a global community bound together not by coercion or by the mere absence of war, but rather the most deeply human actions of discovering and acknowledging the truth, respecting and protecting the rights of others, sharing our goods of mind and spirit with others, and freely assuming responsibility for our own choices. These principles, he explained, constitute the foundations for peace, properly and fully understood:

Boldly, but with all humility, I would like to suggest that the Church’s fifteen-hundred-year-old teaching on peace as “*tranquillitas ordinis* – the tranquillity of order” as Saint Augustine called it (*De Civitate Dei*, 19, 13), which was brought to a new level of development forty years ago by *Pacem in Terris*, has a deep relevance for the world today, for the leaders of nations as well as for individuals (WDP, §6).

The over-arching theme of peace in *Pacem in Terris* is organized around spheres of order (PT §7). Indeed, peace as a “tranquillity of order” had deeply impressed Roncalli when he re-read *The City of God* in 1942, during the Sec-

ond World War. The encyclical teaches that peace is richly textured and multi-layered: (1) order in freedom and conscience that flows from an individual's participation in the eternal law; (2) order among individual human persons; (3) order between members of a political community and its authorities; (4) order between political communities; and (5) the order that ought to obtain between individuals, social groups, and states and an international community.

The Eighteenth Plenary Session of the Pontifical Academy of Social Sciences brings us to the very eve of the fiftieth anniversary of Pope John's great encyclical. Given PASS Council's decision (5 May 2010) to prepare materials that may be helpful to the Church's observance of this anniversary, the Academy will consider where we stand a generation later with regard to the encyclical's main themes and proposals. We will do so in the spirit of interpretation recommended by Pope Benedict in *Caritas in Veritate* (2009): "Coherence does not mean a closed system: on the contrary, it means dynamic faithfulness to a light received. The Church's social doctrine illuminates with an unchanging light the new problems that are constantly emerging" (CV §12).

In order to discern the signs of the times today, the Academy has two important tasks. First, to discern the new truths, especially scientific ones such as micro- and macrophysics, the genetic code, the beginning and end of human life, climate change, etc., which, although not directly salvific, explain nature and the human body and brain. Moreover, to interpret other issues, problems, and still unrealized opportunities which affect the tranquillity of order in the global commons. Second, to identify the agents, the new social and political ideas and authorities that influence our global commons, and the potential they represent. In addition, to examine the new possibilities that might lead to a global governance.

These two tasks are necessarily related, for it is not enough to identify certain truths, issues and problems; it is also necessary to recognize the agents, ideas, and authorities who might provide solutions. As Pope Benedict XVI reminds us, the quest for a "greater degree of international ordering" must be "inspired and governed by the principle of subsidiarity, and therefore capable of responding to demands of the human family through binding international rules and through structures capable of harmonizing the day-to-day unfolding of the lives of peoples" (Address to the U.N. General Assembly, 18 April 2008). None of this can happen without human action and creativity. "Peace", Benedict says, "is a gift that God entrusts to human responsibility so that it might be cultivated through dialogue and respect for the rights of all, reconciliation and forgiveness" (Angelus, 28 March 2010).

■ RUSSELL HITTINGER

# Programme

Friday 27 April 2012

9:00 *Welcome and Introduction to the Meeting* President Prof. Mary Ann Glendon

## SIGNS OF THE TIMES: ESTABLISHING PEACE IN TRUTH, JUSTICE, CHARITY, AND LIBERTY

1. WHAT WERE THE CHALLENGES AND OPPORTUNITIES FOR THE GLOBAL COMMONS IN 1963?

Chair: M.A. Glendon

9:30 *Pacem in Terris. Quid novi?*  
R. Minnerath

2. WHAT WAS NEW IN THIS ENCYCLICAL, AND HOW DID IT INFLUENCE THE SECOND VATICAN COUNCIL AND THE SUBSEQUENT DEVELOPMENT OF CATHOLIC SOCIAL DOCTRINE?

10:00 *Quinquagesimo Ante: Reflections on Pacem in Terris Fifty Years Later*  
R. Hittinger

10:30 *Global Governance and the Universal Common Good: From Pacem in Terris to Caritas in Veritate*  
T.D. Williams

11:00 Coffee Break

3. WHAT ARE THE NEW SIGNS OF THE TIMES FROM A GLOBAL PERSPECTIVE IN THE LIGHT OF TRUTH, JUSTICE, CHARITY AND LIBERTY?

11:30 *The Magnitude of 'Walking in the Truth' (3 Jn 1)*  
M. Sánchez Sorondo

12:00 *Truth, Justice, Charity and Liberty in the Globalised World*  
D. Alton

12:30 Lunch at the Casina Pio IV

4. TRUTH, JUSTICE, CHARITY AND LIBERTY IN THE GLOBALISED WORLD

Chair: R. Minnerath

14:30 *Europe – A Contribution to a Better World (J. Monnet) – Perspectives in the Spirit of Pacem in Terris*  
R. Cardinal Marx

15:00 *Christus pax nostra. Joseph Ratzinger-Benedicto XVI, Jesus von Nazareth I-II (2007-2011)*  
L.F. Ladaria Ferrer

15:30 *The New Leaders Society Needs as Indicated by the Magisterium of Pope Benedict XVI*  
E. Gotti Tedeschi

16:00 General Discussion

18:00 Rapporteur's Summary  
L.E. Derbez Bautista

18:30 Departure from the Casina Pio IV by bus to Palazzo Colonna

19:00 Concert followed by dinner

22:00 Bus leaves Palazzo Colonna to take participants back to the Domus Sanctae Marthae and Hotel Columbus

Saturday 28 April 2012

## AGENTS, NEW IDEAS, AND AUTHORITIES IN THE GLOBAL COMMONS

## 1. AGENTS, NEW IDEAS AND AUTHORITIES IN THE GLOBALISED WORLD

## 1.a. The changing role of the nation state

Chair: H. Suchocka

9:00 *L'Église entre l'humanité réelle et l'humanité rêvée*  
P. Manent9:30 *The Global Quest For Tranquillitas Ordinis: Africa's Contribution to Pacem in Terris*  
P. Zulu

## 1.b. Role of nation states in protecting human rights and threats to the tranquillity of order

10:00 *Challenges Faced by Democracies in Southeast Asia*  
W.V. Villacorta10:30 *Relecturas latinoamericanas*  
G. Carriquiry Lecour

11:00 Coffee Break

## 1.c. Role of peoples and nations in protecting the natural environment

11:30 *Role of Peoples and Nations in Protecting the Natural Environment*  
J.T. Raga

12:00 General Discussion

## 2. AGENTS, NEW IDEAS, ETC. IN INTERNATIONAL POLITICAL AND LEGAL ORGANISATIONS

2.a. As we enter the 21<sup>st</sup> century, what is the role of these agents? What needs to be reformed, and what can be reasonably expected?12:30 *La paix à l'âge des nouvelles logiques migratoires – Peace in an Age of Great Migrations*  
G.-F. Dumont

13:00 Lunch at the Casina Pio IV

Chair: J.T. Raga

14:30 *Arab Spring: Hopes and Fears*  
V. Paglia

## 2.b. A multipolar world order? Democracy and human rights under pressure. What is their role in multilateral and universal disarmament and in the new renewable energies?

15:00 *Panel:*  
J.H. Matlary  
G. Reichberg  
R. Buttiglione

## 3. JESUS CHRIST, EVANGELISATION, ECUMENISM, TOLERANCE, AND RELIGIOUS IDEAS AND PRACTICES CONTRIBUTING TO PEACE

16:30 *Religion's Two Alternative and Complementary Pathways: From Faith to Reason and from Reason to Faith*  
E. Berti17:00 *Die religiöse und geistliche Dimension des Friedens – The Religious and Spiritual Dimension of Peace*  
W. Cardinal Kasper

17:30 Coffee Break

- 18:00 *International Civil Society, Focused on the Catholic Church in Asia. A Phenomenological Inquiry*  
M. Ramirez
- 18:30 *The Promotion of Religious Tolerance and Non-Discrimination as a Fundamental Factor to Ensure the Tranquillitas Ordinis*  
O. Fumagalli Carulli
- 19:00 General Discussion
- 19:15 Rapporteur's Summary  
P. Dasgupta
- 19:30 Dinner at the Casina Pio IV

### Sunday 29 April 2012

#### PILGRIMAGE IN THOMAS AQUINAS' FOOTSTEPS

- 7:00 Bus leaves Domus Sanctae Marthae
- 10:30 Holy Mass
- 11:30 Visit to Aquino and to St Thomas' historical locations (Roccasecca and Fossanova)
- 13:30 Lunch in Gaeta
- 19:00 Dinner at the Casina Pio IV

### Monday 30 April 2012

#### AGENTS, NEW IDEAS, AND AUTHORITIES IN THE GLOBAL COMMONS

##### 1. NEW MEDIA OF COMMUNICATION AND INFORMATION TECHNOLOGY

##### 1.a. The communication revolution: the new social networks and their influence

Chair: M.S. Archer

- 9:00 *The Triarchical Structure of the Post-Westphalian Global Order*  
M. Bauwens

##### 1.b. Cyber common goods

- 9:30 *Wikipedia, Free Knowledge, and Peace*  
J. Wales

##### 2. EDUCATION AND SCIENTIFIC TRUTH

- 10:00 *Christian Education for the New Generations*  
A.M. Cardinal Rouco Varela
- 10:30 *Catholic Education Fifty Years after Pacem in Terris*  
K. Ryan
- 11:00 Coffee Break
- 11:30 *Facebook: a New Instrument for the Propagation of Peace in the World?*  
L.E. Derbez Bautista
- 12:00 *La science-technique et les nouvelles questions anthropologiques*  
V. Possenti

3. ECONOMIC ENTERPRISE, FINANCE, AND DEVELOPMENT

3.a. Gift economy: market and non market goods

12:30 Si vis pacem, para civitatem: *The Role of Gift as Gratuitousness*

**S. Zamagni**

13:00 *Founding of Social Engagement in a Perspective of Social Inclusion, Democracy and Peace*

**C. Saint-Pierre**

13:30 Lunch at the Casina Pio IV

3.b. Global market, subsidiarity and regulation

Chair: **K. Ryan**

15:30 *Pacem in Terris and the Principle of Subsidiarity: Beyond the Misunderstandings*

**P. Donati**

16:00 General Discussion

16:30 Coffee break

17:00 Rapporteur's Summary

**M.S. Archer**

17:15 Closed Session

19:00 Meeting of the Council Members of the Foundation for the Promotion of the Social Sciences in the President's Office

19:30 Dinner at the Casina Pio IV



Tuesday 1 May 2012

TOWARD A CATHOLIC UNDERSTANDING OF GLOBAL ORDER FOR THE 21<sup>st</sup> CENTURY: PRINCIPLES AND PRACTICE

1. GLOBAL GOVERNANCE

1.a. Towards integral truth and global justice: making sure that all the inhabitants of this planet receive their daily bread, fresh air to breathe and clean water to drink

Chair: L.E. Derbez Bautista

9:00 *Harmony between Man and Man, and Man and Nature*  
J. Stiglitz

9:30 *A Geopolitical Approach to Justice in the Globalised World*  
Ó.A. Cardinal Rodríguez Maradiaga

1.b. European Union: What can we learn from this experiment?

10:00 *Which Europe, What Union?*  
A. James McAdams

10:30 Coffee Break

11:00 *Como fortalecer las nuevas democracias*  
A. Garcia

1.c. Climate change and protection of the habitat that sustains us: What can be accomplished?

11:30 *Climate change and protection of the habitat that sustains us: What can be accomplished?*  
V. Ramanathan

1.d. Possible new forms of global governance

12:00 *Ways to Improve the Order and Governance in Globalizing Economic and Financial Markets*  
H. Tietmeyer

12:30 Lunch at the Casina Pio IV

2. JUSTICE AND CHARITY

Chair: P. Dasgupta

14:30 *The Common Good 'in terris' – or Only 'in excelsis'?* *The Cornerstone of Social Building Dethroned on the Way to Global Economy*  
L. Mičoch

15:00 *Per una riforma del sistema finanziario. Il contributo della dottrina sociale della Chiesa*  
M. Toso

3. CHANGING FACES OF SECULARISM AND RELIGION AND THE QUESTION OF THE HUMAN PERSON

15:30 *The Quest for Peace Fifty Years After Pacem in Terris – What Role For Religion?*  
M.A. Glendon

16:00 General Discussion

16:30 Rapporteur's Summary  
R. Hittinger

16:45 Closing Remarks  
M.A. Glendon

17:30 Council Meeting

19:30 Dinner at the Casina Pio IV

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# Scientific Papers

- ▶ SIGNS OF THE TIMES: ESTABLISHING PEACE IN TRUTH,  
JUSTICE, CHARITY, AND LIBERTY



# PACEM IN TERRIS. QUID NOVI?

■ ROLAND MINNERATH

The real novelty of this encyclical lay in its reception by the media and world public opinion. It was a first. In 1963, the world was right in the midst of the Cold War, two years after the erection of the Berlin Wall. But it was also right in the midst of decolonization, and a cycle of economic growth and modernization with a certain euphoria concerning scientific and technical progress. The Church herself was seeking *aggiornamento*. John XXIII had convoked and opened the Second Vatican Council. His fatherly personality had won him a great deal of confidence in all circles. He had called for peace between the two blocs at the time of the recent Cuban Missile Crisis (October 1962). He had just received Khrushchev's son-in-law in the Vatican, and in the same year he was awarded the Balzan Peace Prize.

John XXIII addressed his encyclical, beyond the usual ecclesiastical recipients, to "all men of good will" (a term of uncertain meaning taken by the Vulgate from Luke 2, 14). That enlarged the circle of its audience and disposed public opinion toward a favorable reception of *Pacem in Terris*. The well-chosen title gave rise to an immense surge of hope that the great cleavages dividing humanity could be overcome. This optimistic sentiment was shared in the West, while the countries under Soviet domination found themselves deprived of fundamental liberties.

The encyclical adopts a language accessible to all categories of readers and avoids theological references. It aims to encourage reflection in favor of peace among persons of all religious and philosophical persuasions. What is most striking is how little development the encyclical accords to the question of war and peace. Peace is envisioned within a positive dynamic that fosters it and that presupposes the search for an order that is inscribed in human nature itself. *Tranquillitas ordinis* receives an especially rich treatment. Peace is not only the absence of war. The encyclical deals broadly with natural and universal social ethics.

The more open and accessible style of the encyclical contributed to the fact that certain points of doctrine were attributed to it which in reality were already part of the patrimony of the social doctrine of the Church, for example, the distinction among three powers in the operation of public authority, in conformity with natural law (67). Its merit is thus to have made the social doctrine of the Church better known.

The doctrine did receive some reorientation on four points: the conception of natural law in relation to human nature; the optimistic notion of the signs of the times; the recognition of individual liberty of conscience; the appeal to a world public authority.

1. The social discourse of the Magisterium regularly affirms that human rights are derived from the human person. This formulation surprised the adherents of traditional natural law. According to *Pacem in Terris* 9, “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”. It seems that there is a conflation of two philosophies here: that of the natural law and that of the person. The notion of the person is central to the encyclical, as it was in all of the previous social doctrine. The encyclical draws human rights and duties from the fact that the human being is a person.

At the same time, the text says that these rights derive from his nature. The source of “right” is in nature. This conception has since been reinforced in the writings of the Magisterium. This affirmation requires the treatment of the doctrine of natural law. This shift bears on the notion of right.

The passage from an objective concept of natural law to a subjective concept is already present in Pius XII. Each human person is the bearer of rights by virtue of his nature. This accent on “individual rights” is explained by the rejection of collectivist ideologies that conceive of right as originating only from the state. It was necessary to counteract those who claim that there is no man other than collective man and that human nature resides in this abstraction. It was necessary to restore to the individual his quality of personhood and thus of individual realization of human nature. Individuals, not the collective, are the original subjects of human rights. Behind these formulations lies personalist philosophy. The issue of collectivism was thus resolved, but not that of the very notion of right.

Certainly, “the laws which govern men [are to be sought where] the Father of the universe has inscribed them in man’s nature, and that is where we must look for them; there and nowhere else” (6). The norms refer to an immutable moral order inscribed in man and which is known as the natural law. At this level, classical doctrine no longer speaks of the natural rights of man. It considers right as a measure between two or more persons.

Classical doctrine does not confuse natural right with natural law. Right refers to a natural order of things, which is the natural law apprehended by reason at a given moment. The natural law does not change, but our per-



ception of natural law takes shape and evolves. The reference to a naturally just order is not to be confused with the search for consensus, which is always precarious, nor with the pure positivity of law which is law only because it is imposed by force.

Yes, the person has natural rights that one can claim on the basis of one's dignity. But these rights have their source in a measure that is anterior to this dignity, a measure that the Creator has determined and that is inscribed in the order created by Him. The most telling example is that of the inviolable right to life, a right that has been relativized however in the cases of legitimate defense or the action of killing within the framework of a just war. It must therefore be said: man has an innate natural right to life to the extent that this is naturally just. St. Thomas interpreted the fifth commandment: "Thou shalt not unjustly take the life of another person". The just measure is to be sought in interpersonal relations. Right is set forth on the basis of a just relationship between persons.

The formulation of *Pacem in Terris* (9) seems to posit an equivalence between the notions of person and nature. This is not the case in classical thought. The person or hypostasis of Christ exists in two natures. The hypostasis is a mode of personified existence. It is the same in the definition of Boetius: "The person is an individual substance (*subsistentia*) of a reasonable nature". The nature of the human person is specified by reason. *Pacem in Terris* (9) employs the concept of nature where Boetius utilized that of individual substance. In effect, the same human nature is realized, that is to say, subsists, in each person. The person is the individualization of a rational nature. Human nature exists only in the individuals who realize it. It is modernity that understands natural rights as inherent in each individual.

2. In the enumeration of rights that flow from human nature, one finds for the first time a formulation of individual liberty of conscience and religion. "Among man's rights is that of being able to worship God in accordance with the right dictates of his own conscience, and to profess his religion both in private and in public" (14). This expression could be understood in St. Thomas' sense as objectively true conscience, or in the subjective sense, following Suarez, as conscience which believes itself to be in truth. Two citations follow – from Lactance and Leo XIII who claim the necessary liberty of the act of faith. This affirmation is close to that of *Pacem in Terris* (12) which speaks of the "right to freedom in investigating the truth". Pius XI had already claimed the "liberty of consciences" against the totalitarian state without speaking of "liberty of conscience", and Pius XII in his 1942 Christmas message had included "the right to worship God in public and private" among the fundamental rights.

Did this proposition constitute a change in relation to the celebrated statement of Pius XII in *Ci Riesce* (6 December 1953) where he upheld the traditional doctrine that error could be tolerated, but that it could not be recognized as a right? *Pacem in Terris* gathers the heritage of the popes who, since Leo XIII, have emphasized fundamental liberties of the person in relation to totalitarian regimes. Freedom of religion – an expression which would only appear with Paul VI and the declaration *Dignitatis Humanae* of Vatican II – is a space of immunity in relation to all power external to the person. The natural right envisaged here is that which would be defined by Vatican II as the right not to be impeded in religious matters. Neither John XXIII nor Vatican II innovated on that point. Leo XIII had already recognized the freedom of conscience “in the sense that man, within the state, has the right to follow the will of God according to the knowledge of his duty and to fulfill its precepts without anything impeding him”. The Council would explain that the liberty to believe or not to believe is a liberty oriented toward the truth, and not an arbitrary choice.

3. The notion of “sign of the times” which would reappear in *Gaudium et Spes* (4, 11) was an uncommon formulation. It was strongly emphasized, and interpreted, as a sort of rallying cry to modernity. That was an error. The four parts of the encyclical conclude with a reading of the signs of the times: order among human beings, order within each political community, order among political communities, and order in the world community.

Among these signs of the times were cited: the advancement of the working classes, the advancement of women, the advancement of peoples who had been colonized (75–79); the affirmation of the rule-of-law state and of democratic procedures; the regulation of conflicts by negotiation; the conviction that war is no longer a means of “obtaining justice for the violation of rights”; and, finally, the creation of the United Nations was hailed and the Universal Declaration of Human Rights of 1948 was saluted as “a step toward the establishment of a legal-political organization of the world community” (144). With optimism, these promising developments were interpreted as signs of progress toward a greater respect for the dignity of the person and the natural moral order.

The reference to the signs of the times is one of the hallmarks of the encyclical and its dynamic conception of the natural order. The natural order is a given, in the sense that it is inscribed in beings. But it is also something to be realized. It assumes the dimension of time, the progress of consciences and a collective will. Nature is perceived through the manifold of

human history. It calls for discernment. Nature in *Pacem in Terris* is not merely essential; it is also existential.

4. *Pacem in Terris* left its mark on subsequent Catholic social thought through its enumeration of four pillars on which a society conformed to the natural moral order rests: “The order proper to human communities is essentially moral. Its foundation is *truth*, and it must be brought into effect by *justice*. It needs to be animated and perfected by men’s *love* for one another, and, while preserving *freedom* intact, it must make for an equilibrium in society which is increasingly more human in character” (37). John XXIII would have the occasion to specify that “These four principles that sustain the whole edifice belong to the natural law which is inscribed in every human heart. That is why We have addressed Our exhortation to all humanity” (DC, 1963, 728). These four criteria, already present in the teaching of Pius XII, received a systematic articulation in *Pacem in Terris*.

5. The encyclical attracted the attention of the international community with its uncommon insistence on the necessity of a global authority. Our Academy dedicated a study to this theme in its Ninth Plenary Session in May 2003.<sup>1</sup> “Today the universal common good presents us with problems which are world-wide in their dimensions; problems, therefore, which cannot be solved except by a public authority with power, organization and means co-extensive with these problems, and with a world-wide sphere of activity. Consequently the moral order itself demands the establishment of some such general form of public authority”, says *Pacem in Terris* (137). This reasoning is consistent with the doctrine of the common good. When the common good has a universal dimension, as is the case when it concerns the preservation of peace among nations, it is necessary to have an authority that is capable of effectively promoting it. The encyclical specifies that this global authority “cannot be imposed by force. It must be set up with the consent of all nations” (138). It ought to protect the rights of the person and to be governed by the principle of subsidiarity. Pius XII had already spoken of his hopes for a world authority. The encyclical, however, gives an explicit recognition to the United Nations.

After the appearance of the absolutist state and particularly in the wake of the treaties of Westphalia (1648), the Holy See unceasingly referred to

<sup>1</sup> Pontifical Academy of Social Sciences, *The Governance of Globalization*, Acta 9 (Vatican City, 2004).

the existence of a human community founded on the law of nations as expounded by authors like Vitoria or Suarez and Grotius. It was only after the First World War that the principle of a binding international order for the resolution of conflicts resurfaced. Benedict XV had insisted on the institution of a permanent arbiter that would be endowed with the power to sanction states. At the end of the Second World War, Pius XII expressed the wish that the new organization of the United Nations would be given sufficient authority to guarantee peace and prevent all aggression. The critique of the unlimited authority of the nation-state was reinforced by Pius XII.

By an authority of universal jurisdiction, John XXIII understood an authority for arbitration of conflicts between states and of supervision under international law. He did not pronounce himself in favor of something like a world government, but rather for a regulatory authority in international relations.

The hope for a “general authority equipped with world-wide power” is accompanied in *Pacem in Terris* by three conditions to be observed (138–141):

- First, this authority should result from a unanimous agreement and not be imposed by force. It should not be at the service of the most powerful nations and their interests. Legal and moral equality of political communities is a principle of justice. All are equal in natural dignity.
- Secondly, the universal common good is defined in reference to the human person. It should have for “its special aim the recognition, respect, safeguarding and promotion of the rights of the human person” (139). A global authority should thus create the conditions for the respect of the rights of the human person at all levels.
- Thirdly, the exercise of such a global authority should be governed by the principle of subsidiarity. In conformity with this principle, it should only intervene in order to supplement the insufficiency of national powers for the resolution of problems that have a global dimension.

There is thus no question of charging the encyclical with the irrational desire to create a universal political power, rather than an effective service for peace.

6. *Pacem in Terris* also invites a distinction “between error as such and the person who falls into error – even in the case of men who err regarding the truth or are led astray as a result of their inadequate knowledge, in matters either of religion or of the highest ethical standards” (158). The encyclical also suggests a distinction between false ideologies and the historical movements that carry them. Whereas the first are fixed, the second can evolve. These formulations could have seemed extremely complacent about

the totalitarian regimes which at the time were oppressing a good portion of humanity. Nothing permitted the thought in 1963 that these “historical movements” were susceptible of evolution and that 25 years later, they would disappear. Under the pontificate of Paul VI, with the participation of Archbishop Casaroli, what is called the Ostpolitik of the Holy See was going to have to confront regimes determined to make Christianity and the Church disappear. One can therefore credit the optimist John XXIII and Monsignor Pavan with the prescient idea that communist regimes would finish by dissolving.

In opening the Council, John XXIII had proclaimed his “complete disagreement with the prophets of doom who announced catastrophes as if the world was nearing its end”, and he invited recognition of the “mysterious designs of divine providence” in the course of events. The world gave such a positive reception to this encyclical because it gave people a vague feeling of being understood and loved. We need prophets in order to help us discern the crimson thread of the history of salvation that runs through human history. Fifty years after its publication, *Pacem in Terris* indicates to us the course to be maintained in a globalized world that no longer refers to the natural law.

# QUINQUAGESIMO ANTE: REFLECTIONS ON *PACEM IN TERRIS* FIFTY YEARS LATER

■ RUSSELL HITTINGER

## Introduction

Beginning on the Feast of Christ the King (Oct. 1942) Archbishop Angelo Roncalli made his annual retreat in Istanbul. The retreat master for the Apostolic delegate to Turkey and Greece was the Jesuit Father Rene Follet, who preached on the image of the perfect bishop according to Isidore of Seville. Roncalli wrote in his diary:

The Bishop must be distinguished by his own understanding, and his adequate explanation to others, of the philosophy of history, even the history that is now, before our eyes, adding pages of blood to pages of political and social disorders. I want to re-read St. Augustine's *City of God*, and draw from his doctrine the necessary material to form my own Judgment ...<sup>1</sup>

And so it was here, in Istanbul during the Second World War, while reflecting on the problem of nationalism, and while reflecting on the bishop as an image of the supranationalism of the Church, that Roncalli resolved to re-read St. Augustine's *City of God*. It gave birth to a pattern of themes that would bear fruit exactly twenty years later.

In December 1962 the fourth year of his pontificate – Pope John assembled a drafting committee for a new encyclical, which would be titled *Pacem in terris* (Peace on Earth). He typed the following instructions to Msgr. Pietro Pavan of the Lateran, who headed the team of writers:

Peace is tranquility in the order of things, ordered obedience in fidelity to the eternal law. Order is giving each thing its place. The Peace of mankind is ordered harmony in the home, in the city, in man. Wretched, therefore, is the people that is alienated from God.<sup>2</sup> These three sentences paraphrase Book XIX of St. Augustine's *City of God*:

<sup>1</sup> John XXIII, *Journey of a Soul*, Trans. Dorothy White (New York: Image Doubleday, 1999), 260–261.

<sup>2</sup> Peter Hebblethwaite, *Pope John XXIII: Shepherd of the Modern World – The Definitive Biography of Angelo Roncalli* (New York: Image Doubleday, 1987), 470.

“peace is the tranquility of order”.<sup>3</sup> They also express Roncalli’s understanding of the perennial task of the bishop, which he derived from his retreat in Istanbul twenty years earlier: namely, to discern the signs of the times according to the deeper patterns of history, and the still deeper principles of order which ought to inform it. As we shall see, peace as tranquility of order is a paradigm of singular importance for his encyclical, especially its teaching on human rights.

In less than one year’s time we will mark the fiftieth anniversary of Pope John XXIII’s encyclical *Pacem in terris: On Establishing Peace in Truth, Justice, Charity, and Liberty*. And because this papal letter remains, to this day, as a kind of magna charta of the Catholic Church’s position on human rights and natural law, it is a good time to begin ruminating on the teaching: first, looking back; then, looking around; and briefly, looking ahead.

### Looking Back

Issued on 11 April 1963, *Pacem in terris* reflected an acute sense of its own historical moment, both sacred and secular. In about two months’ time (from October–December 1962), Pope John:

- Convened the Second Vatican Council.
- Wrote an address in French to “all men of good will” only twenty-four hours after American military forces had gone to DEFCON 2 during the Cuban missile crisis.
- Then, having appeared on the cover of *Time Magazine* as the “Man of the Year”, he learned from his physicians of a cancer that would soon kill him.

<sup>3</sup> Aug., DCD XIX.13.

The peace of the body then consists in the duly proportioned arrangement of its parts. The peace of the irrational soul is the harmonious repose of the appetites, and that of the rational soul the harmony of knowledge and action. The peace of body and soul is the well-ordered and harmonious life and health of the living creature. Peace between man and God is the well-ordered obedience of faith to eternal law. Peace between man and man is well-ordered concord. Domestic peace is the well-ordered concord between those of the family who rule and those who obey. Civil peace is a similar concord among the citizens. The peace of the celestial city is the perfectly ordered and harmonious enjoyment of God, and of one another in God. The peace of all things is the tranquillity of order. Order is the distribution which allots things equal and unequal, each to its own place. And hence, though the miserable, in so far as they are such, do certainly not enjoy peace, but are severed from that tranquillity of order in which there is no disturbance, nevertheless, inasmuch as they are deservedly and justly miserable, they are by their very misery connected with order.

After receiving the medical report, he set up a drafting committee for the new encyclical. The team of drafters understood they had only weeks or a couple of months, at best, to finish their work.<sup>4</sup> Published on Holy Thursday, Pope John christened it his “Easter gift”.<sup>5</sup>

So, let us look back.

In the winter of 1962–1963, two issues galvanized the attention of the global commons. The first was the division between two highly armed “blocs”, a division that began in Europe just after the War, but which had rapidly spread to the rest of the world – to the former colonies, where the “cold war” was actually a complex skirmish line of civil wars, revolutions, and from Southeast Asia and to sub-Saharan Africa hot wars by proxies. Interestingly, although Pope John bemoaned the global fear of a nuclear conflagration, calling instead for gradual disarmament and for non-coercive means of resolving disputes (PT §§ 111–116), there is relatively little said in PT about issues of war. Except for the very significant admonition that use of nuclear weapons is not a fit instrument for the vindication of justice (PT §127, and §111), the encyclical does not conduct arguments *within* or *about* the criteria of just war.

The other great issue of the global commons – which, in fact, occupies the far greater part of PT – was the urgent problem of how to achieve political order in an era of very rapid and confusing decolonization. When the

<sup>4</sup> See Pavan’s letter to Loris Francesco Capovilla, the pope’s personal secretary, dated 23 Nov. 1962. Pavan disclosed his first line of thought, which was “to reestablish the great line of encyclicals in argomento di Leone XIII” (mentioning *Sapientia Christianae*, *Diuturnum*, and *Libertas*, the same trilogy that would become so important for John Paul II). But, Pavan mused, it could be aimed at the entire global situation, teaching not only Catholics, but also other Christians and non-Christians. Documento 1, in Alberto Meloni, *Pacem in terris: Storia dell’ultima enciclica di Papa Giovanni* (Roma: GLF, Editori Laterza, 2010), 103–104. At its inception in Pavan’s mind, therefore, PT would take the great Leonine teachings on the eternal law, together with the changing tides of history, and allow them to resonate with a much wider audience [avrebbe una vasta risonanza in tutto il mondo e in tutti gli ambienti]. Drew Christiansen’s argument that PT is a kind of “Copernican” revolution turning papal teachings out of their scholastic grounding, and that “natural law is turned upside down”, has no basis in either the constitutive history of the document, nor in the encyclical itself, which devotes more attention to Aquinas’s notion of the Eternal Law than any encyclical between Leo XIII and JPII’s *Veritatis splendor*. See Drew Christiansen, S.J., “Commentary on Pacem in terris”, in *Modern Catholic Social Teaching*, Ed. Kenneth Hines, O.F.M. (Washington, D.C.: Georgetown Univ. Press, 2005). 225–226.

<sup>5</sup> John XXIII, Message of 12 April 1963, AAS 55 [1963], p. 400. When Cardinal Suenens delivered a copy to the United Nations he called it “an open letter to the world”.



U.N. was established in 1945, 750 million people lived in territories that were not self-governing. By 1960, two thirds of the new member states were former colonies. In that very year the General Assembly declared that all peoples have a “right to self-determination”, and decreed that “immediate steps shall be taken, in Trust and Non-Self Governing Territories or all other territories which have not yet gained independence, to transfer all powers to the peoples of those territories”.<sup>6</sup>

This was the problem of the so-called Third World – the peoples who belonged neither to the First World of the West nor to the Second World of the Communist bloc. The third world needed to achieve political and economic development within a wider international order. In many cases, these peoples had *de jure* states, with flags and stamps and currencies, but they barely functioned with respect to the minimal requirements of political and juridical order. Indeed, it was in 1963 that the long American nightmare in Vietnam began. The Republic of South Vietnam was not able to make the transition from being a French colony to being a successful polity.

In both the secular and ecclesiastical press, much attention was given to the policy of *aggiornamento* – a bringing-up-to-date. The controversial issue was not (yet) what was going on theologically at the Vatican Council, but rather political collaboration between Catholics and parties on the Left. For all practical purposes, *aggiornamento* was interpreted as “the opening to the Left”. In the encyclical, the Pope expressed his hope that Catholics might cooperate not only with non-believers but also with adherents of a patently false ideology *insofar as* the cooperation involves “morally lawful aspirations”,<sup>7</sup> especially collaboration in defense of “man’s natural rights”.<sup>8</sup> The encyclical did not spell out exactly what this meant politically in any particular country.

While it is quite true that PT was an “open letter to the world”, it was also an important letter to the recently convened Council in Rome. The first meeting of the Council was quickly adjourned for the purpose of electing commissioners who would oversee a new set of schemata. In view of the fact that his earlier encyclical, *Mater et Magistra*, was rather tepidly received, the Pope and Msgr. Pavan “would have to sharpen the message of *Mater et Magistra* so that the Council would pay attention”.<sup>9</sup> Since the

<sup>6</sup> Resolution 1514 (XV), 14 Dec. 1960.

<sup>7</sup> PT §159.

<sup>8</sup> PT §157.

<sup>9</sup> Here, quoting E.E.Y. Hales. *Pope John and His Revolution* (New York: Doubleday & Co., 1965), 156. Hales’s point about the implicit message to the Council is certainly suggested by the Pavan letter, *op. cit.*

Council was called not to resolve internal disputes about doctrine, but chiefly in order to facilitate the Church's mission in the world, PT signaled that problems in the global commons needed to be put front and center. Although the theme of *aggiornamento* was prominent in *Humanae salutis*, the bull of indictment convening Vatican II, and in the pope's opening address to the Council, PT truly did sharpen the message, leaving its stamp upon several conciliar documents: *Lumen Gentium* on the Church as a sacrament of unity; the decree *Ad Gentes* on missionary work; the decree *Unitatis Redintegratio* on ecumenism; and even more indelibly on *Gaudium et spes* and *Dignitatis humanae*.<sup>10</sup>

The pope and his drafting committee understood that one sentence in particular would have a direct effect on the schemata being drawn by the commissioners: "Also among man's rights is that of being able to worship God in accordance with the right dictates of his own conscience, and to profess his religion both in private and in public". (§ 14) The sentences on the right of religious conscience received more internal discussion and debate than any other theme of the encyclical during its drafting process.<sup>11</sup> In order to allow the Council to exercise its full deliberative weight, however, the sentences on religious liberty were written carefully, even somewhat ambiguously.

It was celebrated and criticized both for what it said, for what it didn't say, as well as for what people imagined it must have said or not said. To wit, the doggerel:

By now we know the simple trick;  
Of how to read Pope John's encyc.;  
To play the game, you choose your snippet;  
Of "Peace on Earth" and boldly clip it.<sup>12</sup>

By and large, the politics of the cold war determined the way *Pacem in Terris* was first received.<sup>13</sup> The New York Times (for the first and the last time)

<sup>10</sup> "It is obvious, in the first instance, that the Pope here offers a shining example of everything that he means by his own word, *aggiornamento*. He situates himself squarely in the year 1963. There is not the slightest bit of nostalgia, nor of lament over the past course of history or over the current situation that history has evoked here on earth". J.C. Murray, "Things Old and New in 'Pacem in Terris'" *America* 107 (April 27, 1963), 612.

<sup>11</sup> See Alberto Melloni, ad passim, and the appendices. And Newman's discussion, op. cit., 77-81.

<sup>12</sup> John Cogley, in *America* (18 May 1963). Quoted in Newman, op. cit., 60.

<sup>13</sup> Catholics should do nothing that compromises morality and religion (§157), that one must not forget the possibility and need for conversion (§158), that fruitful cooperation is not a foregone conclusion but must be discerned according to prudence which

printed a papal encyclical in its entirety. The Catholic world was made more than a little nervous by Pope John's words about "collaboration". After all, in 1963 some 55 million Catholics were behind the Iron Curtain. The first Catholic president, John F. Kennedy was notably restrained in his public comments about this part of the encyclical. Italy had the largest Communist party in western Europe, and so the Christian Democratic Party was not at all pleased with the Pope's remarks. For its part, the Communist government of Czechoslovakia tried to erect a puppet church called "Pacem in Terris".

is itself measured by the principles of natural law and the directives of ecclesiastical authority (§160), and that gradual growth is better than the impetuosity of political revolution (§§161-162).

In many countries, the debate seems in retrospect to have amounted to little more than what we would call political "spin". *National Review* dismissed PT as "a venture in triviality". See Brookhiser, *Right Man Right Place*, 47. There was also philosophical hand-wringing of a more serious nature, chiefly on the question of whether the pope was too lenient on Communists and naïve about the aggressive intentions of the Communist ideology. This, in tandem with PT's seemingly ambiguous and soft position on just war, led important Protestant thinkers like Paul Tillich, Reinhold Niebuhr, and Paul Ramsey to ask whether the encyclical was an exercise in "philosophical anarchism", "natural law optimism", perhaps "breathing a Pelagian, rather than an Augustinian, spirit". These remarks in Paul Ramsey, "Pacem in terris", in *The Just War: Force and Political Responsibility* (Lanham: Rowan & Littlefield Pub., 2002), 70-90; first appearing in *Religion in Life*, Vol. XXXIII Winter 1963-64, 116-135. The latter, on Pelagianism, quoting Reinhold Niebuhr in *Christianity and Crisis* (May 13, 1963, p. 83).

See also, Peter Steinfels, "Pacem in Terris: A Retrospective", for the Vincentian Convocation on January 30, 2003 at St. John's University. Vincentian Center for Church and Society. [www.vincenter.org/convocation/steinfels.html](http://www.vincenter.org/convocation/steinfels.html). Also worth noting is Steinfels's passing remarks about how the encyclical was kept at arm's length by some elements of the Left.

In two countries, however, the encyclical's bid for more collaboration had significant implications for domestic politics. In Italy, for example, the Church had taken a very strong stance against such collaboration in the elections of 1946 and 1948. The Communist party actively recruited Catholics, arguing that in the practical order there was no necessary contradiction between supporting desirable political policies and reforms and following the faith and morals of the Catholic Church. It is still debated whether PT did more harm than good in the context of Italian politics. See Elisa A. Carrillo, "The Italian Catholic Church and Communism, 1943-1963", *The Catholic Historical Review*, Vol. 77, No. 4 (Oct., 1991), 644-657.

In Czechoslovakia, the high-minded notion of a *modus vivendi* between Catholics and Communists was cynically manipulated by the government. In 1951 the government attempted to create a schismatic church, like the one in China, under the rubric of "The Peace Movement of the Catholic Clergy". Under the chairmanship of an excommunicate priest, Josef Plojhar, the aim of the organization was to reduce Christianity to a Social Gospel, which, not surprisingly, turned out to be congruent with the policies of the

As the strange decade of the 1960s unfolded, the encyclical became a kind of icon of the peace and youth movement, and its actual teaching receded from public view, hardly discussed.

It is all the more necessary for us, a generation later, to look carefully at what the encyclical said about human rights.

### Looking Around (in the encyclical)

I shall now leave behind the historical context and the contemporary events surrounding PT, in order to look around in the document itself – particularly its treatment of human or natural rights. And I intend to do so by returning to the Augustinian themes with which we began.

I count some twenty-five discrete rights in sections 11–27. In his preface to these sections, the pope asserts that these are rights which flow inalienably from human nature (PT §9). So far as I can discern, the terms “natural” and “human” rights are used interchangeably.<sup>14</sup>

They include the right to life, to bodily integrity, to the means which are necessary and suitable for the proper development of life, including the right to security when otherwise deprived of the means to it through no fault of one’s own; the right to respect for one’s person and reputation, to freedom in seeking truth, and in expressing and communicating one’s opinion, to pursuing art within the limits of morality and the common good, and to being informed truthfully about public events. They include too the right to share in the benefits of culture and, therefore, to both a basic education and a technical training in accordance with the educational development of one’s country; the right to worship God, both privately and publicly, in accordance with one’s conscience; the right to choose freely one’s state in life, including the right to set up a family or to follow a religious vocation; and the prior right of parents to support and educate their

Communist government. Unable to establish ecclesiastical credibility, it was re-established as “Pacem in Terris”. Eventually, the government made it clear that any attack on “Pacem in Terris” is an indirect attack on the socialist system. See Alexander Tomsy, “Pacem in Terris: Between Church and State in Czechoslovakia”. *Religion in Communist Lands* since its first publication in 1973. Keston Institute. 10/3 1982 275–282.

In only a few years, this question of collaboration and compromise would return not as a conflict between the rivals of the Cold War, but as a conflict between Catholics and secularists over public morality. With *Humanae vitae*, legal abortion, and the collapse of the Warsaw Pact, the terms of this debate will become profoundly reconfigured for a new era of liberalism and public reason.

<sup>14</sup> Natural rights (§§12, 13, 20, 28, 30, 1 57); human rights (§§30, 61, 63, 75, 143).

children. They also include the right to free initiative in the economic field, embracing the right to work; the right to satisfactory working conditions, both physical and moral, and taking account of their special requirements in the case of women; the right to carry on economic activities to the degree of responsibility of which one is capable; the right to a just wage and the right to private property. Finally, they include the right of assembly and association, the right of freedom of movement within one's own country and, when there are just reasons for it, the right to emigrate to other countries; the right to take an active part in public affairs [including women] and the right to juridical protection of one's rights.<sup>15, 16</sup>

This was not a sudden eruption of rights talk in magisterial documents. Of the twenty-five rights, the citations are to St. Paul, Church fathers, Thomas Aquinas, and to the encyclicals of modern popes. Only two of the rights have an aspect of novelty: the right of religious conscience (§14), which is unmistakably an effort to develop reflection on this issue, and rights of women in the contemporary world (§19, but also see §41 and §153).

Our colleague, Mary Ann Glendon, has convincingly argued that the 1948 *Declaration of Human Rights* should be read not merely as a list of rights, but read also according to Rene Cassin's elegantly structured order, which was based upon the portico of a Greek temple.

Explaining the structure of the Declaration for the benefit of persons accustomed to simple lists or "bills" of rights, Rene Cassin compared it to the portico of a temple. The seven clauses of the Preamble are the steps leading up to the entrance. The basic principles of dignity, liberty, equality, and brotherhood, proclaimed in the first two articles, are the foundation blocks for four columns of rights: rights pertaining to individuals as such; rights of individuals in relation to each other and to various groups; spiritual, public and political rights; and, finally, economic, social and cultural rights. Crowning the portico is a pediment consisting of three concluding articles that place rights in the context of limits, duties, and the social and political order in which they are to be realized.<sup>17</sup>

<sup>15</sup> Here, I use the very succinct and useful summary by Newman, op. cit., 69-70.

<sup>16</sup> My summary leaves to one side the very important corporate rights: Church, family, nation, as well as a myriad of other groups which enjoy rightful dignity both in themselves and insofar as they stand toward others according to the principle of subsidiarity. Especially important is §52, where the Pope explicitly affirms the right of peoples to choose their own form of government.

<sup>17</sup> Mary Ann Glendon, "The Rule of Law in The Universal Declaration of Human Rights", *Northwestern University Journal of International Human Rights*, Volume 2 (Spring 2004).

A similar approach should be taken when we read PT's doctrine of rights. The interpretive key is to be found in the organization of the encyclical itself. For the encyclical is not organized according to the four principles in the sub-title: truth, justice, love, and liberty. Instead, these principles are interwoven according to *six modes of order*. To my knowledge PT is the only important human rights document that explicitly takes this approach. In doing so, PT integrates justice as rights and justice as right order.

The encyclical teaches that peace is richly textured and multi-layered order(s):

1. Order in the universe (§§2-3)
2. Order in freedom and conscience that flows from an individual's participation in the eternal law (§§4-7)
3. Order among individual human persons (§§8-10)

[§§ 11-15 begin list of Rights]

4. Order between members of a political community and its authorities (§§46-79)
5. Order between political communities (§§80-129)
6. Order that ought to obtain between individuals, social groups, and states to a worldwide community. (§§130-145)

In his World Day of Peace Address (2003), marking the fortieth anniversary of *Pacem in Terris*, Pope John Paul II said:

Boldly, but with all humility, I would like to suggest that the Church's fifteen-hundred-year-old teaching on peace as "*tranquillitas ordinis* – the tranquillity of order" as Saint Augustine called it (*De Civitate Dei*, 19, 13), which was brought to a new level of development forty years ago by *Pacem in Terris*, has a deep relevance for the world today, for the leaders of nations as well as for individuals. (WDP, §6)

John Paul is just right, and he brings us back to the Augustinian themes I mentioned earlier. They must be brought back, front and center, not only because the encyclical was designed just so, but also because the over-arching theme of order was ignored, and sometimes outright dismissed, by the generation that first read *Pacem in Terris*. For that generation, *order* summoned all of the boogey-men of their time and place. Politically, it suggested "law and order", the opposite of social and political change. Socially, it suggested authoritarianism, in the church, in the family, and in the wider society. Philosophically, it suggested cosmological order, and nature herself, which speaks an authoritative word apart from, or even contrary to human freedom. Order for that generation usually suggested something imposed, despotic, non-participatory, and dismissive of human freedom and subjectivity.

Almost immediately, the encyclical was read as a declaration of human rights stripped of the broader context of natural, divine, anthropological, political, and legal modes of order.

To take but one example, let us consider Maurice Cardinal Roy's remarks sent to Paul VI in 1973 on the "Occasion of the Tenth Anniversary of the Encyclical *Pacem in Terris*". Cardinal Roy was a distinguished churchman of his time, to say the least. At the time he was the President of the Pontifical Council on Justice and Peace.<sup>18</sup> In a section entitled "A Method for Our Times", the cardinal admits to being somewhat puzzled by John XXIII's theme of order, especially as it relates to cosmological, metaphysical, and anthropological matters. Perhaps he was only playing the Devil's advocate, for an astute churchman would not have asked, in his own voice, whether such principles could have become invalid only ten years later. For whatever reason he asked, "Is this answer still valid, ten years later?"

For today, this idea of nature is very much questioned, if not rejected ... The concept also seems too "essentialist" to people of our time, who challenge, as being a relic of Greek philosophy, the term "Natural Law", which they consider anachronistic, conservative and defensive ... Although the term "nature" does in fact lend itself to serious misunderstandings, the reality intended has lost nothing of its forcefulness when it is replaced by modern synonyms ... Such synonyms are: man, human being, human person, dignity, the rights of man or the rights of peoples, conscience, humaneness (in conduct), the struggle for justice, and, more recently, "the duty of being", the "quality of life". Could they not all be summarized in the concept of "values", which is very much used today?

Admitting that the very first sentence of PT asserts that peace is "diligent observance of the divinely established order", Cardinal Roy observed: "this word jars the modern mentality, as does, even more, the idea that it summons up: a sort of complicated organic scheme or gigantic genealogical tree, in which each being and group has its predetermined place".<sup>19</sup> For Roy, the dialogical imperative was hampered by the traditional vocabulary of the

<sup>18</sup> Pope Paul VI addressed his letter, *Octogesima Adveniens*, on the Eightieth Anniversary of *Rerum Novarum* (May 14, 1971), to Cardinal Roy, who, in turn addressed his thoughts to the pope on the subject of PT. He was the former Archbishop of Quebec, the first President of the Pontifical Council on the Laity, then, and finally the President of the Pontifical Council on the Family.

<sup>19</sup> "Reflections by Cardinal Maurice Roy on the Occasion of the Tenth Anniversary of the Encyclical *Pacem in Terris* of Pope John XXIII" (April 11, 1973), in *The Gospel of Peace and Justice: Catholic Social Teaching since Pope John*, presented by Joseph Gremillion (New York: Orbis Books, 1976), 556-58.

doctrinal content. In other words, PT was too restricted by the outmoded line of encyclicals going back to Leo XIII.

I shall use Cardinal Roy's questions as an occasion, forty years later, to say what is correct about the theme of order in PT. Namely, that justice as rights and justice as right order cannot be in opposition and need to be discussed in tandem.

In the first place, we can recall Thomas Jefferson's much-quoted sentence, written to the Danbury Baptist Association in 1801, fourteen years after the adoption of the Bill of Rights. "Adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore to man all his natural rights, convinced he has no natural right in opposition to his social duties".<sup>20</sup> Jefferson acknowledges the long recognized tension between *ius* as individual right and *ius* as law – and, by extension, justice as right order and justice as the satisfaction of inherent rights. Jefferson anticipated debates of our own century. On one extreme, is the position that rights are "trumps" with regard to social order, or at the least, to the policies of political authority intended to protect order. On the other extreme is the complaint that what are claimed as natural (or human) rights turn out to be – by virtue of the nature of the claim itself, or by virtue of its exercise, or by virtue of circumstances – contrary to justice as right order. Apart from right order a right is not, as it were, rightful. Therefore, rights are possessed only as implications or conferrals of right social order.

The extreme version of the "right order" position has been explored and criticized by Nicholas Wolterstorff in his recent book, *Justice: rights and wrongs* (2008).<sup>21</sup> I do not intend to rehearse here his thoughts and arguments at a proper level of detail and complexity. Rather, I want to underscore one point that seems correct, at least with regard to natural rights. "Natural rights [properly understood] are not the rights of asocial beings but the rights of social beings that have not been socially conferred on them..."<sup>22</sup> Put in just this way,

<sup>20</sup> Thomas Jefferson, Letter To Messrs. Nehemiah Dodge and Others, a Committee of the Danbury Baptist Association, in the State of Connecticut (January 1, 1802).

<sup>21</sup> Nicholas Wolterstorff, *Justice: rights and wrongs* (Princeton: Princeton Univ. Press, 2008), 27. Here, citing Plato's Republic 441d-e. "In such a social order", he writes, "everybody will be doing their 'proper work' ... their 'proper function'".

<sup>22</sup> For, as he correctly says, "Natural rights are not the rights of asocial beings but the rights of social beings that have not been socially conferred on them". *Ibid.*, 33. Indeed, the very structure of a rights claim indicates a claim to a certain order: X owes Y to Z. Unless and until we achieve the correct order of relation between these three factors – the giver, the thing given, and the recipient – justice is not done. This seems true of any right claim, whether the foundation is something endowed or socially conferred.



we can understand that *if* there are natural rights then there is order prior to, and distinct from, the orders we construct or confer. It is a “straw man” to oppose natural rights and right order. Thus, the importance of the word “endowed”. Endowment contains *in nucleo* both rights and right order. In ordinary language and in philosophical parlance, endowment implies order rather than a merely subjective claim or evaluation. Prior to the practical deliberations and policies of a human community stands a good to be recognized, honored. Social efforts to construct and maintain order and rights claims on the part of persons have the same source in an anthropological and moral meaning of “endowment”. The encyclical proposes that they are integrally related. A lack of rightness in one is bound to impair the rightness of the other.

Now, turning to the encyclical, we find that the charter of human rights (§§8-36) stands between two discussions of divinely created order (§§2-7, 37-38), which serve as bookends. The first is a substantive prelude, while the second is a forceful reminder and admonition. In the prelude, the pope speaks of the whole created universe, marked by order, intelligibility and beauty.<sup>23</sup> What emerges “first and foremost” from the progress of scientific discovery, the pope asserts, is the splendor of creation an endowment, making possible discovery. It is the same man, made unto the image and likeness of God, who is a part of a vast created order, and who is capable of appreciating and appropriating that order.

As for order *in* human beings, the pope insists that our participation in divinely established order is more perfect, by virtue of intelligence and a law written in the heart. Human peace, therefore, requires something more than the harmony of physical laws. It requires the tranquility of moral order. The principles of moral order are already reflected, inscribed, instilled in human beings endowed with intellect and will. Everyone can understand, albeit in a rudimentary way, that the true governs reason, and that reason governs the passions. First we are endowed, not merely with random and sporadic powers, but with order.

Wrapping up the encyclical, the pope again quotes St. Augustine:

The world will never be the dwelling place of peace, till peace has found a home in the heart of each and every man, till every man preserves in himself the order ordained by God to be preserved. That is why St. Augustine asks the question: “Does your mind desire the strength to gain the mastery over your passions? Let it submit to a greater power, and it will conquer all beneath it. And peace will be in you—true, sure, most ordered peace. What is that order? God as ruler of the mind; the mind as ruler of the body. Nothing could be more orderly”. §165

Some commentators have suggested that in PT “natural law is turned upside down”, because the pope is swapping out the older scholastic notion of natural order for human moral order.<sup>24</sup> This is nonsense, for Pope John is doing nothing other than using Aquinas’s very distinction between how providence is received and participated in nonrational and in rational creatures.<sup>25</sup> If anything, these paragraphs are aimed at Marxist materialism and at various species of modern constructivism, neither of which can allow moral order to be endowed in human beings.

PT not only deploys the older scholastic tradition but does so in its strongest terms. In section §38, which concludes the charter of rights, we read:

But such an order – universal, absolute and immutable in its principles – finds its source in the true, personal and transcendent God. He is the first truth, the sovereign good, and as such the deepest source from which human society, if it is to be properly constituted, creative, and worthy of man’s dignity, draws its genuine vitality. [citing PXII 1942 radio] This is what St. Thomas means when he says: “Human reason is the standard which measures the degree of goodness of the human will, and as such it derives from the eternal law, which is divine reason ... Hence it is clear that the goodness of the human will depends much more on the eternal law than on human reason”. [citing S.t. I-II 19.4; and see 9] §38

Consider, this passage as well:<sup>26</sup>

Governmental authority, therefore, is a postulate of the moral order and derives from God. Consequently, laws and decrees passed in contravention of the moral order, and hence of the divine will, can have no binding force in conscience, since “it is right to obey God rather than men” [citing Acts 5.29]. Indeed, the passing of such laws undermines the very nature of authority and results in shameful abuse.<sup>27</sup>

<sup>23</sup> Reminiscent of the favorite triad of Augustine: measure, number, order.

<sup>24</sup> See Drew Christenson, *op. cit.* See also, Murray, *op. cit.*, at 612. The debate already smoldering over contraception perhaps is being read into the encyclical.

<sup>25</sup> S.t. I-II, 91.2 ad 3.

<sup>26</sup> Also, “It is generally accepted today that the common good is best safeguarded when personal rights and duties are guaranteed. The chief concern of civil authorities must therefore be to ensure that these rights are recognized, respected, co-ordinated, defended and promoted, and that each individual is enabled to perform his duties more easily”. Both of which are quoted verbatim by JP II in EV: EV §§71-72.

<sup>27</sup> As St. Thomas teaches, “In regard to the second proposition, we maintain that human law has the rationale of law in so far as it is in accordance with right reason, and as such it obviously derives from eternal law. A law which is at variance with reason is to that extent unjust and has no longer the rationale of law. It is rather an act of violence”. [citing S.t. 1-11, 93.3 ad 2]. §51.

...Thus any government which refused to recognize human rights or acted in violation of them, would not only fail in its duty; its decrees would be wholly lacking in binding force.<sup>28, 29</sup>

Interestingly, this is precisely the passage that Dr. Martin L. King, Jr. quoted from St. Thomas in his *Letter From Birmingham Jail* (16 April 1963). The day after PT was issued, eight white Alabama clergymen signed a document entitled “Call for Unity”, affirming the goals of the civil rights movement against legal segregation, but complained about the tactic of civil disobedience. Dr. King countered that one has a moral responsibility not to obey unjust laws, and promptly issued his famous *Letter* five days after Pope John’s encyclical. Whether or not King was influenced by the recent encyclical is not important. For our purposes, the important thing is that King argued for an integral unity of rights and right order. Along one front, he chastised white moderates “more devoted to ‘order’ than to justice”. Partisans of “law and order”, he said, consider order much too narrowly as the absence of conflict. His audience in the spring of 1963 would have readily understood that the use of force to achieve such a narrow notion of “order” at the Berlin Wall and in streets of cities in Alabama did not have the presumption of justice in its favor. The order to which law pertains cannot not found simply in an uncontested result, but in a result compatible with equity and suitable for a common good. Law moves human agents primarily through obligation, and a law that fails to move its citizens through obligation is scarcely distinguishable from force a human community moved to and fro chiefly by force is a disordered community.

<sup>28</sup> For “to safeguard the inviolable rights of the human person, and to facilitate the performance of his duties, is the principal duty of every public authority” .... Thus any government which refused to recognize human rights or acted in violation of them, would not only fail in its duty; its decrees would be wholly lacking in binding force. §§60–61.

<sup>29</sup> We shouldn’t overlook the bracing passages quoted from St. Augustine:

And just as individual men may not pursue their own private interests in a way that is unfair and detrimental to others, so too it would be criminal in a State to aim at improving itself by the use of methods which involve other nations in injury and unjust oppression. There is a saying of St. Augustine which has particular relevance in this context: “Take away justice, and what are kingdoms but mighty bands of robbers” §98 [*De civitate Dei*, lib. IV, c. 4; PL 41. 11 5; cf. Pius XII’s broadcast message, Christmas 1939, AAS 32 (1940) 5–13].

Striking yet another Augustinian theme, in *Mater et Magistra*, having cited the *Confessions*, on the inquietude of the human heart, PT includes this admonitory sentence: “Separated from God a man is but a monster, in himself and toward others; for the right ordering of human society presupposes the right ordering of man’s conscience with God, who is Himself the source of all justice, truth and love”. §215.

Dr. King therefore carefully defended rights as having their foundation in law, and in so doing he avoided the trap of putting rights and right order into opposition. Indeed, it is quite telling that in the *Letter* Dr. King was not anxious about a list of rights so much as a spectacle of disorders. Among these that he mentions: the corruption of individual and corporate conscience – and especially of the churches – the use of brutal and arbitrary police powers, the refusal to allow peaceful public assembly, the refusal of political representation at the voting booth, and, finally, the appalling history of using human law to compel both public officials and private citizens to treat one another chiefly on the basis of skin pigmentation, thus reducing PT's second and third modes of order to the first one. Racial segregation is nothing other than government decree compelling citizens, (3<sup>rd</sup> order), to ignore the endowment that constitutes human beings (2<sup>nd</sup> order), and to take as normative the endowments which characterize physical nature (1<sup>st</sup> order). One hardly needs to appeal to a subjective right in order to see that the putative “order” of the law of segregation is a disorder.

It was not my purpose to claim that Dr. King wrote a philosophical treatise, nor that he set out in any conscious way to respond to Pope John's PT. Pope John's encyclical, for that matter, hardly counts as a philosophical treatise. Even so, the convergence of the two letters (issued only a week apart) expose that it is nonsense to think that either presented some new understanding of natural law, much less that they subordinated natural law to subjective rights. Each letter summarized a common moral teaching, inherited, in its Christian form, by the Pope and Dr. King alike. Each shared the conviction that authentic rights claims and right order are co-implicates rather than opposites, and that the nucleus of both is the anthropological endowment. Doesn't this indicate that, circa the spring of 1963, the common moral teaching could not easily be dismissed (*pace* Cardinal Roy) as an antique relic that “jars the modern mentality”. Quite to contrary, these two letters – arguably the two most revered statements on natural law of the 1960s – were delivered and received without the need of technical philosophical or lawyerly argument. I will come back to this point in the conclusion.

Right order requires respect for the nature of human fellowship. The social principle is one human life participating in that of another, according to various kinds of common good: the family, voluntary societies, the nation state, to a family of peoples.<sup>30</sup> The term “common good” is used forty six

<sup>30</sup> “And so, dearest sons and brothers, we must think of human society as being primarily a spiritual reality. By its means enlightened men can share their knowledge of

times in PT. “Now the order which prevails in human society is wholly incorporeal in nature. Its foundation is truth, and it must be brought into effect by justice. It needs to be animated and perfected by men’s love for one another, and, while preserving freedom intact, it must make for an equilibrium in society which is increasingly more human in character”. (§37) Just as the dignity of a human person is reducible neither to the forces of nature nor the constructions of human art, but rather is *open to reality as a whole*, so too human societies are not reducible to the elemental forces of race, class, historical determinism.

Just as the human person is open to reality as a whole, so too are human societies open to wider orders – to a global order, and to a fully transcendent happiness.<sup>31</sup>

We must bear in mind that of its very nature civil authority exists, not to confine men within the frontiers of their own nations, but primarily to protect the common good of the State, which certainly cannot be divorced from the common good of the entire human family. (§98)

Here, indeed, we reach one of the most controversial teaching of the encyclical – both then and now. Namely, the need for an authority that has “structure and efficacy” for realizing a global tranquility of order in the human family. (§136)

Our sobriety and dubiety about the immediate prospects for such an order today should not cause us to impatiently dismiss the principle. It must be discerned, as Archbishop Minnerath says, *travers l’épaisseur de l’histoire humaine* (through the thickness of human history). The principle is not imposed from the outside, but is detected within other experiences and principles with which we are familiar. The human person is open to reality as a whole. He is not imprisoned either by physical forces or by his own art. Human rights flow from this anthropological principle. And so does the social principle. No true or valid society can pretend to order a human

the truth, can claim their rights and fulfill their duties, receive encouragement in their aspirations for the goods of the spirit, share their enjoyment of all the wholesome pleasures of the world, and strive continually to pass on to others all that is best in themselves and to make their own the spiritual riches of others. It is these spiritual values which exert a guiding influence on culture, economics, social institutions, political movements and forms, laws, and all the other components which go to make up the external community of men and its continual development”. §36.

<sup>31</sup> Even if there were an authority competent for ruling a global family, man’s perfection would not stop there.

person exclusively to itself. Marriages, families, voluntary societies, nation states, and so forth, would be grotesque prisons if they made their particular membership the finality of human life. (It was precisely this upon which Roncalli meditated when he considered the problem nationalism during his retreat in October 1942). We need to notice that the expanding modes of order continue to track the anthropological principle. Man is open to a universal order – this is his endowment. Therefore, rightful liberties and responsibilities do not begin or stop at the gates of the family or the state.

The human person is capable of plural memberships without prejudice to the others. That one society is not the whole of human sociability is not a defect in man, but an excellence. PT therefore asserts that it is “a postulate of the moral order” that there be authority adequate to coordinating and maintaining the common good. (§136) Since human action increasingly pushes beyond the confines of the nation state and treaties between states, there is need of a module of government to protect the rights and right order of that common good.

### Looking Ahead: Signs of the Times

It might come as a surprise, but John XXIII did not use *signa temporum* or “signs of the times” in PT.<sup>32</sup> He did, however, use it in the Apostolic Constitution *Humanae salutis* – the bull of indiction calling the Second Vatican Council (25 Dec. 1961). The context and purpose of the scriptural source deserves attention. The scriptural pericope, of course, is Mt. 16.1-5:

And there came to him the Pharisees and Sadducees tempting; and they asked him to show them a sign from heaven. But he answered and said to them: When it is evening, you say, It will be fair weather, for the sky

<sup>32</sup> *Gaudium et spes*, at §4, uses it without reference to PT. As it happened, *signa dei tempi* was inserted as a section heading (above PT §126). It is not in the autograph, AAS 55 (1963). In §126 [English trans. numbering], the pope speaks of “more and more, men today are convinced that ...” The section headings appear to come from an earlier Italian draft. (See Melloni’s table of drafts, at 134–219). Eager to quickly issue polyglot translations (based upon the Italian not the Latin typical), the Vatican Press inserted the “signs of the times” heading after each of the four parts of PT. See Jeremiah Newman, *Principles of Peace: A Commentary on John XXIII’s Pacem in Terris* (Oxford, Catholic Social Guild, 1964), 51. Thus, *signa temporum* was detached from its original context in Mt. 16.3. Rather than the richly ambiguous and the pointedly admonitory meanings of both the scripture and Pope John’s use of it in 1961, the phrase seemed to be an empty placeholder for organizing pronouncements about current affairs. In this case, journalistic convenience obscured important dimensions of the encyclical: not only the scriptural source of *signa temporum* but also the structural organization of the six facets of order.

is red. And in the morning: Today there will be a storm, for the sky is red and lowering. You know then how to discern the face of the sky: and can you not know the signs of the times? A wicked and adulterous generation seeketh after a sign: and a sign shall not be given it, but the sign of Jonas the prophet. And he left them, and went away. And when his disciples came over the water, they had forgotten to take bread.

In the bull of indiction for the council, Pope John uses this strange Matthean pericope to do two things. First and foremost, Christ's admonition was meant to situate the ecumenical council. This Apostolic Constitution, after all, was written for the bishops. "Signs of the times" in this respect should be taken in an immediately theological sense. It pertains to the mission of the Church, sowing the seeds of the Gospel in a particular time. Indeed, the last sentence of the pericope is a wonderfully ambiguous report about the disciples themselves at verses 5-9. In the second place, the pericope was intended to situate more broadly the dialogue between the Church and the world. Accordingly, the pope emphasized that the atrocities of war, the ruin of minds by ideologies, the fear and anxieties which attend scientific technologies, were not without "warning signs". Because these warning signs had been confirmed in experience of this very generation, he proposed that the Church's mission in the contemporary world had reached a moment of teaching and learning "by experience".<sup>33</sup> By *experience*, he did not mean a pontifical commentary on current events; nor did he suggest that current events presented much more than a "murky haze" needing discernment. Rather he meant to remind the bishops that a common experience can facilitate inquiry into, and appropriation, of the principles governing a work to-be-done.<sup>34</sup>

In his opening allocution to the Second Vatican Council, Pope John once again reminded the bishops that "history is the teacher of life".<sup>35</sup> A

<sup>33</sup> *Humanae salutis* (25 Dec. 1961): AAS 54 (1962), 6-7.

<sup>34</sup> Admonitory signs in PT: "But one of the principal imperatives of the common good is the recognition of the moral order and the unfailing observance of its precepts". "A firmly established order between political communities must be founded on the unshakable and unmoving rock of the moral law, that law which is revealed in the order of nature by the Creator Himself, and engraved indelibly on men's hearts ... Its principles are beacon lights to guide the policies of men and nations. They are also warning lights – providential signs – which men must heed if their laborious efforts to establish a new order are not to encounter perilous storms and shipwreck" [*qui quidem ex eius monitoriis, saltaribus providisque signis...*] §85, quoting Pius XII broadcast message, Christmas 1941, AAS 34 (1942) 16.

<sup>35</sup> *Gaudet Mater* (October II, 1962), *Sacrosanctum Oecumenicum Concilium Vatican II, Constitutiones, Decreta, Declarationes* (Vatican City: Libreria Editrice Vaticana, 1993), 858.

common historical experience can have a useful winnowing effect for interlocutors of good will. Some options are recognized almost immediately as dead ends, while others remain what William James called “live options”. Thus, discerning the “signs of the times” helps one to know where, *in medias res*, a dialogue ought to begin. For Pope John, the experience of the post-war generation provided an opportune moment for setting forth natural law principles governing peace as tranquility of order. The pathologies of totalitarian states were in full evidence; western Europe was still being rebuilt from the devastation of the war; the Cuban missile crisis had made everyone aware of the need for at least some limits to use of lethal force, even in defense of a good cause; and the rapid pace of decolonization made it imperative that the new polities be founded on the four principles comprising the encyclical’s subtitle.

PT is both dialogical and doctrinal. It is the first papal encyclical to treat natural law in general terms for a general audience – for men of good will – and even more significantly for the express purpose of instigating collaboration along a wide front of moral, social, and political issues. Importantly, it assumes that the things-to-be-done are already, though inchoately and incompletely, under way. The Pope takes note of contemporary *desiderata* – what men want and hope to achieve regarding justice and peace. The word “value” (*valor*) is not in the encyclical.<sup>36</sup> Instead, we find *animorum appetitiones* and other such phrases to indicate what people are trying to accomplish (§§79, 159). In this respect, we are reminded of Jacques Maritain’s comment on the drafts in process for a U.N. Declaration of the Rights of Man: “the perspectives open to men, both on the planes of history and of philosophy, are wider and richer than before”.<sup>37</sup> Both assent and consent (truth and feasibility of agreement) sometimes are more favorable under certain conditions of shared experience.

I propose that this is the way we ought to interpret Pope John’s use of *signa temporum*. It should be understood in light of his notes during the 1942 retreat when he wrote: “The Bishop must be distinguished by his own understanding, and his adequate explanation to others, of the philosophy of history, even the history that is now, before our eyes, adding pages of blood to pages of political and social disorders. I want to re-read St. Augustine’s *City*

<sup>36</sup> The *valori* were superimposed, first in Italian, as headings for newspapers, and through this venue entered into other translations.

<sup>37</sup> Jacques Maritain, “Introduction” to the UNESCO document, *Human Rights: Comments and Interpretations* (1948).



of God, and draw from his doctrine the necessary material to form my own judgment". As is so often the case, the end was in the beginning.

While I do not insist that my interpretation is the only valid one, it has the virtue of following the rather bright thread of Roncalli's interest in St. Augustine. It corresponds to the actual organization of the encyclical and the theme of "tranquility of order". It also moderates a tendency from fifty years ago to retreat from doctrinal content and to reduce "signs of the times" to a kind of weather vane of dialogue.

In his paper for this Plenary, Msgr. Minnerath makes the interesting point that in PT the order of nature is not only essential but also existential – *la nature dans PT n'est pas seulement essentielle; elle est aussi existentielle*. This seems exactly right.<sup>38</sup> My guess is that this double dimension arises from Pope John's early and abiding interest in Augustine's theology of history and Thomas's doctrine of natural law as participation in the eternal law. In any case, the scheme of order, signs, and interpretations is very prominent in Augustine. Consider the following passage in the *Confessions*:

Is not this appearance of the universe evident to all whose senses are not deranged: Then why does it not give the same answer to all? Animals, small and great, see it, but cannot ask the question. They are not gifted with reason to sit in judgment on the evidence brought in by the senses. But men can ask the question, so that the invisible things of God are clearly seen, being understood by the things that are made; but by loving these things, they become subject to them, and subjects cannot judge. And these things will only answer the questions of those who are prepared to judge ... They look just the same to both, but to one man they say nothing and to the other they speak. Oh it would be truer to say that they speak to everyone, but are only understood by those who compare the voice which comes to them from outside with the truth that is within. (Conf. X.6)

Across the ocean of human affairs, things change, along with the signs and interpretations. The cultural and social *signa temporum* are not always favorable, and human persons are not always favorable to reckoning with the signs they see. The decades from 1945–1965 provided a crucible of shared experience, generating palpable expectations for political liberty, a common order of rights, and economic development. In the ordinary course of things, moral consensus tied to such moments does not last very long. We

<sup>38</sup> Indeed, this is the language of *Humanae salutis ... inter tot taetricas caligines*, amid the gloomy mists.

have good reasons to think that this accounts for Pope John's sense of urgency when he summoned the council and issued instructions to his team of writers shortly before his death.

In 1988, Cardinal Joseph Ratzinger traveled to England to give the annual Fischer Lecture for the Catholic Chaplaincy at Cambridge University. With a paper entitled "Consumer Materialism and Christian Hope", he came prepared to speak about the "characteristic signs of the times". The most troubling sign, he averred, is that "what is moral has lost its evidence".<sup>39</sup> "What was first of all common to all of pre-modern mankind, however, lies really along the self-same line: the conviction that in man's being there lies an imperative, the conviction that man does not devise morality itself by calculating expediencies; rather he comes upon it in the being of things".<sup>40</sup>

The key point is reached at the conclusion of the Cardinal's prepared remarks. Referring to wisdom traditions in general, he proposed that "Morality is not man's prison; it is rather the divine in him".<sup>41</sup> This conviction implies that the whole man is open to reality as a whole. Were this not true, the order of nature would amount to a mere aggregation of "details", and man's own interpretation of these details would amount to partial constructions of his own subjectivity – or, what is more likely, the constructions of social, political, and legal forces. Morality, then, would be a "prison". Perhaps we should go even further to say that whatever is "divine" in man would demand that the individual be emancipated from this prison of mere partialities, which can force but only pretend to bind his conduct. Thus, for the modern person, "morality has lost its evidence". He can "see through" all things but not "see".<sup>42</sup>

And so we have two prelates, both devotees of Augustine with strong interest in the theology of history, interpreting the signs under quite different historical skies. In the spring of 1963 Pope John and Dr. King could communicate a perennial moral logic because persons of "good will" were

<sup>39</sup> Cardinal Joseph Ratzinger, "Consumer Materialism and Christian Hope", *Teachers of the Faith: Speeches and Lectures by Catholic Bishops*, Foreword by Cardinal Cormac Murphy-O'Connor, ed. Tom Horwood (Catholic Bishop's Conference of England and Wales, 2002), 78–94.

<sup>40</sup> *Id.*, 87. The Cardinal's speech is an important documentary antecedent to the International Theological Commission's report, *The Search for a Universal Ethics: A New Look at Natural Law* (2008). This document is notable for its serious attempt to re-adapt the dialogical to the doctrinal facets of natural law and human rights.

<sup>41</sup> *Id.*, 92.

<sup>42</sup> *Id.* 90. Quoting C.S. Lewis.

disposed in their own action and hopes to secure a certain order of rights. They taught what people were already trying to see and understand.

Perhaps the first sign of a changing historical sky was three years later, when in 1966 the U.N. could reach no moral consensus on a Covenant of Rights, and so it issued two: one on Civil and Political Rights, another on Cultural and Economic Rights. The problem was not so much different lists of human rights, but different orders that could not be integrated into a single, complex scheme. Rene Cassin's model of the portico had not been fully accomplished in history, but his vision had the mark of unity and coherence. After 1966 it became easier to imagine at least two different temples, having different foundations, steps, columns, and pediments. Perhaps there are more. Can there be tranquility of order if human goods, aspirations, and rights are arrayed in such different orders? It is one thing to have a diversity of political regimes – forms of government – but quite another thing to have different temples, which is to say different normativities.

In whichever temple of rights, there is little consensus reflecting what PT proposed as the first two modes of order: order in creation and order in human beings. While PT was under no illusions concerning the problems of clarifying and instantiating the fifth and six orders (between nations and then with respect to a still-to-be-determined global authority), the first two were of a different status. For in these, we are dealing with endowments to be discovered and honored. This constitutes the anthropological and moral foundation of human rights, which came to be perceived as a “prison”. One way out of that “prison” is to leave PT's first two modes of order to private opinion. Perhaps the human rights project can continue, but its foundation can be no deeper than the fourth order, between citizens and their government. Thus, the foundations will appear to be the changeable policies and legal instruments of governments.

In his Address to the U.N. General Assembly in 2008, Pope Benedict returned to this problem. Speaking of the 1948 Declaration, he said:

However, the results still have not been as high as the hopes. Certain countries have challenged the universality of these rights, judged to be too western, inspiring a search for a more inclusive formulation. Moreover, a certain propensity towards multiplying more human rights according to the disordered desires of the consumerist individual or from sectarian demands rather than the objective requirements of the common good of humanity have, in no small way, contributed to devaluing them. Disconnected from the moral sense of values, which transcend particular interests, the multiplication of procedures and juridical regulations can only wind up in a quagmire,

which in the end only serves the interests of the most powerful. Above all, this reveals a tendency to reinterpret human rights, separating them from the ethical and rational dimension – which constitutes their foundation and end – in favor of a pure utilitarian legalism. “Today”, he concluded, “efforts need to be redoubled in the face of pressure to reinterpret the foundations of the *Declaration* and to compromise its inner unity”.<sup>43</sup>

This would seem to be a different historical sky, requiring a new dialogical tactic rather than a new teaching. Nonetheless, fifty years later we have good reason to appreciate the encyclical’s bid to present rights and right order as integrally related. In this sense, PT was prescient, for it underscored the very issue that would become the stumbling block.

<sup>43</sup> Benedict XVI, Discourse of April 18, 2008 before the General Assembly of the United Nations (AAS 100 [2008]), p. 335.

# THE MAGNITUDE OF ‘WALKING IN THE TRUTH’ (3 JN 1)

■ H.E. MSGR. MARCELO SÁNCHEZ SORONDO

*Blessed are the peacemakers,  
for they will be called children of God  
(Mt 5:9)*

As the organiser Professor Russ Hittinger pointed out, nearly fifty years have passed since the historic encyclical *Pacem in Terris* (*PT*), the most complete, thorough and successful document of the Magisterium on the subject of peace. *PT* echoes the historical period in which it was written, as well as the Gospel’s core values and the principles of patristic and medieval thought and its modern development, that is to say, the perennial principles of the Magisterium of the Church.

In his Message for the celebration of the 36<sup>th</sup> World Peace Day (2003), which marked the 40<sup>th</sup> anniversary of *Pacem in Terris*, the Blessed Pope John Paul II said: ‘Looking at the present and into the future with the eyes of faith and reason, Blessed John XXIII discerned deeper historical currents at work. Things were not always what they seemed on the surface. Despite wars and rumours of wars, something more was at work in human affairs, something that to the Pope looked like the promising beginning of a spiritual revolution’.<sup>1</sup>

With the prophetic spirit that characterised him, John XXIII identified the essential pillars for peace as the four deepest needs of the human spirit, which were empowered by the Gospel of Christ. These pillars and aspirations were indicated in the sub-title of the encyclical which reads: ‘On Establishing Universal Peace in Truth, Justice, Charity, and Liberty’. Like the transcendentals of philosophy, these aspirations of the human soul correspond to each other or belong to each other, but for reasons of space I will only briefly analyse the subject of truth in relation to its perennial value, current development and transcendent power.

## **Veritas liberavit vos**

The words of the Gospel, ‘the truth will set you free’,<sup>2</sup> have a perennial value and illuminate with a divine spark all human activity that strives to look for, and bear witness to, truth. Truth is the end of the universe, ‘*ultimus*

<sup>1</sup> 36<sup>th</sup> World Day of Peace Message, Vatican City, 2003, § 3.

<sup>2</sup> Jn 8:32.

*finis totius universi est veritas*, as St. Thomas Aquinas, one of the greatest geniuses of thought in history, wrote.<sup>3</sup> *PT* declared that every human being has ‘the right to be free to seek out the truth, the duty to devote oneself to an ever deeper and wider search for it’ (29). Naturally, the Pope’s Magisterium refers primarily to ‘the truth of salvation’, that is to say those truths that lead us to eternal life, such as the existence and Providence of God, salvation by the grace of Christ the Redeemer, and its extension in the Church until the end of time. However, there are many other philosophical and scientific truths connected to these that are necessary in order to live a good and happy individual, social, national and global life in the cities of this world. Some developments of these truths, especially those of the natural sciences and the social sciences, were unknown fifty years ago. The encyclical, however, courageously exhorts us to adapt every institution to the new things of that time: ‘The age in which we live needs all these things. It is an age in which men, having discovered the atom and achieved the breakthrough into outer space, are now exploring other avenues, leading to almost limitless horizons’ (156).

As regards the ‘truths of salvation’, it must be said immediately, without fear of error, that many have been obscured by the growing process of secularisation that has been accelerating since *PT*, with the rapid spread, above all in Europe and the West, of agnosticism and a pragmatic, relativist and nihilist atheism, on the one hand, and the propagation of a process of ‘demythisation’ which has even led to a denial of the historical existence of Jesus of Nazareth, on the other. It is clear that the great and Blessed Pope John Paul II, who was as great as Gregory the Great and Leo the Great, led a successful battle against atheistic Communism in Central Europe. But perhaps he was not as successful in reversing this secularising tendency and in healing the West of a pervasive pragmatic atheism. Thus, since the beginning of his pontificate Pope Benedict XVI has placed at the centre of his teaching and his Petrine mission the programme of starting afresh from God and Christ the Saviour (the subject of three of his bestselling books). This is also why we invited H.E. Msgr. Ladaria to speak about these publications. Indeed, Benedict XVI, to implement this programme, chose to proclaim 2012 ‘Year of the Faith’, to bring forth again the profound joy of Faith, Hope and Charity, renewed in the Church and in every Christian, with a consequent flow of beneficial fruits of the Spirit and of peace towards all people of good will.

<sup>3</sup> St. Thomas Aquinas, *Contra Gent.*, I. 1, c. 1.

## The Pillars of Transcendent Truth

One of Pope Benedict XVI's strongest statements, which he made during his apostolic visit to Brazil in 2007 on the occasion of the Latin American Synod of Aparecida, is of particular importance for us. With his acknowledged theological and philosophical wisdom, Benedict XVI asked what truth is: 'What is this 'reality'? What is real? Are only material goods, social, economic and political problems 'reality'? This was precisely the great error of the dominant tendencies of the last century, a most destructive error, as we can see from the results of both Marxist and capitalist systems. They falsify the notion of reality by detaching it from the foundational and decisive reality which is God. Anyone who excludes God from his horizons falsifies the notion of 'reality' and, in consequence, can only end up in blind alleys or with recipes for destruction'.<sup>4</sup>

In this epoch, which is more disenchanting than that of *PT*, one can never, with Benedict XVI, lay enough emphasis on this transcendent reality, which St. Augustine proposed as 'God and the soul'<sup>5</sup> and which had already been announced in the Gospel of John when it declared that 'no one has ever seen God',<sup>6</sup> although the Word made flesh presented Him to us. In the same way, the soul lies unseen in the interior of each human being, but it testifies to its presence through the acting of which the person is the beginning and the end, and thus Jesus Christ asks us in impelling way: 'What does it benefit a man if he gains the whole world but loses his soul? – τὴν ψυχὴν αὐτοῦ' (Mk 8:37). You can change the order and go from God to the soul, to the world and again from the human being to Christ and to God following the descendent process of a Christian theological character. Or one can go from human actions to the soul and from the soul to God according to the ascendant process of an Aristotelian character, which St. Thomas Aquinas employs in particular in his last works which have an anthropological basis. There is a text by Aquinas that can shed light on the importance of these truths which are very intimately connected with faith and which come to his aid and almost act as preambles to it: 'Faith cannot universally precede understanding, for it would be impossible to assent by believing what is proposed to be believed, without understanding it in some way. However, the perfection of understanding follows

<sup>4</sup> *Aparecida Address*, 13 May 2007.

<sup>5</sup> 'Deum et animam scire cupio' (S. Aurelii Augustini, *Op. Omnia*, PL 32, *Soliloquiorum*, lib. II, 2 A).

<sup>6</sup> Jn 1:18.

the virtue of faith: which perfection of understanding is itself followed by a kind of certainty of faith'.<sup>7</sup>

### **The Truth of the Natural and Social Sciences**

This is where the 'anthropological' question (as it is called today in Italy, and increasingly in Europe) presents itself again. Today we can throw new light on the crucial age-old question in which the West has been engaged, starting with the ancient Greeks and the famous controversy between Socrates (and his school - Plato, Aristotle) and the Sophists, empiricists and cynics; continuing with the famous Paris debate between St. Thomas and the Averroists and the Avicbronists and then the German classical philosophy of freedom; until reaching the present day with the fierce debate with positive science. The question today presents itself again in the following terms: what is the status of a human being in a culture dominated by science? To what extent does he participate in nature and in what ways is he different from it? In short, no one can deny that truth, in its classical notion of correlation between reality and intellect (*adaequatio rei et intellectus*) can also be found in the natural sciences and in the social sciences considered specifically in the totality of their research and their proven discoveries. The Pontifical Academy of Sciences highlighted this in an excellent book that takes stock of the findings of the second half of the last century from the composition of matter, the advances in astrophysics and astronomy, the developments of quantum mechanics, to the contributions of biology (cells, the DNA double helix), and on to the neurosciences, computer science and nanotechnologies.<sup>8</sup> When faced with the exaggerated subjectivism of the philosophies of the 20<sup>th</sup> century, the natural sciences required a new type of realism which led Popes, starting with Pius XI, and continuing with Pius XII, the Blessed John XXIII and Paul VI, up to the present day, to take them into serious consideration. In contrary fashion, if the sciences are seen as the only form of absolute, autonomous and self-referential truth, they be-

<sup>7</sup> *S. Th.*, II-II, q. 8, a. 8 ad 2um. According to the Catholic tradition that follows St. Thomas, faith *ut tenenda* are those truths that the human reason is able to investigate but that divine mercy beneficially provides that it should instruct us to hold by revelation: 'salubriter divina providit clementia ut ea etiam quae ratio investigare potest, fide tenenda praeciperet: ut sic omnes de facili possent divinae cognitionis participes esse' (St. Thomas Aquinas, *Contra Gent.*, l. 1, c. 4, n. 6).

<sup>8</sup> AA.VV., *Paths of Discovery*, Marcelo Sánchez Sorondo (ed.), Acta 18, Pontifical Academy of Sciences, Vatican City 2006, pp. LXVII-299, online at [www.pas.va/content/accademia/en/publications/acta/discovery.html](http://www.pas.va/content/accademia/en/publications/acta/discovery.html)



come unsustainable, inhumane and ultimately contradictory. The statement that the only reality and truth is that which can be experienced and measured, fatally reduces the human being to a product of nature, and as such he is neither intelligent nor free, and he is susceptible to being treated as just another animal. Thus, unlike the natural sciences and social sciences, which, as a whole, embrace the horizon of nature and the human being, philosophy and Christian theology today have the urgent task of opening and strengthening the field of transcendence, starting from the truths of the immortality of the soul and the existence of God.

Ever since its origins theology has developed in cooperation with philosophy. This cooperation today continues to be fundamental but it must also extend to dialogue with the natural and social sciences. It is undoubted that theology can benefit from encounter with sociology, economics, comparative law, psychology, medicine and pedagogics. Indeed, when, for example, theologians employ statistics they are using a social science, whether they are aware of this or not. What is at stake here is truth itself. This means that when science states that life passes by way of a cell that has a genetic code, which is transmitted to all the other cells of the same organism, this statement is not a fantasy of scientists but corresponds to what in reality takes place in nature. Naturally, this is not the whole truth. However, it is participation of truth by essence which only the Word of God possesses, or, expressed better, which He is fully, and which is revealed directly to us by Him in what concerns our salvation. Thus to be reliable, contemporary theology and philosophy must proceed starting from the truths that science offers so generously, taking advantage of these as an aid and a preamble. Otherwise, they would be not very reliable, above all for the new generations that study in today's secularised universities which are often dominated by a scientific vision of the world. In other words, it is useless to begin to fight a battle, lost from the outset, in order to accept the facts and the constants of nature and society, which are those truths that science is able to offer us. If it were not possible to reinterpret the natural data of the sciences and social sciences in the light of sound philosophy and theology we would be destined to simple repetition or error, in contrast with the pursuit of truth.

Of course this is not the right place to dwell on this task, which has been discussed on other occasions, especially within this Academy and our sister Academy of Sciences. However, I think I can say, regarding *PT*, that there are three new subjects that emerge within interdisciplinary exchange that must be further examined today with a view to a real exchange between the objective or naturalistic approach of science and the philosophical-theological approach, starting with the aforementioned analysis of human praxis which

is based upon the Socratic ‘know yourself’, that is to say a fundamental anthropology, which, with *Fides et ratio*, we can well call ontological.

These three points which particularly concern the natural sciences but also social sciences that do not want to separate from the data of biology, are the following. First, the field of biology as regards the beginning and the end of human life; then the domain of the neural sciences, with the progressive discovery of the centrality of the brain (that marvel in the architecture of our bodies); and, lastly, the genetic sciences which converge with the theories of evolution.<sup>9</sup> To these subjects of fundamental anthropology we must add the emerging question of the human habitat or that part of nature that is within the reach of human beings. I am referring to climate change and global warming, which can now be understood, predicted, diagnosed, and directed; to the subject of genetically modified foods which can help to increase the quality of food and to solve the growing tragedy (in absolute and relative terms) of hunger; and, lastly, to the question of a preferential choice for renewable energies, those that have accompanied man’s life on earth from the outset and which today are called to play a new and decisive role for the good of the habitat and for peace. In addition, today we know that these questions of environmental ecology are closely related to those of human ecology and vice versa. These are all truths that *PT* did not address.

Pope Benedict XVI who, at the summit of the hierarchy of the Church, is probably the person most convinced of these realities, summarised the subject with a clear and decided principle that he has emphasised since the beginning of his pontificate: ‘If you want to cultivate peace protect Creation’.<sup>10</sup> The Holy Father added: ‘We can no longer do without a real change of outlook which will result in *new life-styles*’.<sup>11</sup> If culture tends toward nihilism, if not in a theoretical sense then at least in a practical sense, nature undoubtedly is suffering the consequences, as we can see today. When human ecology is respected in society, environmental ecology also benefits. The Pope bases his reasoning on that theology and anthropology that we cited above and thus

<sup>9</sup> Cf *Scientific Insights into Evolution of the Universe and of Life*, Werner Arber, Nicola Cabibbo, Marcelo Sánchez Sorondo (eds), Pontifical Academy of Sciences, Acta 20, Vatican City, 2009, pp. LXVII-622, online at [www.pas.va/content/accademia/en/publications/acta/evolution.html](http://www.pas.va/content/accademia/en/publications/acta/evolution.html)

On the same subject, cf also Werner Arber, *Contemplation on the Relations Between Sciences and Faith*, online at [www.pas.va/content/accademia/en.html](http://www.pas.va/content/accademia/en.html)

<sup>10</sup> *World Day of Peace Message*, Vatican City, 2010.

<sup>11</sup> *Ib.*, n. 11.

constitutes a further innovation as regards *PT*. This interdisciplinary approach shows that the sciences do not constitute intellectual worlds that are separated from each other and reality, but, on the contrary, demonstrate that such branches of knowledge are related to each other and reality in such a way that each one finds in the others its foundation and all of them strive to manifest their various ways of being entities. In this way the natural sciences and the social sciences are fused with fundamental anthropology, each with its respective function and focus. By this route, a breach is made which places them in communication and keeps the mind always vigil and in movement.

A first statement that we can make as regards the programme for a new evangelisation, is that as academicians it should be our task critically to discern and give an order to these new truths of the sciences and social sciences, like St. Paul at the Areopagus of Athens in relation to Greek philosophy, recognising how these new truths can operate as new preambles for faith.

### The New Settings of Truth

Another new question is the controversial topic of new authorities or pseudo-authorities, the settings of truth (*locus veritatis*) or pseudo-truth, and their communication, which the encyclical had already foreseen: '[Man] has a natural right, also, to be accurately informed about public events' (12) and to receive a 'good general education' (13), according to St. Paul's principle: 'Therefore, putting away falsehood, speak the truth, each one to his neighbour, for we are members one of another'.<sup>12</sup>

In order to follow the indications of the encyclical today, we should, first of all, quickly provide education to all the human beings of the planet, a primary need that we are behind hand in achieving, as was underlined by a joint workshop held by both our Academies in November 2005 entitled *Globalization and Education*.<sup>13</sup> To explain the new educational approach for a Catholic vision of the world (*Weltanschauungen*) and the human being, we have invited Cardinal Rouco Varela, who, *inter alia*, deserves the principal credit for the success of the 26<sup>th</sup> World Youth Day in Madrid.

*PT* emphatically returns to the topic of truth in politics when it says that 'The first point to be settled is that mutual ties between States must be governed by truth' (86, 114). And on the topic of information and communication

<sup>12</sup> Ep 4:25.

<sup>13</sup> AA.VV., *Globalization and Education*, Joint Workshop P.A.S. and P.A.S.S., 16-17 November 2005, Extra Series 7, Walter de Gruyter, Berlin-New York, 2007, pp. XXI-290, online at [www.pas.va/content/accademia/en/publications/extraseries/globalization.html](http://www.pas.va/content/accademia/en/publications/extraseries/globalization.html)

it adds that 'Truth further demands an attitude of unruffled impartiality in the use of the many aids to the promotion and spread of mutual understanding between nations which modern scientific progress has made available. This does not mean that people should be prevented from drawing particular attention to the virtues of their own way of life, but it does mean the utter rejection of ways of disseminating information which violate the principles of truth and justice, and injure the reputation of another nation' (90).

One of the new settings where opinions and trends are shaped is undoubtedly the Internet, simply by enabling its users to communicate with one another but also by making it harder to cover up the secrets of diplomacy, politics and banks. As you are well aware, this is creating a real revolution at all levels of society. Much of this information seems destined to lay bare not only the North American scenario, but also that of the other powers, launching a new era, one where the kingdoms that have been founded on secrets since the beginning of time (the reign of secrets that Machiavelli justifies on the basis of the principle of *raison d'état*) are inevitably destined, if not to die out, at least to be notably reduced. In this sense, what could happen if the most serious truths come to light? Think of the revolution underway in the Arab world, unthinkable only a few years ago, which began with the self-immolation of a desperate young Tunisian named Mohamed Bouazizi and spread like wildfire via mobile phones, blogs, Facebook, YouTube and Twitter before it was picked up by the international media. In Egypt, although the government tried to cut off mobile and Internet communications, a young Google executive named Wael Ghonim created a Facebook page called 'We are all Khaled Said', a young Egyptian who was tortured to death by police in Alexandria, causing the irrepressible uprising of masses of people in the main squares, some of them hungry and some of them requesting respect for human rights and social justice. Further examples are the *Indignados* movement in Spain and *Occupy Wall Street* in the USA.

Precisely as a tribute to truth, from St. Thomas Aquinas to John Locke, Western doctrine has given people the 'right to resist oppression'. So what is it that has made this ancient principle so pertinent today? The communications revolution. This revolution, expressed by innovations such as YouTube, Google, Facebook, Twitter and other similar Internet products, is *horizontal* because it does not just connect broadcasters with an audience, it also connects the people that make up the audience with one another, *peer-to-peer*. People are now able to communicate truths among themselves and by themselves. Thanks to this revolution, Tunisians, Egyptians and Libyans were able to get connected despite their despotic governments. Thanks to

this revolution, the Syrians, the Chinese and the Iranians are also getting connected, reflecting the universal aspiration to human dignity, freedom and democracy. The latest news is that the same revolution allowed Burma's Nobel laureate Aung San Suu Kyi to win a by-election for parliament, meaning she could become president in 2015. The attempt of these various ideologies to control their peoples' aspirations can now be criticised by the people themselves within their own nations and on a global scale thanks to these new horizontal forms of communications.

When speaking about Providence and trust in God, Aquinas, following on from St. Paul, says that the things and events of this world are destined by Providence to the good of people of good will who love the Lord.<sup>14</sup> Could this observation be applied, *servatis servandis*, by analogy to democracy? If the disclosure of state or banking secrets, or simple transparency in communications, serves people, why should it not be encouraged? Should it not be judged more strictly only if it affects people negatively? All kinds of information are useful for genuine democracies, which should live in truth, in accordance with *PT*, because they can help them make transparent decisions for the common good. In fact, only dictatorships, especially single-person ones, very often based on corruption, are afraid of transparency and of spreading the truth about what is happening.<sup>15</sup>

Here I should add other subjects connected with the new truths of the social sciences that have been progressively developed over the fifty years since *PT* (many of which have been studied by our Academy) and are intrinsically related to the Christian faith and often derive from the message of Christ.<sup>16</sup> I mean, for example, the conceptualisation of the person in the social sciences, including other related and somewhat overlapping notions such as the self as a constitutive relational subject, freedom as possibility of being-one's-self and

<sup>14</sup> 'Sub praedestinatione cadit omne beneficium salutare, quod est homini ab aeterno divinitus praeparatum; unde eadem ratione omnia beneficia quae nobis confert ex tempore, praeparavit nobis ab aeterno' (*Super Rom.*, c. 8, l. 6).

<sup>15</sup> Cf. AA.VV., *Democracy in Debate, Reports*, Miscellanea 5, Hans Zacher (ed.), Pontifical Academy of Social Sciences, Vatican City, 2005, online at [www.pass.va/content/scienzesociali/en/publications/miscellanea/democracyreports.html](http://www.pass.va/content/scienzesociali/en/publications/miscellanea/democracyreports.html)

<sup>16</sup> Pius XI praises the Academy's search for scientific truth and observes that Christ, who was the Word and Divine Truth, was a teacher who sent out his Apostles with the mandate to teach. He concludes by expressing the hope that the Academy 'will become an increasingly rich source of that beneficial charity which Truth is' (*Papal Addresses*, Marcelo Sánchez Sorondo (ed.), Scripta Varia 100, Vatican City, 2003, p. 25 f., online at [www.pas.va/content/accademia/en/publications/scriptavaria/papaladdresses.html](http://www.pas.va/content/accademia/en/publications/scriptavaria/papaladdresses.html)). Cf also Benedict XVI, *Caritas in Veritate*, Intr., especially § 1.

collective responsibility, and capability as ability to perform the acts of each person. I may also add the characterisation of the human in general as regards rights and agency; friendship as oneself as another; and the person's claim for mutual recognition (*Anerkennung*), which has a close relationship with the idea of citizenship in a national, international and global context. Much has been done but much still needs to be done from the point of view of theoretical analysis and social praxis. The new evangelisation is called to take these truths into account if it wants to imitate the first evangelisation based on St. Paul's model, to which we have already referred.

In a way, the contribution of the social sciences, as well as that of the natural sciences, of which our academicians are authentic representatives especially in this Year of the Faith, must be to help the Church find new and perennial truths in the current social context. These should serve as an aids for, or as preambles to, the social doctrine of the Church, theology and even faith, to make easy for our contemporaries the path from reason to faith and from faith to reason, as indicated in *Fides et ratio*. Not because of the insufficiency of the Gospel but because of the weakness of our intellects which, not perceiving directly the truth by essence of God in this life, are led more easily, almost by the hand, from the truths known in the various dimensions of reason (from which the sciences derive) to knowledge of the divine truths of faith. St. Thomas Aquinas, who was ahead of his times with his clear distinction and complementarity between faith and reason, wrote that 'theology – although all other sciences are related to it in the order of generation, as serving it and as preambles to it – can make use of the principles of all the others, even if they are posterior to it in dignity' (*Super Boetium de Trin.*, q. 2, a. 3 ad 7). As the statutes say, the Pontifical Academy of Social Sciences 'offers the Church the elements which she can use in the development of her social doctrine' (art. 1): this is why the Church needs you, your critical sense of research, and your love of truth.

Thus Christian theology and philosophy can rely upon, and participate in, both these worlds, both in the world of nature and society and in the world of faith and reason. From nature and society they take the truths of ordinary life, those about birth and death in normal life, about paternity and filiation, about friendship and mutual appreciation, about violence and freedom, and above all about good and evil and justice and injustice. From faith, a human being obtains illumination of the new value that these terms acquire in the personal relationship both with God and with their world and (as a consequence) of the new value of the personal relationship of men and women with God as children with the Father; as friends of, and in, the Son; as fellow citizens of the angels and saints. God in this new light is not

specifically an object: He is a subject and He manifests Himself only in that person-to-person relationship which participates in the interpersonal relationship of the Divine Persons. This is the relationship from I to you, and to us, which gives tone and splendour to the sacred liturgy and divine symphony of the Psalms, beginning with the prayer taught to us by Jesus Christ and which begins with the social invocation 'Our Father' and continues with 'Give us this day our daily bread'. When this circularity between faith and reason, between theology, philosophy and science, does not exist, then the great question of humanity leaves the domain of reason and truth and are abandoned to the irrational, to myth, or to indifference, with great damage being done to the humanity itself of human beings, to peace on earth, and to man's ultimate destiny – heaven.

### **Veritatem facientes in charitate, crescimus (Eph 4:15)**

Being truthful as a person (ἀληθεύοντες), speaking and defending the truth with simplicity and conviction, and bearing witness to it in life, are therefore exacting and indispensable forms of love for each other and charity.<sup>15</sup> The world's greatest shortage is not of oil, clean water or food, but of true and moral leadership, i.e. of leaders who walk in the truth, who act according to the truth in their own lives. With a commitment to truth – Christian, philosophical, scientific, ethical, and personal truth – a society can overcome the many crises of poverty, disease, hunger and instability that confront us. Yet power abhors truth, and battles it relentlessly. So let us pause to express gratitude to the Blessed John XXIII and the Blessed John Paul II but also to all those lay leaders who have given a generation the chance to live in truth. Just as lies and corruption are contagious, so, too, truth and courage spread from one champion to another.

Much of today's struggle – everywhere – pits truth against deceit and greed. Even if our challenges are somewhat different from those faced by John XXIII and John Paul II, the importance of walking in the truth has not changed.

Today's reality is of a world in which, often, wealth translates into power, and power is abused in order to increase personal wealth, at the expense of the poor and the natural environment. As those in power destroy the environment, launch wars on false pretexts, foment social unrest, ignore the plight of the poor and the fifth of humanity that goes hungry, they seem unaware that they and their children will also pay a heavy price.

Moral leaders, who walk in the truth, nowadays should build on the foundations laid by John XXIII and John Paul II, whom St. Peter's successors acknowledged as Blessed, that is to say as celestial intercessors and mod-

els for us. Many people, of course, now despair about the possibilities for constructive change. Yet the battles that we face – against powerful corporate lobbies, relentless public-relations spin, and the many lies and mistakes of our governments – are less daunting than what the Blessed John Paul II, and others, faced when confronting the brutal Soviet-backed regimes.

Today, in addition to the tools available to these champions of truth, we are empowered with the instruments of the social media to spread our words, overcome isolation and mobilise millions in support of reform and renewal. Many of us enjoy protection of speech and assembly, though these are inevitably hard won, imperfect and fragile. Yet we are also blessed with the enduring inspiration of John Paul II's life in truth, which is of the profoundest importance and benefit to humanity. Moreover, true Christians have always been able to count on the power of the grace of Christ and the gifts of his Holy Spirit. As the object of God's love, men and women become participants in His divine nature and are called to make themselves dispensers and communicators of grace, and to weave networks of truth and charity.<sup>17</sup>

<sup>17</sup> It is well known that the notion of grace as 'participation in the divine nature' comes from St. Peter (2 Pt 1: 4). St. Leo the Great considered such participation the highest dignity of the human being (*Sermo I, de Nativitate*). Pope Benedict XVI develops this decisive doctrine saying that authentic Christians are agents of a mutual flow and reflow of Christ's grace: '[men and women] are called to make themselves instruments of grace, so as to pour forth God's charity and to weave networks of charity. This dynamic of charity received and given is what gives rise to the Church's social teaching, which is *caritas in veritate in re sociali*; the proclamation of the truth of Christ's love in society' (*Caritas in Veritate*, § 5).



# TRUTH, JUSTICE, CHARITY AND LIBERTY IN THE GLOBALISED WORLD

■ DAVID ALTON\*

On 11 April 2013 we will celebrate the official publication of Pope John XXIII's encyclical, *Pacem in terris: On Establishing Peace in Truth, Justice, Charity and Liberty*. It is sometimes described as Good Pope John's last will and testament to the Church; sometimes as the Pope's letter to the entire world. This anniversary has particular significance for me because as a boy, in 1963, I came to Rome with my school – a brand new Jesuit Grammar School named for the English martyr, Edmund Campion – and, in St. Peter's, in front of Pope John, we sang *Faith of Our Fathers*. Today, we commit ourselves to retelling the story of our faith in these new times.

Each word in the title of this talk warrants an exegesis commanding an entire conference, let alone a brief paper.

I hope, therefore, that you will permit me the luxury of taking each term at its most general and commonsensical: truth is saying of a thing what it is; justice is fairness; charity is giving of one's self for others; and liberty is freedom from oppression. All are universal concepts requisite to the pursuit of the Common Good.

I am not going to use my time today to furnish you with an exhaustive defence of these statements or to set out the endless libraries of relevant academic analyses and arguments. Rather, I hope to address you from the vantage point of a politician who has had been privileged to witness first-hand, and from the local to international scale, some of the challenges posed by globalisation to truth, justice, charity and liberty as properly conceived, and to set out some ways in which we might approach those challenges.

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## THE CHARACTER OF GLOBALISATION AND SOME OF ITS PROBLEMS

### Globalisation as Interdependence – the Balance of Local and Universal Interests

I began my career working in deprived inner city communities. That experience nurtured an ingrained suspicion of vast or over-weening centralised institutions and bureaucracies which accrete powers to themselves.

Where globalisation – a term coined by American educationalists in the 1930s but that became popularised in the 1980s<sup>1</sup> – implies centralisation I am antagonistic towards it; where it means *the phasing out of the nation state* and its replacement by remote or unelected elites, or homogeneity through imposed values, I feel the urge to resist it; where it implies interdependence I would want support it.

In 350 BC, writing in the *Politics*, Aristotle emphasised the duty of every citizen to be a participator in the common life. He claimed that by nature every human being is a political animal and none should be like *Solitary pieces in a game of chequers*.<sup>2</sup>

Simply, man cannot escape the fact that he is a social, interdependent being.

True participators must remember their inter-connectedness, seeking the good of the city as a whole, yes, but, if you'll pardon the cliché, they should never forget to stay in touch with their roots.

Mahatma Gandhi understood the importance of this when he remarked that *To forget how to dig the earth and to tend the soil is to forget ourselves*.<sup>3</sup>

Speaking about American politics, a former Congressional Speaker, Tip O'Neill, once remarked that in the final analysis *All politics is local*.<sup>4</sup>

It's helpful to remember this when globalisation seems to equate to remote centralisation and threatens to enshrine universal privileges that are to the detriment of local needs or undermine diversity.

Rather than falling prey to a false dichotomy between the local and universal – a mistake so often the catalyst for political conflict, Aristotle's value

<sup>1</sup> Sheila L. Croucher. *Globalisation and Belonging: The Politics of Identity in a Changing World*. Rowman & Littlefield, 2004.

<sup>2</sup> Aristotle, line 1252B of *Politics*, in Terence Urwin, Gail Fine, *Aristotle*, Hackett Publishing, 1996, p. 290.

<sup>3</sup> Mahatma Gandhi, recorded in the Navajivan Trust's English Weekly Journal: Har-ijan, 25-8-1946, p. 282.

<sup>4</sup> Tip O'Neil, *All Politics is Local, and Other Rules of the Game*, Gary Hymel, Crown Publishers; 1<sup>st</sup> edition 1994.

of interdependence should here be writ large and sought on a global scale. The *local* needs the *universal* and vice versa. Without the universal, the local may lose sight of the obligations to its fellow man, and runs the risk of relativising its moral system to its own locality and exclusive interests.

Equally, the *universal* needs the *local*, without which its ontology is sterile and without appropriate practical application.

We ought not to undertake the folly of attempting to resolve the tension between these two polarities. Rather we ought to try to live with the tension in order that it might be generative. Rather than an either-or, winner-takes-all battle to the death between local and universal, we should aim to strike that balance, favouring a *both-and* approach which bears fruit by means of the creative tension between the two aspects.

In the context of globalisation, the trend seems often to be towards *universalisation* rather than the nurturing of a *creative tension*, bringing with it a style of politics that is unbalanced and forgetful of its roots. When politicians forget to walk the streets, to engage in the issues which affect people, to live in the communities and regions they represent, or put self aggrandisement before the duty to serve, it compounds alienation and the dislocation of politics and people.

Yet, equally, any politician who becomes preoccupied with *the narrow* or whips up localised fears or prejudice or who does not see the connection between the local and what is national and universal is equally at fault.

### **Globalisation and Scale: as if People Mattered**

With the universalising tendency comes institutional and ideological *bigness*. But, as articulated by the British Catholic economist, E.F. Schumacher in his 1973 critique of western economics, seeing the Big Picture does not need to contradict the belief that *Small is Beautiful*.<sup>5</sup>

Schumacher was one of the first to examine the phenomenon of globalisation, arguing that with appropriate decentralisation there could be smallness within bigness.

How comfortably this sits with the Catholic concepts of subsidiarity, solidarity, human dignity, and utter respect for God's creation – where the man made in the image of God – *imago Dei* – always takes precedence over ideologies and systems.

<sup>5</sup> E.F. Schumacher, *Small is Beautiful: Economics as if People Mattered*, Hartley and Mark's Publishers, 1999.

Subsidiarity is enjoying a recent resurgence in popularity in European democracies, especially my own, where the government has incorporated something that seems very much like subsidiarity in to its flagship policy, but has named it localism.

Subsidiarity as we all understand it was developed by Oswald von Nell-Breuning, a German Jesuit theologian, whose thinking was pivotal in the publication of *Quadragesimo Anno* (1931) by Pope Pius XI, and whose writing was banned by the Nazis. As many of you will have heard many times, subsidiarity affirms that however complex a task may be, or however far reaching, it should be undertaken at the most local level possible.

In an increasingly globalised world where vast corporations have more wealth and power than many nation states, how much do we need our economies tempered by this principle, which hard-wires institutions against compulsive centralisation? The contrast with totalitarian and authoritarian societies – which subjugate the individual and these mediating structures to the State – could not be greater.

### **Globalisation and the Crushing of the Human Spirit**

To be Catholic is to be global. The word means *according to the whole*, and in every generation the Church's adherents have sacrificed their lives to live out the Great Commission from Jesus to *go out to all the nations of the world* and to *baptise all people in the name of the Father, Son and Holy Spirit* (Matthew 28, 16-20). Worldwide there are two billion Christians. The onus is universal – it applies to all those who accept Him – and is expected to be lived out universally: *all nations*.

Yet, in 2012, in the top 16 countries responsible for the most egregious and systematic violations of religious freedom, listed by the U.S. Commission on International Religious Freedom, persecution of Christians occurs in every one of those nations. This signals how malign and hostile the global environment may be and also, despite our *interconnectedness*, how indifferent we frequently are to those who reside with us in the household of faith.

In *Dignitatis Humanae* (Declaration on Religious Freedom, on the right of the person and of communities to social and civil freedom in matters religious, promulgated by Paul VI, December 1965) the Council fathers set out the terms on which Christians may remain true to the central belief and calling of universality – eschewing violent proselytism and theocracy and insisting on respect and tolerance while firmly asserting the right of Christians to worship freely and to proclaim their beliefs. The Second Vatican Council speaks audibly to a generation which is witnessing in the United Kingdom heavy handed intolerance involving attempts to ban the

saying of prayers on public occasions to the banning of the wearing of a cross; to the imprisonment and “re-education” of Chinese Catholic bishops and the execution of converts to Christianity in Iran. Wherever it occurs, this is the crushing of the human spirit. It also diminishes those who do it and robs society of something which can be virtuous and inspirational.

Speaking, appropriately enough, in Cuba’s Revolution Square (Homily, March 2012) Pope Benedict reminded us of two things, first that religious freedom solidifies society:

*Strengthening religious freedom consolidates social bonds, nourishes the hope of a better world, creates favourable conditions for peace and harmonious development, while at the same time establishing solid foundations for securing the rights of future generations.*

and secondly, that we must beware of intolerance and prejudice in our own lives: *there are those who wrongly interpret this search for the truth, leading them to irrationality and fanaticism; they close themselves up in ‘their truth’, and try to impose it on others. These are like the blind scribes who, upon seeing Jesus beaten and bloody, cry out furiously, Crucify him! (Jn 19:6). Anyone who acts irrationally cannot become a disciple of Jesus. Faith and reason are necessary and complementary in the pursuit of truth. God created man with an innate vocation to the truth and he gave him reason for this purpose. Certainly, it is not irrationality but rather the yearning for truth which the Christian faith promotes.*

This yearning for truth is the antithesis of homogenisation that implies a one size fits all vacuous western modernity to be imposed throughout the world. In Catholic thought, subsidiarity and universality sit happily alongside one another; so do reason and faith – the domains of secular rationality and religious conviction. These domains are interdependent and to be civilised we need them both.

### **Globalisation, Personalism and Communitarianism**

At the heart of all our concerns must remain the inalienable and inviolate dignity of the human person.

Whether it is an international supra organisation, a multi-national corporation or a nation state, there remains a duty not to derogate autonomy from the human person, from their family or from the many small and intermediate communities – such as the Church or voluntary organisations – which are the web and weave of society. Jacques Maritain’s ideas on personalism, as expressed in *Christianity and Democracy*,<sup>6</sup> should be read along-

<sup>6</sup> Jacques Maritain, *Christianity and Democracy*, translated by Doris C. Anson, Charles Scribner’s Sons, 1944.

side the more recent communitarian writings of Amitai Etzioni and political philosophers such as Alasdair MacIntyre, who argues that moral and political judgements – virtue ethics – will shape our actions as moral agents and determine the shape of our communities.

In *Dependent Rational Animals* (1999), MacIntyre asserts that human vulnerability and disability are the central features of human life, and that Thomistic *virtues of dependency* are prerequisite if individual humans and their communities are to flourish as they pass from immaturity to maturity. MacIntyre says:

*It is most often to others that we owe our survival, let alone our flourishing ... It will be a central thesis of this book that the virtues that we need, if we are to develop from our animal condition into that of independent rational agents, and the virtues that we need, if we are to confront and respond to vulnerability and disability both in ourselves and in others, belong to one and the same set of virtues, the distinctive virtues of dependent rational animals.*<sup>7</sup>

Mary Ann Glendon in *Rights Talk* provides a prescient critique of a society where individual autonomy and selfishness has eclipsed communal duties and the service of others. She describes:

*... its penchant for absolute, extravagant formulations, its near-aphasia concerning responsibility, its excessive homage to individual independence and self-sufficiency, its habitual concentration on the individual and the state at the expense of the intermediate groups of civil society, and its unapologetic insularity, not only does each of these traits make it difficult to give voice to common sense or moral intuitions, they also impede development of the sort of rational political discourse that is appropriate to the needs of a mature, complex, liberal, pluralistic republic.*<sup>8</sup>

## **Globalisation and Economic Justice**

In the colonial empires we saw early examples of economic globalisation and since the nineteenth century we have seen many trade barriers dismantled. The formation of Europe's Common Market, after the Second World War, was based on the removal of economic and trade barriers. At times of high unemployment, or during economic downturn, the attractions of globalisation and the easy entry of imports manufactured by exploited workers

<sup>7</sup> Alasdair MacIntyre, *Dependent Rational Animals, Why Human Beings Needs the Virtues*, Duckworth, 1999 p. 5.

<sup>8</sup> Mary Ann Glendon, *Rights Talk: The Impoverishment of Political Discourse*, Free Press, 1991 p. 14.

paid a fraction of those in the importing nation – and who are employed by corporations which have moved their activities to capitalise on lower wage regimes – reveals the less desirable side of a globalised economy.

Globalisation brings with it more migration and dislocation of populations. Where this leads to the return of earned income as receipts to families left behind – I think of Poland – it can help build an economy; where it leads to trafficking and new forms of bonded labour and global slavery, it is an anathema.

When globalisation reduces tariff barriers and stimulates the global production and trade in goods and services, and combats distorting factors such as import quotas and export fees, it appears compelling. Undoubtedly it has stimulated the economic development of many Asian economies – spectacularly in countries such as China and India. In 2009 China overtook Germany as the biggest exporter of goods in the world. But China and India also still remain home to some of the most appalling poverty in the world.

The benefits of globalisation have too frequently been over-hyped while some of the disadvantages have been ignored. Globalisation seems pretty irrelevant if you live in the DRC, North Korea, Burma, Nepal, Rwanda or South Sudan – all of which I have visited – and many remain unconvinced that countries whose main exports are agricultural goods will ever be beneficiaries. Investor rights can be made central stage while people's interest become incidental or secondary.

### **Globalisation and Charity**

Advances in agricultural development, communication and transport have presented the international community with extraordinary charitable opportunities. Never before has it been so possible to distribute the earth's plenitude in solidarity. But those opportunities carry with them an awesome burden of responsibility.

In 1840 the Jesuit Luigi Taparelli articulated the phrase *social justice* in his work *Saggio Teoretico di Diritto Naturale Appoggiato sul Fatto* (Theoretical Wisdom of Natural Law based on Fact).<sup>9</sup>

He was interpreting Aquinas but the concept is rooted in Scripture. Jesus could not be clearer when he tells us that “Whatever you have done for the least of my brothers, you have done to me” (Matthew 25:40). Never forget

<sup>9</sup> Luigi Taparelli, *Saggio Teoretico di Diritto Naturale Appoggiato sul Fatto*, in J. Brian Benestad, *Church, State, and Society: An Introduction to Catholic Social Doctrine Catholic Moral Thought*, Catholic University of America Press, 2011.

that religion is the single most important factor in giving: in the United States 85% of giving comes through charities inspired by their religious faith. In Europe, our great universities, schools, hospitals and modern hospices and many charitable foundations were created through Christian impulse.

We must never lose sight of the risk that the institutionalisation and internationalisation of charity poses to an authentic understanding of *caritas*, which cannot be compartmentalised or made in to an abstract, impersonal transaction between bank accounts. Something further from authentic Christian self-gift could barely be conceived. Pope Benedict's first encyclical, *Deus Caritas Est*,<sup>10</sup> is a rhapsodic call to arms – urging us to give from the depths of our being and to be utterly focused on the common good and develop a spirit of service, and servant leadership, telling us that “the heart sees where love is needed, and acts accordingly” (Section 31(c)).

“Love grows through love”; (Section 18); “Love of God and love of neighbour are inseparable, they form a single commandment” (Section 18); and he insists that: “Love needs to be organised if it is to be an ordered service to the community”. (Section 24)

We need to carefully assess how international institutions measure up to such criteria. It would be a serious oversight in such a discussion on globalisation to fail to mention that contemporary charitable giving can be deeply problematic. We need to ask ourselves a few pertinent questions: for instance, by what criteria are we to ensure that those in most need are helped?

In her compelling book on the subject<sup>11</sup> one African woman, Dr. Dambisa Moyo, who worked for the World Bank and at Goldman Sachs, in the debt capital markets and as an economist in the global macroeconomics team, questions the dependency culture which has been created by many global development programmes.

International institutions should exercise caution before contributing to what the Catholic writer, Hilaire Belloc, described as “The Servile State”.<sup>12</sup>

Ask also, what role do international institutions have to play in discerning which causes to donate to? How ought we to ensure the efficient and equitable transmission of goods?

Nor should we lose sight of the distinction to be drawn between charity and obligation. For example, the abandonment of hundreds of thousands

<sup>10</sup> Pope Benedict XVI, *Deus Caritas Est*, Catholic Truth Society, 2006.

<sup>11</sup> Dr. Dambisa Moyo, *Dead Aid: Why Aid is Not Working and How there is a Better Way for Africa*, Farrar, Straus and Giroux, 2009.

<sup>12</sup> Hilaire Belloc, *The Servile State*, London; Edinburgh, T.N. Foulis, 1912.



of elderly people is one of the United Kingdom's greatest scandals; and the thought that they should become dependent on handouts from charities is nothing short of obscene.

One of the most shocking statistics about contemporary Britain is that an estimated 1 million elderly people do not see a friend or a relative or a neighbour during the course of an average week.

Toxic loneliness and isolation will be the curse of the 21<sup>st</sup> century. Where family structures have broken down the wider community has a duty of care; this goes beyond charitable giving. This is how a just society must function.

Pope Benedict XVI insists that social teaching must

*help purify reason and to contribute, here and now, to the acknowledgment and attainment of what is just. The Church has to play her part through rational argument and she has to reawaken the spiritual energy, without which justice cannot prevail and prosper (Section 28, Deus Caritas Est).*

In an age where hundreds of millions in aid are pledged to developing countries in pursuit of the aggressive "family planning" programmes of supra-national institutions who happen to be controlling the budgets, these words drive home the importance of the place of the Church's voice in the international conversation. Without it, charity runs the risk of becoming devoid of meaning or, at worst, an excuse for the proliferation of malign ideologies.

## Globalisation and Truth

So, to what do we have recourse when the path of this universalisation, this globalisation, seems to be progressing negatively in whatever permutation it is manifested? We must be careful not to emulate the soldiers in Vietnam who burnt down the villages, thinking it would help to free the people.

A Christian ought to respond that it is knowledge of the Truth that enables us to construe properly the meaning of justice, charity and liberty, and that such knowledge is attained by the light of human reason and Divine Revelation: "the truth will set you free" (Jn 8.32).

Some might contend that the prospect of living a political life faithful to the Truth of the Gospel is simply impossible in a confused world where subjectivity and relativism reign supreme. No doubt it is extremely difficult and will certainly entail sacrifice. Yet too often we allow its seeming impossibility to mask cowardice or the temptation for a quiet life.

This is the defining battleground between a religious faith which pits good against evil and truth against lies. And the defence of truth implies sacrifice; it will always require a price to be paid.

Just over a year ago, Pakistan's brave Catholic Minister for Minorities was gunned down by Taliban assassins. Shahbaz Bhatti once said:

*I want to share that I believe in Jesus Christ, who has given his own life for us. I know what is the meaning of the cross, and I am following the cross, and I am ready to die for a cause.*<sup>13</sup>

In February 1941, when the Nazis promised St. Maximilian Kolbe that they would permit him to continue his work so long as he made no social comment and restricted himself to religiosity and pietism, he responded by stating in words which sent him to Auschwitz: *No one in the world can change truth.*<sup>14</sup>

He insisted that when we had found truth we had to serve it because of *what use will be the victories on the battlefield if we are defeated in our innermost personal selves?*

As Pope Benedict remarked during his recent visit to Cuba (Homily 28 March 2012) we must be prepared to act like the three young men, Shadrach, Meshach, and Abed-Nego (Daniel 3) who “defied the order of the king” preferring “to face death by fire rather than betray their conscience and their faith”.

Echoing Kolbe, the Holy Father concluded: “Each human being has to seek the truth and to choose it when he or she finds it, even at the risk of embracing sacrifices”.

Not everyone will be required to give their life for their beliefs but as Blessed John Henry, Cardinal, Newman, perceptively observed:

*Good is never done except at the expense of those who do it: truth is never enforced except at the sacrifice of its propounders.*<sup>15</sup>

## **Globalisation and Relativism**

Relativism is a doctrine which rejects fundamentally the notion that human action is, can or should be universal; it is a doctrine which dethrones truth.

We can draw some hope that relativism is, at root, incompatible with Globalisation. Globalisation needs universalising forces in order to exist.

That there exists some shared value that ought to be universalised is pre-supposed.

This exposes the deception of many of those who appear to champion relativism while playing a part in a Globalising institution.

<sup>13</sup> Shahbaz Bhatti, *lifesitenews.com* reporting on an interview posted on youtube.com: [www.lifesitenews.com/news/i-am-ready-to-die-said-assassinated-pakistani-christian-official-in-pre-dea/](http://www.lifesitenews.com/news/i-am-ready-to-die-said-assassinated-pakistani-christian-official-in-pre-dea/)

<sup>14</sup> Brian Roberts, *Dear Brother*, Lulu Publishers, 2006 p. 84.

<sup>15</sup> “*Lectures on the Position of Catholics in England Addressed to the Brothers of the Oratory in the Summer of 1851*” and see Blessed John Henry Cardinal Newman, Ed. Ian Ker, *Apologia Pro Vita Sua*, Penguin Classics, 1996.

The creed implemented by such institutions can never be your-truth-my-truth relativism – that would defeat their reason for existence entirely. Rather, a new and occasionally terrifying moral hierarchy is being promoted which sees its task to aggressively secularise and homogenise, and all under the guise of tolerance. G.K. Chesterton amusingly quipped that *Tolerance is the virtue of a man without convictions*.<sup>16</sup>

But beyond the humour is a serious warning about the danger of pitting the admirable quality of tolerance against the repudiation of Truth.

This, I believe, is what the Holy Father is getting at when he speaks of the *dictatorship of relativism*.

Nowhere is this the case more emphatically than with international organisations that are attempting to enshrine the killing of the unborn as a universal human right, even going as far as withdrawing aid from countries that do not accept their presuppositions about life in the womb.

In the domestic context, in a country like the United Kingdom, this has led to seven million abortions; to gender abortions; to the eugenic abortion of disabled babies; to calls by ethicists to permit *after birth abortion* (infanticide); to the destruction of millions of human embryos for experimental purposes; to therapeutic cloning of human embryos; to the creation of animal-human hybrid embryos; and, at the other end of the human spectrum, to the inevitable calls for euthanasia – with one of Britain's leading philosophers claiming that people with Alzheimer's are too great a financial burden both to their families and the State.

Depending on the circumstances and the situation, the belief that personal autonomy and mere choice trump all other considerations has led to infinite permutations and amendments to the Sixth Commandment. There is no right way, no correct way, just my way.

This is the real fault-line which will determine whether Globalisation is a force for good or evil. It is a fight between absolutists. The task of local and international politics is to ascertain whether the absolute values that are being promoted are harmonious with the Common Good of all mankind.

We see the gospel as public truth and that it commands our commitment, superseding all other commitments.

Our belief is that the Common Good is shaped by the universal Truth of Jesus Christ – who is Truth incarnate and whose Truth remains in His Body, the Church. How essential it is that today's Christian politicians grasp that this fact is central to their vocation.

<sup>16</sup> G.K. Chesterton, *Orthodoxy*, 1906, Bantam Doubleday, 1996.

## Concluding Remarks

It is with precisely this conviction about the nature of the Truth that we can reject a system that fails to afford justice, charity or liberty to the most vulnerable in society as utterly devoid of credibility.

If Christ's truth is universal and living it is what man was made for then the success or cataclysmic failure of the progress of Globalisation hinges upon the influence of Christians – or those advocating values compatible with Christ's teaching – in the public square, locally, nationally and internationally.

To this end we all need to be more religiously literate: and those called to political life need continuing formation and the sort of fraternal global support, contact, friendships and encouragement provided by organisations such as the *International Catholic Legislators Network* (ICLN) and Pontifical Academies.

Along with our own formation, and the cure of souls, our most formidable allies in the new evangelisation will be the cultivation of a love of learning and a love of society. Faith and reason are always happy companions. We must treasure the rich deposit of faith with which we have been entrusted; know who we are; and stand for truth – it's enough.

Happily, many of the international rights instruments in existence enshrine principles with which Christians can engage favourably as they arise from Christian philosophy. I am thinking particularly of individual human dignity and equality – values so utterly revolutionary when preached by Christ.

Schumacher's *Small is Beautiful* is subtitled *Economics as if People Mattered* (*ibid.*). This makes perfect sense for those of us whose starting point is that man is *imago Dei* – that each person is unique and of infinite worth because he is crafted in God's very image. For that reason alone he matters a great deal.

It is up to those who believe in Christian Truth to prevent these principles from becoming distorted in their varying interpretations.

The great Christian apologist, C.S. Lewis brilliantly expressed this belief when he said:

*If no set of moral ideas were truer or better than any other, there would be no sense in preferring civilised morality to savage morality, or Christian morality to Nazi morality. In fact, of course, we all do believe that some moralities are better than others.*<sup>17</sup>

So, we are called to be more than savages.

Where globalisation implies conformity rather than diversity; standardisation rather than difference; over-arching rather than empowering; it should be strenuously resisted.

<sup>17</sup> C.S. Lewis, *Mere Christianity*, Harper Collins, 1943.

Where globalisation opens up personal communication and connect-edness and enables free speech and human rights to prosper – through the internet for instance – it should be welcomed; but it would be foolish to pretend that these same tools can't be used to poison minds or to bolster tyranny. Today, a lie is half way round the world before you have had time to wipe your brow.

Where globalisation is indifferent to authentic Truth, Justice, Charity or Liberty or tramples on these concepts in the name of a false liberalism or shallow Western modernity it should be opposed.

Where it promotes new forms of co-operation and co-existence it should be embraced. Where it sides with private power systems, rather than social solidarity – that other great principle of Catholic Social Teaching – it should be exposed.

Where it seeks cultural homogenisation – an invented *one world religion* for instance, which would ban all others; or seeks to standardise language; or to impose the same popular culture; or to countenance only an academically mediated or politically approved form of Christianity; then diversity, respect for difference, and plurality should be advanced instead. Being serious about your own faith is good for other faiths and a vibrant public culture needs diverse voices which know what they believe.

We can take one of two paths.

One would be to emulate Pilate, who infamously asked: *what is truth?* We, too, can pretend that truth does not exist; avoid asking the question or hearing the answer; and say the responsibility for everything – from abject poverty to industrial scale abortion – belong to someone else.

Pope Benedict suggests that Pilate implies that:

*... man is incapable of knowing it or denying that there exists a truth valid for all. This attitude, as in the case of scepticism and relativism, changes hearts, making them cold, wavering, distant from others and closed. They, like the Roman governor, wash their hands and let the water of history drain away without taking a stand.*<sup>18</sup>

The alternative is to take the risk of discipleship, attempting to follow in the greatest tradition of all, walking hand-in-hand with some of the great men and women who are central to our Catholic story and identity – Kolbe, More, Stein, Bhatti and countless others whose names are often un-

<sup>18</sup> Pope Benedict XVI, *Homily in Revolution Square, Cuba 2012* found online: [www.catholicerald.co.uk/news/2012/03/27/a-society-that-rejects-god-is-hurled-into-a-void-pope-tells-cubans/](http://www.catholicerald.co.uk/news/2012/03/27/a-society-that-rejects-god-is-hurled-into-a-void-pope-tells-cubans/)

recorded, from China to Nigeria, Sudan to North Korea, the former Soviet Union and its satellites to the contemporary atrocities in the Middle East – in self-giving charity and with love for the Truth, regardless of whatever worldly consequences that might bring.

# EUROPE – A CONTRIBUTION TO A BETTER WORLD (J. MONNET)

## PERSPECTIVES IN THE SPIRIT OF *PACEM IN TERRIS*

■ REINHARD KARDINAL MARX

Als der selige Papst Johannes XXIII. am 11. April 1963 die Enzyklika *Pacem in Terris* veröffentlichte, herrschte Krieg, ein kalter Krieg, der die Welt in zwei feindlich gesinnte Lager spaltete. In diese Situation hinein entwickelte er seine Vision einer Welt, in der die Würde aller Menschen geachtet wird und die Nationen in Frieden leben. Im ersten Teil verkündete er eine Art katholische *Magna Charta* der Rechte und Pflichten der Menschen. Darin wurde erstmals auch das Recht erwähnt, „Gott der rechten Norm des Gewissens entsprechend zu verehren und seine Religion privat und öffentlich zu bekennen“ (PT 14).

Der damals schon von schwerer Krankheit gezeichnete Papst ortete drei „Zeichen der Zeit“, die dem Strom der Geschichte noch heute Richtung und Geschwindigkeit geben:

- Der Aufstieg der Arbeiterklasse hat weltweit viele Menschen aus extremer Armut befreit und zu einem nie gekannten Anschwellen der sogenannten Mittelschichten geführt. Die Weltbank hat im Februar 2012 mitgeteilt, dass sich die Zahl der Menschen, die von weniger als 1,25\$ pro Tag leben müssen, von 1990 bis 2010 halbiert hat. An den Aufstieg der Mittelschichten sind indessen auch neue Fragen im Zusammenhang mit dem globalen Verbrauch natürlicher Ressourcen geknüpft, die 1963 erst in Umrissen erkennbar waren (PT 21, resp. 41). Das Problem der weltweiten Armut ist weiter ungelöst. Viele Hoffnungen haben sich in den letzten fünfzig Jahren eben nicht erfüllt, neue Herausforderungen stehen vor uns.
- Die Teilnahme der Frauen am öffentlichen Leben, die Anerkennung ihrer Rechte und der Respekt ihrer Würde, ist bis heute ein Grundzug der neueren Menschheitsgeschichte. Auch hier ist in den zurückliegenden Jahren viel erreicht und verbessert worden. Dennoch bleibt die Teilnahme der Frauen am öffentlichen Leben eine Herausforderung, der wir uns auch als Kirche immer wieder und immer stärker stellen müssen (PT 22, resp. 42). Frauen sind oft der Schlüssel für eine ganzheitliche Entwicklung.

- Und schließlich lesen wir drittens in der Enzyklika, „daß die ganze Menschheitsfamilie in unseren Tagen im sozialen wie im politischen Leben eine völlig neue Gestalt angenommen hat. Da nämlich alle Völker für sich Freiheit beanspruchen oder beanspruchen werden, wird es bald keine Völker mehr geben, die über andere herrschen, noch solche, die unter fremder Herrschaft stehen“ (PT 42, resp. 43). Wie diese neue Gestalt auf der Grundlage der Menschenrechte geordnet werden kann, ist ein zentrales Thema von *Pacem in Terris*.

Die Revolutionen in den kommunistischen Ländern vor 20 Jahren und zuletzt die Ereignisse des Arabischen Frühlings haben uns gezeigt, dass das Streben nach Freiheit und die damit immer verbundene Suche nach einer neuen, gerechteren Ordnung bis heute das große Menschheitsthema geblieben ist. *Pacem in Terris* stellt dafür den Begriff des Gemeinwohls in den Mittelpunkt. Daran kann im Blick auf die Situation und die Rolle Europas in der Welt auch heute angeschlossen werden.

Mit der Europäischen Union sind in Europa Strukturen des Gemeinwohls geschaffen worden, die ein Beitrag für eine bessere Welt sein können, insofern die Rechte und Pflichten der menschlichen Person nach innen geachtet und nach außen gefördert werden. Das ist die auf eine Kurzformel gebrachte These, die ich im Folgenden in drei Schritten entfalten möchte. Zunächst geht es um Recht und Frieden in Europa, sodann im zweiten Teil um die europäischen Strukturen des Gemeinwohls und schließlich, drittens um „Europa als Beitrag zu einer besseren Welt“, also um den Begriff, den Jean Monnet am Ende seiner Memoiren und am Ende seines Lebens geprägt hat. Im Licht dieser drei Elemente verstehe ich auch die Aufgabe der ComECE, für die ich seit einigen Wochen eine besondere Verantwortung übernommen habe.

## **1. Recht und Frieden in Europa**

Ganz neu für die Kirche war die Verkündung der Gewissensfreiheit in religiösen Fragen in *Pacem in Terris*, die dann in *Gaudium et Spes* und in der Erklärung *Dignitatis humanae* noch expliziter gemacht wurde. *Pacem in Terris* ist bis heute das große Dokument der Kirche zu den Rechten und Pflichten der Menschen. Die Europäische Union hat sich ihrerseits vertraglich verpflichtet, die Grundrechte aller Menschen zu achten und die Menschenwürde zu achten. Die Kirche und die EU können deshalb in ihrem Einsatz für die Menschenwürde kooperieren.

Als einen „Akt von höchster Bedeutung“ bezeichnet Johannes XXIII. die „Allgemeine Erklärung der Menschenrechte“ der Vereinten Nationen vom 10. Dezember 1948. Denn durch sie werde „die Würde der Person



für alle Menschen feierlich anerkannt“ und jedem Menschen Rechte zugesprochen. Im Sinne des Katalogs von Rechten und Pflichten des Menschen, die der Papst im ersten Kapitel von *Pacem in Terris* festschreibt, liest sich auch die Präambel der Charta der Grundrechte der Europäischen Union aus dem Jahr 2000: „Die Ausübung dieser Rechte ist mit Verantwortung und mit Pflichten sowohl gegenüber den Mitmenschen als auch gegenüber der menschlichen Gemeinschaft und den künftigen Generationen verbunden“.

Neben vielen anderen Rechten schreibt die Grundrechtecharta der EU in ihrem Artikel 10 auch in einem umfassenden Rahmen die Gedanken-, Gewissens- und Religionsfreiheit fest. Dazu gehören nicht nur die individuelle und die kollektive, sondern auch die korporative Dimension der Religionsfreiheit. Letztere findet auch ihren Niederschlag im Artikel 17 des Vertrags über die Arbeitsweise der Europäischen Union, der sich mit dem Rechtsstatus der Kirchen befasst.

In Europa führte der Weg zum Frieden über die Anerkennung des Vorrangs des Rechts und die gemeinsame Unterwerfung unter das Recht. Was zunächst in der Gründung des Europarats in Gedanken angelegt war, wurde in einer zweiten, zunächst fast unscheinbaren Initiative zur Tat. Der von Jean Monnet und seinen Mitarbeitern ausgedachte und vom französischen Außenminister Robert Schuman vorgeschlagene Plan, die strategisch wichtige Montanindustrie einer gemeinsamen „Hohen Autorität“ zu unterstellen, wurde von zunächst sechs europäischen Staaten aufgegriffen. Die gemeinsame Ausübung staatlicher Hoheit war anfangs auf nur einen, zugegebenermaßen zentralen Industriebereich beschränkt. 1957 wurde dieses Prinzip dann mit den Römischen Verträgen horizontal geweitet. Diese neue vertragliche Grundlage wurde seitdem in einer Reihe von Schritten ergänzt, zuletzt im Lissabonner Vertrag, aber an der Richtung hat sich nichts geändert. Sie wurde stattdessen auf immer mehr Bereiche des politischen Lebens ausgeweitet. Ihr haben sich bis heute 27 europäische Staaten angeschlossen. Auf der Grundlage des Rechts und durch das Streben nach Gerechtigkeit haben sich in den vergangenen sechzig Jahren Strukturen des Gemeinwohls in Europa ausgebildet. Diese Strukturen können auch Perspektiven aufzeigen für das, was „Weltgemeinwohl“ meint. „Dies bedeutet, daß die einzelnen staatlichen Gemeinschaften in der Wahrung ihrer Interessen einander nicht nur nicht schaden dürfen, sondern auch mit Rat und Tat sich zusammen tun sollen, wenn die Anstrengungen der einzelnen Staaten die gewünschten Ziele nicht erreichen können. In diesem Falle muß man sehr darauf achten, daß die Vorteile, die sich für die einen Staaten ergeben, den anderen nicht mehr Schaden als Nutzen bringen“ (PT 99).

## 2. Strukturen des Gemeinwohls in Europa

Nach dem Ende des Zweiten Weltkriegs und dem Sieg der Alliierten über das nationalsozialistische Deutschland, das sich nahezu ganz Europa mit grausamen Methoden unterworfen hatte, wollten die Völker vor allem eines: endlich Frieden! Heute ist der Wille zum Frieden ungebrochen, auch wenn der Friede als Begründung der europäischen Integration in der Öffentlichkeit immer mehr an Strahlkraft verliert. *Pacem in Terris* stellt deutlich heraus, dass der wahre Friede nicht nur die Abwesenheit von Krieg bedeutet, sondern „nur durch gegenseitiges Vertrauen fest und sicher bestehen kann“. Deshalb sollen „die Beziehungen der Staaten untereinander [...] nach den Gesetzen der Wahrheit, Gerechtigkeit und der tätigen Solidarität“ geregelt werden (PT 113f.). So ist die solidarische Einigung Europas ein Beitrag zur Erlangung des wahren Friedens.

Europa zu einigen ist heute aber nicht mehr allein durch den Willen zum Frieden motiviert. Die gemeinsame Ausübung nationalstaatlicher Souveränität ist für die Europäer auch zum Gebot der Vernunft geworden. Keine der europäischen Nationen in Europa kann im Zeitalter der Globalisierung auf die Dauer allein bestehen. Auch darauf hat Johannes XXIII. bereits hingewiesen: „Die Volkswirtschaften der verschiedenen Staaten verflochten sich stufenweise so sehr, dass aus diesem Zusammenschluß gewissermaßen eine Wirtschaftsgemeinschaft der ganzen Welt entsteht. Schließlich hängen sozialer Fortschritt, Ordnung, Sicherheit und Ruhe jedes einzelnen Staates notwendig mit denselben Gegebenheiten in allen übrigen Nationen zusammen“ (PT 130). Deshalb liegt heute eine gewisse Zwangsläufigkeit und neue Dringlichkeit im Prozess der europäischen Einigung. Nur im Rahmen eines großen gemeinsamen Marktes, dessen Regeln gemeinsam (unter Anwendung einer Methode *sui generis*) festgelegt werden, haben die kleinen und mittleren Nationen, die Europa bilden, eine Chance.

Die Abschaffung der Grenzen innerhalb Europas, die Bildung eines großen zusammenhängenden Territoriums und Wirtschaftsraumes hat die Regierungen indessen mit der Aufgabe konfrontiert, eine politische Autorität mit Durchsetzungskraft zu errichten. Denn, so heißt es in *Pacem in terris*: „Die menschliche Gesellschaft kann weder gut geordnet noch fruchtbar sein, wenn es in ihr niemanden gibt, der mit rechtmässiger Autorität die Ordnung aufrechterhält und mit der notwendigen Sorgfalt auf das allgemeine Wohl bedacht ist“ (PT 46).

Der zentrale Auftrag dieser gemeinsamen Autorität für einen großen gemeinsamen Wirtschaftsraum war und ist bis heute die Schaffung einer gerechten Ordnung. Auf dem gemeinsamen Markt muss es gerecht zugehen. Dazu wurde ein originelles institutionelles Gefüge ersonnen, in dem

die Europäische Kommission neben dem Europäischen Rat die zentrale Rolle spielt. Sie schlägt dem europäischen Parlament und dem Ministerrat Gesetzesinitiativen vor, die diese dann beraten und abstimmen. Sie wacht über die Einhaltung der Verträge und hat eine Reihe exekutiver Aufgaben.

Beispielsweise müssen gleiche Standards für die Herstellung von Waren und für die Erbringung von Dienstleistungen gelten. Das geschieht in der Binnenmarktpolitik. Monopole und Kartelle müssen aufgedeckt und zerschlagen werden. Beihilfen der Regierungen (Subventionen) für Unternehmen ihres Landes müssen angemeldet und genehmigt werden, um Wettbewerbsverzerrungen, also Ungerechtigkeiten zu vermeiden. Deshalb wirkt die Europäische Kommission als oberster Wettbewerbshüter. Auch wer von außen auf diesem Markt seine Waren oder Dienstleistungen anbieten will, darf nicht benachteiligt werden, muss aber zugleich auch belegen können, dass er sich den geltenden Regeln unterwirft. Um das zu verwirklichen gibt es die gemeinsame europäische Handelspolitik, die ebenfalls von der Kommission ins Werk gesetzt wird.

Sodann wurde in den letzten Jahrzehnten des vergangenen Jahrhunderts das Nebeneinander verschiedener Währungen im gemeinsamen europäischen Markt eine Quelle von Wettbewerbsverzerrungen, also von Ungerechtigkeit. Durch das unkoordinierte Auf- und Abwerten nationaler Währungen, sowie konkurrierende Zinssetzungen nationaler Zentralbanken wurden Unternehmen und ihre Beschäftigten gegenüber Anbietern anderer Länder benachteiligt. Aus dieser Wahrnehmung erwuchs die Notwendigkeit, sich eine gemeinsame Währung zu geben, deren unabhängige Zentralbank sich in besonderer Weise darum zu bemühen habe, dass ein rascher Verfall des Geldwertes nicht die wirtschaftlich Schwachen ungerecht bestraft und dann soziale und politische Instabilität hervorruft. Zugleich stand die Europäische Zentralbank vor der – wie wir heute wissen –, unlösbaren Aufgabe, den jeweils richtigen Zinssatz für einen nicht vollkommen homogenen großen gemeinsamen Markt mit unterschiedlichen Konjunkturverläufen festzulegen. Das „billige Geld“ hat öffentliche und private Akteure dazu verleitet, zu viele Kredite, letztlich wohl nicht vollkommen rückzahlbare Kredite, aufzunehmen.

Die Folge ist eine bis heute nicht gelöste Staatsschuldenkrise und Bankenkrise in Europa. Sie gefährdet die Europäische Union in ihrer Existenz. Sie belastet auch auf den anderen Kontinenten das wirtschaftliche Klima. Die Lösung dieser Krise wird deshalb auch in den nächsten Jahren die volle Aufmerksamkeit der europäischen Regierungen erfordern. Wir müssen hoffen und beten, dass das gelingt, denn die Aufgabe oder Rücknahme des historischen Prozesses der europäischen Einigung – und darum geht es –,

hätte wohl fatale Folgen. Den Weg zu einer weiteren Vertiefung der europäischen Einigung und zu einer politischen Union sollte die Kirche interessiert und wohlwollend begleiten, kommentieren und durch ihren Beitrag zur kulturellen, geistigen und geistlichen Erneuerung befördern. Denn ohne ein geistiges und sittliches Fundament, können eine Wirtschaftsordnung und eine politische Ordnung nicht bestehen.

Viele Bürger haben den Eindruck, dass es zwar wirtschaftlichen Fortschritt bei Einzelnen und in einigen Ländern gibt, aber dass diesem wirtschaftlichen Fortschritt kein sozialer Fortschritt entspricht. Sie leben mit dem Gefühl der Ungerechtigkeit. Ich zitiere erneut *Pacem in Terris*: „Darum müssen die Vertreter des Staates unbedingt dafür Sorge tragen, daß dem wirtschaftlichen Fortschritt der Bürger der soziale entspricht und daß gemäß der produktiven Kraft der Volkswirtschaft auch die wesentlichen Dienstleistungen entwickelt werden“ (64).

Vieles von dem, was der selige Papst Johannes XXIII. hier geschrieben hat, ist in Europa verwirklicht. Dennoch beklagen wir in einigen Ländern extrem hohe Arbeitslosigkeit. Von mancher Seite wird dafür die EU verantwortlich gemacht. Ich bleibe jedoch überzeugt, dass die Strukturen des Gemeinwohls, die sich die Europäer in den vergangenen Jahrzehnten gegeben haben, gut und richtig sind, um den Frieden zu wahren und mehr Gerechtigkeit zu schaffen. Sie müssen heute verstärkt und nicht zurückgeführt werden, denn sie erlauben auch einen genuinen Beitrag Europas zum Weltgemeinwohl, ja sie können bei allen Schwierigkeiten doch Schritte aufzeigen für Gemeinwohlstrukturen auf Weltebene. Deren Notwendigkeit hat Papst Benedikt XVI. in seiner Sozialenzyklika *Caritas in veritate* unterstrichen: „Um die Weltwirtschaft zu steuern, die von der Krise betroffenen Wirtschaften zu sanieren, einer Verschlimmerung der Krise und sich daraus ergebenden Ungleichgewichten vorzubeugen, um eine geeignete vollständige Abrüstung zu verwirklichen, die Sicherheit und den Frieden zu nähren, den Umweltschutz zu gewährleisten und die Migrationsströme zu regulieren, ist das Vorhandensein einer echten *politischen Weltautorität*, wie sie schon von meinem Vorgänger, dem seligen Papst Johannes XXIII., angesprochen wurde, dringend nötig“ (CiV 67).

### **3. Europa ist ein Beitrag zu einer besseren Welt (Jean Monnet)**

Das europäische Gemeinwohl muss in rechter Weise zum Weltgemeinwohl in Beziehung gesetzt werden. *Pacem in Terris* begründet das mit der Natur des Menschen: „Kein Zeitalter wird die Einheit der menschlichen Schicksalsgemeinschaft zerstören, da diese aus Menschen besteht, die gleichberechtigt an der naturgegebenen Würde teilhaben. Deshalb fordert die in

der Natur des Menschen gründende Notwendigkeit immer, daß in gezielter Weise jenes umfassende Gemeinwohl angestrebt wird, welches die gesamte Menschheitsfamilie angeht“ (PT 132). Die Europäische Union wird tiefer in den Herzen der Menschen ankommen, wenn sich Europa als Beitrag zu einer besseren Welt erweist und nicht nur ein auf die eigenen wirtschaftlichen Interessen konzentrierter Kontinent bleibt.

Das kann in einem ersten Zugang als Aufforderung zu verstärkter Entwicklungshilfe verstanden werden oder als Ermunterung zu mehr diplomatischen Initiativen für Frieden und demokratische Entwicklung (im arabischen Frühling) und für Abrüstung (Iran, Indien). Ich meine jedoch, dass sich heute noch eine andere Interpretation nahe legt: Nicht nur in Europa, sondern auf der ganzen Welt werden in den letzten Jahren nicht nur die Regierungen, sondern mehr noch die internationalen Finanzmärkte und ihre Akteure als Verursacher ungerechter Strukturen gebrandmarkt. Sie scheinen jeder Aufsicht entzogen. An ihren undurchsichtigen Praktiken und den unvorstellbar hohen Gewinnen mancher Institute und Manager entzündet sich scharfe Kritik. Es wächst das Unbehagen und der Verdacht, in einer globalen Zweiklassengesellschaft einer international vernetzten, bestens geschulten und sehr gut verdienenden Elite ausgeliefert zu sein, weil die Regierungen dieser Schicht – je nach Sichtweise – entweder ohnmächtig gegenüberstehen und oder ihr Handeln billigend in Kauf nehmen. Hier sehe ich ein Zeichen unserer Zeit, das wir auch als Kirche noch besser wahrnehmen müssen. Auf den Finanzmärkten fehlt zum Teil hoheitliche Aufsicht, es fehlen Regeln und Gesetze, es fehlen Absprachen beispielsweise im Kampf gegen Steuerhinterziehung und organisierte Finanzkriminalität. Die Europäische Union hat hier seit dem Ausbruch der Finanzkrise 2008 sehr viel in Bewegung gesetzt. Es wird jedoch nicht reichen. Wir brauchen auf diesem Gebiet neue internationale Vereinbarungen und insbesondere Institutionen, die diese auch umsetzen. Im Grunde brauchen wir eine europäische und dann auch eine globale Soziale Marktwirtschaft. Mit dieser Zielrichtung haben die Bischöfe der ComECE zu Beginn dieses Jahres eine Stellungnahme zu einer Europäischen Sozialen Marktwirtschaft vorgelegt, die sich unter dem Titel „Eine Europäische Solidaritäts- und Verantwortungsgemeinschaft“ mit dem EU-Vertragsziel einer wettbewerbsfähigen sozialen Marktwirtschaft befasst.

Hier, wie sonst vielleicht nur noch beim Klimawandel und der Versorgung mit Energie und Wasser, haben wir es heute mit genuinen Aufgaben des universalen Gemeinwohls zu tun. Um der Gerechtigkeit willen und in exakter Anwendung des Prinzips der Subsidiarität bedürfen sie einer universalen Autorität (vgl. PT 137). Auch zur subsidiären Ausgestaltung dieser

Strukturen bezieht *Pacem in Terris* Position: „Wie in den Einzelstaaten die Beziehungen zwischen der staatlichen Gewalt und den Bürgern, den Familien und den zwischen ihnen und dem Staat stehenden Verbänden durch das Subsidiaritätsprinzip gelenkt und geordnet werden müssen, so müssen durch dieses Prinzip natürlich auch jene Beziehungen geregelt werden, welche zwischen der Autorität der universalen politischen Gewalt und den Staatsgewalten der einzelnen Nationen bestehen. Denn dieser universalen Autorität kommt als besondere Aufgabe zu, jene Fragen zu behandeln und zu entscheiden, die sich bezüglich des universalen Gemeinwohls stellen, und zwar in wirtschaftlicher, sozialer und politischer wie auch in kultureller Hinsicht: Fragen, die wegen ihres Gewichtes, wegen ihres weitverflochtenen Zusammenhangs und ihrer Dringlichkeit als zu schwierig angesehen werden müssen, als daß sie von den Lenkern der Einzelstaaten glücklich gelöst werden könnten“ (PT 140).

Wie aber soll die universale, politische Autorität unter diesen konkreten Bedingungen aussehen? Wie kann sie effektiv arbeiten und zugleich einer demokratisch legitimierten Kontrolle unterliegen? Das ist heute eine Schlüsselfrage für die Menschheit. Die Erfahrungen bei der Schaffung von Strukturen für das europäische Gemeinwohl können dafür zu einer inspirierenden Quelle werden. Auch in diesem formalen Sinne läßt sich also Monnets Wort von Europa als dem Beitrag für eine bessere Welt heute interpretieren. Denn schon *Pacem in Terris* weist darauf hin, dass die heutigen Probleme weit über den Rahmen unseres Kontinents hinausgehen: „Da aber heute das allgemeine Wohl der Völker Fragen aufwirft die alle Nationen der Welt betreffen, und da diese Fragen nur durch eine politische Gewalt geklärt werden können, deren Macht und Organisation und deren Mittel einen dementsprechenden Umfang haben müssen, deren Wirksamkeit sich somit über den ganzen Erdkreis erstrecken muß, so folgt um der sittlichen Ordnung willen zwingend, daß eine universale politische Gewalt eingesetzt werden muß“ (PT 137). Eine solche Weltautorität ist die Folge der Existenz der einen globalen Menschheitsfamilie und Ausfluss der biblischen Botschaft, dass Gott der Vater aller Menschen und Christus der Bruder aller Menschen ist.

## Schluss

Auch wenn in Einzelfragen Kritik geübt wurde und wird, hat die Kirche die Zivilisationsleistung der europäischen Einigung, die ja von Christen wesentlich vorangetrieben wurde, durchaus und grundsätzlich anerkannt. Sie ist ein Beitrag für eine bessere Welt. Zuletzt hat der selige Johannes Paul II. den Prozess der europäischen Einigung im apostolischen Schreiben *Ecclesia in*

*Europa* von 2003 grundlegend gewürdigt. Außerdem hat die Kirche schon 1980 ihre besondere Aufmerksamkeit durch die Gründung einer einzigartigen bischöflichen Kommission unterstrichen. Die Kommission der Bischofskonferenzen der Europäischen Gemeinschaft (ComECE) entspricht in ihrer Partikularität der Besonderheit der Europäischen Union. Durch gutes Zuhören und eine Interpretation der aktuellen europäischen Politik aus der Sicht der Katholischen Soziallehre wollen die Bischöfe der ComECE die europäischen Institutionen auch in Zukunft konstruktiv begleiten.

Erlauben Sie mir deshalb noch eine letzte Bezugnahme auf *Pacem in Terris*. Erstmals in der Geschichte der Kirche wandte sich eine Enzyklika nicht nur an die üblichen Adressaten, sondern an alle Menschen guten Willens. Für die ComECE lässt sich daraus programmatisch ableiten, auf ein möglichst breites Spektrum von Gesprächspartnern in Brüssel und Strassburg zuzugehen. Der weite Blick von *Pacem in Terris* ist im Grunde der Blick des Evangeliums, das nicht exklusiv, sondern inklusiv denkt, das eine universale Botschaft für alle ist. Und die Katholische Soziallehre ist die für die jeweilige Zeitstunde umgesetzte Verkündigung des Evangeliums im Bereich von Politik, Wirtschaft und Gesellschaft.

Die Kirche hat nicht nur eine Botschaft zu verkünden, sondern muss sich konkret einbringen in die Einigungs- und Friedensprozesse der Welt. Sie ist ja „in Christus gleichsam das Sakrament, das heißt Zeichen und Werkzeug für die innigste Vereinigung mit Gott wie für die Einheit der ganzen Menschheit“ (LG 1; vgl. GS 42, 45). Ihr Beitrag zum Frieden in und zur Einheit Europas ist deshalb auch von ihrem theologischen Selbstverständnis her ein Beitrag zum Weltfrieden.

# **CHRISTUS PAX NOSTRA**

## **JOSEPH RATZINGER-BENEDICTO XVI, JESUS VON NAZARETH I-II (2007-2011)**

■ LUIS F. LADARIA

Nos dice san Pablo en su carta a los Efesios: “Ahora, gracias a Cristo Jesús, los que un tiempo estabais lejos estáis cerca por la sangre de Cristo. Él es nuestra paz: el que de los dos pueblos ha hecho uno, derribando en su cuerpo de carne el muro que los separaba, la enemistad... Reconcilió con Dios a los dos, uniéndolos en un solo cuerpo mediante la cruz, dando muerte en él a la hostilidad. Vino a anunciar la paz: paz a vosotros los de lejos, paz también a los de cerca. Así, unos y otros podemos acercarnos al Padre por medio de él, en un mismo Espíritu” (Ef 2,13-14.17-18). El contexto de las afirmaciones paulinas es, como es bien sabido, la reconciliación entre judíos y gentiles en Cristo, en su cuerpo sacrificado en la cruz. En Cristo se pueden unir todos en un solo cuerpo de los salvados que, mediante él y en el único Espíritu del Señor pueden tener acceso al “Padre de todos” (Ef 4,5, cf. ib. 3,14), y por consiguiente vivir como hermanos. El texto, indudablemente, se presta a más amplias consideraciones: en Cristo Dios ha reconciliado consigo a todos los hombres y así se ha puesto el fundamento de la paz y de la fraternidad entre todos los hombres, un bien que el Señor desea y por el cual estamos todos obligados a trabajar. Con una clara referencia al texto que acabo de citar y a otros pasajes paulinos, el concilio Vaticano II se ha referido a la paz en estos términos:

La paz sobre la tierra, nacida del amor al prójimo, es imagen y efecto de la paz de Cristo, que procede del Padre. En efecto, el propio Hijo encarnado, Príncipe de la paz,<sup>1</sup> ha reconciliado con Dios a todos los hombres por la cruz, y, reconstituyendo en un solo pueblo y en un solo cuerpo la unidad del género humano, ha dado muerte al odio en su propia carne y, después del triunfo de su resurrección, ha infundido su Espíritu de amor en el corazón de los hombres (GS 78). El tema de la paz que Cristo, nuestra paz nos trae no podía estar ausente en la reflexión cristológica de Joseph Ratzinger-Benedicto XVI. Efectivamente su presencia, ciertamente discreta, es significativa. En diferentes pasajes a lo

<sup>1</sup> Cf. Is 9,5.



largo de los dos volúmenes de la obra encontramos diversas alusiones dispersas al tema, que solo una lectura atenta permite sintetizar.<sup>2</sup>

### 1. La paz que Jesús no ha traído.

Una primera constatación se impone: Jesús no ha traído la paz visible en el mundo, la paz universal, el bienestar para todos. Después de su venida al mundo, de su muerte y de su resurrección, muchas cosas, casi todas, han continuado igual que antes. En el contexto del estudio de las tentaciones de Jesús, y en concreto de la tercera tentación según el relato del evangelio de Mateo,<sup>3</sup> se pregunta el autor si no nos encontramos aquí con lo que más propiamente constituye la misión del Mesías: ser el rey del mundo que une toda la tierra en un gran reino de la paz y del bienestar. En otro lugar del mismo evangelio de Mateo leemos que el Señor reunió a los suyos en un monte y les dice que le ha sido dado todo poder en la tierra y en el cielo (cf. Mt 28,16-18). Pero este poder es el que da Dios, el que viene del cielo. Solo el poder que viene de la bendición de Dios merece confianza; es un poder que le es dado como resucitado, es decir, que presupone la cruz. No verlo ha sido el error de Pedro, que trató de disuadir al Señor del camino que le llevaba a su pasión. El poder que el diablo ofrece a Jesús y que aparentemente puede traer la paz al mundo no es el que Jesús puede aceptar. Entre las esperanzas humanas y la respuesta divina, sin que se pueda negar toda correspondencia, se abre una realidad un abismo. Rechazando la tentación Jesús dice ante todo un no a un modo humano de construir el mundo. Y por ello surge la pregunta que nuestro autor se hace: “¿Qué ha traído Jesús propiamente si no ha traído la paz del mundo, si no ha traído el bienestar para todos, si no ha traído el mundo mejor? ¿Qué ha traído?” (73).

Dejemos la respuesta para un segundo momento y profundicemos todavía más en la insatisfacción que a primera vista causa Jesús a quienes se preguntan por los resultados de su vida y de su obra. De nuevo se plantea

<sup>2</sup> A partir de ahora los números entre paréntesis indican las páginas de *Jesus von Nazareth*, I. *Von der Taufe im Jordan bis zur Verkündigung*. II. *Vom Einzug in Jerusalem bis zur Auferstehung*, Freiburg im Breisgau 2007-2011. Cuando no se da ninguna otra indicación se trata del volumen primero. Se indica expresamente cuando se trata del segundo. He tenido presentes las traducciones existentes, especialmente la española, pero como regla he traducido los textos personalmente.

<sup>3</sup> Mt 4,8-10: “De nuevo el diablo lo llevó a un monte altísimo y le mostró los reinos del mundo y su gloria y le dijo: ‘Todo esto te daré si te postras y me adoras’. Entonces le dijo Jesús: ‘Vete, Satanás, porque está escrito: ‘Al Señor, tu Dios, adorarás y a él solo darás culto’ (Dt 6,13)’”.

Joseph Ratzinger esta cuestión en el contexto de las palabras del Señor sobre dejar la familia y la casa para seguirle. Esto es una ruptura radical del orden social querido por Dios, en el que juegan un papel fundamental el pueblo y la tierra. En la enseñanza de Jesús, a diferencia de cuanto ocurre en el Antiguo Testamento, no encontramos ningún proyecto de estructura social que se pueda llevar a la práctica. Y por ello está plenamente justificada la pregunta que llega precisamente desde el ámbito judío:

¿Qué ha traído en realidad vuestro “Mesías” Jesús? No ha traído la paz del mundo y no ha superado la miseria del mundo. Por esto no puede ser el Mesías verdadero, del cual se espera propiamente estas cosas. Sí, ¿qué ha traído Jesús? La pregunta nos ha salido ya al encuentro, y conocemos también ya la respuesta: ha llevado al Dios de Israel a los pueblos, de tal manera que ahora todos los pueblos lo invocan y reconocen en la Escritura de Israel su palabra, la palabra del Dios viviente (49).

## 2. Lo que Cristo ha traído. La universalidad de la salvación

Las últimas líneas que acabamos de leer nos anticipaban ya la respuesta que Joseph Ratzinger-Benedicto XVI da a la pregunta que hace un momento nos formulábamos: Jesús ha traído a Dios, al Dios cuyo rostro, lentamente, se había ido desvelando desde Abraham, pasando por Moisés y los profetas, hasta la literatura sapiencial. Este Dios que solamente se había revelado a Israel, y que también con muchas zonas de sombra había sido venerado por los gentiles; este Dios, el Dios de Abraham, de Isaac y de Jacob, el Dios verdadero, Jesús lo ha traído a los pueblos de la tierra. Ahora conocemos su nombre y lo podemos invocar. Jesús ha traído a Dios y con ello la verdad sobre nuestro “hacia dónde” y “de dónde” (*unser Wohin und Woher*). Ha traído la fe, la esperanza y el amor (74).

El Dios de Israel ha llegado a todos los pueblos, y con ello ha regalado a todos el don de la universalidad. Aunque de las palabras y los hechos de Jesús no se deduce un orden social concreto, de su vida y de su enseñanza brotan presupuestos significativos. En concreto uno de ellos es puesto de relieve por nuestro autor: la “universalidad”, que es una promesa muy grande y muy expresiva para Israel y para el mundo. El fruto de la obra de Jesús es una universalidad que no se funda ya en los vínculos carnales de la familia y de la descendencia. El vehículo que hace posible esta universalización es la nueva familia, cuyo único presupuesto es la comunión con Jesús, la comunión en la voluntad de Dios (cf. Mt 12,46-50; Mc 3,34-35). Esta comunión significa “entrar en la familia de aquellos que llaman a Dios Padre y lo pueden decir en el nosotros de aquellos que con Jesús y – escuchándole – están unidos a la voluntad del Padre y así están en el corazón de aquella

obediencia a la que se refiere la Torah” (150). El salto a esta nueva universalidad viene de la nueva libertad, la obediencia de la filiación en la unidad con el Padre (152). En Jesús se universaliza también el concepto del prójimo. No es solo el connacional. Nos podemos hacer prójimos de todos. Se rompen las fronteras. Ya no se trata de quién es o no es prójimo para mí. Por el contrario se trata de mí, si yo me hago prójimo de todos. Y no es sólo que yo encuentre a mi prójimo, sino que me dejen encontrar por él (237). “Aparece una nueva universalidad, que se funda en que yo desde dentro me hago hermano de todos aquellos con los que me encuentro y que necesitan mi ayuda” (238).<sup>4</sup> El mismo Dios se ha hecho nuestro prójimo en Cristo. Necesitamos el amor salvador que Dios nos regala para poder amar. Siempre necesitamos a Dios que se hace nuestro prójimo, que viene salvar al hombre desamparado al borde del camino, para poder nosotros hacernos también prójimos (a propósito de la parábola del buen samaritano).

En el mensaje de Jesús, lo hemos insinuado ya, no hay nada acerca de un específico orden político y social. La Torah, por el contrario, tenía la función de ofrecer a Israel un concreto orden jurídico y social. ¿No podía Jesús haber hecho algo semejante? En realidad el intento de traspasar a todos los pueblos el orden social de Israel hubiera significado prácticamente la negación de la universalidad que Cristo ha traído. El Dios de Israel es el Dios de todos, pero las leyes que Dios ha dado a Israel no pueden ser las de todos los pueblos. No son estas prescripciones las que han de ser universalizadas, sino la relación con Dios que quiere ser Padre de todos. La voluntad de la unión con Dios es lo único decisivo. Ha llevado tiempo entender que el orden político y social depende de la voluntad de los hombres y que no es en sí mismo sacro. El reino de los hombres es y será siempre el reino de los hombres, y el que cree que puede construir con sus fuerzas el mundo salvado cae en el engaño de Satanás. Si la fe se quiere asegurar con el poder, termina al servicio de este. Cristo es nuestra paz y nos une a todos en su cuerpo, pero no nos obliga a hacer nuestra la Ley de Israel, si no es en su núcleo más íntimo y esencial: cumplir la voluntad de Dios tal como el

<sup>4</sup> En este contexto se inserta un párrafo sobre la situación en África y lo que Occidente ha hecho en ese continente: “Anstatt ihnen Gott zu geben, den in Christus uns nahen Gott, und so alles Kostbare und Grosse aus ihren eigenen Überlieferungen aufzunehmen und zur Vollendung zu bringen, haben wir den Zynismus einer Welt ohne Gott zu ihnen getragen, in der es nur auf Macht und Profit ankommt; die moralischen Maßstäbe zerstört, so dass Korruption und skrupelloser Wille zur Macht zur Selbstverständlichkeit werden. Und das gilt ja nicht nur für Afrika” (238). Cf. Benedicto XVI, *Africae munus*, 9.24, 79-80, entre otros lugares.

mismo Cristo nos ha enseñado. La paz de los pueblos no se realiza en la uniformidad impuesta. Si Jesús no ha traído la paz del mundo, ha puesto las bases y los presupuestos para otra paz más fundamental y duradera.

¿Cómo se realiza esta universalización y en qué se funda? Debemos estudiarlo a partir de los diversos misterios de la vida de Cristo tal como son tratados por Joseph Ratzinger-Benedicto XVI. Esta universalización se basa ante todo en la encarnación del Hijo de Dios. Jesús, el Hijo, se ha hecho hombre con nosotros y como nosotros. Un punto esencial se establece desde el comienzo, cuando se trata de la genealogía de Jesús: según Lucas esta termina, mejor diríamos empieza, en Dios (cf. Lc 3,37), y luego en Adán. Se pone de relieve así la misión universal de Jesús. Por su ser hombre él, el Hijo de Dios, está unido a todos nosotros, de ahí la importancia de la referencia a Adán, y todos nosotros estamos unidos a él. Con él comienza la humanidad nueva (37), se universaliza, en potencia al menos, la familia de Dios. El número de los doce apóstoles indica también esta universalidad. Se trata de un número “cósmico”, que indica que el nuevo pueblo de Dios que está surgiendo incluye toda la humanidad. El fundamento de esta universalidad se funda en el hecho de que Jesús el Logos hecho carne por nosotros es el pastor de todos, el que muere para reunir a todos los hijos de Dios dispersos (cf. Jn 11,52). Solamente Jesús puede librar de la dispersión. Todos los hombres son uno, a pesar de la dispersión, a partir de él y hacia él.

### 3. Algunos temas específicos

#### a) Jesús y el Reino de Dios

Jesús ha predicado el Reinado de Dios, el reinado que irrumpe, que está cerca. Acaece algo nuevo. Conocemos el dato: se habla del Reino de Dios en los sinópticos, casi siempre en boca de Jesús, en los demás escritos del Nuevo Testamento casi desaparece. El eje de la predicación de Jesús es el Reino, después es la cristología. Este hecho ha dado ocasión de pensar que hay que volver a la predicación de Jesús, el Reino, es decir, un mundo en el que reina la paz, la justicia, la preservación de la naturaleza. Por esto hay que trabajar, y esto sería la misión común de las religiones: “trabajar juntos por la venida del Reino” (p. 83). Cada una podría mantener sus tradiciones y su identidad, con el empeño común por un mundo de paz, justicia y respeto por la creación.<sup>5</sup> Pero ¿quién nos dice dónde está la justicia y cómo se puede conseguir? ¿cómo se alcanza la paz? En estas ideas utópicas se olvida

<sup>5</sup> Sobre los problemas doctrinales del “reinocentrismo” cf. Congregación para la Doctrina de la Fe, decl. *Dominus Iesus* 19.

a Dios, se olvida la fe, la religión se subordina a fines políticos, cuenta en la medida en que sirve para ellos. Jesús ha predicado el Reino de Dios, que, en el evangelio de Mateo, se convierte en el “Reino de los cielos”, lo que no cambia el significado. Pero en la enseñanza de Jesús el reino de Dios supera el momento presente, es pobre en este mundo, pero crece como el grano de mostaza o la levadura que fermenta la masa (p. 83). El Reino no puede prescindir de Dios y de Jesús. En el Padrenuestro pedimos que venga su reino, que Dios sea Señor en cada uno de nosotros y en el mundo. La universalidad de este reino de paz, “de mar a mar” (Zac 9,10), el reino del Dios de la paz que Jesús hace presente de manera muy especial y visible en el domingo de Ramos: Jesús que entra en Jerusalén montado en un asno, la cabalgadura de la gente pobre y sencilla, “es un rey que rompe los arcos de la guerra, un rey de la paz y un rey de la sencillez, un rey de los pobres... Domina sobre un reino que va de mar a mar y que abraza todo el mundo” (II 19).<sup>6</sup> Este reino, identificado con la presencia misma de Jesús,<sup>7</sup> se realiza solo en la fe y el amor y no de otra manera (I 389). “La violencia no establece el reino de Dios, el reino de la humanidad (*Menschlichkeit*). No sirve a la humanidad, sino a la inhumanidad” (II 29). La violencia no engendra más que violencia.<sup>8</sup>

<sup>6</sup> Benedicto XVI volvió sobre estos mismos temas en la audiencia general del 26 de octubre de 2011, en la víspera del encuentro de Asís. Reproduzco algunos fragmentos de su discurso: “Si parla di un re: ‘Ecco, a te viene il tuo re. Egli è Giusto e vittorioso’ (Zc 9,9), ma quello che viene annunziato non è un re che si presenta con la potenza umana, la forza delle armi; non è un re che domina con il potere politico e militare; è un re mansueto, che regna con l’umiltà e la mitezza di fronte a Dio e agli uomini, un re diverso rispetto ai grandi sovrani del mondo: ‘cavalca un asino, un puledro figlio di asina’ dice il profeta (ib). Egli si manifesta cavalcando l’animale della gente comune, del povero, in contrasto con i carri da guerra degli eserciti dei potenti della terra”. (Zc 2,10) Il regno che Cristo inaugura ha dimensioni universali. L’orizzonte di questo re povero, mite non è quello di un territorio, di uno Stato, ma sono i confini del mondo; al di là di ogni barriera di razza, di lingua, di cultura. Egli crea comunione, crea unità”. “Egli viene, si rende presente; e nell’entrare in comunione con Lui, anche gli uomini sono uniti tra di loro in un unico corpo, superando divisioni, rivalità, rancori”.

<sup>7</sup> P. 238: “Die Kirchenväter haben das Gleichnis (del Samaritano) christologisch gelesen... Wenn wir bedenken, dass in allen Gleichnissen auf je unterschiedliche Weise der Herr uns doch zum Glauben an das Reich Gottes einladen will, das er selber ist, dann ist eine christologische Auslegung nie eine totale Fehldeutung...”

<sup>8</sup> Benedicto XVI, en la jornada de Asís del 27 de octubre de 2011: “...quisiera decir como cristiano: Sí, también en nombre de la fe cristiana se ha recurrido a la violencia en la historia. Lo reconocemos llenos de vergüenza. Pero es absolutamente claro que este ha sido un uso abusivo de la fe cristiana, en claro contraste con su verdadera naturaleza. El Dios en que nosotros los cristianos creemos es el Creador y Padre de todos los

### **b) El Sermón de la Montaña**

El comentario a las bienaventuranzas vuelve a ofrecer ocasión para tratar del tema de la paz. La paz se asocia a la filiación divina. Los que trabajan por la paz serán llamados hijos de Dios (Mt 5,9). Ya en la figura de Salomón se juntan las ideas de la paz y la filiación. En la profecía de Natán se dice: “Mira, te nacerá un hijo, que será un hombre pacífico... en sus días concederé paz y tranquilidad a Israel... Será para mí un hijo y yo seré para él un padre” (1 Cro 22,9-10). El reinado de la paz es el reinado de la filiación, y, podemos añadir, el de la fraternidad que en ella se funda. La bienaventuranza citada nos invita a hacer lo que hace Jesús, ser operadores de paz para llegar a ser hijos de Dios. La reconciliación con Dios (cf. 2 Cor 5,20) es el presupuesto de la paz. El alejamiento de Dios es el punto de partida del envenenamiento de los hombres, y la superación de este es la condición de posibilidad para que haya paz en el mundo. “Solo el hombre reconciliado con Dios puede estar reconciliado y en armonía consigo mismo puede crear paz a su alrededor y en toda la extensión del mundo... Que haya paz sobre la tierra (cf. Lc 2,14) es voluntad de Dios y tarea para los hombres... El esfuerzo por estar en paz con Dios es una parte ineludible del esfuerzo para que haya paz sobre la tierra” (p. 116). Es esta dimensión la que nos da la medida de todas las restantes. Cuando Dios desaparece de la perspectiva de los hombres desaparece también la paz.

En el sermón de la montaña no se formula un orden social concreto, pero se presentan las reglas y las coordenadas, que nunca serán realizadas totalmente en ningún orden social. Jesús dinamiza el concreto orden social y jurídico, lo saca del directo ámbito de Dios para entregarlo a la responsabilidad de los hombres. Señala a la razón que actúa en la historia el espacio de su responsabilidad. De ahí que siempre se tenga que elaborar y reelaborar una doctrina social cristiana con nuevos desarrollos que corrijan los anteriores según el paso de los tiempos (160).

hombres, por el cual todos son entre sí hermanos y hermanas y forman una única familia. La cruz de Cristo es para nosotros el signo de Dios que, en el puesto de la violencia, pone el sufrir con el otro y el amar con el otro. Su nombre es “Dios del amor y de la paz” (2 Cor 3,11). Es tarea de todos los que tienen alguna responsabilidad de la fe cristiana el purificar constantemente la religión de los cristianos partiendo de su centro interior, para que – no obstante la debilidad del hombre – sea realmente instrumento de la paz de Dios en el mundo”.

### *c) La reconciliación universal en virtud de la muerte de Cristo*

En el tratamiento de los temas de la entrada en Jerusalén y de la pasión, objeto del volumen segundo de la obra de Joseph Ratzinger-Benedicto XVI, vuelven a aparecer algunos de los temas tratados en el primer volumen. A algunos de estos nuevos desarrollos hemos hecho ya alusión precedentemente. Jesús, decíamos, ha traído al mundo a Dios, el Dios de Israel es el Dios de todos los pueblos. La tendencia universalista que ya en el Antiguo Testamento se puede notar recibe de la cruz de Cristo su sentido más profundo. Unos griegos buscan ver a Jesús según Jn 12,20. En el crucificado van a ver al Dios verdadero después de haberlo buscado en vano en los mitos y en la filosofía. “Cuando yo sea elevado sobre la tierra atraeré a todos hacia mí”. La universalidad que ya en el Antiguo Testamento se ha anunciado (cf. Is 56,7) se ilumina a partir de la cruz. Desde la cruz es reconocido el único Dios, el Dios revelado en la zarza ardiente (II 34). Ya antes de la destrucción física del templo de Jerusalén estaba claro para la naciente Iglesia que el tiempo de los sacrificios había terminado (II 62). Los cristianos no podían quedar ligados a la particularidad de Israel. Nace una nueva universalidad, una unidad que la humanidad no puede conseguir con sus propias fuerzas, sino que le ha de ser dada por Dios. La universalidad de la misión de Cristo no se refiere solamente a un grupo de elegidos, sino que su fin es el mundo entero, todo el cosmos. Con la misión de los discípulos debe terminar la alienación del mundo en su totalidad y llegar a la unión con Dios (II 117, a propósito de Jn 17).

La eucaristía es el acontecimiento visible de la entrada en la unión con Dios, que lleva a los hombres a la unidad entre sí desde dentro (II 158). *Von innen her*. Jesús no impone una paz desde fuera, con medios políticos o económicos, con medios exteriores, sino que al abrir a todos los hombres el camino de la unión con Dios les da la posibilidad de unirse también entre ellos. La eucaristía está esencialmente relacionada a la cruz, y en la cruz y a partir de ella Jesús ha separado la política y la fe, la política del pueblo de Dios. “Solo en la fe en el crucificado, despojado de todo poder terreno y por eso exaltado, aparece la nueva comunidad, la nueva manera de reinar de Dios en el mundo” (II 194). Se abre aquí el misterio de la representación, uno por todos, que ha dado lugar a tantas discusiones y también a malentendidos. En el evangelio de Juan aparece la misteriosa frase de Caifás que el evangelista considera profética: “Vosotros no entendéis ni palabra: no comprendéis que os conviene que uno muera por el pueblo, y que no perezca la nación entera”. Esto no lo dijo por propio impulso, sino que, por ser sumo sacerdote aquel año, habló proféticamente, anunciando que Jesús iba a morir por la nación; y no solo por la nación, sino también para reunir

a los hijos de Dios dispersos” (Jn 12,49-52). El sentido de las palabras de Caifás ha sido profundamente transformado por el evangelista. Ya no se trata de la particularidad de una nación o de un pueblo, sino de los hijos de Dios, que no son solo los israelitas dispersos por el mundo, sino todos los creyentes, la comunidad de la Iglesia, y, todavía más allá, la unidad escatológica. Hijos de Dios no son solo los judíos, sino los hijos de Abraham en el sentido paulino (cf. Rom 4, 16), la todos aquellos que se dejan llamar por Dios y que Jesús ha venido a reunir en un solo pueblo, en el cuerpo de Cristo.

Joseph Ratzinger ya desde hace mucho tiempo ha insistido en este concepto de la representación, que no es la “sustitución”, es decir que otro haga algo por mí de manera tal que yo ya no estoy obligado a hacerlo.<sup>9</sup> A esto han apuntado tantas ideas y pensamientos de la historia de las religiones. Jesús nos lleva en sí mismo a todos y nos abre el camino que solos no podemos ni siquiera descubrir, pero que podemos y debemos recorrer en su seguimiento. Su “representación” no nos invita a la pasividad sino a hacernos, también nosotros, operadores de paz. En este sentido él es nuestra paz, el que hace de los dos pueblos, podemos decir, de todos los pueblos, uno solo.

La sangre de Cristo no es como la de Abel, que clama venganza, sino todo lo contrario. No ha entendido el sentido de la muerte de Cristo el “pueblo” que grita: “caiga su sangre sobre nosotros y sobre nuestros hijos” (Mt 27,25). No es venganza sino reconciliación y paz. Pilato tenía que defender la *Pax Romana* que no se basaba solamente sobre el poder militar sino también y sobre todo sobre el derecho. Pero la paz, en su caso, pasó por encima de la justicia. Pero esta paz no se fundó en la verdad. Tampoco esta es la paz que nos viene a traer Cristo. Él, el Hijo de Dios hecho hombre, devuelve a Dios, en su cuerpo, toda la humanidad. Nos sostiene a todos en él, y nos da lo que solos no podemos darnos. A la existencia cristiana pertenece el bautismo, que nos acoge en la obediencia de Cristo, y también la eucaristía, en la que la obediencia de Jesús en la cruz nos abraza a todos, nos purifica y nos atrae a la adoración perfecta del Hijo hecho hombre (II 259).<sup>10</sup> Y de manera consecuente se nos dice que el cuerpo glorificado de Cristo, que se hace presente en medio de nosotros en la eucaristía, es el lugar en el que los hombres son introducidos en la comunión con Dios y entre ellos (II 299-300).

Si Jesús no trae la paz al mundo de una forma visible, ha puesto los fundamentos de la unión entre todos, no impuesta sino ofrecida, no con un

<sup>9</sup> Cf. *Das neue Volk Gottes. Entwüfje zur Ekklesiologie*, Düsseldorf 1970, 335-338; 358-360.

<sup>10</sup> P. 259: “Su obediencia en el cuerpo es el nuevo sacrificio en el que a todos nos incluye, y en el que a la vez toda nuestra desobediencia es superada mediante su amor”.



concreto orden social y político sino a partir de la conversión de los corazones y de la aceptación de Cristo en la vida de las personas y de las comunidades. Él es nuestra paz, no porque nos indique el modo concreto de realizarla en el mundo, sino porque, al reconciliarnos con Dios, Padre de todos, ha establecido la sólida base de la reconciliación y de la unión entre todos los hombres: “él es nuestra paz”.

Vale la pena que terminemos esta breve exposición citando las palabras finales del segundo volumen de *Jesus von Nazareth*. “En el gesto de las manos que bendicen [en la ascensión] se expresa la relación duradera de Jesús con sus discípulos, con el mundo. Cuando se marcha, viene para elevarnos por encima de nosotros mismos y abrir el mundo a Dios. Por eso, los discípulos pudieron alegrarse cuando volvieron de Betania a casa. Por la fe sabemos que Jesús, bendiciéndonos, tiene sus manos extendidas sobre nosotros. Esa es la razón permanente de la alegría cristiana” (II 318).



## ▶ AGENTS, NEW IDEAS, AND AUTHORITIES IN THE GLOBAL COMMONS



# L'ÉGLISE ENTRE L'HUMANITÉ RÉELLE ET L'HUMANITÉ RÊVÉE

■ PIERRE MANENT

Every epoch has its “secular religion”, a “perverse imitation” of Christianity that takes this or that part of the Christian proposition and diverts it toward this world. It was not so long ago that communism transformed charity for the poor into hatred for the capitalist society, and ultimately for every society that recognizes the rights of the “human person”. Today, something like a “religion of humanity” has taken hold of supposedly enlightened opinion and increasingly guides the judgments and actions, private or public, of people in the West, especially in Europe. This is not simply a fashion or opinion trend; it is a genuine large-scale project for governing the world through international rules and institutions, so that nations, losing their character as sovereign political bodies, are henceforth only “regions” of a world en route to globalization, that is, unification. And, as formerly in the communist conception of history, the *is* and the *ought* are regarded as coinciding: if you doubt that globalization is desirable, you will be told that it is irresistible and that you refuse to see reality; if you doubt that it is irresistible, you will be told that it is desirable and that you reject the evidence of the Good. In brief, “the world” is presented to us as the supremely legitimate object of our desire. Such a proposition requires a serious effort of discernment.

Everyone is called to this effort, but especially Christians. Christians in fact are particularly susceptible to accepting the present tendency with favor, and to viewing it as a felicitous sign of the times, because globalization attacks the reality and the legitimacy, the fact and the law, of sovereign nations, which the Church has always regarded at least with mistrust, and has sometimes explicitly condemned or chastised. The hostility of the Church is not unfounded, because these sovereign political bodies are inseparable from a will to power or a desire of domination which leads princes and subjects, statesmen and citizens, to address their wishes to the earthly city and to set themselves up as “independent”, to the detriment of the divine kingdom and the human vocation. In fact, the consolidation of nations in Europe is inseparable from an increasing domestication of the Church, which sometimes practically leads to its expulsion from the public sphere. Without wishing to trace the modern history of Europe here, we will content ourselves with noting that the Reformation signified the “nationalization” of the uni-

versal Church, and that, from that time on, the nation, not the Church, was the “community par excellence” in Europe. The Church contributed less and less to determining the political and spiritual configuration of Europe, as witness the admirable and vain efforts of Benedict XV to moderate national frenzies. From a Christian point of view, nations can seem like idols produced and formed by pride. It was thus not by chance that the first and decisive impulses for the “European project” were given by Catholic statesmen. And for a number of Catholics even today, the initiatives of Robert Schuman, Konrad Adenauer, and Alcide De Gasperi have the character not only of a courageous and judicious political choice, but also of a sort of collective conversion ratifying the passage from the immemorial political order of power to a new order of disinterested cooperation.

However tempting or persuasive may be the “grand narrative” which accompanies and justifies the European project, we cannot fail to notice that it rests upon a very one-sided reading of European history, and on a very biased estimation of that properly European political form known as the nation, a bias which suggests, moreover, that it is not so easy as one would wish to rise above one’s political passions. Furthermore, and symmetrically, it rests upon a superficial understanding of what the constitution of an effectively universal human association requires. Injustice with respect to the nation and incomprehension of human universals thus reinforce each other and are inextricably connected.

The nation state is not immune from the ambiguity of human works. Produced by sinful man, it simultaneously expresses his grandeur and his weakness. We have briefly evoked the flaws of the national form, which are always present to the minds of our contemporaries and whose persistent memory gives both color and blandness to European political and moral life. It is important to recall its merits. If God in creating man left him to his own devices, then the nation has also had a part in the goodness of creation, because it is both the framework and the result of the most constant and varied efforts by human groups to organize self-government. The credit goes to the first inventor, and the honor of Athens will never be taken away; outside of Christian Europe, one has never seen such stable and extensive political bodies in which so many human beings have found the conditions for an honorable and conscientious life. Furthermore, though nations, like the rest of cities and empires, may be carried away by the will to power, it must be noted that the division of Europe into rival nations prevented imperial petrification, and that the extraordinary fertility of European history results from the constant interplay among the diverse European nations. Catholic political thought is often very severe, not without reason, with re-

spect to the notion of sovereignty. However, it must be noted that it is this very sovereignty, and the recognition by each nation of the sovereignty of others, that permitted coexistence and even emulation among nations of very unequal power. The recognition of the equal sovereignty of small nations – which certainly has had its failures! – is one of the great accomplishments of European public law. We ought to be sensitive to this aspect of things today, now that small European countries have been placed under guardianship on the basis, or the pretext, of the financial crisis. This gives us an idea of the profound inequality that threatens the life of Europeans as soon as some of them are denied the right to be independent.

Without wishing to make an inventory of the accomplishments of the nation-state, its contribution to moral life should be underlined. I am not thinking here of the education through national language and literature, which preserves its legitimacy only with difficulty today in the face of the worldwide circulation of information that knows only generic human beings. I am thinking rather of this: there is no more powerful source of moral development for everyone than concern for the common good or the *res publica*. It's not a question here of generalizing norms of conduct, which could only produce a mechanical and mutilated morality, but rather of enlarging our being in order to take account of the intelligence and the will of that being which is greater than each one of us and that we form together. In brief, the education and the deployment of the human virtues require the participation in a unified action before the members of which we feel ourselves responsible, and for which we incur both praise and blame. If we lose that, we will have nothing left to orient ourselves by but a general idea of humanity which will be powerless to draw us away from the passivity of private life.

It will certainly be objected that the eclipse of nation states will overcome particularism, and thus provide us with access to a truly universal perspective which takes into account not only the circumscribed group, but all human beings, that is to say, humanity in its entirety. This is not only an illusion, and not only the most widespread and approved illusion in Europe and the West; it is the illusion in the name of which and by means of which powerful forces mean to tear us away from the active concern for the common good that in its political aspect is called friendship, and in its religious aspect is called charity.

One can, of course, speak of the common good of humanity. The preservation of breathable air, for example, is part of such a common good. But it is an extrinsic common good, because humanity does not constitute a real community of action. Such a common good can only be preserved by

the activity of each real political community (that is, each nation), activity which includes collaboration with other nations. Nature will be not be preserved by a humanity that does not exist politically. There is no point of view of humanity concerning humanity itself, even though modern means of communication can give the impression of a real presence of humanity to itself. We truly live only where we act, and we truly act only in the community of action that we form with our fellow citizens or our associates. International institutions are or can be useful instruments for collaboration among nations, but they do not make humanity into a community. There is, of course, a human species, but it is actualized only within the plurality of human communities.

I was speaking just now of powerful forces that mean to tear us away from an active concern for the common good. No, I am not detecting a conspiracy! But Christians ought to be concerned by the use which is being made of the notion of humanity. From the Christian perspective, the healing and the unification of humanity enter through the element of charity of which the Church is the bearer and the instrument. Charity is a common action, a common operation carried out visibly or invisibly by the Church and its Head. The Church invites everyone to enter into this common action, to participate in it. There is no other way to really heal and unite a humanity that is wounded and divided by sin. To this proposition of the Church, which is dismissed because it “excludes” those who refuse it, reigning opinion opposes the proposition of a humanity that is virtually unified and healed, since, beneath the still-separating activity of still-separated human groups, there is present or latent a humanity that nothing separates or distinguishes, a humanity that is visible and tangible, a humanity already existing for those who are able to see and to feel the similarity of human beings behind their differences, for those who experience the sentiment that Tocqueville considered as the democratic emotion par excellence, “fellow feeling”. Obviously, this contemporary religion of humanity excludes and rejects the Christian religion. The healing and unity that the Christian seeks through participation in the operation of charity of which Christ is the Head is sought by the European who “believes in humanity” in the sense of the resemblance among human beings. That which the Christian only hopes to find at the culmination of a transformative process which is the work of God himself, and through participation in the community of action that is the Church, the humanitarian claims to obtain by detaching himself from all communities of action in which human beings participate and by passively enjoying his resemblance to other men. It is in letting themselves move beyond action and responsibility for action that today’s



Europeans find salvation for themselves, giving it to themselves and experiencing certainty in so doing. To be sure, this humanitarian faith does not ignore works (that is, humanitarian acts), but these actions by themselves, as useful as they are, contribute very little to the strengthening of human communities. Humanitarian virtues are admirable, but they are not productive of community. To be sure, the Christian proposition, which requires long-range action whose results are uncertain and largely invisible, is infinitely less attractive than the humanitarian proposition which realizes its promise as soon as it is formulated because it both begins and is fulfilled in the recognition of the humanity of the other person. This can encourage the Church to present itself in the terms and in the forms of the religion of humanity. That move would not be innocuous, because the integrity of the Christian proposition would be harmed, and it would be useless because it would only serve to further validate the religion of humanity. The Church would be better advised to deal amicably with the other real communities known as nations, which, Christian or not, at least provide the framework of education and action within which human beings can effectively put into operation the search for the common good.

I can imagine the enlightened European response to these observations. Perhaps you are right, they would say; perhaps common action, political or religious, is the highest human effort, but it's also the most risky. After all, at times when the Church exerted herself to the utmost in order to bring human beings together into the Christian body, she was led to commit or tolerate actions for which she has not yet been forgiven by public opinion, including the opinion of Catholics. And as for the nation-states – without wishing to charge them with exclusive responsibility for the disasters of the 20<sup>th</sup> century – it seems clear today that, at least in Europe, they have lost the capacity and even the will to satisfy the hearts and fix the horizons of their citizens. They offer to protect their citizens from the upheavals of globalization, and citizens, whatever they say, in reality do not ask for more. Furthermore, continues the enlightened European to whom I have given the floor, it's necessary to organize the human world on different bases from the common actions that were crystallized in nations and churches. And we do not have to search for this new method; we have found it. It resides in the common rules provided by the organization of reciprocal dependence among human beings, the organization of commerce – or, rather, it obliges us every day to perfect these rules. The new world, instead of relying on the dangerous competition of collective bodies, revolves on the reciprocal dependence between the Chinese worker and the American consumer, a reciprocal dependence that promises us a humanity that is perhaps less glo-

rious, but doubtless more calm, and ultimately more human than that of our fathers.

This argument certainly does not lack persuasive force, and it forms the basis of the point of view that directs, one may say, nearly all of the European “decision-makers”. It deserves a response.

In the first place, it must be pointed out that the theory of the pacifying and civilizing effects of commerce is a *locus classicus* of modern European history, and that, unfortunately, the facts have refuted it as regularly as they have confirmed it. Voltaire described with ecstasies of enthusiasm the London Stock Exchange where all religions and sects gathered and worked in cordial understanding, and where the only heretic, according to him, was the bankrupt. The hopes of the Enlightenment hardly prepared our ancestors for the quarter century of wars of the Revolution and the Empire. Yet those hopes did not disappear, and they resurged even more strongly in the 19<sup>th</sup> century. Auguste Comte assured us at the time that we had necessarily left behind the “theological and warrior” age. We all know what happened next, and it’s useless to continue this recitation. I do not mean to suggest that the present phase of globalization is condemned to encounter the same destiny as the two previous phases, but only to recall that others before us, who were neither less lucid nor less courageous than ourselves, entertained the same hopes as we do, and that ought to incline us to sobriety.

For the rest, it’s not so difficult to see where the limits of the power of commerce are located. Its force resides in its facility. Between agents in an exchange relationship, one needs only very limited agreements bearing on the characteristics of the objects in question and their price. It’s also necessary to have a certain reciprocal confidence which permits each actor to engage his capital or other resources. But that’s little enough in the end; the actors may never see each other and may deal through intermediaries which neither sees except for a moment in a transaction that is already devoid of human relationship. In short, commerce requires but little “in common”, and thus it produces but little that is “common”. The question, therefore, is whether we can live humanely without things in common, or with having in common only the “rules of the game” that bind specialized institutions that do not need to be political and that function better when they are less political. This question demands a negative response. Human relations go far beyond the exchange of goods and even the exchange of goods and services. Without supposing that human beings are destined to passionately follow their gods or their demons as Max Weber thought, it seems rather clear that human life encompasses relations of justice, political or collective, which cannot be subsumed under the “rules of the game”. The distribution

of honors is part of justice, and the mastery of relations of honor is one of the most difficult parts of political prudence. At the mention of the word, honor, weary Europeans shrug their shoulders, but shortly thereafter they explain the grievances of this or that human group by invoking the “humiliation” that the group has suffered at the hands of the West for two centuries. Europeans do not take account of how much of the disdain that they attach to relationships of honor is a rather pale reflection of two large political facts: they have dominated the world for two centuries, and in the latter period they transferred this responsibility to their American cousins. He who enjoys domination without accepting the responsibility of government is in the worst position to judge political relationships. Anesthetized by this long irresponsibility, Europeans dream of a humanity reunited in peace by the rules of commerce and the spread of the feeling of common humanity.

To apprehend the vacuity of this notion, it suffices to pose certain questions. How – with what intelligence, what prudence – will the United States handle the decline of its capacity to assure the political direction of the world? How – with what intelligence, what prudence – will China handle the sudden augmentation of its resources and its power in Asia and in the rest of the world? How – with what intelligence, what prudence – are Europeans going to organize their relations with the Muslim world in the new situation created by the settlement of numerous Muslims in the European countries? How – with what intelligence, what prudence – are the Muslims for their part going to organize the “community of believers” in the new situation? One can see, that none of these questions is soluble – it is barely touched – by the extension of the rules of commerce and the spread of the sense of a common humanity. However desirable these things may be, they hardly affect the relationships that I have just mentioned, because these relationships bear on the direction of the actions carried out by common entities that are political or religious.

Europeans, for some time, have refused to take account of the gravity of these relationships because they feel themselves capable of seeing, beneath apparent divisions, a humanity that is already tending toward unification. I have already characterized this religion of humanity as, of all religions, that which is easiest to show as based on an illusion. The world will not find its order and its tranquility through the multiplication of the faithful of this religion. This is a strictly European affair, and it will remain so. The world will repose, as always, on the precarious equilibrium determined by political and spiritual decisions taken by human communities, and for the description of which there is no other lexicon than the catalog of the cardinal and theological virtues.

There is a pre-condition, however, to the exercise of these virtues in the political and even in the spiritual order. It is to achieve an exact view of the present state of affairs. The principal factor today, as I have already mentioned, is the weakening of the directive capacity of the West, even though the United States remains by far the most powerful individual actor. This relative weakening, in connection with the corresponding reinforcement of previously “peripheral” powers has produced a “multi-polar world” which many people hope will find its equilibrium in this very plurality. For my part, I think that the international order can leave hegemonic power behind only with difficulty, and that the weakening of America is freighted with menaces. But this is not the place to pursue these conjectures. What must be emphasized, is that today, in the light of “a common world”, all the “greatnesses” which previously had been overshadowed by the western monopoly on “progress” are now coming into view. Where there used to be the West and the rest, there is now, besides the West, China, India, the Islamic world, etc. If one also considers the political role of Israel, one is tempted to say that the depths of history are today coming to the surface for a sort of political reunion of humanity. But as I have emphasized, humanity must not be confused with the idol that has been created out of the feeling of a common humanity. Real humanity is made from coexistence and from the tension between the propositions about humanity that are insoluble in the humanity dreamed of by humanitarians. China, Islam, the Jewish people, the Christian world, these are not diverse colors of a human rainbow, these are “greatnesses”, these are political and spiritual entities that present themselves as propositions and affirmations about humanity and that ought to be rendered compatible. It is not sufficient to say and to think sincerely that we are all human beings. What’s important is to find the means of a political and spiritual mediation among these propositions, because the West will soon no longer be strong enough to hold the world together. This effort of mediation is spiritual as well as political. It seems to me that the Catholic Church is called to play a decisive role. I say that she is called to play this role; I do not say that she will play it. That will depend precisely on the virtues of Christians. What role?

When I look at the trend of the present state of affairs, one thing strikes me. The majority of other great religious and political communities of the world have a temptation to an “extremism”: There is the Jewish “zealotry” quite recognizable in the colonization of Judea and Samaria; there is the fundamentalism, or “literalism”, of the Protestants, that has given rise in the Christian world to a missionary spirit mingled with powerful political and social passions; the Russian Orthodox Church, liberated from communist

servitude, has made itself the declared supporter of the successor power and encourages nationalism; and of course there is Islamism. As for the religion of humanity, I have already evoked its fanaticism. The Catholic Church is not given to such transports. One can say without exaggeration that she does not know bias or political passion. Perhaps this praiseworthy impartiality is as much the product of its weaknesses as of its virtues. Perhaps it is in part the consequence of the fact that every imprudent gesture on her part is immediately criticized by this or that other party, so that she keeps herself in check. It doesn't matter. Only the Catholic Church is in a position to enter into a serious conversation with each one of these "greatnesses" that I have just mentioned, and with all of them. Because she is the only real universal community that is completely constituted – the only "perfectly spiritual republic", she can address herself to all other religious communities who seek support in a political association and in a certain confusion of spiritual and political orders. She can address herself as well to that pagan empire that is China. In brief, she is the center from which and toward which the spiritual constellation of humanity is ordered.

It's a characteristic of the present situation that mediation is urgently required, while impartiality seems impossible. Consider the relationship between Israel and the "nations". In recent years, the state of Israel has experienced a disquieting loss of legitimacy. Not only does the Muslim world continue to reject it for well-known reasons that are inseparably religious and political, but contemporary universalism, the religion of humanity that is so powerful in Europe, has scarcely any better understanding for a nation that desires to preserve its very existence and its sovereignty including by the force of arms. At the same time, and in response to this loss of legitimacy, Israel has increasingly based its rights on references to the Shoah. The actions that it carries out, like those that it announces, are explicitly meant to prevent a new extermination. Without judging the political or moral merits of this move, I would like to emphasize that it touches the very meaning of Judaism. The original vocation of the Jewish people was to be the witness and the vehicle of the Covenant between humanity and a God that is friend to humanity. If Israel roots its legitimacy henceforth in the Shoah, it makes itself spiritually dependent on its worst enemies, and bases its legitimacy henceforth in that absence or silence of God which is summed up in the name Auschwitz. Only a Catholic Church that takes account of its debt and its dependence with respect to the Jewish people and the calling of Israel will be capable to witness divine friendship. The religion of humanity and the religion of the Shoah are two versions, enemies and friends, of a religion of the absence of God that is currently destroying and

demoralizing the West. The West will only take courage if it recovers faith in the goodness and friendship of God. The Catholic Church, mediatrix of the Mediator has no other political task, but it is an urgent one, than making itself a convincing witness of the goodness of God.

# THE GLOBAL QUEST FOR *TRANQUILLITAS ORDINIS*: AFRICA'S CONTRIBUTION TO *PACEM IN TERRIS*

■ PAULUS ZULU\*

## 1. Introduction

This paper examines Africa's contribution to the global quest for *tranquillitas ordinis* (*tranquillity in the social order*) with particular emphasis on the role of African continental and regional organisations in promoting *pacem in terris* (*peace on earth*). The paper explores the role of African organisations both continental and regional especially in solving problems that have beset the continent in the postcolonial era. The context is the turmoil in Africa particularly in the new millennium, where governance could broadly be described as not in the interest of citizens and changes or expected changes in government have been accompanied by violence, bloodshed and large-scale displacement of citizens who have turned refugees in states neighbouring the epicentres of violence. What is also noteworthy, and needs exploring, is the development of a concept of a government of national unity in Africa. This is a concept which is hardly neutral given the circumstances under which it arises and the resistance of African leaders to relinquish political office despite the purported popular elections. What appears to be the inherent tenacity of dictatorial regimes is also a factor to be considered when making propositions for a government of national unity. This is essential given: first the paradox between dictatorship and peace, and secondly, that contestation over office appears to be among the main causes of conflict in Africa. The paper adopts a case study approach and deals with three countries: Cote d'Ivoire, Kenya and Zimbabwe as a demonstration of the role of continental or regional mediation in the resolution of conflict, and hence Africa's contribution to *pacem in terris*.

In a space of four years, (2007 to 2011) Africa experienced major episodes of large-scale violence in over ten countries (Cote d'Ivoire, Kenya,

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Zimbabwe, Sudan, Gabon, Egypt, Tunisia and Libya) to name a few. It appears that one of the most constant triggers to “non peace” is the politics of power, manifest in the unwillingness of regimes or dictators to leave office. For instance, in the last five years, several African countries have held elections where, despite the regime in office losing glaringly, protracted resistance to hand over power to the winning party has invariably led to violence as an immediate knee jerk reaction. The ensuing violence has caused untold social and political destabilisation resulting in floods of refugees to neighbouring states. In some instances there have been violent protests that have led to the removal or resignation of the regime in office (Egypt and Libya) accompanied by scores of dead and massacred civilians (Libya, Sudan, Egypt and the Horn of Africa). In a space of two years (2010 to 2011) North Africa went up in flames when Egypt, Libya, Somalia, Sudan and Tunisia engaged in revolutions that culminated in regime changes leaving hundreds or scores of people dead.

There are regional and continental bodies in Africa that have peace entrenched in their Constitutive Acts or Charters (Peace and security are one of the objectives of the African Union’s Constitutive Act and the Southern African Development community’s principles. See [www.au.org](http://www.au.org) and [www.sadc.int/english/key-documents/declaration-and-treaty-of-SADC](http://www.sadc.int/english/key-documents/declaration-and-treaty-of-SADC)), yet peace still remains elusive and hard to realise in Africa, as not all countries have a smooth and violence-free transition from the old regimes to new governments. There has been mediation and responses by the international and regional organisations such as the Southern African Development Community (SADC) in the case of Southern Africa, the Economic Community of West African States (ECOWAS) in West Africa and the African Union (AU), but the success of this intervention and contribution towards building a peaceful world are subject to analysis and evaluation. It is therefore the task of this paper to look at selected case studies of some of the abovementioned countries and explore the extent to which both the AU as a continental organ and regional bodies such as SADC and ECOWAS have performed in an attempt to resolve these cases of violence thus contributing to the creation of a *tranquillitas ordinis* in Africa. Before we look at the main task it is important to have a summary of events that constituted the violence, together with the causes, perpetrators and the extent of the damage caused to peace.

## **2. Case Studies**

The three case studies upon which the analysis adopted in this paper rests relate to post election violence. All typify the response by the AU as a continental organisation and SADC together with ECOWAS as regional forces



to violent conflicts in the continent and in the respective regions. The adoption of the case study approach is mainly that the narratives project, in detail, both the capacity and political will of African organisations to resolve the endemic African paradox between political morality and political power on the one hand and social justice and democracy on the other. Or rather, the narratives demonstrate the extent to which Africa has been unable to resolve the problem of representative democracy and in the process brought about untold suffering to the very citizens it purports to protect.

### **2.1. The Conflict in Cote d'Ivoire**

Cote d'Ivoire with a population of about 21.1 million after a decade of political turmoil finally held elections in October 31, 2010. From the year 2000 when Laurent Gbagbo took office, there had been political instability in that country. The country had been divided between the rebel controlled northern region and the southern region mainly because of the predecessor of President Gbagbo, Henri Conan Bedie who emphasised the idea of the *Ivoirite*, the southerners. These were, according to Bedie, authentic Ivoirians in contrast to circumstantial ones (Congregational Research Service (CRS) April 2011). Circumstantial Ivoirians, according to Bedie are the northerners and immigrants. Such a conception of citizenship created divisions within the populace and an ultra-nationalist and xenophobic view by the people from the South developed. Thus one group, the southerners, identified themselves as the true Ivoirians at the peril of excluding and oppressing others. The north and south became two polarised sides not only with different political views but also ethnic divides. One may, therefore, come to the conclusion that besides the controversy over the election results, ethnicity played a major role in the ensuing conflict between President Gbagbo and Former Prime Minister Alassane Ouattara. It is worthwhile to note that in 1995, Alassane Ouattara was disqualified from running as presidential candidate because the electoral law barred anyone who had resided outside Cote d'Ivoire for five years to run for the office of president. In October 1999 the court invalidated the citizenship of Ouattara claiming that he was of Burkinabe decent (CRS April 2011). As a result there were clashes between the police and Ouattara's supporters in October of 1999.

The elections in Cote d'Ivoire had been delayed because of the non implementation of agreements reached between 2003 and 2007 regarding peace, disarmament, citizenship, and voter identification. During the period before the elections there had been episodes of protests which, at times, were violent. Such episodes were prompted and fuelled by contention over land, citizenship and the nature of national identity. Thus the situation in

Cote d'Ivoire was not just political or had only political roots to the crisis, but issues of ethnicity or identifying with one group were part of the conflict, and were prominent underlying factors only triggered by politics. Consequently, both the first and second elections took place in an environment and background riddled with endemic conflict. Quoting the Carter Centre (an institute that advocates for human rights, freedom and democracy), the Congregational Research Service states that the runoff took place:

against the background of a tense and often negative campaign, long-standing disputes about national identity issues and land ownership were ... inflamed by negative political rhetoric and fuelled by a partisan media (CRS April 2011:65).

### **2.1.1. The Election Results**

In the first round of the elections on 31 October 2010 voter participation was at 83.7 percent and the elections were generally peaceful. The Congregational Research Service (April 2011:62) reports that there was a limited insignificant number of tallying irregularities. The results were as follows:

- Gbagbo, of the Ivoirian Popular Front (FPI), running as the candidate of the Presidential Majority (LMP) coalition won 38.04% of the votes;
- Ouattara, of the Rally of the Republicans (RDR) won 32.07% of the vote; and finally
- Bedie, of the Democratic party of Cote d'Ivoire (PDCI) won 25.24% of the vote.

The above are the most significant numbers reflecting the performance of the top three candidates. Since none of these candidates could get a majority vote as prescribed by Ivoirian law, which states that a winning candidate must get over 50% of the vote, a second round of elections was required. This was scheduled by the Independent Electoral Commission for 28 November 2010. Bedie and Ouattara had made an agreement that in the event of a runoff, Bedie's supporters would vote for Ouattara.

The presidential runoff came and passed and both candidates, namely Gbagbo and Ouattara, claimed victory. However the Independent Electoral Commission, certified by the United Nations, announced that Ouattara had won the elections by 54.1 percent of the vote compared to Gbagbo's 45.9 percent. Despite this certification by an independent electoral body, Gbagbo refused to cede power to his rival Ouattara. This sparked political violence and heightened the political tension already caused in part by the ethnic and religious divide between the Muslim north, home to the Akan ethnic group (allied to Ouattara) and the south dominated by the Krou ethnic group (allied to Gbagbo).

### 2.1.2. *Instances of Violence*

Cote d'Ivoire almost degenerated into a fully blown civil war, or one could say it actually did and it would be worthwhile to look at the extent of armed conflict. On 24 March 2011 the Congregational Research Service (April 2011) documented that at least 462 people had been killed in the post electoral violence by supporters of both claimants to the presidential throne. The UN attributed most of these killings to security forces loyal to incumbent president Laurent Gbagbo. The Congregational Research Service reported that on 3 March 2011 security forces killed seven unarmed female protesters. In late March a residential area in the city of Abidjan was shelled, resulting in 25 to 30 deaths. The Congregational Research Service quotes the Human Rights Watch and Amnesty International saying that there was a rise in politically motivated rape as a means of intimidation and also reporting the existence of mass graves in different regions of the country (CRS April 2011). During March the UN reported an increased recruitment of militia by pro-Gbagbo supporters co-ordinated by security forces and also some recruitment to pro-*Forces Nouvelle (FN)*, supporters of Ouattara. Young Patriots, loyal to Gbagbo, were often armed with machetes, clubs or guns and set up roadblocks in the capital Abidjan to hunt pro-Ouattara supporters and obstruct UN staff. Fighting in Abidjan was a frequent event and mostly initiated by state security forces loyal to Gbagbo, who made repeated strikes on opposition strongholds. These raids and strikes made the opposition retaliate, hence so the violence would not end.

The 25 February seizure, from pro-Gbagbo forces, of villages in the western Cote d'Ivoire marked yet another major degeneration of the political climate to a near state of civil war. There were reports of violations of the UN prohibition on the export of arms by the incumbent presidents forces (CRS April 2011). Heavy fighting was reported to have taken place in the area of Duekoue where FN was said to have taken control of the town together with the central town of Daloa. Significantly, the fighting went on from late November through to March and in that time space no effective regional action to bring the fast deteriorating conflict to a halt had taken place. ECOWAS made some ineffective noises but could not take any concrete action. Effective concrete action by the AU was also conspicuously absent besides the usual pontifications about African solutions. Later in the paper we shall try to find possible reasons while there was such prevarication, and why there was no concrete stance taken by the ECOWAS and the AU to resolve the conflict and restore peace, particularly that Cote d'Ivoire had hardly recovered from another protracted bloody conflict into the new millennium.

### **2.1.3. ECOWAS and AU Response to the Situation in Cote d'Ivoire**

On 5 December 2010 ECOWAS issued a statement to the Ivorian political leaders and the people of Cote d'Ivoire to refrain from any acts that would lead to violence. On 7 December of the same year ECOWAS endorsed the election results of the IEC and recognised Ouattara as president-elect of Cote d'Ivoire, also calling on Gbagbo to 'yield power without delay' (CRS April 2011:31). At the same time, the regional organisation suspended the membership of Cote d'Ivoire. On 24 December 2010, in its Extraordinary Summit held in Abuja, Nigeria, ECOWAS demanded immediate and peaceful hand-over of power by Gbagbo to Ouattara. In the event that Gbagbo did not hand over power, ECOWAS stated that they would be left with no alternative but to intervene with legitimate military force to remove the incumbent president. On 28 December, an ECOWAS delegation met Ouattara and Gbagbo in Cote d'Ivoire to try and resolve the crisis. When the delegates had left Cote d'Ivoire, ECOWAS decided to defer military intervention in favour of further negotiations. In their next attempt at the resolution of the situation, ECOWAS leaders were joined by Kenyan Prime Minister Raila Odinga, an AU mediator and this delegation made no apparent headway. In mid January some of the region's countries (Ghana and Nigeria) declined to participate in a possible military intervention with Ghana preferring quiet diplomacy and Nigeria citing domestic security concerns. ECOWAS therefore effectively made little or no contribution to the resolution of the situation in Cote d'Ivoire.

The AU delegated former South African president Thabo Mbeki, in December 2010, to find a legitimate and peaceful solution to the situation in Cote d'Ivoire. Following Mbeki's fruitless action, in January 2011, the AU sent Odinga who reiterated the need for use of force to oust Gbagbo. After Odinga's visit there was a consultative visit by the AU chair Malawian President Bingu wa Mutharika. Again these visits yielded no action or positive contribution to the situation. In late January 2011, the AU sent a high level panel led by the AU Commission chairman Jean Ping and comprising the presidents of Chad, South Africa, Burkina Faso, Tanzania and Mauritania together with the ECOWAS president Victor Gbebo. This panel affirmed Ouattara's election and called on Gbagbo to step down, recommended that a government of national unity be formed (the government of national unity was rejected by both Gbagbo and Ouattara) and the country establish a national truth and reconciliation process (CRS 2011). The implementation of these recommendations proved to be a great challenge. This could have been because of the discord among AU member states as countries like the Gambia recognised the legality of Gbagbo's election. South Africa had also issued

equivocal statements on the crisis. For instance, while endorsing the position of ECOWAS in favour of Ouattara South Africa also questioned the validity of the election outcome. Yoweri Museveni of Uganda also called for an investigation of the poll process and rejected the international recognition of Ouattara. With such discord and challenges the recommendations made by the AU could not be successful in the resolution of the crisis.

The actions of African organisations in Cote d'Ivoire are not different from those that the organisations pursued in other conflict areas. Narration of events the other two case studies used as reference points, namely Kenya and Zimbabwe, will demonstrate the similarities.

## **2.2. *The Turmoil in Kenya***

The turn of events in Kenya after the presidential election of December 2007 demonstrates yet another African failure. Kenya, a country in East Africa, had been perceived for some time by the international community as an example of economic and political stability in the region until the 1990s, when the political elite reintroduced multiparty politics in the country. For a long time ethnicity had been politicised in Kenya, and months before the general elections of 1992, there were clashes between two ethnic groups, the Nubis and Luos (Smedt 2009). Therefore, whereas the violence that erupted after the 30 December 2007 presidential poll shocked the world, this was not anything new in the country's history. When the incumbent President Mwai Kibaki of the Party of National Unity (PNU) was declared the winner, there was widespread violence in Kenya. Why did the violence assume the form it did? Kenya had had similar violent protests before but what most do not realise is that there was an ethnic divide which had been politicised by the men at the top. In Africa nepotism and cronyism have always been riddled with ethnic dimensions. It meant therefore that the victory of Mwai Kibaki was victory for his own tribe, the Kikuyus. Hence the latter would get more favours and resources compared to the others. This had been the case with Kibaki's predecessors. The violence, therefore, turned into revenge killings targeting ethnic groups that were linked to the PNU. While the violence was triggered by the political situation, ethnic tension was one of the underlying predisposing factors. Ethnicity is central in the distribution of wealth and national resources therefore politicians in Kenya resort to political tribalism to gain votes (Smedt 2009). It is reported that Raila had expressed anti-Kikuyu sentiments that fuelled the tension that benefited him politically especially in the slums of Kibera in Nairobi. Writing in the *African Affairs Journal*, Smedt reports that 60 people were killed in Kibera in political and ethnic related violence.

### **2.2.1. Cases of Violence Reported**

The Human Rights Watch (Vol. 20, No.1) quotes the United Nations as saying that by 7 February 2008, up to 500 000 people had been displaced and 1000 killed as a result of the post-election violence in Kenya. Incitement by political leaders was rampant in post election Kenya, the reason being to mobilise support among their ethnic kinsmen. Human Rights Watch has documented that on 1 January 2008, a church was set alight in the Rift Valley area and at least 30 people were burned alive. It is believed that the church had been a place of refuge for Kikuyu residents of Eldoret, in the Rift Valley. In a community outside Turbo also in the Rift Valley, a pastor reported that he knew at least 20 Kikuyu men who were killed during the violence trying to defend their homes. Kikuyu men, on 31 December, carried out reprisal attacks, killed and beheaded several Luo residents and left their heads lying on the road. In Kabati, a town of Naivasha, in the Central Province, 19 people were set alight while hiding in the back room of a house. And these included women and children (Human Rights Watch March 2008:Vol. 20: No.1).

Police brutality was also an issue of concern for the people of Kenya as the police were said to be partial to the Kibaki government. Human Rights Watch reports that in an area in the slums of Kibera, in Nairobi, police shot dead nine people and wounded 19 others (*ibid.*). In the first half of January 2008 an independent NGO confirmed that about 50 bodies in the mortuaries of Nairobi were due to gunshot wounds most likely killed by the police. Live ammunition was used in the densely populated areas of the slums of Kibera and Mathare, in Nairobi. In Kisumu in the Western Province, the Human Rights Watch reports that the police were ordered to shoot to kill (*op. cit.* 25).

### **2.2.2. The AU response to the crisis in Kenya**

In January 2008 the AU sent a delegation led by Mr Kofi Annan, the former UN Secretary General, comprising of Mr Benjamin Mkapa and Mrs Graca Machel, to mediate the crisis. During the mediation the violence decreased and on 28 February a power sharing deal was signed in which Kibaki remained president and Raila became Prime Minister (Human Rights Watch March 2008:Vol 20: No1). When Annan departed as lead mediator, the AU appointed former Nigerian foreign minister, Prof. Oluyemi Adeniji to address issues (recommended by Annan) such as mechanisms regarding constitutional reforms which included electoral, economic and political reforms, as well as justice and reconciliation among others. Noteworthy is that, among the recommendations made by Annan and his colleagues none mentioned the de-politicization of ethnic differences, regarded by analysts as the underlying root cause of the violence in Kenya.

### 2.3. State Sponsored Post Election Violence in Zimbabwe

In the Southern African region, Zimbabwe has been marked by endemic violence since the year 2000. The violence ranged from conflict relating to land grabs to political intolerance. The defeat of ZANU-PF in the elections of March 2008 and the significant inroads made by the Movement for Democratic Change (MDC) in predominantly ZANU-PF areas brought the violence to a climax. Before moving on, it is important to mention who the perpetrators and their allies were. ZANU-PF, the ruling party, was at the helm of the atrocities. In carrying out this violence they were helped by the ex-liberation war veterans, who have been Mugabe loyalists since the land grabs of the year 2000. Allies of ZANU-PF also involved government sponsored militia (known as green bombers) and the security forces (the Zimbabwe Republic Police, the Zimbabwe Defence Forces and the Zimbabwe Prison Services). The Central Intelligence Organisation (CIO) was also an ally of ZANU-PF and was involved in the torture and murder of victims.

ZANU-PF and its allies carried different forms of violent activities. The violence ranged from torture, abductions and killings, looting and destruction of property and re-education meetings of MDC supporters and activists. Re-education meetings were organised by ZANU-PF militia, the war veterans and the army. The purpose was to coerce people into voting ZANU-PF and denouncing the MDC through beatings and torture. Opposition rallies were banned and in some areas such as Mashonaland East, Mashonaland Central and Mashonaland West curfews were imposed.

The violence was intended to punish the Zimbabweans who voted for the MDC in the election of March 29 2008. With regard to the presidential elections, Zimbabwean law requires a majority of 50 percent plus one vote for the winning candidate. Failure to achieve this requires a second round of elections. In the 2008 presidential elections, Morgan Tsvangirai of the MDC won 47.9 percent of the vote to Robert Mugabe's 43.2 percent. There was therefore a need for a runoff. One reason for the violence was to deter people from voting MDC in the runoff, while the other was to displace voters in the rural areas and by so doing disenfranchise MDC supporters.

Subsequent to the elections, Human Rights Watch reports that by 8 May 2008 the Zimbabwe Association of Doctors for Human Rights (ZADHR) had documented about 900 victims of organised violence and torture, and this included 22 deaths. In the next issue (June: 2008) the organisation reported that ZANU-PF, in conjunction with the Joint Operations Command (JOC) which is made up of state security forces, launched a systematic and brutal campaign of violence dubbed *Operation Makavhoterapapi* (Operation Where Did You Put your Vote). In this operation, the authors contend

that ZANU-PF officials, government officials, state security forces and war veterans beat and tortured suspected MDC activists and supporters especially in the Mashonaland West, Mashonaland East and Mashonaland Central provinces. The organisation says it has evidence that senior security officers both locally and nationally organised and incited violence.

The violence ranged from abduction, beatings and killings. For example in the same report Human Rights Watch reported that a 26-year-old man from Mudzi in Mashonaland East was beaten up by ZANU-PF on suspicion that he was an MDC supporter, while a 43-year-old man, an MDC polling agent from Mt Darwin, Mashonaland Central, reported that on 17 April, Assistant Commissioner Martin Kwainona of the Presidential Guard had assaulted him claiming that he [Kwainona] would clear all MDC from Mt Darwin.

The Zimbabwe Defence Forces was also implicated in the violence. There are claims that war veterans and ZANU-PF militia operated from army bases and camps in Manicaland and Harare. Further allegations are that the defence force provided logistical and other forms of support to war veterans and to ZANU-PF so that the latter could carry out acts of violence, while the army was physically involved in the beatings and torture as well (Human Rights Watch: June 2008).

### ***2.3.1. Abductions and Killings during the Violence.***

The Human Rights Watch report of June 2008 details the atrocities carried out by ZANU PF and their allies in a number of places in Zimbabwe. For instance, on 14 April 2008, in Makoni West District in Manicaland, three MDC supporters are reported to have been shot and wounded by war veterans with one victim Tabeth Marume dying from the gunshot wounds. In another incident on 7 May, 12 suspected ZANU-PF supporters abducted beat and murdered 3 MDC activists in Murehwa in Mashonaland East. On 21 May, an MDC activist, Tonderai Ndira, was discovered in a mortuary in Harare's Parirenyatwa Hospital after having been abducted on 14 May. Yet in another incident on 22 May, an MDC senatorial candidate for Murehwa North in Mashonaland East, Shepherd Jani, is said to have been abducted by four suspected CIO agents and his body was later found in the Goromози Mountains.

In Chiweshe, where ZANU-PF carried out re-education meetings a 76-year-old woman together with 70 others were beaten up as their torturers asked for more MDC activists to come forward. Women were stripped naked down to their underwear before being beaten up while barbed wire was tied in the genitals of men, tied to logs and asked to pull the logs while the perpetrators beat them up. It is reported that six men subsequently died from



the torture they had gone through that day. Two men, Alex Chirisiri and Meda, died on the spot. This took place on 5 May 2008.

In Harare, MDC supporters and activists were beaten up and tortured by uniformed members of the army and ZANU-PF supporters. For instance, in Dzivarasekwa Extension in Harare, an MDC activist told Human Rights Watch that about 12 soldiers had come to his house, beat him and his 18-year-old son then took the activist to a nearby bush where they assaulted him using chains and batons. Homes of known MDC activists were raided and the activists abducted and beaten in a bush outside Harare. An MDC activist from Dzivarasekwa Extension reported that on 12 April he was abducted by 12 armed soldiers, handcuffed, dragged naked to a truck while blindfolded and driven to an unknown location. Here he was beaten up for about 30 minutes using batons and chains all over his body. He was told that he was being beaten for ferrying MDC supporters to meetings and rallies. In Chitungwiza, just outside Harare, a 56-year-old MDC activist and chief election agent for an MDC MP was assaulted by soldiers (Human Rights Watch: June 2008).

Reports are estimating that from the 2008 post-election violence, about 3000 people were internally displaced and this was a move to change the political landscape of the affected areas and prevent the MDC from winning the runoff elections. In other instances cases of looting, burning down of homesteads and deliberate slaughter of livestock belonging to MDC supporters was reported. For example in the same edition, the Human Rights Watch documented that Mapengo Mapengu a campaign manager for the MDC candidate for Mutoko in Mashonaland East lost his property when ZANU-PF youths destroyed his home. Mutoko alleges that on 13 April, more than 300 youths and war veterans attacked his home, stoned him and his family. He had to flee to his friend's home and when he came back his mother was severely beaten and his vehicle destroyed. His home was destroyed by iron bars, and fridges, bedroom suite and kitchen unit were also demolished. He also said that out of 70 pigs he owned, only 33 were left and his money was stolen (*ibid.*).

### **2.3.2. Regional and Continental response to the Zimbabwe situation**

The response by both SADC and the AU was far from satisfactory. SADC had conflicting views on the seriousness of the situation. The late President of Zambia Levi Mwanawasa condemned the violence while former president Thabo Mbeki, the SADC appointed mediator refused to acknowledge how serious the situation was. The Human Rights Watch (June 2008) maintains that even after a visit to Harare on 9 May 2012, Mbeki failed to condemn

the violence. President Seretse Ian Khama of Botswana initially refused to recognise Mugabe as president while other SADC leaders would not take any stand regarding the issue. On 12 April 2008, SADC leaders met to address the crisis. This yielded no concrete action to deal with the ongoing violence in the country. The summit failed to condemn the human rights violations by ZANU-PF and its proxy forces mentioned above.

With such conflicting positions on the seriousness of the situation among the leaders of the member states, SADC could not take decisive and concerted action to intervene in the crisis. Despite the mediation efforts by President Thabo Mbeki, the violence continued for the three months leading to the runoff that took place on 27 June 2008. The August issue Human Rights Watch (2008) reports that in the weeks leading to the runoff ZANU-PF supporters and government backed youth militia were involved in abuses such as killings, beatings and torture. The report maintains that in June 2008 alone, about 60 people were killed by ZANU-PF and its allies. The escalating violence prompted the MDC to withdraw from participation in the elections. On 23 June 2008, Thabo Mbeki received the announcement from the MDC leader Morgan Tsvangirai ([www.thepresidency.gov.za](http://www.thepresidency.gov.za)). President Mugabe was therefore unchallenged in the presidential runoff and violence continued even after the runoff. Human Rights Watch has it documented that some African leaders, after learning of the levels of human rights abuses, called for the runoff to be postponed but this fell on deaf ears as Mugabe ignored their calls and declared himself winner (August 2008).

The period after the runoff remained tense. On 21 July, President Robert Mugabe of ZANU-PF and Morgan Tsvangirai of the MDC signed a memorandum of understanding, in the presence of Thabo Mbeki, which was a way of looking for means to resolve the political impasse. A Government of National Unity was formed in 21 July 2008, which Robert Mugabe remained as president. Posts of prime minister and two deputy prime ministers were created, the two deputy prime ministers simply because the MDC had split into two factions. Morgan Tsvangirai was leader of the bigger faction and was given the post of prime minister and his deputy, Thokozani Khuphe, was made second deputy premier. Arthur Mutambara, leader of the smaller faction became the first deputy premier. However Mutambara was later voted out of the leadership of the smaller MDC and replaced by Professor Welshman Ncube, although Mutambara still remains first deputy premier.

While these diplomatic overtures at leadership level went on, common men and women who had suffered in the hands of perpetrators of the violence continued bleeding from the scars with the perpetrators of the violence going about unpunished. To this day African leaders both in the SADC and

in the AU have not taken any decisive action against the abusers and perpetrators of human rights as the latter go free without being held accountable for their actions, despite experiences in the South African Truth and Reconciliation. The government of national unity in Zimbabwe stands on shaky grounds at the moment as it has been for the last three years. In so far as there is impunity and lack of accountability on ZANU-PF and its allies, violence may erupt again in the elections being talked of in Zimbabwe. Thus peace may continue to be an elusive dream for the people of Zimbabwe.

### 3. Attempted Solutions

The above case studies present us with a summary of events that took place in different conflict situations in the African continent. The case studies also help us examine the effectiveness or non-effectiveness of the regional bodies (ECOWAS in Cote d'Ivoire and SADC in Zimbabwe) and the continental body (the AU) constituted in part to deal with crises of this nature. All the above organisations locate development and the common good with peace and security as one of the key objectives for this attainment. Clauses relating to this attainment abound in their charters. For instance, one of the guiding principles for SADC member states is "solidarity, peace and security" ([www.sadc.int](http://www.sadc.int)). SADC has also set one of its objectives to be to "consolidate, defend and maintain democracy, peace, security and stability" (*ibid.*). The AU in Article 38 of the African Charter on Democracy, Elections and Governance states that State parties shall promote peace, security and stability in their respective countries, regions and in the continent. The Charter in Article 23 of the African Charter on Democracy, Elections and Governance has as one of its principles that any refusal by an incumbent government to relinquish power to the winning party shall draw appropriate sanctions.

The case studies demonstrate how Africa has prevaricated when it comes to confronting conflict squarely. Notably, SADC and indeed the AU have preferred mediation and negotiation, which in the case studies above yielded little or no progress towards peace building on the continent. In the above case studies, the AU did not adopt a strong approach such as imposing sanctions on either of the countries especially in Cote d'Ivoire where it was evident that Laurent Gbagbo had lost. Thus the African Union would not take decisive action against a member state, forcing NATO and UN forces to take action. The AU proved to be ineffective in this regard.

Given the Zimbabwean situation both before and after the presidential runoff we may conclude that SADC failed in the above principles. SADC failed to implement its own principles and guidelines. While it acknowl-

edged the violence in Zimbabwe, SADC did not take any concrete action against the perpetrators. As a result the perpetrators of violence continued to act with impunity and to this day no accountability has been taken regarding the post election violence in Zimbabwe in 2008. As was the case in the Kenya elections, the continental body AU, and in the case of Zimbabwe, the regional body SADC resorted to compromised settlements that have not changed the status quo. Thus SADC did not just fail the people of Zimbabwe as a regional body but rendered itself partisan in dealing with the crisis. Mediation and negotiation are only good in as far as they yield a plausible and effective result, not a compromised farce such as the Government of National Unity (GNU) in Zimbabwe. Such indecisiveness shows that SADC compromised its peace and security objective while neglecting the establishment of democracy in Zimbabwe. The government of national unity could have the effect of subverting the democratic outcome of conventional electoral processes as, indeed, is the case in Zimbabwe.

In the long term power-sharing deals have, in effect, been a negation of the democratic electoral outcome and have helped to keep dictators in power. Sponsoring organs, therefore, need to reassess their stance in dealing with crises and peace building in the continent. In principle, power-sharing deals undermine the wishes of the electorate by accommodating and rewarding those who would have lost in the elections. Therefore, as a growing tendency in African politics, they need to be discouraged. African political elites have been able to resist vacating office in their countries assured that they have protection from fellow elites on the continent. This constitutes a compromise on democracy and has a negative impact on peace building. While power sharing deals are just a short-term solution to post electoral violence and cannot guarantee peace in the long run, peace building is a long-term project. If these power-sharing deals are left unchallenged, they will effectively render the vote irrelevant and allow tyrannical regimes to flourish. In the final instance, peace will continue to be a remote realisation in a huge proportion of countries in Africa (Victor Shale of the Electoral Institute for Sustainable Democracy in Africa: 2009).

With regard to Cote d'Ivoire, ECOWAS seemed at first to be taking a progressive role in the conflict until the member countries gave excuses why they would not support active military intervention. Consequently, ECOWAS became ineffective in dealing with a member state in crisis. The AU, seeing that ECOWAS and the two parties in Cote d'Ivoire could not reach a settlement, only wrote several press statements demanding that Gbagbo cede power. A supranational body could have done better than mere press statements. For instance between December 2010 and February

2011, the AU issued about five press statements which were merely reiterations of calls for Gbagbo to step down. No substantial action was taken by the continental body ([www.au.int](http://www.au.int)).

Having pointed out the ineffectiveness of the regional and continental bodies in dealing with crises on the continent, thus contributing to *pacem in terris*, the question we can ask is: why are these organisations incapacitated in peace building in Africa? We can attempt to give plausible reasons why this is so.

#### **4. Conclusions**

An examination of the processes and outcomes in a number of attempts to resolve conflicts in different countries in Africa shows a continent in trouble. This paper will advance four propositions explaining why Africa has difficulty in solving political and, therefore, peace threatening problems in the regions and in the continent.

##### ***4.1. Proposition Number One: Absence of a United Voice***

In the case studies cited above we realise that member states in all the three organisations (AU, SADC and ECOWAS) did not present a united voice when the crunch came. In the case of SADC only President Levi Mwanawasa of Zambia strongly condemned the violence in Zimbabwe. In ECOWAS Gambia did not speak with the same voice as the other member states. The AU would not speak with a united voice in both Cote d'Ivoire and Zimbabwe. For instance, South Africa, regarded as a leading member of the AU, issued equivocal statements with regard to both Zimbabwe and Cote d'Ivoire. In the case of Cote d'Ivoire, South Africa first recognised Ouattara as president-elect, endorsing an earlier ECOWAS statement, only to change tune later referring to the election results as inconclusive (Refer to the Statement by South Africa's foreign minister). Regional or continental integration and peace building, therefore, become difficult to achieve under such circumstances. The reason for speaking with different voices could be what Chingono and Nakana (2008) term the parochial interests of the ruling elite prevailing over the masses of the region or the continent. This contradicts the spirit of the supranational bodies especially that of SADC and would possibly hamper development and indeed peace building in both the region and the African continent as a whole. Therefore, whether it is ECOWAS or SADC such interests from member states undermine the ideas of integration and scuttle the AU project of peace building and security on the continent. Peace then becomes hard to achieve in such instances.

#### ***4.2. Proposition Number Two: Absence of Vital Interests***

Whether it is regional bodies such as SADC and ECOWAS or the mother body, the AU, another reason for lack of concrete action is that besides ideology, there are no vital material interests by any member state to intervene in the affairs of another. Where these exist such as, for instance, was the case in the Congo at the beginning of the millennium, Angola, Zimbabwe and South Africa quickly dispatched their armies as peace keeping forces in the Congo. Therefore, when no material benefits, whether economic or otherwise exist from the intervention, their keenness to sacrifice their personnel for an ideal declines. It is probable that if one or several member states in the SADC region or ECOWAS or even the AU had vital interests such as economic investments or infrastructural investments in Zimbabwe in the case of SADC, Cote d'Ivoire in the case of ECOWAS, the position would have been different. The AU is no exception. It is probable that if any member state had any vital interests in the three case studies, that member state would have had more influence and possibly taken a firmer stance on the country involved. Evidence to support this probability comes from the 1998 invasion of Lesotho by the South African National Defence Force (SANDF). In September 1998, the SANDF invaded Lesotho under the pretext of restoring law and order "but in reality, the SANDF was there to protect dam construction" (Crawford-Browne 2007:143). This means that the SANDF would only protect the dam if it benefited South Africa, only if it proved to be of vital importance to South Africa even though it was said to have been acting on behalf of SADC.

#### ***4.3. Proposition Number Three: Compromised Positions***

While both the AU and regional organisations such as SADC and ECOWAS project ideological interests in either a united Africa or in regional stability, a common feature in most African regimes is the unwillingness of the elite in office to give up power. Political office brings with it inordinate material wellbeing and status. The wealth of African political elites relative to their citizenry is disproportionate to the national GDP, thus demonstrating a situation where political office equals economic power. Because of this a good number of African political elites overstay their welcome in office. Therefore, when elections threaten regime changes, mediating elites are compromised by their own positions back home. How, for instance would a Mugabe resolve conflict over the election results in Cote d'Ivoire when he is faced with the same situation in his own backyard?

#### 4.4. Proposition Number Four: Internal Weaknesses within States

While theoretically there is equality among member states in organisations such as the AU, ECOWAS and SADC, a good number of African states are weak states internally unable to govern effectively and incapable of adopting an independent foreign policy. The root causes of these weaknesses are internal antagonisms resulting in political instability and, therefore, incoherence in policy. The result is bad management of resources leading to political instability. Most of these states rely heavily on foreign international aid to render internal services. Therefore, to expect such states to adopt a coherent foreign policy or to act consistently within a foreign policy domain is to expect them to be suicidal. Hence, it is no surprise that organisations such as the AU, ECOWAS and SADC comprising mainly of weak states demonstrate inconsistencies and weaknesses in foreign policy. The interests of competing international powers are, at times, at variance with the dictates of conscience regarding appropriate behaviour in foreign policy positions.

The position described above is exacerbated by the gross inequalities in capabilities among African states where economically and politically strong countries such as South Africa, Nigeria and Egypt (before 2011) sit side by side with politically-torn countries such as Gabon, Burundi and others no name a few. The dominance of stronger states in the relationship is inevitable, given such gross disparities in power and capabilities. Given this position, all the other three propositions advanced above coalesce thus rendering the prospects of honest peace brokers impossible.

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# RELECTURAS LATINOAMERICANAS

■ GUZMÁN CARRIQUIRY LECOURE

La relectura de la encíclica de S.S. Juan XXIII a los 50 años de su publicación y desde una perspectiva latinoamericana permite destacar dos órdenes de factores de especial consideración e importancia.

El primero se refiere a la universalización de los derechos humanos asumida por la Iglesia católica en esta encíclica, retomando la justificación *jus-naturalista* a la altura de nuestro tiempo, en la que razón y revelación se muestran armónicas en su fundamentación. En un momento del diálogo tenido entre el mayor exponente actual del pensamiento católico – el cardenal Josef Ratzinger – y el mayor exponente actual de la tradición iluminista, proveniente de la escuela de Frankfurt, epígono del marxismo – Jürgen Habermas –, éste último habla del liberalismo político y del Estado democrático, observando que “la historia de la teología cristiana en el Medioevo, especialmente la tardía escolástica española, se encuadra ciertamente en la genealogía de los derechos humanos”. Y el cardenal Ratzinger le responde sobre la gestación del *jus gentium*, precisamente en el tiempo en que la cristiandad europea traspasa sus propias fronteras y encuentra otros pueblos. En efecto, la legión de misioneros que realizaron la impresionante epopeya de la primera evangelización del “Nuevo Mundo” americano recibió de la “primera escolástica”, la de San Anselmo, San Alberto Magno y Santo Tomás de Aquino, y de la “segunda escolástica” ibérica, la de Cayetano, Victoria, Soto, Fonseca y Cano, especialmente por medio de la “escuela de Salamanca”, un legado fecundo y un desarrollo original sobre el derecho natural en tiempos del primer salto de globalización ecuménica, que los mismos misioneros aplicaron proféticamente en la defensa de la dignidad humana de los indígenas. La lucha por la justicia y la evangelización en América, inseparablemente, están íntimamente ligadas, en su fundamentación, al *jusnaturalismo* tomista. La Bula del Papa Pablo III, *Sublimis Deus*, de 1537, condenando toda esclavitud de los indios, y las “leyes nuevas de Indias” de 1542 son dos cartas magnas de los derechos humanos. A la luz de esa tradición, la “segunda escolástica” fue el pensamiento rector de las numerosas universidades fundadas en el nuevo mundo americano desde las primeras décadas del “siglo de oro” español. En ellas se formaron generaciones de los patriciados hispano-americanos, por lo que no asombra, en estos tiempos en que se conmemora el bicentenario de la independencia de los países latinoamericanos, que el pensamiento de Gabriel Vázquez y

Francisco Suárez, culminación barroca de la segunda escolástica con gran influencia entre maestros y estudiantes, sobre todo en el Virreinato del Río de la Plata, estuviera en los orígenes de las “juntas de autogobierno” que conducirían posteriormente a la emancipación colonial. Cuando la monarquía española se vuelve acéfala por la invasión de España por las tropas napoleónicas, los juristas y próceres de las Juntas de autogobierno americano recurren a las teorías de Suárez, que consideraban al pueblo como depositario del poder por disposición divina: *omnis potestas a Deo, per populum*.

Desde las primeras constituciones modernas, la de Virginia (1776), la federal norteamericana de 1787 con las enmiendas de 1791, y la francesa, con su célebre “Declaración de los Derechos del Hombre y del Ciudadano – que fueron fuentes confluyentes en la Constitución de Cádiz de 1812, que será a su vez matriz principal de las constituciones de los nuevos países latinoamericanos independientes – fue común comenzar en cada una de ellas con una declaración de derechos (parte dogmática) que precede y preside lo referente a la actividad de los órganos estatales (parte orgánica). Ahora bien, esa parte dogmática, de declaración de derechos, que existe en todas las constituciones modernas, es calificada por el más insigne jurista positivista, el neokantiano Kelsen, como “específica ideología jusnaturalista”. “Es la idea de los derechos innatos e indestructibles (...) – escribe Kelsen – idea que siempre ha surgido con la pretensión de señalar límites absolutos al Derecho positivo”.

Si, por una parte, la tradición del *jusnaturalismo* se representaba esquemáticamente por el Derecho en tres escalones – Derecho divino, o el mismo Dios en el que coinciden absolutamente ser y deber, y su revelación bíblica, Derecho natural que es la impresión de la Ley de Dios en la conciencia del hombre y Derecho positivo, histórico, que se mide por los dos escalones superiores –, la tradición iluminista europea, que comenzara asumiendo y expresando la tradición *jusnaturalista*, desemboca en el “deísmo”, evoluciona hacia el racionalismo, va perdiendo su referencia a Dios, se vuelve irreligiosa o antirreligiosa y, en consecuencia, abandona el fundamento sobre el que se asentaban los derechos humanos. Sin fundación racional, universal, los derechos humanos se desfondan. En el fondo, es a esto que Horkheimer y Adorno, en su *Dialéctica de la Ilustración*, llaman “la bancarrota moral e intelectual” de la tradición iluminista. Los derechos humanos, sin justificación racional, se vuelven irracionales. Esta bancarrota moral e intelectual desemboca en un relativismo, anti-fundacionista, de tendencia nihilista, en el que los deseos individuales, sostenidos por el poder, pretenden convertirse en derechos, aunque se trate de crímenes abominables contra el primer derecho, que es a la vida. Por eso, un Fukuyama escribía con sobradas razones

que a la más genérica apelación actual a los derechos humanos corresponde la más rotunda ausencia de una filosofía de los derechos humanos.

Por otra parte, el pensamiento católico decimonónico se vuelve reactivo, sospechoso y resistente contra las declaraciones de los derechos humanos, sin la capacidad de advertir que esos mismos derechos resultan inexplicables, en su origen, sin la revolución copernicana del cristianismo respecto a la dignidad de la persona humana y sin la tradición cristiana bajo fundamentaciones *jusnaturalistas*. Por eso, luego de la Revolución francesa, el pensamiento católico bajo el tradicionalismo de José de Maestre y De Bonald, de Haller y Donoso Cortés, se vuelve contra el *jusnaturalismo*, contra la teología natural; se hace fideísta. Es gracias al renacimiento tomista de finales del siglo XIX – que podría llamarse “tercera escolástica” – que se fue reconstituyendo la historia anterior al *jusnaturalismo* del siglo XVIII, descubriéndose que detrás de Grocio y de Locke – antes imaginados como puros iniciadores – está la gran escolástica del “siglo de oro”. Desde la década de 1920 esta tercera escolástica se convirtió en pensamiento mayoritario en la Iglesia católica con Rommen, Renard, Delos, Przywara, Lonergan y otros, pero sobre todo gracias a Jacques Maritain quien, no por casualidad, tuvo gran influencia en la elaboración de la Declaración universal de los Derechos humanos de las Naciones Unidas en 1948. La reasunción *jusnaturalista* de los derechos humanos, en la que la fe y la razón se convocan y compenetran, es retomada por el pontificado de S.S. Pío XII, se universaliza con la *Pacem in Terris* y en el Concilio Vaticano II con la constitución pastoral *Gaudium et Spes* y el Decreto *Dignitatis Humanae*, se despliega con especial vigor en el pontificado de S.S. Juan Pablo II y llega a una expresión de alto nivel intelectual en el actual pontificado, como, por ejemplo, en el soberbio discurso de S.S. Benedicto XVI en el Parlamento alemán. Hoy día, la Iglesia católica es la mayor custodia de los auténticos derechos de la persona humana, creada a imagen y semejanza de Dios y redimida por la Pascua de Cristo.

Mary Ann Glendon ha demostrado en sus investigaciones cómo esa tradición de los derechos humanos, que se ha verificado desde el alba de la modernidad en el “Nuevo Mundo” americano y que es horizonte de referencia crítica y banco de prueba ante todas las situaciones de injusticia, opresión y violencia, se expresó en la elaboración en Bogotá de la Carta de los Derechos y Deberes del Hombre, pocos meses antes de la Declaración universal de las Naciones Unidas, con fuertes influjos respecto a ésta. La Carta de Bogotá fue después reafirmada en la Convención americana de derechos humanos, de San José de Costa Rica, en 1969. Si bien también está en la tradición latinoamericana aquello de que “se acata pero no se cumple”, esa conciencia de dignidad de la persona ha quedado sembrada en el *ethos* de

los pueblos iberoamericanos y reemerge periódicamente como tremenda crítica contra toda reducción de la persona a cosa, instrumento, fuerza bruta de trabajo, mercancía, partícula de la naturaleza, eslabón de la cadena biológica o elemento anónimo de la sociedad.

La segunda anotación de relectura latinoamericana actual de la *Pacem in Terris* se refiere a la propuesta del papa Juan XXIII de una autoridad mundial, fundada en los tres principios ideales de las enseñanzas sociales de la Iglesia: la custodia de la dignidad de la persona humana, la solidaridad de la familia humana avizorando ya los procesos de globalización e interdependencia, y el respeto de la subsidiariedad. Pues bien, el camino actual hacia dicha autoridad mundial, mientras quedan empantanados los reiterados reclamos por la reforma de las Naciones Unidas, pasa por lo que puede llamarse la “era de los Estados continentales”. Primero, lo fue los Estados Unidos, después la URSS y lo será la Rusia si logra reconstituirse, luego la Unión Europea hoy bastante bloqueada e incierta, más contemporáneas aún la China y la India y ¿por qué no? la América Latina. Esta regionalización o continentalización aparece como pasaje obligado y adecuado por una inserción compensadora y equilibrada en los dinamismos de la mundialización. La *Pacem in Terris* no logra captarla adecuadamente y, por eso, su apelación a una autoridad mundial queda como abstracción de buenos deseos, sin relevancia histórica, al máximo como profecía.

El “Nuevo Mundo” hispanoamericano tiene, desde sus orígenes, una vocación a la unidad. En el documento final de la V Conferencia General del Episcopado Latinoamericano se afirma que ninguna otra región del mundo cuenta con tantos criterios poderosos de unidad como América Latina: no sólo vecindades geográficas, sino comunes orígenes, vicisitudes y destino históricos, una lengua dominante (en la que se pasa del español al portugués, y viceversa, sin dificultades), una común tradición católica y, gracias a ello, una matriz cultural básica enriquecida por las diversidades locales y nacionales. Una y plural, América Latina se reconoce en ese documento como la morada común de sus pueblos, la “patria grande”, la nación inconclusa. Los festejos del Bicentenario no pueden olvidar que la independencia de los países latinoamericanos se resolvió en fragmentación y “balcanización”, motivos preponderantes de ulterior dependencia y atraso. Cuando se constituían las bases de los Estados Unidos de América – el primer Estado-continente de la historia y, por eso, llegará a ser la primera potencia mundial –, también lo hacían los Estados desunidos de América Latina. Lo que en Simón Bolívar era una utopía – crear de toda América liberada una confederación de repúblicas – porque no había condiciones para lograrlo, cobra cuerpo y da pasos de gigante en los últimos cincuenta años de la historia latinoamericana. Especial-

mente el MERCOSUR, no obstante su empantamiento actual, ha roto definitivamente la tradicional incomunicación entre el Brasil y los países hispanoamericanos, conjugando América Latina con sus dos rostros, el lusoamericano y el hispanoamericano, a los que se agregan en forma perpendicular las islas no latinas del Caribe. Ha sido constituida la Unión Americana del Sur (UNASUR) y el Consejo de Estados Latinoamericanos y del Caribe. Aún queda mucho camino por recorrer en la integración comercial, económica, financiera, educativa y cultural, en las solidaridades y estructuras políticas, en las obras de infraestructura física y energética, pero es una dirección de marcha que se impone precisamente en los tiempos en que América Latina irrumpe en la escena global. Fue la Iglesia católica que anticipó esta regionalización cuando se usó por primera vez el apelativo “América Latina” en 1863 para el recientemente creado “Colegio Pío Latinoamericano” en Roma, cuando la Santa Sede convocó al Concilio Plenarío Latinoamericano en 1898, cuando se creó en 1955 el Consejo Episcopal Latinoamericano y cuando se encauzó e inculturó la renovación del Concilio Vaticano II en las Conferencias Generales del Episcopado Latinoamericano en Medellín (1968), Puebla de los Ángeles (1979), Santo Domingo (1992) y Aparecida (2007). Por eso mismo, Juan Pablo II pudo afirmar que favorecer el proceso de integración en curso era “grave responsabilidad” para unos pueblos “a quienes la misma geografía, la fe cristiana, la lengua y la cultura han unido definitivamente en el camino de la historia” (12.X.1992). Si se considera que hay aproximadamente un 80% de latinoamericanos bautizados en la Iglesia católica y que ellos constituyen casi la mitad de sus bautizados de todo el mundo (sumando a los “hispanos”), la Iglesia bien puede presentarse como sacramento de comunión de nuestros pueblos, con vocación católica. Tal es la expresión latinoamericana de la subsidiariedad si puesta en relación con una autoridad mundial, todavía lejana pero a la que ya cabe apuntar para futuras décadas como confederación de diversos polos continentales, camino de unificación de la familia humana, aunque siempre desgarrada, de la que la Iglesia católica es sacramento.

# ROLE OF PEOPLES AND NATIONS IN PROTECTING THE NATURAL ENVIRONMENT

■ JOSÉ T. RAGA\*

I can find no justification for devoting time to proving what is very obvious: that since the middle of the 20<sup>th</sup> century, the world, in its most generic and universal sense, has undergone extraordinary economic and social growth, and that this has placed its inhabitants, albeit with great inequalities, at levels of wellbeing that would have been almost unimaginable at the end of the Second World War.

In addition to taking place against the aforementioned background of interpersonal and interregional inequality, this growth has taken place with an imbalance amongst the attributes that the human being should expect of a process of enrichment. It is, therefore, not surprising that by the beginning of the seventies, attention was drawn to the promotion of harmonious development, in accordance with the natural harmony of the human being, as opposed to the disordered and anarchic growth that followed the peace that brought the Second World War to an end.

Be that as it may, what is true is that growth took place and that the improved standards of wellbeing are beyond any argument. However, it is no less true that these greater levels of wellbeing were represented by a greater availability of material goods for the satisfaction of material needs, creating amongst people a culture of *having*, a materialistic culture through which the spiralling road to consumerism began, a road without any foreseeable end. Objectives of pleasure would have greater significant weight than vital pressing needs in the consumerist programmes, not only in developed countries but also in a large number of developing countries.

The limitlessness of needs, which has always constituted the *raison d'être* of the economic question, when associated with scarce resources, has had

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such a marked effect on the last quarter of a century that at times of economic weakness, consumerist behaviour has given rise to frustration and anguish, an irrevocable result of the reverence given to the new idol of possessing material goods in abundance.

It is certainly true that greater possession of material goods has also entailed greater access to educational and cultural goods, at least for a significant percentage of the population. This has created greater awareness and appreciation of common goods in members of society, far removed from the ancestral individualism of exclusive and competitive consumption. This awareness of collective needs and the public goods to satisfy such needs, which ultimately configure the public goods of humanity, in turn creates a commitment to the common interest amongst economic subjects i.e., to the needs of the community. Only through the efforts and cooperation of all members of the community can these needs be satisfied.

Having said this, it is worth posing a question that is of undoubted relevance: to what extent does this commitment to the common interest displace individual or private interest? After all, at some point, when the resources available to meet private and common needs are assessed, the two types of needs come into conflict, given that those resources used to satisfy collective needs will not be channelled into the satisfaction of private needs.

And, going one step further: is the environment a good that concerns all of humanity today? Is the environment considered to be a good, a component of the wellbeing of man, of all men? It is true that nobody proclaims the destruction of the environment as a behavioural norm, but, when we speak of conserving the environment, how far does our commitment go? What option is chosen when protection of the environment enters into conflict with the enjoyment of a private good, perhaps a leisure-related good, in the basket of goods of the singular subject? Is it worth reaffirming the quality of private life, without considering the quality of life of the community, the quality of life of those whom we can call *the others*?

## I. Introduction

In the margin of, but not forgetting, what has been said about personal commitment, here, today, on these pages, we attempt to relate this sense of commitment of each subject to the environment, configuring it as a good of humanity. In this sense,

... global climate change is a public good (bad) par excellence. Benefit-cost analysis is a principal tool for deciding whether altering this public good through mitigation policy is warranted. Economic analysis can also help identify the most efficient policy instruments for miti-

gation... Two aspects of the benefit–cost calculations are critical. One is allowance for uncertainty (and related behavioral effects reflecting risk aversion)... it has to be assumed that individual prefer to avoid risk. That is, an uncertain outcome is worth less than the average of the outcomes... the possible outcomes of global warming in the absence of mitigation are very uncertain, though surely they are bad. The uncertain losses should be evaluated as being equivalent to a single loss that is greater than the expected loss... The other critical aspect is how one treats future outcomes relative to current ones.<sup>1</sup>

Therefore, the environment is a good that belongs to all humanity. In consequence, the subject, each subject, is responsible for its proper use, for avoiding waste and, what is more, for preventing damage to the environment caused by activities in the public or private sphere, for the private and immediate interests of each subject or institution, for this would ultimately be an attack on humanity itself. We have to accept that man,

... by an ill-considered exploitation of nature he risks destroying it and becoming in his turn the victim of this degradation. Not only is the material environment becoming a permanent menace – pollution and refuse, new illness and absolute destructive capacity – but the human framework is no longer under man’s control, thus creating an environment for tomorrow which may well be intolerable.<sup>2</sup>

This is an issue of great complexity in that it involves very different fields of knowledge. Scientific, technical, political and social fields overlap in a very evident manner, making this a problem or field of study of human dimensions, and one that cannot be considered otherwise. It is ultimately and essentially a question of relating man to the environment in which he lives and determining his responsibility for it, which is tantamount to saying, his responsibility to the entire human family.

Along with this difficulty related to its interdisciplinary nature, a further complexity of possibly even great importance is very clearly perceivable. This is related to the lack of coincidence in the opinions and conclusions of scientists and technical experts on any given environmental issue in terms of its physical consideration. This puts those whose actions might generate undesirable effects on the environment in a state of positive or negative alert.

<sup>1</sup> Kenneth J. Arrow, “Global Climate Change: A Challenge to Policy”. In Joseph E. Stiglitz, Aaron S. Edlin and J. Bradford DeLong (eds) *The Economists’ Voice. Top Economists Take on Today’s Problems*. Columbia University Press. New York 2008, p. 18.

<sup>2</sup> Paul VI, Apostolic letter *Octogesima Adveniens*. Vatican, 14.05.1971, no. 21.



It is true that the environment, like any other input, presents itself as a scarce resource, though this scarcity, we must remember, is linked to the time, place and knowledge available in each case. The neglect of this constraint led to the first reasonable doubt being placed on the Malthusian aspects forming the basis of many studies, which, in principle, were of the greatest scientific rigour.

The first of such studies worthy of attention is that of Jay W. Forrester,<sup>3</sup> which appeared in 1971 and featured a model known as “World 2”, though the development of this model under the tutelage of Dennis Meadows<sup>4</sup> resulted in the “World 3” model a year later and this had greater impact on the scientific world and the media. There was abundant criticism at the time, and Meadows himself acknowledged that barely one percent of the data used in the model was real data, with the rest simply being estimates bereft of real world evidence.

Thus was born the consideration of the environment in terms of an input called upon to produce food, which, in the studies referred to, was shown to be insufficient to attend to the needs of a population in constant growth. The most merciless criticism of the two studies (whose common origin was the MIT) would be that levelled by the team of researchers led by Christopher Freeman at the Science Policy Research Unit of the University of Sussex. This criticism was published in 1973, under a sufficiently expressive title: *Thinking about the future – A critique of ‘The Limits to Growth’*.<sup>5</sup>

Subsequent to this European response to the initial MIT studies, it was in Europe once again that the Second Report of the Club of Rome would accentuate the Malthusian vision of conflict between population and production. The report was based on a complex mathematical model, in which the world was divided into ten regions. Each region was further divided into sub-regions, which involved sub-models. A large number of variables were used in over one hundred thousand correlations. The study, led by Pestel and Mesarovic,<sup>6</sup> was published in 1974 and it can be concluded, al-

<sup>3</sup> Jay W. Forrester, *World Dynamics*. Wright-Allen Press. Cambridge, Mass. 1971.

<sup>4</sup> Donella H. Meadows, Dennis L. Meadows, Jørgen Randers and William W. Behrens III, *The Limits to Growth*. Universe Books, New York, 1972; also Earth Island, London, 1972.

<sup>5</sup> H.S.D. Cole, Christopher Freeman, Marie Jahoda and K.L.R. Pavitt (eds) *Thinking about the Future – A Critique of ‘Limits to Growth’*. Chato & Windus Ltd. Sussex University Press. London 1973.

<sup>6</sup> Mihajlo Mesarovic and Eduard Pestel, *Mankind to the Turning Point. The Second Report to the Club of Rome*. Hutchinson & Co. Ltd. London 1975.

most forty years later, that the predictions it made have proved to be irrelevant, due to a lack of empirical evidence.

Undoubtedly, these Malthusian threats would cause the aforementioned studies to lose the weight they initially held. To a certain extent, this loss of prestige was a consequence of failure to remember the condition established by Malthus in his work: "It may be fairly pronounced, therefore, that, considering the present average state of the earth, the means of subsistence, under circumstances the most favourable for human industry, could not be possibly be made to increase faster than in an arithmetical ratio".<sup>7</sup> Malthus's proviso about taking into account "*the present average state of the earth*" lends support to his theories by considering future scientific and technical breakthroughs by humanity, in the same way that the omission of this proviso undermines the studies mentioned.

Nonetheless, the influence of these studies was felt at the World Population Conference held in Bucharest (Romania) in 1974. At this conference, measures were established to slow population growth, resulting in campaigns for mass sterilisation of women in poor, very overpopulated countries. Contraceptive measures were also introduced and these were a central part of the so-called population policies of countries such as the People's Republic of China.

This process, which began in Bucharest, was to be repeated at successive World Population Conferences, namely those of Mexico in 1984 and Cairo in 1994. However, the conflict between population and food resources, which had given rise to population control, began to deviate from the initial question, giving way to the configuration of the right of the woman to decide, not what to do with her body, as is commonly said, but rather what to do with the human being housed within that body subsequent to gestation. Good evidence of this is provided by the fact that the same issues and identical arguments to those of Mexico and Cairo were once again on the agenda a year later (1995) at the Beijing Conference and this was not a conference on population but rather the World Conference on Women.

The Malthusian approach, which had accompanied initial consideration of the environment, found a new area of reflection in the study coordinated

<sup>7</sup> Thomas R. Malthus, *An Essay on the Principle of Population*. L.M. Dent & Sons Ltd, London 1973, p. 10. The first edition of Malthus's work *An Essay on the Principle of Population as it Affects the Future Improvement of Society* appeared in 1798. He subsequently revised and expanded the text to such an extent that the second edition (1803) *An Essay on the Principle of Population* almost became a new book in content.

by Jan Tinbergen,<sup>8</sup> which centred on the inequality and imbalances between the countries and regions of the world. Excruciating problems that affect humanity, that only the commitment of humanity itself to solve these ills would be the only possible remedy. This being the case, it is from that time that studies on the environment, far from putting the emphasis on the capacity to produce goods to satisfy the needs of a population, and in consequence, far from dealing with the production–population conflict, begin to focus on the environment as an object to be conserved. We are presented with an environment that constitutes the *habitat* of humanity and for this reason we must ensure that it continues to be the place in which man, all of mankind and all men, lead their lives in a sustainable manner.

If the prophecies of the aforementioned studies, which warned of the insufficiency of nature and the economy to cater for the needs of the population, proved to be erroneous, the situation of other present-day studies is not so far removed. We speak of those studies which contemplate the necessity of conserving the environment for human life, alerting us of the most foreseeable dangers for nature and humanity if the warnings of those who study the future of the planet are not heeded.

With a vision that falls little short of apocalyptic, the scientific and technical studies of the day contemplate the deterioration of the environment as a consequence of human activity. Human activity that takes place with disregard for the need to protect the environment, in order to provide man with suitable conditions for the habitat of the human family.

This does not mean that there is coincidence of criteria and much less that there is coincidence of results amongst those who devote their efforts and scientific competence to discovering the secrets of the environment and its survival. In effect, as was the case when it was necessary to present the population-resources conflict, there is an official truth, that of the United Nations, through the Intergovernmental Panel for Climate Change (IPCC) and, connected to it, the Climate Research Unit (CRU) of the University of East Anglia in the United Kingdom, and the NASA GISS, based at Columbia University and led by James Hansen.

According to the official version, and at the risk of simplification, the world is progressing along the path of chaos, of the negation of its own interests and natural destiny. The atmosphere we breathe deteriorates by the day and it is therefore foreseeable that man will no longer be able to evolve within the framework that supposedly corresponds to him.

<sup>8</sup> Jan Tinbergen (Co-ordinator) *Reshaping the International Order – RIO. A Report to the Club of Rome*. Hutchinson & Co. Ltd. London 1977.

On the stage where we go about our activity, constantly rising temperatures, which may become unbearable for man, are to be appreciated. We are immersed in an accelerated process of global warming which leads to the disappearance of species and holds dangers for the human community itself. The frozen surface of the polar ice caps is diminishing at a rapid rate, which will result in rising sea levels, causing the disappearance of coastal perimeters and island areas currently inhabited by man. Ultimately, we are faced by nothing less than the end of the world.

Another line of research contradicts this official truth of the apocalypse and points to the shortcomings of the aforementioned research. With no less scientific rigour than that of the official researchers, the so-called “sceptics” put the spotlight on the research policy of those who, while using all available data, renounce the data that contradicts their own opinions, or, to express it better, do not consider data that might contradict the conclusions that have been pre-established for the studies or research by the centres involved in carrying out this work. In this way, for example, when historical series are used to prove that global warming is taking place at present (the highest temperatures in the entire history of humanity), the high temperatures registered in medieval times, higher than current temperatures, are omitted. If they were taken into account, they would not enable the conclusion of global warming to be arrived at in the way that is intended.

Sceptics also accuse those who promote the official line of boycotting, hindering and persecuting studies that produce conclusions at variance with the official truth, i.e., those who are not faithful to what Ed Regis has termed “The Litany”.<sup>9</sup> A litany of clichés, repeated time and again to people from a very young age. This litany was afforded sufficient space and criticism in one of the significant works of Bjørn Lomborg.<sup>10</sup> A good example of the tenor of this litany, and reproduced in the cited work of Lomborg, is the following expressive text, published in the *New Scientist*:

We humans are about as subtle as the asteroid that wiped out the dinosaurs... The damage we do is increasing. In the next 20 years, the population will increase by 1.5 billion. These people will need food, water and electricity, but already our soils are vanishing, fisheries are

<sup>9</sup> Ed Regis, “The environment is going to hell...” In *Wired*, 5(2), February 1997, pp. 136–40 and 193–98.

<sup>10</sup> Bjørn Lomborg, *The Skeptical Environmentalist. Measuring the Real State of the World*. Cambridge University Press. Cambridge 2001; specially pp. 3–33.

being killed off, wells are drying up, and the burning of the fossil fuels is endangering the lives of millions. We are heading for cataclysm.<sup>11</sup> There have been many scandals that distance the official truth from that expected of the process of obtaining a scientific truth. Perhaps the most notable was the well known Climategate scandal, which came to light on November 21 and 22, 2009 and which fundamentally highlights two habitual practices in official-line studies: on the one hand, the manipulation of data to adjust them to objectives, making general conclusions based on once-off figures at a given time, and, on the other hand, the destruction of evidence to prevent the checking of results in scientific forums and debates.

The most recent instance of the will to ignore or conceal very significant variables for environmental culture was the alteration, according to other research teams, of cloud height, which would give rise to, always according to technical findings, a general cooling of the planet, thereby contradicting the global warming thesis and its catastrophic consequences as forecast in the official research.

In the final instance, it is of importance to make clear, at very least, that The uncertainties are many and great. How much carbon dioxide may join the atmosphere if nothing is done about it? That depends on projections of population, economic growth, energy technology, and possible feedbacks from warming the reduced albedo – ice and snow cover, for example.

Next, how much average warming globally is to be expected from some specified increases in the concentration of carbon dioxide and other ‘greenhouse’ gases? For a quarter century the range of uncertainty has been about a factor of three. (As more becomes known, more uncertainties emerge. Clouds and oceans are active participants in ways unappreciated two decades ago).<sup>12</sup>

This is why many ask about what lies behind scientific research into the environment and the opinions of people and institutions, who seem inclined to seek the predominance of their opinions, not so much through scientific proof as through the prevalence of their public positions and the pressure brought to bear on those who, with the same degree of legitimacy, disagree with their conclusions.

<sup>11</sup> “Self-Destruct”. In *New Scientist*, 2001 (1).

<sup>12</sup> Thomas C. Schelling, “Climate Change: The Uncertainties, the Certainties, and What They Imply About Action”. In Joseph E. Stiglitz, Aaron S. Edlin and J. Bradford DeLong (eds) *The Economists’ Voice. Top Economists Take on Today’s Problems*. Columbia University Press. New York 2008, pp. 5–6.

Is it a case of maintaining formal truths in accordance with an ideology? And if so, with what objectives? Could it be a case of protecting economic interests on a global level?<sup>13</sup> It is not my intention to continue along the path of musings that might satisfy such doubts, perhaps making them larger, because, if I lack the scientific and technical knowledge to judge the contributions of the research teams on the current world stage, neither do I know what might enable interpretation of the possible interests that lie behind the scientific controversy, if indeed there are interests other than those of scientific knowledge.

What I would like to highlight, from the perspective of the economy, is my disagreement with the apocalyptic pronouncement of the official position (of the IPCC, the CRU and the GISS), according to which the world is on the road to its own destruction, worsening its conditions of habitability and, in consequence, jeopardising the possibility of the life of mankind. The reality, according to what can be deduced from the data of the United Nations itself, as shown in Graph I of the Appendix, is just the opposite.

The figures for a representative group of countries – ten of the richest and ten of the poorest – presented in the graph indicate that, over the last thirty years, all of them, with the exception of Liberia, have experienced significant improvements in human development. Moreover, compared to the average annual improvement rates during this period of between 0.25 and 0.70% for the richest countries, the average rates for the poorest countries have been considerably higher. Particularly noteworthy are cases such as those of Mali (2.37%), Afghanistan (2.28%), Niger (1.67%), Burundi (1.49%) and Malawi (1.27%).

It is true that countries such as Liberia, with a negative average annual rate of 0.06%, the Democratic Republic of Congo, with an average annual increase of 0.05% and Zimbabwe, with a positive average rate of 0.09% are also represented on the graph. What cannot be stated, based on a world limited to the countries considered in this graph, is that living conditions in a macroeconomic dimension were worse in 2011 – the final year considered in the reference data – than those prevailing in the year 1980.

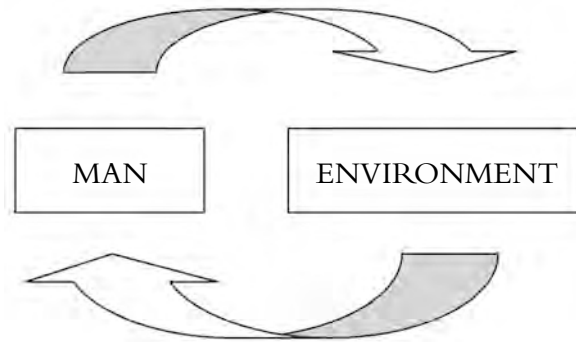
It will be said that the data referred to only shows the trend in the last thirty years, an argument which could not be truer: but it is no less true

<sup>13</sup> *Vide*, José T. Raga, “De la ecología a la ideología”. In Rocío Yñiguez Ovando, Mercedes Castro Nuño and María Teresa Sanz Díaz (eds) *Jornadas sobre aspectos económicos del medio ambiente*. Facultad de Ciencias Económicas y Empresariales. Universidad de Sevilla. Digital Edition. Seville, 12 April 2011.

that any citizen that might be questioned would indicate his preference for the option of living in the world of today, as against the alternative option of living in any previous century; this is true of both rich and poor and, in both cases, of those living in both rich countries and poor countries.

## II. The environment in a physical dimension

Even in a physical dimension, the environment is called upon to relate to man and man to the environment. In this way, man conditions the environment and the environment conditions man. Conditioning factors which are first determined by the attitude of man in terms of his capacity to harm the environment and secondly, in terms of the opportunities afforded to man by the environment, which enable him to satisfy his needs.



Or, expressed in another way, the environment offers man, at every moment in history, resources which are known to be limited, which man can use, in accordance with his knowledge, to satisfy his needs. Meanwhile, man, on occasions, led by the voracity of his cravings, can influence the environment, inflicting damage in such a way that this damage conditions the very availability of resources, limiting them quantitatively or temporarily.

*A correct understanding of the environment prevents the utilitarian reduction of nature to a mere object to be manipulated and exploited. At the same time, it must not absolutize nature and place it above the dignity of the human person himself. In this latter case, one can go so far as to divinize nature or the earth, as can readily be seen in certain ecological movements...<sup>14</sup>*

<sup>14</sup> Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*. Libreria Editrice Vaticana. Città del Vaticano 2004, num. 463.

Let us assume for the moment that this is a physical dimension that deteriorates as a consequence of human activity and that this deterioration is manifested in one way by the announced global warming that can be deduced from scientific studies, though there is no general consensus on this point. Leaving confirmation of the fact to the field of experimental science, it is possible, however, to speak of a

... consensus... to warrant an examination of the economic implications of the problem including alternative policy regimes for its solution...<sup>15</sup>

Contrary to the most predominant opinion of radical liberalism, man has no property rights to the environment; it is not an object of ownership by man, because it is called upon to give satisfaction to the basic needs of men, of all men.

A conception of the environment merely as property is (at best) incomplete because it fails to acknowledge the essential role of the physical environment in supplying our most basic needs. In other words, liberals concerned (as they are) about current and future generations of citizens being able to meet their basic physical needs must be committed to a principle of environmental sustainability, which is grounded in a conception of the environment as 'provider of basic needs'.<sup>16</sup>

Conceived as such, the environment immerses us in a problem of greater entity, that of distributive justice. This distributive justice is called into question, in the light of the data presented in Graph II of the Appendix. This graph shows data on the human development index and gross national income *per capita*, the latter in US dollars adjusted for the purchasing power parity of each country. All of this data is for the year 2011. As in the previous graph, the countries selected are the ten with the highest development indices and the ten with the lowest development indices.

Graph I has already shown us the significant improvement of the poorest countries in terms of human development. For that reason, there is nothing surprising about the data in Graph II, in which the poorest countries have a human development index slightly higher than one third of the index of the countries with the highest human development. This is the case of Guinea (0.344), the Central African Republic (0.343), Sierra Leone (0.336),

<sup>15</sup> B.P. Herber and J.T. Raga, "An International Carbon Tax to Combat Global Warming". *The American Journal of Economics and Sociology*, vol. 54, no. 3, July 1995, p. 266, note 1.

<sup>16</sup> Derek R. Bell, "Liberal Environmental Citizenship". In Andrew Dobson and Ángel Valencia Sáiz (eds) *Citizenship, Environment, Economy*. Routledge – Taylor and Francis Group. Abingdon, Oxon 2005, p. 27.



Burkina Faso (0.332), etc. amongst the selected countries. The exceptions are Niger and the Democratic Republic of Congo, which have an index of below one third that of the countries with the highest development, such as Norway (0.943), Australia (0.929), the Netherlands (0.910), etc.

We do not wish to say that the results of the poor countries with respect to the rich countries are satisfactory, although if we consider the endemic underdevelopment of these countries in times gone by, the gap is not as great as might be expected. This is undoubtedly because the improvement rates in recent years are much higher in poor countries than in rich countries.

Nonetheless, although the human development indices of the less privileged countries are between thirty and forty percent of those of rich countries, the same is not the case with income *per capita*, however much we adjust it to reflect purchasing power parity. Therefore, the income of a Guinean is just 1.9% of the income of a Norwegian or 2.0% of that of an American; while that of a Liberian is 0.58% that of a Norwegian, 0.62% that of an American, and 0.66% that of a Swiss national.

It is clear that something is taking place in the world that cannot leave us feeling satisfied. There are reasons for inequality amongst peoples and regions that can be explained and even justified, but when the inequality reaches such levels, the human person must question himself about his responsibility regarding how this type of situation is sustained.

Can an economic, political and social model that permits such inequalities be accepted? The inescapable responsibilities associated with these inequalities have their origins in different areas. If we have said, on considering the environment, that we were inclined towards its capacity to offer a means of living for humanity and that for this reason, the environment should not be the property of anybody, but rather be at the service of all men, the first responsibility is to ascertain the reason why the means do not reach all in the same conditions and do not even guarantee the survival of the less favoured.

Along with the traditional responsibility we have to future generations, ever-present when we speak of the conservation of the environment, there is a responsibility which reminds us of and demands our commitment to the present generation. To those peoples of Liberia, Burundi or the Democratic Republic of Congo who, at best, have an income per person of one US dollar per day. Intergenerational responsibility must not be forgotten but our intra-generational responsibility is also a matter of tremendous concern.

This means that the real challenge facing us as members of the human family is not merely the conservation of the physical environment so that it can offer resources for the life of people, but rather to ensure that such resources are at the service of all humanity. To safeguard only the former

would entail maintaining the state of inequality through which a large part of the human community only receives the goods of the Creation in theory. In practice, these people are deprived of such goods, goods which, at the same time, are abundantly available to the more privileged.

### ***II. a) The conformation of environmental citizenship***

Whatever the state of the environment, it is unacceptable that man might cause it harm. What can naturally be added to this statement is that neither is waste acceptable, be it deliberate or negligent, in the use of resources by man, who is ultimately the administrator of nature as a means.

When we speak of attitudes, we seek to highlight the greater or lesser disposition of men in terms of their commitment to the environment. This means that we consider the use of possible coercive measures to be exhausted, measures created through the public sector, in the form of compulsory regulations, incentives or sanctions, the sterility of which is set out in an abundance of literature.

These are important steps, but *the decisive issue is the overall moral tenor of society*. If there is a lack of respect for the right to life and to a natural death... It is contradictory to insist that future generations respect the natural environment when our educational systems and laws do not help them to respect themselves... Our duties towards the environment are linked to our duties towards the human person, considered in himself and in relation to others. It would be wrong to uphold one set of duties while trampling on the other.<sup>17</sup>

We speak, therefore, of attitudes that are developed from conviction based on the principles and values lived by in community. It is the conviction that, as persons tied by cultural, political and social bonds, we have a personal duty towards the community as a whole. In other words, we are simply speaking of people who feel themselves to be citizens and as such, are obliged by virtue of belonging to the *civitas*.

Is it a spontaneous order that determines coincidence in such attitudes? From a liberal perspective of the problem, it is true that in the absence of coercive regulations, human reason tends towards disperse attitudes, without a real possibility of convergence at a common point, just as there is no single common idea or specific doctrine with aims of general acceptance. However, it is true that, in a community developed on the basis of honest cooperation, in which citizens belonging to it are committed to the common

<sup>17</sup> Benedict XVI, Encyclical letter *Caritas in veritate*. Rome 29.06.2009, num. 51.

good, such citizens lead their lives in community, with respect for what Rawls calls “*the fact of reasonable pluralism*”.<sup>18</sup>

This reasonable pluralism

... is essential to being a *reasonable* citizen, and implies a certain kind of self-restraint towards the state (at least in its fundamental aspects). This means that reasonable citizens do not identify the state with their own conception of the good life; they deny that the former should simply be an expression of the latter.<sup>19</sup>

It is true that the natural environment is not superior to the human person, but it is no less true that

... it is also necessary to reject the opposite position, which aims at total technical dominion over nature, because the natural environment is more than raw material to be manipulated at our pleasure; it is a wondrous work of the Creator containing a ‘grammar’ which sets forth ends and criteria for its wise use, not its reckless exploitation... Reducing nature merely to a collection of contingent data ends up doing violence to the environment and even encouraging activity that fails to respect human nature itself...<sup>20</sup>

Therefore, when we are before environmentally reasonable citizens, we are faced by people who constitute a community and who accept the existence of a non-human natural environment, independent of the existence, needs, interests and objectives of the human being. In this way, if reasonable citizens accept the vision of *others*, the regulatory support they provide for basic political issues also encompasses the “reasonability of the environment”. This means that such an attitude impregnates society as a whole, not just aspects or isolated elements of it, and therefore brings to bear its influence not only on the public sector, but also on the activities of the private sector, with respect to both agents of production and agents of consumption.

It is clear that, as Hailwood states,

Economic and business organisations and companies are not founded for sake of justice, as opposed to profitable production and trade. But their ‘legal constitution’, including the relevant property rights and employment practices, is to be regulated by principles of justice.

<sup>18</sup> *Vide*, J. Rawls, *Political liberalism*. Columbia University Press. New York 1996.

<sup>19</sup> Simon Hailwood, “Environmental Citizenship as Reasonable Citizenship”. In Andrew Dobson and Ángel Valencia Sáiz (eds) *Citizenship, Environment, Economy*. Routledge – Taylor and Francis Group. Abingdon, Oxon 2005, p. 40.

<sup>20</sup> Benedict XVI, Encyclical letter *Caritas in veritate*. Rome 29.06.2009, num. 48.

Members and employees do not relate to each other solely in terms of equality of opportunity, yet their activities are committed to as citizens... Similarly, respect for nature (as other) is to figure as an external political requirement rather than an internal commitment for such associations.<sup>21</sup>

In this way, we have a citizenship model capable of generating and reinforcing human and social values for a life in common, for a harmonic life, a life in which the private “*I*” is transformed by the power of the conviction in the “*we*” capable of meeting global objectives for the building of a better society, for the achievement of the common good. These are the values lacking in citizens who are faithful to the limited and partial vision of industrial economicism and for whom the environment or, simply, the world in which we live, is merely an object that can be subjected to transformation.

## ***II. b) The figure of the environmental consumer***

To assume that consumption is a neutral act, performed in a mechanical manner in response to a human need that desires satisfaction, is a simplistic reduction of the action of men. Consumption, like any decision taken by the human person, is the result of a decision-making process, in which alternative solutions to desires are contemplated and the subject opts for that which seems best to him. The subject does not act in the manner of an automaton that responds to whatever stimulus (need) with an action determined by a previously established programme.

Mises is particularly expressive on this matter, contemplating the economic action of man:

Acting man is eager to substitute a more satisfactory state of affairs for a less satisfactory. His mind imagines conditions which suit him better, and his action aims at bringing about this desired state. The incentive that impels a man to act is always some uneasiness...

But to make a man act, uneasiness and the image of a more satisfactory state alone are not sufficient. A third condition is required: the expectation that purposeful behavior has the power to remove or at least to alleviate the felt uneasiness. In the absence of this condition no action is feasible. Man must yield to the inevitable.<sup>22</sup>

<sup>21</sup> Simon Hailwood, “Environmental Citizenship as Reasonable Citizenship”. In Andrew Dobson and Ángel Valencia Sáiz (eds) *Citizenship, Environment, Economy*. Routledge – Taylor and Francis Group. Abingdon, Oxon 2005, p. 43

<sup>22</sup> Ludwig von Mises, *Human Action. A Treatise on Economics*. William Hodge and Company Limited. London 1949, pp. 13-14.

It is in this process of reflection, which encompasses objectives and the means to achieve them, that man employs his criteria and his values. Criteria and values that enter into play when determining the ends and criteria and values that will also decide the choice of the means capable of achieving such ends. Therefore, consumption cannot be seen as an external or neutral act, but rather one that forms part of a decision that involves the deep inner being of the human person.

Benedict XVI has reminded us that,

...*the consumer has a specific social responsibility, which goes hand-in-hand with the social responsibility of the enterprise. Consumers should be continually educated regarding their daily role, which can be exercised with respect for moral principles without diminishing the intrinsic economic rationality of the act of purchasing.*<sup>23</sup>

These moral principles are present both in the initial decision as to which needs to satisfy (choosing from amongst an infinite number of them), and in the type of goods chosen to satisfy them (bearing in mind the means of production, fair remuneration of the productive resources, the due conservation of the environment...).

With respect to this latter aspect, it is respect for the environment that conforms a type of consumption that has come to be called “*sustainable consumption*”. This can be defined as

The use of services and related products which respond to basic needs and bring a better quality of life while minimising the use of natural resources and toxic materials as well as the emissions of waste and pollutants over the life-cycle of the service or product so as not to jeopardise the needs of future generations.<sup>24</sup>

This being so, sustainable consumption has been configured as the suitable terrain for the recreation of the environmentally reasonable citizen and as a platform for environmentalist demands. There are opinions that are truly representative of the point we are making:

I believe passionately that humanity must reduce its impact on the world. Using local organic food is just one way, but for many it is the most visible and accessible way.<sup>25</sup>

<sup>23</sup> Benedict XVI, Encyclical Letter *Caritas in veritate*. Rome 29.06.2009, num. 66.

<sup>24</sup> OECD Environment Directorate – Environment Policy Committee, “Policies to promote sustainable consumption: an overview”. Working Party on National Environmental Policy – Policy Case Studies Series. ENV/EPOC/WPNEP(2002)18/FINAL. 2 July 2002, p. 9.

<sup>25</sup> Gill Seyfang, “Ecological citizenship and sustainable consumption: Examining local organic food networks”. Elsevier. *Journal of Rural Studies*, 22 (2006), p. 390.

It is probable that this judgement corresponds to the average rationality of man today, and undoubtedly that of the environmentally reasonable consumer, a fact that does not prevent it from presenting difficulties.

Amongst these, the most sensitive difficulty is that arising from the externalisation of environmental costs on the part of producers of conventional goods and services, which do not allow for such costs to be transposed to the market, i.e., that the prices of goods produced with little or no consideration for the environment only represent the production costs of those resources transmitted by the market neglecting the costs of damage caused to the environment. This means that such costs are borne by the community as a whole, in the form of environmental deterioration, exhaustion of natural resources, etc.

Therefore, the consumer of such goods does not receive correct market information about these costs and, consequently about the prices they would be sold at if, in terms of equal consideration, the social costs had been taken into account. From this, it is deduced that

The first obstacle to sustainable consumption in the mainstream strategy is the misleading price signals given in the market. The current price system externalises social and environmental costs and benefits, and this, together with current subsidy systems for intensive pesticide-dependent agriculture, results in local organic produce costing more than conventionally grown imported food.<sup>26</sup>

We are confronted by fictitious, subsidised and manipulated markets, which do not reflect the reality of the economic processes of production and consumption.

Confronted by this skewed information, the consumer does not always include the environmental variable in his consumption decisions, even when he is disposed to do so. However, this awareness in the choice between goods produced with respect for the environment and others, whose production has not taken account of such conservation, is insufficient. It is necessary and it is an inescapable obligation to go a step further at a historic moment such as the beginning of the 21<sup>st</sup> century, despite the difficulties being experienced in most economies. Consumption, including that of goods produced with respect for the environment, requires resources for production; resources that are scarce by nature. Moreover, every good consumed also produces waste which must be processed. This processing may

<sup>26</sup> Gill Seyfang “Ecological citizenship and sustainable consumption: Examining local organic food networks”. Elsevier. *Journal of Rural Studies*, 22 (2006), p. 390.

involve availing of waste by recycling, if possible, and in any case to avoid, insofar as possible, the polluting effect of such waste.

We must bear in mind that

... the major cause of the continued deterioration of the global environment is the unsustainable pattern of consumption and production, particularly in industrialized countries, which is a matter of grave concern, aggravating poverty and imbalances.<sup>27</sup>

One year prior to the Rio Summit, John Paul II had warned of the dangers of the high consumption of individuals, families and nations that were particularly favoured by economic fortune.

To call for an existence which is qualitatively more satisfying is of itself legitimate, but one cannot fail to draw attention to the new responsibilities and dangers connected with this phase of history... A given culture reveals its overall understanding of life through the choices it makes in production and consumption. It is here that *the phenomenon of consumerism* arises. In singling out new needs and new means to meet them, one must be guided by a comprehensive picture of man which respects all the dimensions of his being and which subordinates his material and instinctive dimensions to his interior and spiritual ones... *Thus a great deal of educational and cultural work* is urgently needed, including the education of consumers in the responsible use of their power of choice.<sup>28</sup>

Hence the call of the United Nations at the Rio Summit in 1992, highlighting the problems arising from that consumerist attitude which, along with basic needs, seeks to satisfy, with complete profusion, random and clearly contingent needs, and encounters superfluous goods with which to satisfy them. This is still more serious when only an insignificant portion of the needs satisfied by prisoners of consumerism correspond to essential needs for the life of persons. The Summit Reports says:

Special attention should be paid to the demand for natural resources generated by unsustainable consumption and to the efficient use of those resources consistent with the goal of minimizing depletion and reducing pollution... consumption patterns are very high in certain parts of the world... This results in excessive demands and unsustain-

<sup>27</sup> United Nations Conference on Environment and Development, "Report of United Nations Conference on Environment and Development". Rio de Janeiro, 3-14 June 1992. United Nations. New York, 1993. Volume I, *Resolution Adopted by the Conference*, Annex II – Agenda 21, paragraph 4.3.

<sup>28</sup> John Paul II, Encyclical Letter *Centesimus annus*. Rome 01.05.1991, num. 36.

able lifestyles among the richer segments, which place immense stress on the environment.<sup>29</sup>

That educational and cultural work of which John Paul II speaks is essential to change the models in which the human being is immersed at this moment in time. It is necessary to appeal for greater emphasis to be placed on spiritual values than on material values. It is true that we live at a time in which materialism has invaded human life. It can be said that today, what has no weight and cannot be measured is considered not to exist. Everything is quantitative, meaning that qualitative, spiritual and transcendent aspects are considered to be sterile references that lead to nothing.

It is Mises himself who, with total clarity, from an economic perspective, contemplates man in this dual dimension, from which emanate, naturally, material needs and spiritual, or at least non-material, needs. He says that:

It is arbitrary to consider only the satisfaction of the body's physiological needs as 'natural' and therefore 'rational' and everything else as 'artificial' and therefore 'irrational'. It is the characteristic feature of human nature that man seeks not only food, shelter, and cohabitation like all other animals, but that he aims also at other kinds of satisfaction. Man has specifically human desires and needs which we may call 'higher' than those which he has in common with the other mammals.<sup>30</sup>

These "higher" needs, which are precisely those that distinguish man, should serve as a reference to launch the change of model and attitude in the consumption of goods by man. The solutions, which were already profiled in the Rio Summit of 1992, include

... promoting eco-efficiency and using market instruments for shifting consumption patterns, but it was also recommended that governments should develop 'new concepts of wealth and prosperity which allow higher standards of living through changed lifestyles and are less dependent on the Earth's finite resources and more in harmony with the Earth's carrying capacity'.<sup>31</sup>

<sup>29</sup> United Nations Conference on Environment and Development, "Report of United Nations Conference on Environment and Development". Rio de Janeiro, 3-14 June 1992. United Nations. New York, 1993. Volume I, *Resolution Adopted by the Conference*, Annex II – Agenda 21, paragraph 4.5.

<sup>30</sup> Ludwig von Mises, *Human Action. A Treatise on Economics*. William Hodge and Company Limited. London 1949, pp. 19–20.

<sup>31</sup> Gill Seyfang, "Shopping for Sustainability: Can Sustainable Consumption Promote Ecological Citizenship?" In Andrew Dobson and Ángel Valencia Sáiz (eds) *Citizenship, Environment, Economy*. Routledge – Taylor and Francis Group. Abingdon, Oxon 2005, p. 139.



An educational and cultural project to which we are all called. Each one of us, in his singularity, with power to manage his decisions as a consumer, but each one, also, as a member of the community, and families, the essential cells of that community, in order to disseminate environmental values throughout society as a whole, with a view to transforming consumption habits towards more sustainable consumption. Public and private institutions and the public sector itself must also develop their own activities in the interests of achieving a better world, a world in which values other than purely material ones are respected, values that distinguish man as a human person, and a world in which greater respect for the laws of nature predominates, even at the cost of exercising discernment with respect to need and rationalising consumption to make it more sustainable.

### ***II. c) Productive investment and the environment***

In the preceding section, we looked at the decisions of the subject with respect to the acquisition of goods for consumption, with the possible effects that such decisions might have on the environment. Now it is time to consider the other spending alternative for singular persons, and public and private institutions. This is expenditure on investment goods, which we assume are productive investment, believing that the criterion of economic rationality underlies the decision.

If we pointed out previously that consumption was not a neutral act, bereft of evaluation, neither is such neutrality to be appreciated in the decision to invest or in the act of investing. John Paul II says that

...the decision to invest in one place rather than another, in one productive sector rather than another, is always *a moral and cultural choice*. Given the utter necessity of certain economic conditions and of political stability, the decision to invest, that is, to offer people an opportunity to make good use of their own labour, is also determined by an attitude of human sympathy and trust in Providence, which reveal the human quality of the person making such decisions.<sup>32</sup>

It could not be otherwise, given that it is an act carried out by the person himself within the scope of his liberty and responsibility. We have already pointed out that there is no place for subdivisions in the activity of the human being, insofar as all his acts gestate in the womb of his own personality. It is this human nexus that frames the responsibility and moral evaluation of his acts. In the words of Benedict XVI,

<sup>32</sup> John Paul II, Encyclical letter *Centesimus annus*. Rome 01.05.1991, num. 36.

...justice must be applied to every phase of economic activity, because this is always concerned with man and his needs. Locating resources, financing, production, consumption and all the other phases in the economic cycle inevitably have moral implications. *Thus every economic decision has a moral consequence.*<sup>33</sup>

It is precisely this deep-rooted moral aspect of the acts emanating from the human person that results in monetary benefit not being the only behavioural norm to which human activity of an economic nature must be subject. It is, therefore, by no means surprising that Vatican Council II establishes that “Investments, for their part, must be directed toward procuring employment and sufficient income for the people both now and in the future”.<sup>34</sup> Hence the reflection of Pius XI on investment as an act of liberality when it meets these requisites of moral action:

Expending larger incomes so that opportunity for gainful work may be abundant, provided, however, that this work is applied to producing really useful goods, ought to be considered... an outstanding exemplification of the virtue of munificence and one particularly suited to the needs of the times.<sup>35</sup>

The question we would like to ask at this point in time is whether there is room for environmental commitment within this attitude of liberality of which the Pope speaks. In other words, from the perspective of our responsibility for the environment, could we ask ourselves if goods whose production processes are damaging to the environment, limiting production possibilities for both future and present generations, can be classed as useful goods.

We are convinced that no investor would reject an investment due to the fact that it tended towards the conservation of the environment. Moreover, it would not be rejected in favour of other investment alternatives, as long as the pro-environment choice took place in *ceteris paribus* conditions with respect to return on investment. The question, however, presents more doubts if the expected return on a conservationist investment is lower than that of competing investments. If this were the case, it is worth asking about the limit threshold beyond which the investor is not willing to sacrifice greater returns due to the fact of having invested in activities that protect the environment. And, in this case, another question is of relevance: i.e., if there is a difference in attitudes between the individual and the institutional investor.

<sup>33</sup> Benedict XVI, Encyclical letter *Caritas in veritate*. Rome 29.06.2009, num. 37.

<sup>34</sup> Vatican Council II, Pastoral constitution *Gaudium et spes*. Rome 07.12.1965, num. 70.

<sup>35</sup> Pius XI, Encyclical letter *Quadragesimo anno*. Rome 15.05.1931, num. 51.

We are all aware that company commitment to what is known as Corporate Social Responsibility (CSR) is growing day by day. This is the commitment to objectives of a social nature, which are assimilated into business goals and which, in principle, could be thought of as being in accordance with the general profit-maximising objective of economic activity which, in the case of positive results, serves for the capitalisation of the company, making it solid and ensuring its long-term survival or, alternatively, serves the purpose of returning the capital invested by partners or shareholders through the issuing of dividends.

Furthermore, the assimilation of these objectives in the business activity has created a differentiation between companies which assume such commitments and others which maintain the radically economic position of producing accounts with the most favourable results possible. The former companies have even reached the point of labelling themselves “*ethical*” and, as a result, classed their different specific activities as being such. In this way, there is frequent talk of ethical investments in the case we are examining. To class an isolated activity, of the many activities carried out by a company, as “*ethical*”, seems to us to limit the concept of what is ethical to an area that might be but an insignificant part of the business activity as a whole. Hence our rejection of “*partial ethics*” as opposed to the global ethical attitude that informs all human action, both in the individual sphere and in business activity.<sup>36</sup>

In the face of this proliferation of formal ethics in the economic world, the warning of Benedict XVI could not be more opportune:

Today we hear much talk of ethics in the world of economy, finance and business. Research centres and seminars in business ethics are on the rise; the system of ethical certification is spreading throughout the developed world as part of the movement of ideas associated with the responsibilities of business towards society. Banks are proposing ‘ethical’ accounts and investment funds. ‘Ethical financing’ is being developed, especially through micro-credit and, more generally, micro-finance. These processes are praiseworthy and deserve much support... It would be advisable, however, to develop a sound criterion of discernment, since the adjective ‘ethical’ can be abused. When the word is used generically, it can lend itself to any number of interpre-

<sup>36</sup> *Vide*, as a case of partial ethics, referring exclusively to the environment, the work of Neil Carter and Meg Huby, “Ecological Citizenship and Ethical Investment”. In Andrew Dobson and Ángel Valencia Sáiz (eds) *Citizenship, Environment, Economy*. Routledge – Taylor and Francis Group. Abingdon, Oxon 2005, pp. 101-18.

tations, even to the point where it includes decisions and choices contrary to justice and authentic human welfare.<sup>37</sup>

In the light of this warning from the Pope and from the notorious abuse of the label “ethical” in the business, financial and economic world in general, the question arises as to whether ethical formality has not become a source of income. It is possible that some companies

... will be pushed to concern themselves with CSR as a result of the increasing active engagement by individual and institutional shareholders. The combined effect of changing public awareness and attitudes, pressures from social and environmental NGOs and government regulation and legislation, is to make companies more susceptible to business risks related to their social and environmental reputation.<sup>38</sup>

It is indisputable that we live in an interdependent world with an abundance of information. This implies that the action of any notorious businessman in his investment policy, or that of an institutional investor, apparently guided by the objective of maximising profits for clients and shareholders, does not remain within the limited framework of his own sphere of decision. Everybody influences everybody and everybody feels influenced by everybody. This creates a situation in which the investment decisions of all are taken with consideration for what society, and clients and shareholders consider to be priority values, whether they be of a social or an environmental nature.

So much so that,

... even if corporate management remains unconvinced by the ethical... arguments, there are still strong and growing pressures on them to change their behaviour that may indirectly nurture individual ethical investment. Whether ethical responsibilities are taken on by companies because they are persuaded by the ethical case, or simply in response to regulation... or for business reasons, the change in behaviour contributes to the recursive relationship between ethical investment and CSR. The more the companies change (for whatever reason) the more encouragement there is for ethical investment, and as ethical investment grows the more likely is to be influential. In short, if individual ethical investments flourishes, than maybe the motivations of companies do not matter.<sup>39</sup>

<sup>37</sup> Benedict XVI, Encyclical letter *Caritas in veritate*. Rome 29.06.2009, num. 45.

<sup>38</sup> Neil Carter and Meg Huby, “Ecological Citizenship and Ethical Investment”. In Andrew Dobson and Ángel Valencia Sáiz (eds) *Citizenship, Environment, Economy*. Routledge – Taylor and Francis Group. Abingdon, Oxon 2005, p. 114.

<sup>39</sup> Neil Carter and Meg Huby, “Ecological Citizenship and Ethical Investment”. In Andrew Dobson and Ángel Valencia Sáiz (eds) *Citizenship, Environment, Economy*. Routledge – Taylor and Francis Group. Abingdon, Oxon 2005, p. 116.

In other words, what is important are attitudes and without new attitudes there will not be a new world.

*Serious ecological problems call for an effective change of mentality leading to the adoption of new lifestyles, 'in which the quest for truth, beauty, goodness and communion with others for the sake of the common good are the factors that determine consumer choices, savings and investments'. These lifestyles should be inspired by sobriety, temperance, and self-discipline at both the individual and social levels. There is a need to break with the logic of mere consumption and promote forms of agricultural and industrial production that respect the order of creation and satisfy the basic human needs of all.*<sup>40</sup>

The order of creation tells us that the earth and all its goods and resources were created by God to serve all humanity, all men and all mankind, and for this reason it is inadmissible that, with disdain for justice and charity, part of humanity, those privileged for diverse reasons, possess an excessive portion of those resources and those goods to the detriment of the less favoured, who are deprived of even the most essential necessities.

Investment is an efficient mean by which that principle tends to be fulfilled amongst men. But investment is also very unequally distributed, although it cannot remain independent of the ethical considerations we have made. If we observe the data in Graph III of the Appendix, we cannot avoid interpellation. The insignificant figures for foreign direct investment are a confirmation of the inequality that hinders the possibilities of development in the poor countries; the ten poorest countries in terms of GDP in 2009.

Direct investment is the best test of the commitment to ethical investment. It does not only imply the provision of capital, but is also accompanied by the contribution of know-how, technology and the opening of markets at which to aim excess products. The same graph also shows figures of official aid to development, which is important of course, but less efficient than direct investment. It cannot be guaranteed that the aid given ends up in productive investments and that these are for the benefit of the community it seeks to help. There is a long road to travel, judging from the scarcity of direct investment, which shows a resistance to the moral change of attitudes, because the moral of the human being cannot be subdivided, but rather it commits the person in his entirety in all facets of his individual and social action.

<sup>40</sup> Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*. Libreria Editrice Vaticana. Città del Vaticano 2004, num. 486.

### III. The environment beyond the physical dimension: the commitment to man

Let us change now the hypothesis we established at the beginning of the third paragraph of section II, “The environment in a physical dimension”, in order to continue our analysis of the problem by introducing man as an active and passive subject of what might occur in the environment, and going further by accepting that man is important in the extent to which this presumption may modify the field which traditionally has been attributed to environmental problems by a large proportion of the scientific literature.

That is to say, the preservation of a vegetable or animal species in danger of extinction, or reducing CO<sub>2</sub> emissions to the atmosphere, or recycling domestic or industrial waste makes sense to the extent that it is the life of man that is at stake, the life of man today and the life of the men of future generations. The mandate to subdue the earth,<sup>41</sup> by which the dominion of man over all other created beings is established, is followed by another which complements it and bestows responsibility on he who exercises such dominion: “Yahweh God took the man and settled him in the garden of Eden to cultivate and take care of it”.<sup>42</sup> Because it was in the *garden* where man would find the means of subsistence; the first man and all his descendants, following the mandate established of “Be fruitful, multiply, fill the earth and subdue it”.<sup>43</sup>

A *garden*, therefore, at the service of all humanity, which entails a dual responsibility: on the one hand, its conservation and tending so that it can accomplish the mission entrusted to it as the means for an end; on the other hand, the responsibility that it attends to the needs of all humanity, the humanity of today and the humanity of generations to come. Therefore, the use of resources today must not be excessive because, given their scarcity, the abuse or appropriation of some will imply the deprivation of others. Hence, the concept of sustainability and *sustainable development*.

This is a responsibility of a global nature with respect to future generations so that they do not find themselves in worse conditions than those we live in today. This does not eliminate the problem of those who, today, find themselves in clearly inferior conditions to part of the present generation. This universalism of the problem

... also requires that in our anxiety to protect the future generations, we must not overlook the pressing claims of the less privileged today.

<sup>41</sup> Genesis, 1<sup>28</sup>.

<sup>42</sup> Genesis, 2<sup>15</sup>.

<sup>43</sup> Genesis, 1<sup>28</sup>.

A universalist approach cannot ignore the deprived people today in trying to prevent deprivation in the future.<sup>44</sup>

Often, the greatest argument outlined by environmental literature with respect to the conservation of the environment is precisely that the present generation does not limit, with its abuses, the possibilities of life of future generations: in other words, that the present generation ensures that future generations enjoy similar opportunities to those currently existing.

However, this *macro* concept of commitment to global sustainability becomes difficult to sustain when we divide it by population groups, amongst which we find people deprived of what is most essential. The aspiration that future generations are not in a worse situation than present generations, when present generations lack what is most essential for a dignified life, should not be established amongst the aims of a responsible humanity committed to the human person.

To aspire to maintaining the poverty of many cannot be a goal of humanity because it means that the distributive injustice of today will be perpetuated, if not exacerbated, in future generations. The objective with respect to future generations cannot avoid the necessary commitment to the present generation. We are not only faced by an intergenerational problem, but also by intra-generational injustice, which, in turn, conditions the objectives set between generations.<sup>45</sup>

In a world of opulence and hyper-consumption, with great waste of resources by part of the developed world, we find alarming poverty rates in the present generation, as can be seen from the data in Graph IV of the Appendix. In this graph, three poverty indicators are shown for the ten poorest countries in the years of the latest available figures: the multidimensional poverty index, the percentage of the population living in conditions of severe poverty and, finally, the percentage of the population living below the poverty line, set at 1.25 US dollars per day, calculated using the criteria of purchasing power parity.

It is difficult to accept that in the 21<sup>st</sup> century, after all the technical breakthroughs and the disproportionate economic growth of the developed world, almost 82% of the population of Niger lives in conditions of severe

<sup>44</sup> Sudhir Anand and Amartya Sen, "Human Development and Economic Sustainability". *World Development*. Vol. 28, Num. 12. December 2000, p. 2030.

<sup>45</sup> *Vide*, José T. Raga, "Medio ambiente y pobreza". In Mercedes Castro Nuño, Teresa Sanz Díaz and Rocío Yñiguez Ovando (coords.) *Jornada sobre Economía y Sostenibilidad Ambiental*. Dep. de Teoría Económica y Economía Política. Universidad de Sevilla. Digital Edition. Seville 2011.

poverty, or that just under 66% of the population of Burkina Faso and over 62% of the population of Guinea live in the same alarming conditions.

It is similarly distressing that 83.7% of the population of Liberia lives on less than 1.25 US dollars per day, while the figures for Burundi and the Central African Republic are 81.3% and 62.8% respectively; only the two most favoured of the countries considered, Niger and Guinea have figures of 43.1% and 43.3% respectively, while in the rest of the countries featured in the graph, more than half the population has a daily income that falls short of 1.25 US dollars.

The income and poverty figures expressed in the above graph, while dramatic and compromising, represent no more than indices that drag and condition other equally or more expressive indices of the distributive injustice afflicting the poorest countries in relation to the most developed. A set of interpellations arise in the light of the figures presented in Graph V, which shows 2009 data for the ten most and least developed countries with respect to indicators such as infant mortality (children of less than five per thousand born alive) and life expectancy (expressed in years). The figures carry an impact that pains the human heart.

The questions arising from the data presented in the graph are quite evident. Does it belong to the order of creation that while in Norway or Sweden only three of every one thousand children die prior to reaching five years of age, in Chad and in the Democratic Republic of Congo 209 and 199 children die, respectively. We do not believe that any kind of privilege can be argued to justify that in the best of the countries with low human development considered in the graph (Liberia), 112 children of every thousand fail to reach the age of five, while in the worst of the countries with high human development featured in the graph (United States), eight children die before reaching this age. It cannot be accepted that the geographic location of birth is what determines the possibilities of life of a population.

Analogously, if we focus on life expectancy, the other series of data presented in the graph, the interpellant questions are of the same type as in the aforementioned case. There is no argument to mitigate the responsibility of humanity today, when a child born in Switzerland in 2009 can expect to live seventy-five years, while if it had been born in Sierra Leone, its life expectancy would not be more than thirty-five years. It should be observed that we maintain the same countries in all cases (greatest and least human development) rather than selecting the most and least favoured countries for each of the indices contemplated. Even so, the highest life expectancy for the countries of least human development contemplated (Liberia) stands



at forty-eight years, while the lowest life expectancy of the countries with the greatest human development (United States) is seventy.

Looking to the future, the hopes of a change in trend in the poor countries are still small. One of the determining factors for higher incomes, for improvement in development indices, in essence for a dignified life for the population in poorer countries, is access to culture, to information, to increased knowledge and to the benefits that the world can offer and must offer to every creature present in the current world and the world to come.

In this sense, the comprehensive data for education is still of a very insufficient range for the objectives to which we should aspire. Graph VI of the Appendix shows adult (fifteen years and over) literacy data as a percentage of population, as well as matriculation in third level education for the countries we have been analysing (the ten with the lowest human development and the ten with the highest human development). The data shown is for the period 2001-2010.

Full literacy is assumed for the countries with the highest human development so this data is completely omitted on the graph. However, in the countries of least development, we find situations like those of Niger and Burkina Faso, with a literacy rate of 28.7% of the adult population, which is equivalent to illiteracy of 71.3%, followed by Chad and Guinea, with adult literacy percentages of 33.6 and 39.5 respectively, representing illiteracy rates of 66.4 and 60.5 percent.

If we turn our attention to the population enrolled in third level education, a level which should form the basis for social and economic transformation in each country, the situation is perhaps less promising. While the ten countries of greatest human development featured in the graph all have enrolment rates of over fifty percent, the best of the ten countries with the lowest human development has a rate of barely over nine percent (9.2%) as is the case of Guinea, followed by the Democratic Republic of Congo with a six percent rate of formal schooling. However, countries such as Niger and Mozambique have rates of 1.4% and 1.5% respectively. The remaining countries have rates of between two and three percent, with the exception of Burkina Faso, which has a rate of 3.4%.

If the data on this graph is taken together with the figures of the immediately preceding graph, the gravity of the situation is greater. Thus, in Sierra Leone, where educational opportunities are extremely limited and only two percent of the population gains access to third level education, the situation is more complex when we bear in mind that the life expectancy of this population is 35 years. This means that the expected benefits from the small portion of the population that receives education are very limited by the

short period of return on educational inputs. And the same can be said of Niger, where, with 1.4% of the population in third level education, life expectancy is barely 44 years.

There is a substantial contrast in the countries with the highest indices of human development, such as the case of the United States, where 85.9% of the population receives third level education and life expectancy is 70 years, or Australia, where 82.3% of the population receives third level education and life expectancy is 74 years. These long life periods enable a high return on educational investment, which in turn covers a high percentage of the population.

This data, of necessity, forces us to consider two shocking denouncements. One is that doing nothing to enable future generations to live at least as well as the present generation is inadmissible in the context of a human and environmental commitment based on sustainable development. But if this denouncement is shocking, no less so is that which refers to the commitment to the present generation itself, where inequality is not merely an offence to humanity, but also represents accepting a playing field whereby the commitment to future generations will be an unachievable objective. This will, therefore, become merely one of the many fallacies with which the humanity that does not feel those needs is capable of living.

This commitment to justice for the present generation leads us to a policy of redistribution at a universal level, between nations, between the developed world and the less developed world, and between people. Redistribution in favour of the most depressed

... in the form of improving their health, education, and nutrition is not only intrinsically important – in enhancing their capabilities to lead more fulfilling lives – but it is also instrumentally important in increasing their ‘human capital’ with lasting influence in the future. A general increase in education levels, for example, will raise productivity and the ability to generate higher incomes, now and in the future... Thus human development should be seen as a major contribution to the achievement of *sustainability*.<sup>46</sup>

What is more, along with what we have just said, the World Bank has said that everything that signifies mitigation of poverty will represent an important contribution to the conservation of the environment.<sup>47</sup>

<sup>46</sup> Sudhir Anand and Amartya Sen, “Human Development and Economic Sustainability”. *World Development*. Vol. 28, Num. 12. December 2000, p. 2038.

<sup>47</sup> *Vide*, World Bank, *World development report 1992: Development and the environment*. Oxford University Press. New York 1992.

Looking at Graph VII of the Appendix, we can observe that the data which confirms this thesis could not be clearer. The graph shows the available indices for environmental performance for the ten countries with the highest human development and the ten with the lowest level of development. The indices range from zero, for minimal achievement of objectives, to one hundred for the greatest level of success.

As can be seen, while Switzerland has an index of almost ninety percent (89.1%), Sweden 86% and Norway 81.1%, countries like Sierra Leone, the Central African Republic and Niger have indices of 32.1%, 33.3% and 37.6%, respectively. It can also be seen that none of the countries with the lowest human development featured in the graph achieves an index of 55.0%, while none of the countries with the greatest human development has an index of less than 63.0%. This is despite the expected pollution from energy-intensive industrial production processes and agricultural production, which involves significant use of fertilisers and pesticides.

The determining factor for the differences centres fundamentally around the education, know-how, skills and competences of some populations with respect to others. It is ultimately a cultural factor which demands long-term investment in what is of priority importance, sacrificing in the short-term what is most incidental or accessory. Human development, as an objective ... must take full note of the robust role of human capital, while at the same time retaining clarity about what the ends and means respectively are. What has to be avoided is seeing human beings as merely the means of production and material prosperity, taking the latter to be the end of the causal analysis – a strange inversion of objects and instruments.<sup>48</sup>

In effect, what is at stake is man in his complete dimension. His dignity cannot be relegated to the status of a simple instrument to achieve other ends of a material nature, not even when the material objects tend to benefit a community or part of it. The dignity of the human person and its contribution to the ends of man and society as a whole cannot be used as currency in an economic or environmental macro-equation.

Having said that, I would like to look at a concept intensively developed by the doctrine of the Catholic Church, which has taken the concept of human development a step further towards what is known as *integral human development*. A development associated with the vision of man in his dual

<sup>48</sup> Sudhir Anand and Amartya Sen, “Human Development and Economic Sustainability”. *World Development*. Vol. 28, Num. 12. December 2000, p. 2039.

consideration as material body and spiritual soul. Satisfaction cannot be given to one facet, whilst forgetting our duty to the other. In order to be integral, the development has to encompass the human sense of the person, which is precisely what sets him apart from the other beings of the creation.

In the words of Benedict XVI,

... it should be stressed that *progress of a merely economic and technological kind is insufficient*. Development needs above all to be true and integral. The mere fact of emerging from economic backwardness, though positive in itself, does not resolve the complex issues of human advancement, neither for the countries that are spearheading such progress, nor for those that are already economically developed, nor even for those that are still poor, which can suffer not just through old forms of exploitation, but also from the negative consequences of a growth that is marked by irregularities and imbalances.<sup>49</sup>

We are in no doubt as to the complexity of what we are saying, but it is the conviction of what has been said that sustains the argumentation. In a world in which materialism prevails, where, at whatever income level and in whatever location, men slide with great facility down the slope of consumerism and hedonism, giving prevalence to the pleasurable over the satisfactory action of the spirit, it is complex to speak of spiritual values having preference over material values in whatever choice that may present itself.

However, it is these spiritual values that will provide man with greatness of spirit, that will provide him with elements of fraternity for a better society, that will ultimately nurture him with that sense of moral responsibility to all the children of God, rich and poor, so that from that internal mandate he can attain what coercive measures or economic incentives cannot achieve. Proximity to the community and responsible experience of the political, economic, social and environmental problems that may affect it is the most effective instrument to seek the correct solution.

A better life in a better conserved environment will not be possible without a revolution in the consciences of men that shows the possibilities for good and our responsibility to pursue it. Ultimately, we are calling for that *new man*, impregnated by the supreme Truth and, therefore, committed to men, knowing himself to be the brother of every singular man and member of the entire human.

<sup>49</sup> Benedict XVI, Encyclical letter *Caritas in veritate*. Rome 29.06.2009, num. 23.

#### IV. By way of conclusion

Our aim was to outline, in the preceding pages, the role of people, in their singular dimension, and nations, in the current objective of protecting the natural environment, an environment made for man, an environment in which man lives and from which he obtains what is required to attend to his needs.

It is evident that, regardless of creeds or ideologies, the most effective medium to achieve this objective is conviction. A conviction that some live by and put into practice through simple commitment to nature itself, due to reverence for the landscape, due to the call to protect what they consider to be in danger of extinction. A responsibility to ensure that self-interest does not harm the common interest, the interest of the community as a whole.

But the environment is something more than matter upon which is conferred a life of its own, because all that is created, nature itself in all its grandeur, is at the service of man and hence, the responsibility of man to safeguard it and make it fruitful. This great link between man and nature implies a classification of one and the other.

Only man can be related to the world. It is the mandate to safeguard and cultivate the garden that imposes this relationship, in which nature serves man and it is man's duty to conserve nature. In the present circumstances,

*Care for the environment represents a challenge for all of humanity. It is a matter of a common and universal duty, that of respecting a common good, destined for all, by preventing anyone from using 'with impunity the different categories of beings, whether living or inanimate – animals, plants, the natural elements – simply as one wishes, according to one's own economic needs'.<sup>50</sup>*

As the text says, the challenge has two dimensions: firstly, the challenge of custody over the environment as a collective good and, no less important, the challenge of the destiny of the environment, aimed at everybody, all humanity, without scope for privileged conditions for some, which of necessity would be to the detriment of the conditions of others.

On speaking of the environment, the concern is the human development of all men, of each man and of each people or nation. A human development which must be integral, pervading the entire human person, in his corporeality and in his spirituality.

<sup>50</sup> Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church*. Libreria Editrice Vaticana. Città del Vaticano 2004, num. 466.

A prosperous society, highly developed in material terms but weighing heavily on the soul, is not of itself conducive to authentic development... *There cannot be holistic development and universal common good unless people's spiritual and moral welfare is taken into account, considered in their totality as body and soul.*<sup>51</sup>

To the extent that the protection of the natural environment, that is proposed, will not be guaranteed either. It will not be guaranteed due precisely to the lack of that moral dimension that lies inside man and settles within his spirituality, far from materialism and hedonism.

From the simple environmental citizen, committed, temporarily at least, to the conservation of the environment, to the man who feels the call, due to his own responsibility, supernatural in its origin, to protect nature as a means of protecting man, there lies the great distance of a space which, in a certain sense, is not sterile for the mission entrusted to humanity as a whole since the creation.

## Appendix of Graphs (see p. 646)

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<sup>51</sup> Benedict XVI, Encyclical letter *Caritas in veritate*. Rome 29.06.2009, num. 76.

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# LA PAIX À L'ÂGE DES NOUVELLES LOGIQUES MIGRATOIRES. PEACE IN AN AGE OF GREAT MIGRATIONS

■ GÉRARD-FRANÇOIS DUMONT\*

De la première migration relatée dans l'Ancien Testament, celle d'Adam et Eve, chassés du paradis pour avoir touché au fruit défendu, à celles d'aujourd'hui, la migration est toujours au cœur de l'histoire des peuples et de l'humanité. Mais que nous apprend cette histoire? La migration est-elle nécessairement cause ou conséquence de conflits ou, au contraire, une alliée de la paix? Après avoir précisé ce que le passé nous enseigne pour répondre à cette question, il nous faudra plonger dans les réalités du XXI<sup>e</sup> siècle, d'une part pour mesurer l'importance des migrations et, d'autre part, pour mettre en évidence les nouvelles logiques migratoires qui ont considérablement fait évoluer la nature des migrations. Enfin, il conviendra de proposer des pistes pour que la question migratoire puisse réellement être un facteur de paix.

## **La migration, ennemie ou alliée de la paix?**

La paix et la migration sont-ils des mots antinomiques, ou, au contraire, complémentaires? La question de savoir si la migration est ennemie ou alliée de la paix n'appelle pas une réponse unique. En effet, selon les cas, la migration peut s'inscrire dans l'un ou l'autre de ces contextes.

### *La migration, cause ou conséquence de conflits*

L'histoire enseigne l'opposition fréquente entre la paix et la migration. En premier lieu, nombre de migrations ont une nature conquérante porteuse de guerre. Par exemple, l'histoire a retenu le terme de "Grandes invasions" pour désigner les migrations de peuples barbares affaiblissant et conquérant l'Empire romain aux V<sup>e</sup> et VI<sup>e</sup> siècles de l'ère chrétienne. Les migrations arabes du VIII<sup>e</sup> siècle au Maghreb se sont fondées sur un objectif de conquête

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qui se traduit par de nombreux conflits. Ainsi, au XIV<sup>e</sup> siècle, Ibn Khaldoun relate, dans son *Histoire des Berbères*, les nombreuses guerres qui ont finalement permis aux Arabes de s'imposer sur les Berbères. Dans la première moitié du II<sup>e</sup> millénaire, la migration des Seljoukides en Asie mineure se traduit par des guerres. Dans la seconde moitié du II<sup>e</sup> millénaire, certaines migrations vers l'Amérique du Nord s'accompagnèrent de violences subies par les populations vivant antérieurement dans ces contrées. En 1755, pour permettre le peuplement par les Britanniques d'une partie des anciennes colonies françaises en Amérique, la force employée organisa la déportation des Acadiens, nettoyage ethnique appelé le "Grand Dérangement".

En deuxième lieu, les guerres engendrent des migrations de populations cherchant à y échapper. Ce sont les exodes, qui présentent différents types.<sup>1</sup> Par exemple, au I<sup>er</sup> siècle, une guerre judéo-romaine vit la victoire de Rome. Les légions romaines de Titus assiégèrent, pillèrent puis détruisirent Jérusalem et le temple d'Hérode en 70. Pour survivre, les juifs n'eurent d'autre choix



**Photo 1.** Un témoignage de l'exode des Azéris du Haut-Karabagh: un cimetière azéri envahi par d'herbes près de la ligne de cessez-le-feu. © Cliché Gérard-François Dumont – juin 2007.

que de partir. Plus récemment, entre 1988 et 1994, la guerre du Haut-Karabagh, faisant suite aux pogroms arméniens organisés notamment en 1988 à Bakou, voit d'abord des Arméniens et des Azéris fuir les violences, puis l'émigration des Azéris du Haut-Karabagh au delà de l'actuelle ligne de cessez-le-feu. Autre exemple: dans les années 1990, de nombreuses populations furent contraintes de fuir pour échapper aux violences des guerres dans l'ex-Yougoslavie.

Les guerres qui engendrent des migrations de population peuvent être des guerres civiles résultant d'une lutte armée entre plusieurs factions d'un même pays, l'une d'entre elles voulant imposer son ordre à l'autre. Par exemple, de la fin de 1917 à 1921, la guerre civile russe poussa des populations à migrer pour échapper aux combats. Entre 1936 et 1939, de nombreux Espagnols républicains vinrent se réfugier en France. En outre, quand un gouvernement assassine une partie de sa population, la mise en œuvre d'un génocide pousse les populations à partir, lorsqu'elles le peuvent.

En troisième lieu, c'est la fin de la guerre qui provoque des migrations, les vaincus étant chassés par les vainqueurs ou devant leur laisser la place. Par exemple, la guerre d'indépendance américaine (1775-1783) se termina par le départ de nombreux loyalistes au Canada. En 1945, la violence soviétique en Prusse orientale, notamment à Königsberg, contraignit les habitants de cette région à migrer. À la même date, des Allemands des Sudètes doivent fuir vers la Bavière ou d'autres territoires de l'Allemagne de l'Ouest.

### *La migration, alliée de la paix*

Toutefois, la migration n'a pas nécessairement la guerre comme cause ou conséquence. D'abord, nombre de migrations sont pacifiques lorsqu'elles sont effectuées par des hommes de paix, soucieux d'apporter aux pays de destination leur compétence et savoir-faire ou de témoigner de leurs idéaux. Par exemple, au VII<sup>e</sup> siècle, Saint-Colomban et Saint-Gall migrent d'Irlande en Europe continentale pour ramener, après les siècles obscurs, une certaine idée d'une culture universelle, latine et grecque.<sup>2</sup>

Autre exemple: au IX<sup>e</sup> siècle, Cyrille et son frère Méthode parcourent le "poumon" oriental de l'Europe pour témoigner de leur foi. La force de leur témoignage permet l'évangélisation des peuples slaves de l'Europe centrale. Cette évangélisation est aussi rendue possible parce qu'ils obtiennent du pape

<sup>1</sup> Dumont, Gérard-François, *Démographie politique. Les lois de la géopolitique des populations*, Paris, Ellipses, 2007.

<sup>2</sup> Kearney, Richard, "L'identité irlandaise ancienne et moderne", dans: Dumont, Gérard-François (direction), *Les racines de l'identité européenne*, Paris, Éditions Economica, 1999.



**Photo 2.** La statue de Cyrille et Méthode devant la bibliothèque nationale à Sofia (Bulgarie). © Cliché Gérard-François Dumont – mars 2009.



**Photo 3.** Un tableau représentant l'accord donné par le pape pour utiliser une autre langue liturgique que l'hébreu, le grec et le latin dans une salle de lecture de la bibliothèque nationale de Sofia (Bulgarie). © Cliché Gérard-François Dumont – mars 2009.

l'usage du vieux slave, avec son alphabet dit "cyrillique", comme langue liturgique, ce qui était un point très épineux en Occident, où seuls l'hébreu, le grec et le latin étaient reconnus comme langues religieuses légitimes. En conséquence, avec Cyrille et Méthode, les Slaves sont dotés de leur premier alphabet et de leurs premiers textes religieux: évangile, psautier, épîtres, offices.

Ensuite, d'autres migrations sont acceptées par les pays de départ et souhaitées par les pays de destination et s'effectuent en conséquence dans un cadre pacifique. Au XIX<sup>e</sup> siècle, les pays européens autorisaient des agences à organiser les migrations interocéaniques. Et les pays se considérant sous-peuplés, comme l'Argentine ou les États-Unis, avaient organisé une politique d'accueil migratoire. Dans ce même XIX<sup>e</sup> siècle, la France, subissant une faible dynamique démographique par suite de sa fécondité abaissée, attirait des migrations de main-d'œuvre. Plus récemment, la Chine s'est ouverte aux migrations entrepreneuriales car ces dernières concourent à son développement.

Selon un troisième type, l'émigration n'est pas souhaitée par le pays de départ, mais elle est considérée comme bienvenue par le pays d'arrivée. Ainsi, en 1685, les huguenots français se sentent poussés à émigrer en raison de la révocation de l'édit de Nantes par Louis XIV. Mais ils sont aussi encouragés à le faire par les décisions de certaines autorités étrangères de leur donner des avantages pour faciliter leur installation.<sup>3</sup> Pour les Amishs quittant l'Europe au XIX<sup>e</sup> siècle, le sentiment de repoussement est également certain car ils considèrent que leur façon traditionnelle de vivre n'y ait guère acceptée. Mais ils sont aussi attirés par la Pennsylvanie, puisque le quaker William Penn a donné vocation à ce territoire d'être ouvert à tous les persécutés pour leurs idées et leur foi.

Différents accords internationaux attestent que la migration est un allié de la paix dans de nombreux cas. En effet, nombre de migrations se sont organisées ou s'organisent dans le cadre d'accords entre des États, par exemple entre la Belgique et l'Italie au lendemain de la Seconde Guerre mondiale. Plus généralement, des pays adhèrent ou ont adhéré implicitement à l'idée de Montesquieu selon laquelle "l'effet naturel du commerce<sup>4</sup> est de porter à la paix".<sup>5</sup> En conséquence, leur souci de favoriser le libre-échange des marchandises, des services et des capitaux est inséparable d'une certaine

<sup>3</sup> Par exemple, en Bavière. Cf. *La France et la Bavière*, Munich, mai 2002.

<sup>4</sup> Mot qui conserve toujours un sens ancien portant sur l'ensemble des relations que les hommes entretiennent, y compris celles de nature non exclusivement économiques.

<sup>5</sup> *De l'esprit des lois*, 1758.

libre circulation des hommes. Ainsi, la libre circulation des personnes, donc la liberté de migration au sein de l'Union européenne, n'a été rendue possible que parce que la paix a enfin été réalisée sur cette partie du continent et parce que les pays considèrent que cette libre circulation est facteur de paix. D'où, par exemple, l'article 45 de la Charte des droits fondamentaux de l'Union européenne, intitulé "Liberté de circulation et de séjour": "Tout citoyen ou toute citoyenne de l'Union a le droit de circuler et de séjourner librement sur le territoire des États membres".

Autre exemple: l'existence d'un passeport commun pour les ressortissants des pays membres de la Communauté Économique des États de l'Afrique de l'Ouest (CEDEAO) témoigne d'une volonté de paix entre ces pays même si plusieurs d'entre eux ont connu des conflits internes. Selon cette logique, le rapport 2009 du Programme des Nations unies pour le développement (PNUD) souligne que les migrations sont devenues un facteur essentiel du développement humain et qu'il convient donc de "lever les barrières" plutôt que de les fermer.<sup>6</sup> Toujours selon ce rapport, les migrations internationales contribuent au "rapprochement du monde dans le monde".

*A contrario*, l'impossibilité de migrer entre le Maroc et l'Algérie, concrétisée par la fermeture de la frontière terrestre entre ces deux pays depuis 1994, témoigne de l'absence d'un traité de paix entre les deux pays.

Ainsi, la migration ne doit-elle pas être connotée négativement au regard de la paix. Certes, une migration peut s'expliquer par un contexte de guerre. Mais elle peut aussi témoigner d'une situation de paix régnant entre les pays concernés. C'est donc sans *a priori* qu'il convient d'analyser la mesure des migrations contemporaines.

### **Prendre la mesure des migrations contemporaines**

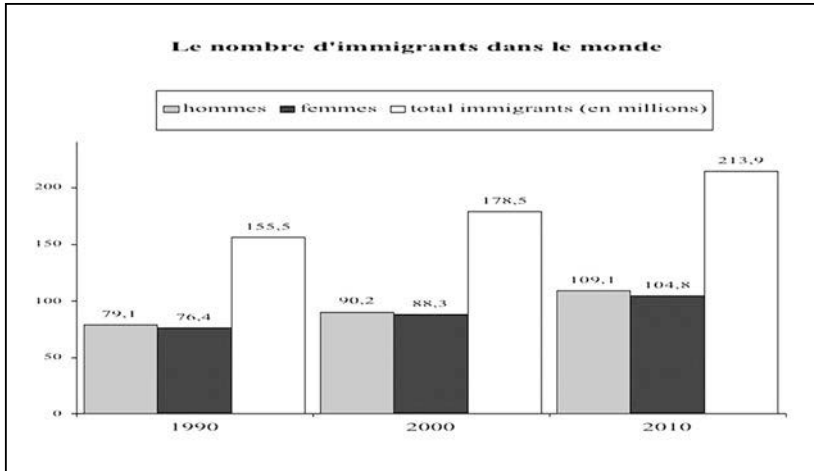
Dans le monde, les migrations internationales se sont intensifiées. Le nombre d'immigrants est passé de 155 millions en 1990 à 214 millions en 2010 selon les données de la Division de la population de l'ONU, soit une augmentation de 37%, tandis que la population dans le monde croissait, pendant la même période, de 30%.

#### *La géographie diversifiée de l'immigration*

La compréhension de ces chiffres impose de bien préciser la définition du mot immigrant: ce dernier est une personne qui réside dans un autre pays

<sup>6</sup> PNUD, *Rapport mondial sur le développement humain. Lever les barrières: mobilité et développement humains*, New York, 2009.

que celui où elle est née, pour une durée d'au moins 1 an. En réalité, dans de nombreux pays, ce chiffre n'est pas disponible régulièrement.<sup>7</sup> Aussi l'ONU utilise-t-elle, pour certains pays, le nombre de personnes y résidant sans en avoir la nationalité. Pour d'autres pays où le système d'information statistique est fortement défaillant, il s'agit d'une simple estimation. Néanmoins, les chiffres donnés par l'ONU sont des ordres de grandeur acceptables.



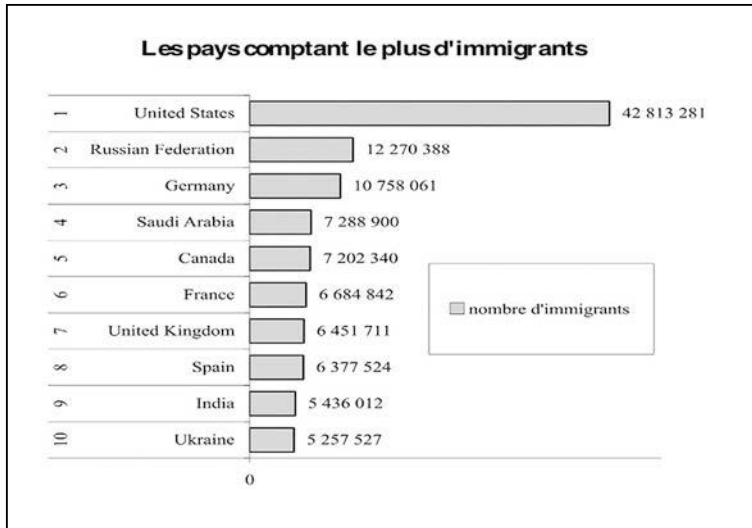
1. Le nombre d'immigrants dans le monde.

Ils mettent en évidence une répartition géographique inégale des immigrants. En effet, les dix pays comptant le plus d'immigrants cumulent plus de la moitié du total mondial. Le classement, issu de l'Onu, place très largement en tête les Etats-Unis, avec 42,8 millions d'immigrants en 2010. La Russie vient au deuxième rang, avec 12,3 millions, suivie de l'Allemagne avec 10,8 millions. Les trois pays suivants sont l'Arabie Saoudite, le Canada et la France, avec plus ou moins 7 millions. Toutefois, ce classement doit être relativisé compte tenu de la définition ci-dessus et de son application selon les pays. En effet, les 12,3 millions d'immigrants de Russie incluent,

<sup>7</sup>Y compris dans l'Union européenne jusqu'à la complète application du règlement communautaire du 11 juillet 2007<sup>8</sup> relatif aux statistiques communautaires sur la migration, n° 862/2007 du Parlement et du Conseil (*Journal officiel de l'Union européenne* du 31 juillet 2007).

ce qui est géographiquement juste, les “pieds rouges”, c’est-à-dire des Russes qui habitaient avant 1990 dans les républiques soviétiques d’Asie centrale et qui ont décidé de migrer en Russie. Le chiffre élevé de l’Ukraine s’explique pour des raisons semblables. De même, le chiffre de 10,7 millions de l’Allemagne inclut les “rapatriés tardifs”, *Spätausiedler*, personnes de souche allemande qui ont choisi de migrer en Allemagne lorsque cela leur a été possible<sup>8</sup> après la chute du rideau de fer.

En revanche, le chiffre de la France exclut l’équivalent des “pieds rouges” comme des “rapatriés tardifs”. Il s’agit d’abord des Européens d’outre-mer, appelés “pieds noirs”, ayant été le plus souvent contraints à venir habiter en France métropolitaine après la décolonisation. S’y ajoutent des personnes de confession juive chassées notamment des pays du Maghreb, où ils vivaient depuis fort longtemps, souvent depuis 70 après J.-C. ou depuis leur départ d’Espagne en 1492. Nous trouvons enfin les Harkis, Algériens qui avaient travaillé avec les autorités françaises et qui furent contraints à l’exode, avec leurs familles, en 1962.



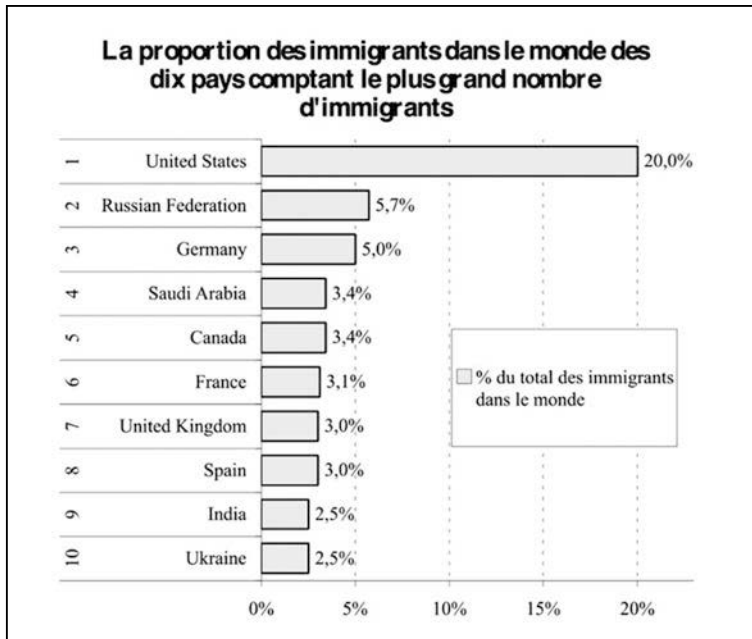
## 2. Les pays comptant le plus d’immigrants.

<sup>8</sup> Géographiquement, en raison de la possibilité retrouvée d’émigrer et, juridiquement, au titre de la loi fondamentale de 1949 de l’Allemagne.



En dépit des différences de définition, il n'est pas contestable que les immigrants vivant dans les dix pays en comptant le plus représentent plus de la moitié (51,6%) des immigrants dans le monde. Les seuls États-Unis regroupent 20% des immigrants de toute la planète. Les dix pays comptent tous une proportion des immigrants dans le monde très largement supérieur au pourcentage de leur population. À l'inverse, des pays très peuplés, comme la Chine, l'Inde, l'Indonésie ou le Brésil,<sup>9</sup> comptent un pourcentage très faible d'immigrants dans leur population.

Le classement des pays selon le pourcentage d'immigrants dans leur population donne des résultats différents. Est en tête le Qatar avec 86% d'im-

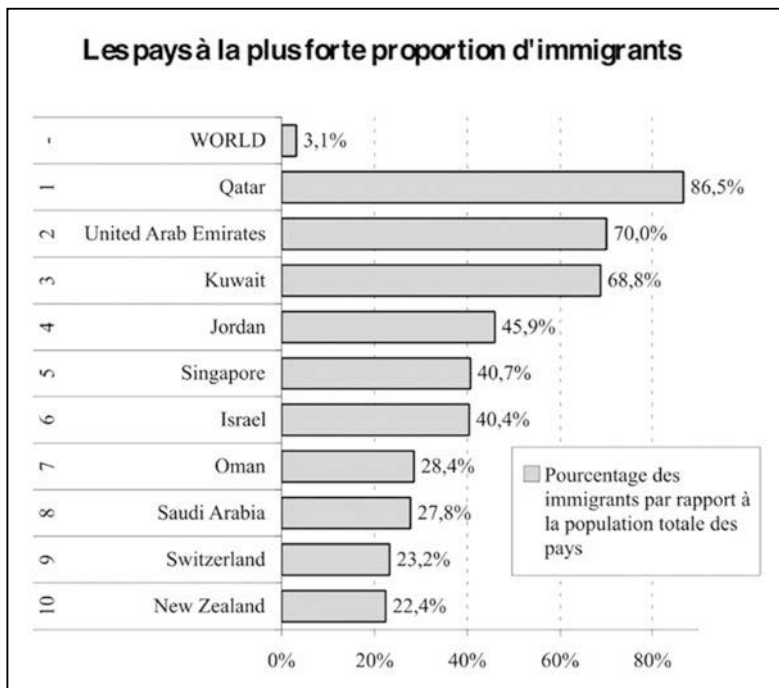


**3.** La proportion des immigrants dans le monde des dix pays comptant le plus grand nombre d'immigrants.

<sup>9</sup> Cf. leur rang de classement dans le monde selon le nombre d'habitants. Cf. Sardon, Jean-Paul, "La population des continents et des pays", *Population & Avenir*, n° 705, novembre-décembre 2011, [www.population-demographie.org/revue03.htm](http://www.population-demographie.org/revue03.htm)

migrants dans sa population. Suivent deux autres pays du Golfe, les Émirats arabes unis et le Koweït. La quatrième place est détenue par la Jordanie, pays d'immigration car réceptacle des conflits, à intensité périodique élevée, du Moyen-Orient: guerres israélo-arabes de 1948 et 1967; guerre civile du Liban de 1975-1990; guerre du Golfe de 1990-1991, qui se traduit notamment par l'expulsion des Palestiniens du Koweït suite à la position de Yasser Arafat en faveur de l'Irak de Saddam Hussein; conflits civils en Irak avec des tensions variables depuis 2003; conflit civil en Syrie en 2011-2012.

Ensuite, Singapour et Israël ont 40% d'immigrants dans un contexte politico-économique fort différent. L'immigration en Israël s'explique d'une part par l'*alya*, l'acte d'immigration<sup>10</sup> en Terre d'Israël (*Eretz Israël*, en hébreu)



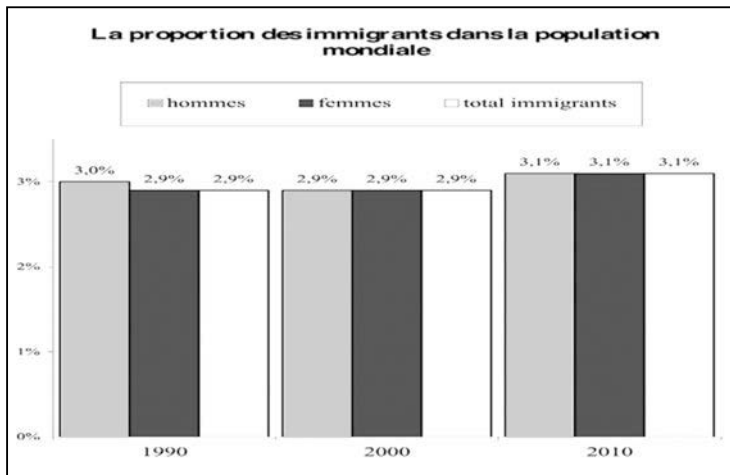
#### 4. Les pays à plus forte proportion d'immigrants.

<sup>10</sup> Dont celle effectuée en application de la loi de retour et ses amendements qui figurent dans un texte appelé l'*Akadem*. Ce dernier détaille les droits et devoirs de tout immigrant juif.

par un Juif, par les réfugiés juifs des pays arabes, par l'accueil des juifs de l'ex-Urss, ou par la main-d'œuvre non juive attirée pour remplacer la main-d'œuvre palestinienne qui était davantage présente avant les *intifadas*. En revanche, l'importance de la proportion des immigrants à Singapour s'explique essentiellement par une attraction économique, politiquement organisée, de migrants originaires de pays limitrophes (Malaisie, Indonésie) ou par des migrations entrepreneuriales c'est-à-dire des "migrations liées aux décisions d'entreprises faisant migrer leurs collaborateurs pour répondre aux évolutions des marchés ou aux souhaits de ceux voulant s'installer dans des territoires professionnellement plus intéressants".<sup>11</sup>

L'augmentation du nombre d'immigrants dans le monde doit être relativisée. Si l'on rapporte le nombre des immigrants à la population mondiale, l'évolution paraît plus modeste. En effet, en 1990, 3% des habitants de la terre étaient des immigrants. Ce pourcentage est certes plus élevé en 2010, puisque estimé à 3,1%, mais cette augmentation est limitée.

Aux immigrants tels que définis ci-dessus s'ajoutent les réfugiés, c'est-à-dire des immigrants dont la présence dans un pays s'explique par des persécutions qu'ils subissent ou risquent de subir dans leur pays, donc par une situation géopolitique défavorable à la paix.



5. La proportion des immigrants dans la population mondiale.

<sup>11</sup> Dumont, Gérard-François, *Les migrations internationales, les nouvelles logiques migratoires*, Paris, Éditions Sedes, 1995.

### *Les réfugiés, victimes de l'absence de paix*

La statistique des réfugiés en distingue cinq types:

- les personnes reconnues comme réfugiés au titre de la Convention de 1951 relative au statut de réfugiés (Convention de Genève) et de son protocole de 1967;
- les réfugiés au titre de la Convention de l'Union africaine de 1969 sur les aspects spécifiques de la question des réfugiés en Afrique;
- les personnes qui bénéficient d'un statut de réfugié accordé en conformité avec le Haut Commissariat des Nations pour les réfugiés (HCR) des Nations Unies;
- les personnes auxquelles a été accordé un statut humanitaire ou de protection temporaire par l'État dans lequel elles se trouvent;<sup>12</sup>
- Les Palestiniens enregistrés auprès de l'Office de secours et de travail des Nations Unies pour les réfugiés de Palestine dans le Proche-Orient<sup>13</sup> (UNRWA – *United Nations Relief and Works Agency for Palestine Refugees in the Near East*).<sup>14</sup>

À la fin de 2008, l'ensemble des réfugiés dans le monde, relevant des cinq catégories ci-dessus, s'élève à 15,1 millions, selon une géographie très inégale. Le Proche-Orient est la région la plus représentée avec, en tête, la Jordanie et les Territoires palestiniens et, à la septième place, le Liban. Dans ces trois pays, compte tenu de la fécondité des réfugiés relevant de l'UNRWA et de leurs taux de mortalité infantile et maternelle abaissés, leur nombre augmente automatiquement puisque le statut de réfugié se transmet des parents aux enfants et, ensuite, aux petits-enfants. La troisième place du Pakistan s'explique par le conflit afghan. La quatrième, celle de la Syrie, par le conflit irakien. L'importance du Kenya et de la Tanzanie tient au conflit somalien et à ceux des pays des grands lacs africains.

Pour les pays cités ci-dessus, l'importance du nombre de réfugiés s'explique donc par un conflit dans un pays limitrophe.

En revanche, la présence de l'Allemagne, du Royaume-Uni, des États-Unis, du Canada ou de la France parmi les pays comptant le plus de réfugiés tient à la délivrance par ces pays de ce statut à des demandeurs d'asile ayant formulé leur demande à partir de camps du HCR<sup>15</sup> ou à la suite d'une ar-

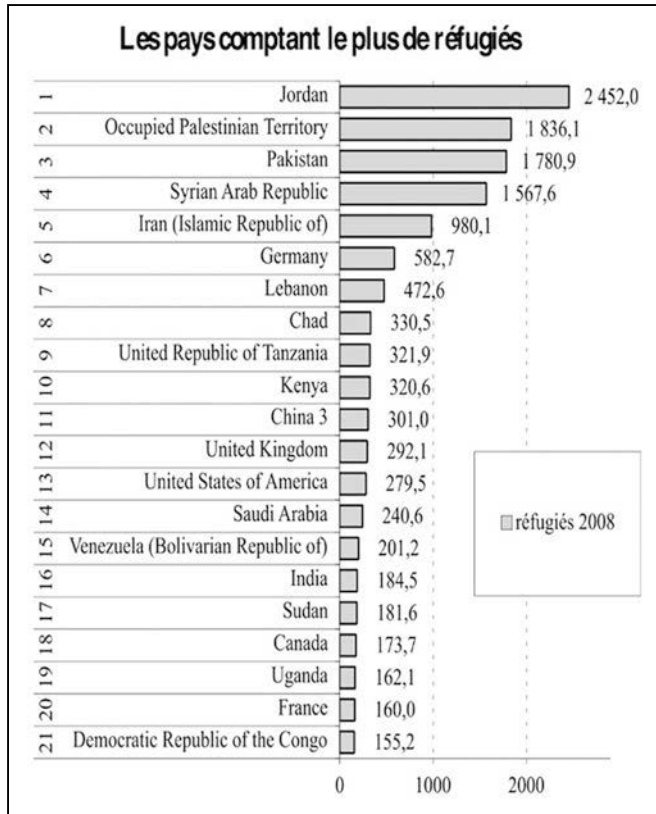
<sup>12</sup> [www.unhcr.org/statistics](http://www.unhcr.org/statistics)

<sup>13</sup> Créée après la première guerre israélo-arabe de 1948 par la résolution 302 (IV) de l'Assemblée générale des Nations unies du 8 décembre 1949. Depuis, le mandat de cet organisme, qui devait être temporaire, a été constamment renouvelé.

<sup>14</sup> [www.unrwa.org](http://www.unrwa.org)

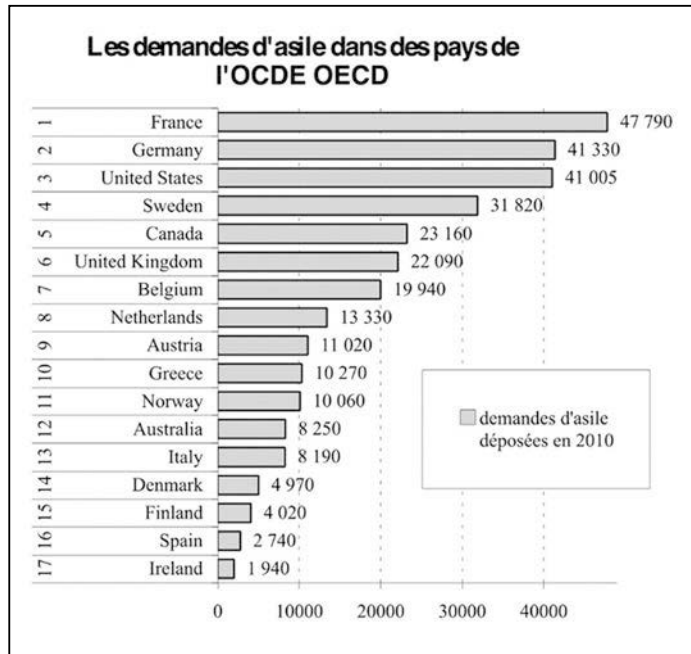
<sup>15</sup> C'est particulièrement le cas du Canada.

rivée dans le pays concerné. Pour mieux mesurer la place de ces pays, il est préférable d'examiner les demandes d'asile déposées, même si seule une partie d'entre elles donnera lieu à la délivrance du statut de réfugié. Les pays recevant le plus de demandes d'asile sont tous des démocraties et des États de droit, soit des pays de l'Union européenne et les deux pays de l'Amérique du Nord. S'y ajoute la Norvège, qui n'est pas membre de l'Union européenne mais a signé de nombreux accords avec elle puisque ce pays fait partie de l'espace Schengen de libre circulation des hommes et de l'espace économique européen concernant le marché des marchandises et des services.<sup>16</sup> Enfin, la liste comprend l'Australie, également un État de droit.



#### 6. Les pays comptant le plus de réfugiés.

<sup>16</sup> Dumont, Gérard-François, Verluise, Pierre, *Géopolitique de l'Europe*, Paris, Sedes, 2009.



7. Les demandes d'asile des pays de l'OCDE OECD.

En additionnant les immigrants et les réfugiés, le phénomène migratoire international, donc non compris les personnes déplacées dans leur propre pays, concerne environ 3,5% de la population dans le monde. Toutefois, au delà des chiffres, la nature même du phénomène a profondément évolué.

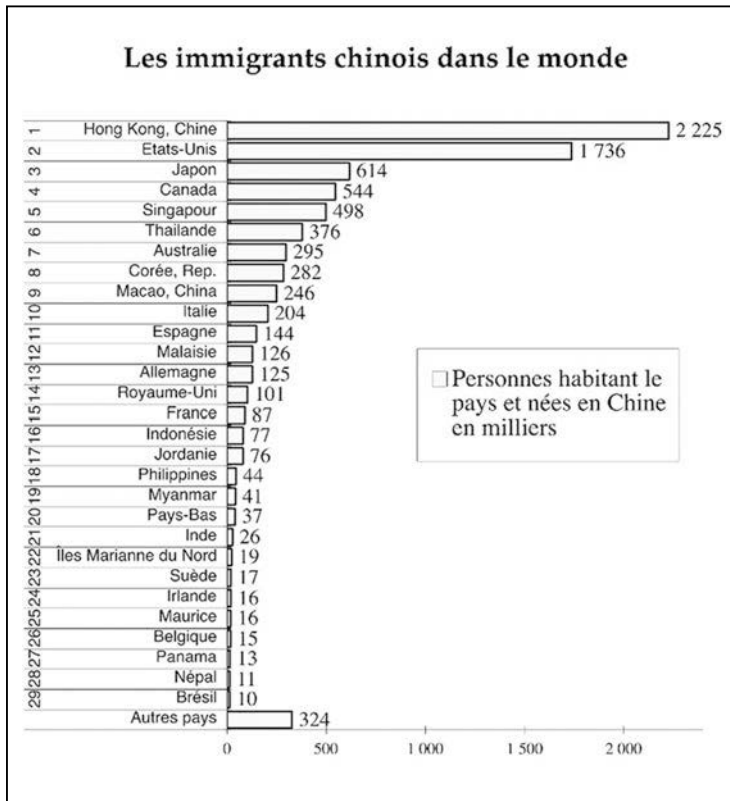
### **La nouvelle nature des migrations contemporaines**

La migration internationale contemporaine doit s'analyser au regard de la mondialisation, de la nature, devenue le plus souvent plurielle, des pays et de l'essor du processus de "diasporisation".

#### *La mondialisation de la migration*

La mondialisation de la migration s'explique d'abord par la globalisation, celle-ci pouvant se définir comme l'ensemble des processus politiques visant à la mise en place d'organisations régionales des marchés et/ou d'une organisation planétaire unique des marchés. Les décisions politiques de globalisation amoindrissent les effets des frontières existantes entre des espaces nationaux.

Prenons l'exemple de la Chine pour expliciter comment la globalisation facilite les migrations. Après 1949, le pays se referme sur lui-même et l'émigration chinoise n'est plus possible, même s'il existe une migration illégale vers Hong Kong, avec ces Chinois qui "votent avec leurs sampans". Puis, à compter des années 1990, la Chine tourne le dos à son économie autarcique et décide de s'ouvrir au monde, ce qui conduit à son adhésion à l'OMC en 2002. Depuis, les frontières chinoises ne sont plus de puissants verrous à l'émigration, et l'acceptation des règles de l'OMC impose des possibilités de circulation migratoire, régulière, mais aussi irrégulière, dans la mesure où l'ouverture économique des frontières les rend nécessairement plus poreuses. Tout cela facilite le développement d'une émigration chinoise aux multiples lieux de destination.



**8.** Un exemple de l'effet de la globalisation: la multiplicité des destinations des immigrants chinois dans le monde.

### *La nature migratoire plurielle des pays*

Un autre changement tient à la nature migratoire des pays, résultant de la pertinence désormais très affaiblie du concept d'espace migratoire. Traditionnellement, les États se distinguaient selon quatre fonctions migratoires différentes: des pays d'émigration, de transit, d'immigration, et des pays fermés à la migration. Par exemple, dans l'espace méditerranéen des années 1980, la France était considérée comme un pays d'immigration, le Maroc un pays d'émigration et l'Espagne un pays de transit. Avec l'essor de la circulation migratoire, cette typologie est devenue caduque. Sur la rive Sud de la Méditerranée, le Maroc est un pays d'émigration, notamment vers l'Europe et l'Amérique du Nord, un pays de transit pour des ressortissants de l'Afrique subsaharienne rejoignant l'Europe, et un pays d'immigration pour des migrations entrepreneuriales ou des ressortissants d'Afrique subsaharienne qui y ont arrêté, sans l'avoir nécessairement projeté, leur cheminement migratoire. L'Espagne est un pays d'émigration, notamment pour des migrations entrepreneuriales vers les pays du Nord ou l'Amérique latine, un pays de transit pour des Africains se rendant en France et un pays d'immigration, notamment pour des personnes en provenance du Maroc, de Roumanie ou d'Amérique andine. Au delà de l'image cartographique que peut donner le solde migratoire ou le taux d'accroissement migratoire (qui ne montrent guère l'intensité des flux d'immigration et d'émigration) par pays, il apparaît aujourd'hui que la plupart des pays assurent à la fois les trois fonctions d'émigration, de transit et d'immigration.

### *Le processus de "diasporisation"*

À cette triple nature migratoire d'un nombre croissant de pays s'ajoute un autre élément:<sup>17</sup> le processus nouveau de "diasporisation".<sup>18</sup> Originellement, le terme *diaspora* (mot grec signifiant "dispersion") est longtemps utilisé au singulier, associé à la dispersion des juifs de Palestine, accentuée en 70 à la suite de la prise de Jérusalem par Titus et de la (seconde) destruction du Temple. Or, le terme diaspora s'utilise désormais non plus seulement au singulier, mais au pluriel: "ensemble d'individus vivant sur un territoire et ayant en commun la certitude ou le sentiment d'être originaires, eux-mêmes ou leur famille, d'un autre territoire avec lequel ils entretiennent

<sup>17</sup> Nous ne traitons pas ici d'une autre question qui pourrait être un enjeu géodémographique au XXI<sup>e</sup> siècle: les migrations climatiques; cf. Moriniaux, Vincent (direction), *Les mobilités*, Paris, Sedes, 2010.

<sup>18</sup> Dumont, Gérard-François, *Démographie politique. Les lois de la géopolitique des populations*, Paris, Ellipses, 2007.



des relations régulières, symboliques ou mythiques”<sup>19</sup> accompagné ou non d’un développement de doubles nationalités juridiques.

En effet, les migrations internationales du passé marquaient très fréquemment la cessation de tout contact avec la terre d’origine, compte tenu de la difficulté des communications. À l’inverse, les migrations contemporaines bénéficient d’un processus que j’intitule “internationalisation”, défini comme l’utilisation d’un ensemble de techniques et de procédés réduisant l’espace-temps de la circulation des hommes et des échanges de ressources, de biens et de services (dont l’information) entre les territoires de la planète. Ces techniques de communication donnent aux migrants la possibilité de relations aisées avec leur région d’origine. Ainsi passe-t-on de migrations de peuplement, où l’installation dans le pays d’accueil impliquait le plus souvent la fin des contacts, des liens avec le pays de départ, à des migrations à caractère diasporique dans la mesure où l’installation dans le pays d’accueil ne crée pas une coupure définitive avec le pays de départ et s’accompagne de la possibilité de conserver des relations avec lui. Ce lien charnel peut aussi demeurer par l’entretien d’échanges entre les membres d’une diaspora et le souci fréquent d’être enterré dans son pays d’origine.

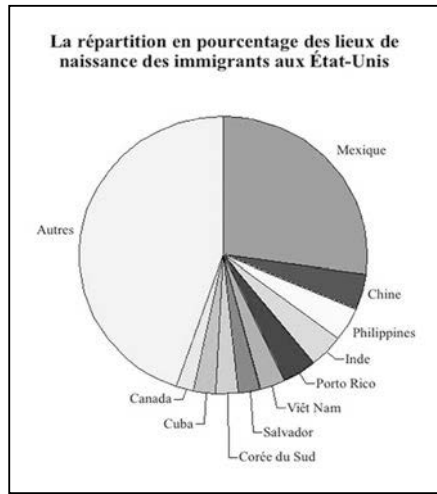
Aussi l’évolution met-elle en évidence, depuis les années 1990, un phénomène qui justifie le néologisme “diasporisation” que nous avons proposé, selon la définition suivante: la “diasporisation” signifie que “des immigrants ou leurs descendants, quelles que soient les raisons de leur migration, et même lorsqu’ils ont la nationalité de leur pays de résidence, conservent des liens réels ou mythifiés avec leur pays-souche et développent des relations spécifiques avec des immigrants ou descendants d’immigrants ayant les mêmes origines géographiques, ethniques, linguistiques ou religieuses”.

Le mariage de la globalisation et de l’internationalisation fait que l’origine géographique des immigrants connaît une diversité croissante, à l’exemple des États-Unis. C’est l’occasion de souligner qu’en se concentrant sur l’immigration hispanique dans son dernier livre, Samuel P. Huntington<sup>20</sup> a omis de larges aspects de l’immigration états-unienne, ce qui est l’un des arguments rendant son analyse fortement discutable.<sup>21</sup>

<sup>19</sup> *Id.*

<sup>20</sup> Huntington, Samuel P., *Qui sommes-nous ? Identité nationale et choc des cultures*, Paris, Odile Jacob, 2004.

<sup>21</sup> Dumont, Gérard-François, “La diversification du peuplement et la géopolitique interne des États-Unis”, *Géostratégiques*, n° 23, 2009; “Les perspectives de l’Amérique du Nord: une ‘Mexamerica’?”, dans Wackermann, Gabriel (direction), *Canada, États-Unis, Mexique*, Paris, Ellipses, 2012.



9. Un exemple de la diversité des lieux de naissance des immigrants: les États-Unis.

La connaissance de la mesure de l’immigration dans le monde et de leur nature permet de réfléchir à quelques pistes pouvant conduire à ce que la question migratoire soit facteur de paix.

### **Quelques pistes pour que paix et migration se marient**

Il s’agit à la fois d’empêcher que puissent s’exercer des migrations contraintes, qui sont, par nature, attentatoires à la dignité des hommes, de respecter les migrants et d’œuvrer pour le bien commun

#### ***Améliorer la gouvernance pour permettre de “vivre et travailler au pays”***

Première piste: il faut constater que, lorsqu’elle a le choix, la grande majorité de l’humanité veut “vivre et travailler au pays”. En effet, près de 96% de la population vivent dans leurs pays de naissance. Ce pourcentage serait encore plus élevé si on enlevait les personnes ayant migré en raison de mauvaises gouvernances (Zimbabwéens, Cubains, Coréens du Nord, Pakistanais, Algériens...) ou les réfugiés contraints à l’exode par des conflits (Somaliens, Afghans, Irakiens, Soudanais...). Il faut donc enrayer les migrations contraintes que subissent des populations. Cela suppose, d’une part, d’œuvrer pour la paix, ce qui doit avoir deux effets: permettre aux réfugiés internationaux de revenir chez eux et empêcher l’apparition de situations qui imposent l’exode à des peuples. D’autre part, seule la bonne gouvernance,

qui passe notamment par la lutte contre la corruption, dans des pays où la guerre ne sévit pas, est de nature à ne pas contraindre des populations à émigrer “pour le pain et la liberté”, *for bread and freedom*.

### *Étendre le nombre de signataires des conventions internationales*

Une deuxième piste se réfère aux différentes conventions et protocoles internationaux dont l'ambition est d'améliorer les droits de l'homme. Il faut bien constater que différents pays n'ont pas encore signé la convention de Genève de 1951 sur le statut des réfugiés.<sup>22</sup> Rappelons que cette Convention de Genève, adoptée le 28 juillet 1951 à Genève, par une Conférence de plénipotentiaires sur le statut des réfugiés et des apatrides convoquée par l'Organisation des Nations unies en application de la résolution 429 (V) de l'Assemblée générale en date du 14 décembre 1950, est entrée en vigueur le 22 avril 1954. Les États qui l'ont ratifiée s'obligent à admettre sur leur territoire des demandeurs d'asile et à examiner s'ils justifient de bénéficier du statut de réfugiés. Ils s'engagent au non-refoulement des réfugiés et des demandeurs d'asile vers des pays où ils risquent la persécution. L'article 1 de la Convention de Genève précise les cinq causes de ce droit à l'immigration: “Le terme ‘réfugié’ s'appliquera à toute personne : Qui, craignant avec raison d'être persécutée du fait de sa race, de sa religion, de sa nationalité, de son appartenance à un certain groupe social ou de ses opinions politiques, se trouve hors du pays dont elle a la nationalité et qui ne peut ou, du fait de cette crainte, ne veut se réclamer de la protection de ce pays et ne peut ou, en raison de ladite crainte, ne veut y retourner”. Puis l'article 3 insiste sur l'acceptation du caractère universel de ce droit (pour les pays signataires) en précisant: “Les États contractants appliqueront les dispositions de cette convention aux réfugiés sans discrimination quant à la race, la religion ou le pays d'origine.”

Pour quelques-uns de la cinquantaine de pays non-signataires, cela n'engendre pas de conséquence dommageable lorsque ces pays disposent en droit interne de textes qui débouchent sur des protections semblables. En revanche, pour les autres pays non-signataires, dont de nombreux pays d'Asie occidentale ou du Sud-Est, leur signature serait hautement souhaitable.

<sup>22</sup> Soit près de 150 pays en 2011. La France a signé cette convention internationale en 1952 en accord avec les principes déjà énoncés dans le Préambule de la Constitution de 1946 : “Tout homme persécuté en raison de son action en faveur de la liberté a droit d'asile sur les Territoires de la République”.

### *Respecter partout les droits des migrants*

Une troisième piste concerne les droits des migrants réguliers qui devaient être partout respectés. En effet, un autre texte de l'ONU, la Convention internationale sur la protection des droits de tous les travailleurs migrants et des membres de leur famille, a été adopté par l'Assemblée générale dans sa résolution 45/15 du 18 décembre 1990. Le premier alinéa de son article 8 précise : "Les travailleurs migrants et les membres de leur famille sont libres de quitter tout État, y compris leur État d'origine. Ce droit ne peut faire l'objet que de restrictions prévues par la loi, nécessaires à la protection de la sécurité nationale, de l'ordre public, de la santé ou de la moralité publiques, ou des droits et libertés d'autrui, et compatibles avec les autres droits reconnus par la présente partie de la Convention". Or, seuls 41 pays en sont signataires en 2011. L'absence de signature de la quasi-totalité des pays européens ne porte pas préjudice aux droits reconnus, puisqu'il s'agit de pays adhérent à la Convention européenne des droits de l'homme et reconnaissant les décisions de justice de la Cour européenne des droits de l'homme qui siège à Strasbourg. En revanche, le fait que de nombreux pays non européens n'en soient pas signataires est dommageable. De même, il serait souhaitable que davantage de pays signent et appliquent les nombreuses conventions préparées et approuvées dans le cadre de l'Organisation Internationale du travail (OIT).

Cela suppose des progrès considérables, tout particulièrement dans certains pays qui ne les appliquent guère, comme des pays à forte économie de rente qui bénéficient pourtant d'une importante industrie extractive. En particulier, certains de ces pays tirent un bénéfice important de l'institution de la *kafala* qui pèse sur les immigrants. En effet, pour s'installer et travailler dans un des pays du Golfe, l'étranger doit avoir un *kafil*<sup>23</sup> ou commanditaire qui garantit (juridiquement) sa présence et joue le rôle d'intermédiaire avec la société d'accueil. N'importe quel citoyen de ces pays peut jouer ce rôle de *kafil*. Cela permet de maintenir l'étranger dans sa qualité d'étranger. Le système de la *kafala* connaît des variantes dans son application. Par exemple, dans certains pays, l'étranger qui désirerait changer de *kafil* doit quitter le pays et y entrer à nouveau. Dans d'autres, il est interdit de changer de *kafil*. Dans les faits, nombre d'immigrants réguliers de certains pays à économie de rente sont moins bien traités que des immigrants irréguliers dans les pays respectueux des droits de l'homme.

<sup>23</sup> Kouaouçi, Ali, "Des millions d'immigrants dans le Golfe", *Population & Avenir*, n° 666, janvier-février 2004.

En réalité, l'examen de la question migratoire ne peut ignorer les diversités politico-culturelles qui engendrent des différences considérables dans l'appréciation de l'immigration et dans l'attitude face aux immigrants, différences considérables qui expliquent par exemple la non-ratification par de nombreux pays des textes adoptés sous l'égide de l'ONU ou de l'OIT, comme ceux cités ci-dessus. Ici, des pays occidentaux considèrent que les immigrants doivent, au titre du respect des droits de l'homme, ne pas subir de discriminations et bénéficier du droit syndical et du droit d'association comme, par exemple, et si besoin est, d'une autorité judiciaire vérifiant le respect de leur liberté, de leur droit de vivre librement leur religion. Là, d'autres pays considèrent l'étranger comme une simple main-d'œuvre ne bénéficiant d'aucun droit, sauf celui de travailler un nombre d'heures fort élevé, d'être moins bien payé que les nationaux, de ne pas bénéficier des mêmes avantages en termes de protection sociale et d'être renvoyé dans son pays à la moindre incartade. Autrement dit, dans certains pays, l'immigrant est une personne, respectée à ce titre. Dans d'autres pays, ce n'est qu'une force de travail sans autre considération, et notamment sans aucun droit au regroupement familial. En résultent des politiques migratoires fort différentes. D'autres différences culturelles se constatent à l'examen des conceptions variées de la nationalité. Certains pays disposent d'un code de la nationalité qui rend aisée son acquisition et rendent possible la double nationalité. D'autres pays interdisent la double nationalité, refusent tout changement de nationalité et rendent quasiment impossible l'acquisition de nationalité en dehors du droit du sang.

### *Développer des organisations régionales*

Si indispensable que soit l'ONU, son histoire enseigne ses grandes difficultés à promouvoir la paix devant la difficulté, face à chaque conflit qui se présente, de parvenir à un accord commun de ses membres et à une capacité à mettre en œuvre des mesures communes, lorsqu'elles sont décidées. L'une des raisons de ces difficultés tient à ce que l'ONU n'est pas nécessairement l'unique bon échelon. Il se peut même que ses interventions conduisent à accentuer les tensions ou les ressentiments, ou à geler des situations qui, en conséquence, ne trouvent pas d'issue. Pour ne citer qu'un exemple, rappelons l'échec prévisible du plan Annan de l'ONU pour la paix à Chypre, puisque ce plan maintenait le *statu quo* imposé, soit la présence d'une armée turque à Chypre et des droits politiques complets aux Turcs d'Anatolie qu'Ankara a fait migrer à Chypre pour influencer l'évolution politique du territoire.

Outre l'ONU, il faut donc s'appuyer sur d'autres possibilités comme celles susceptibles d'être offertes en appliquant le principe de subsidiarité.

Il est donc nécessaire de développer les organisations régionales, ce qui suppose aussi davantage de volonté politique des gouvernants de ces pays.<sup>24</sup> Ces organisations régionales peuvent aussi éprouver des difficultés, mais leur rôle est souvent salutaire.

### *Œuvrer pour le bien commun*

Enfin, nous savons à quel point nombre de discours s'inquiètent des tensions sociales qui peuvent naître de la présence d'immigrants sur un territoire. Or, pour dépasser ces craintes ou ces risques, il faut rappeler le paragraphe 2241 du catéchisme de l'Église catholique: "Les nations mieux pourvues sont tenues d'accueillir autant que faire se peut l'étranger en quête de la sécurité et des ressources vitales qu'il ne peut trouver dans son pays d'origine. Les pouvoirs publics veilleront au respect du droit naturel qui place l'hôte sous la protection de ceux qui le reçoivent".

"Les autorités politiques peuvent, en vue du bien commun dont ils ont la charge, subordonner l'exercice du droit d'immigration à diverses conditions juridiques, notamment au respect des devoirs des migrants à l'égard du pays d'adoption. L'immigré est tenu de respecter avec reconnaissance le patrimoine matériel et spirituel de son pays d'accueil, d'obéir à ses lois et de contribuer à ses charges".

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La migration est un mal lorsqu'elle est belliqueuse. Elle peut alors être la cause de conflits internationaux. La migration est un mal lorsqu'elle est contrainte: elle est la conséquence de tel conflit ou d'une mauvaise gouvernance interne attentatoire aux libertés des personnes et, donc, à la concorde comme à la paix sociale.

La migration est un bien lorsqu'elle s'inscrit dans une logique de pays fondant leur souci de paix sur une libre circulation des personnes. La migration est un bien lorsque les migrants, dont la dignité est garantie, savent respecter leur pays d'adoption.

La migration est ainsi, selon les cas, ennemie ou alliée de la paix. Dans le contexte de la nouvelle nature des migrations internationales, des pistes à poursuivre existent pour que ces dernières s'inscrivent dans une logique de paix.

<sup>24</sup> Pensons à la Communauté Économique des États de l'Afrique de l'Ouest (CE-DEAO) ou à l'Association des États du sud-est asiatique (ASEAN).

# PRIMAVERA ARABA: SPERANZE E PAURE

■ VINCENZO PAGLIA

Si potrebbe dire che nessuna rivoluzione moderna ha avuto, come la “primavera araba”, un preciso momento d’inizio. Accadeva solo nelle antiche storie di Erodoto e di Plutarco dove i capovolgimenti e le convulsioni della storia si materializzavano in uomini e parole. Per una volta, all’inizio di questo terzo millennio, una rivoluzione è stata fatta all’antica e non di soppiatto. Certo, si deve parlare di una “rivoluzione” al plurale, visto che coinvolge popoli che vanno dal Nord Africa al Pakistan, e che ciascuno l’ha vissuta in maniera propria. Gli esiti non sono né comuni, né immediati, né certi. C’è ad esempio chi si è chiesto: “è primavera araba o inverno Mediterraneo?” E molte sono le perplessità che si affacciano. Una cosa comunque è chiara: lo *status quo* non si ripristina e, anche se nell’immediato prevalgono i rischi, una nuova epoca è iniziata nel mondo arabo. Spetta a noi comprenderla e accompagnarla. Subirla è pericoloso per tutti. Mi pare quanto mai opportuno offrire qualche breve riflessione per coglierne le speranze e avvertire i pericoli qualora vengano dimenticate.

## L’inizio

Credo sia importante conoscerne gli inizi. Essi possono essere anche dimenticati, ma non cancellati. Non sono pochi i commentatori che, di fronte ad esiti problematici, cancellano le spinte che hanno generato tali sommovimenti. È una lettura troppo materialista della storia. Olivier Clement, uno studioso ortodosso di cultura francese, da poco scomparso, esortava i cristiani “a lavorare sui cambiamenti in profondità”. E spiegava: “Lo studio dei movimenti del sottosuolo ci insegna che uno spostamento di alcuni millimetri negli strati profondi della scorsa terrestre provoca un terremoto in superficie. Una spiritualità creatrice, in base alla quale più ci si immerge in Dio, più si diventa responsabili degli uomini, costituisce la vera infrastruttura della storia”. Credo che sia utile aver presente questo modo di leggere la storia da parte dei cristiani.

Ed è certamente singolare porre attenzione a come è iniziata quella che chiamiamo “primavera araba”. Essa prende avvio il 17 dicembre del 2010 a Sidi Bouzid, un villaggio nel centro della Tunisia. Mohamed Bouazizi, un umile mercante di verdure, si uccide nella pubblica piazza appiccandosi il fuoco. E dava inizio alla “rivoluzione dei gelsomini”. Per anni sopportava angherie sino al giorno in cui una poliziotta gli chiede una tangente di 30 dinari;

al suo rifiuto gli rovescia la sua merce e viene preso a botte; chiede giustizia ma nessuno lo ascolta. A questo punto decide di eseguire il drammatico gesto.

Bisogna però fare un passo indietro: già nel giugno del 2009 in Iran si era avviata la prima “rivoluzione twitter” quando migliaia di persone scesero in piazza per contestare i risultati delle elezioni presidenziali, contro la rielezione di Ahmadinejad e in sostegno del suo oppositore Moussawi. I manifestanti si erano convocati via *internet* e *twitter*, mettendo a repentaglio il regime. In quella occasione *twitter* venne inondato di messaggi di solidarietà di giovani Usa e europei che fecero sentire la loro vicinanza, senza che i rispettivi governi prendessero alcuna iniziativa. La repressione fu durissima e restarono sulla strada 150 cadaveri. L'esempio iraniano, benché non sia riuscito a scalzare il regime, rimbalzò in tutto il mondo arabo grazie a *Al Jazeera* che seguiva gli eventi mandando in onda centinaia di video registrati coi telefonini.

Ma torniamo al giovane tunisino che si dà fuoco. Quel gesto – del tutto estraneo alla cultura religiosa arabo-islamica – venne presto imitato in vari paesi (4 in Algeria, 5 in Egitto, uno in Mauritania, 5 in Marocco, 2 in Senegal e altri ancora). Fu il detonatore della rivolta: iniziò in un villaggio e giunse presto nella capitale. Il filosofo tunisino Athia Athmouni scriveva: “Quell’atto disperato sì, è stata la scintilla che ha scatenato il movimento. Una rivoluzione è spesso l’incontro inopinato tra un avvenimento minore e un contesto più generale. Bouazizi non è stato il primo giovane che si è dato la morte per disperazione. Ma questa volta la frustrazione era tale nella popolazione che tutto ha preso fuoco. Era il momento. Ha risvegliato le coscienze individuali e collettive. Dopo di lui la gente ha osato sfidare la paura e combattere l’oppressione. Lui stesso non avrebbe mai potuto immaginare un simile sviluppo”. Fu considerato il simbolo controcorrente di una radicale protesta contro la violenza diffusa delle società arabe. Era l’opposto del gesto dei kamikaze. Rimbalzò da quel villaggio all’intero paese e, attraverso le tv satellitari, all’intero mondo arabo.

Cosa chiedevano quei tunisini? Più diritti, meno corruzione, lavoro, libertà, dignità e democrazia. I Fratelli musulmani – presi anch’essi di sorpresa – si dissero d’accordo: Ghannouchi (loro capo) rientrato dall’esilio, si affrettò a dire (con un paradosso), che “presidente donna o cristiano, per noi non c’è problema”. Si trattava di una società compressa dalla polizia (*fliqué* si diceva) dove molti giovani, pur avendo studiato, non avevano sbocchi. Era lo stato simbolo dei “diplômés-chômeurs”. Insomma, una rivolta segnata, se così si può dire, da “pane e internet”. Fanno riflettere i dati riportati dal Berkman Center for Internet and Society di Harvard: già nel 2009 erano attivi circa 35.000 blog arabi di cui 6.000 a larga diffusione. Molte sarebbero le riflessioni da fare sulla loro efficacia. Certamente è forte il loro impatto



sul piano comunicativo; ma sul piano della gestione di un processo non sono poche le debolezze. Baumann direbbe: con internet si realizza una “rete” non una “comunità”.

Dopo la Tunisia venne coinvolto l’Egitto: la TV satellitare araba mise la sua telecamera sulla piazza Tahrir e non la spostò più, trasmettendo in diretta per settimane. Quattrocento milioni di arabi poterono seguire quei fatti, giorno e notte senza interruzione. In Egitto la rivolta fu al centro del Cairo: in piazza Tahrir. All’inizio le autorità non compresero: poche migliaia di giovani cosa avrebbero potuto fare? E con le autorità egiziane anche quelle occidentali. Li lasciarono occupare la piazza pensando che sarebbe finito presto tutto. Ma la piazza si gonfiava, grazie all’apporto delle moschee. Un mio amico lì presente mi raccontò di manifestazioni spontanee convocate tramite internet, sms e twitter. Pochi compresero quanto stava accadendo. Delle autorità religiose islamiche solo il vecchio Qaradawi confidò a questo amico: “qui sta succedendo qualcosa di diverso”. Non era la rivolta di disperati e neppure attacchi terroristici. Il primo gruppo di giovani era composto da laureati di buona famiglia; c’erano anche le donne con loro. L’ala giovanile dei Fratelli musulmani si rese conto della novità e fece un pressing sui capi della formazione i quali, titubanti, alla fine diedero il permesso ai loro giovani di partecipare. La piazza si rafforzò: i “Fratelli musulmani” sapevano come fare. L’idea della piazza però non era loro e i Fratelli rispettarono il fatto di non stare al centro. Nella piazza c’era di tutto: un vero specchio della società egiziana ormai pluralista. La cosa più evidente che emergeva era un desiderio di convivenza. Scrisse nel diario, questo amico: “c’erano tutti, in uno stato quasi mistico, quasi a cercare di riunirsi con la propria patria, dopo una lunga separazione, dopo che la prepotenza ne aveva deformato l’immagine”. Lui stesso rimase colpito dal senso di patria comune dei giovani. Era sorpreso che fossero coscienti del pluralismo, dell’unità nazionale e della convivenza. Anche la ferita tra cristiani-musulmani (c’erano stati gli attacchi a Natale alla chiesa copta e le violente manifestazioni susseguenti) sembrò rimarginarsi (episodio del Cairo vecchio). Qaradawi parlando ai manifestanti nella piazza e iniziò dicendo: “cari musulmani e cari copti!”. Cose mai udite prima!

Rivolgimenti simili si sono poi diffusi in altri paesi. Attualmente sono in atto in Bahrein, Giordania, Algeria, Yemen, Gaza (contro Hamas!), Iraq, Siria, c’è una ripresa in Iran. Perfino a Cipro Nord contro Ankara! In Cina sono stati fatti appelli via internet. In Africa manifestazioni si sono avute in Burkina, Camerun, Zimbabwe, Gabon e Uganda. In Costa d’Avorio le donne ouattariste usarono il gesto delle scarpe, che avevano visto alla TV, contro Gbagbo. In Asia manifestazioni in Corea del Nord e Vietnam. Poi

venne il momento della Libia, un caso molto diverso dai paesi vicini, affrontato comunque dagli occidentali in maniera del tutto maldestra. Qui la rivoluzione si è trasformata in una guerra delle opposizioni (mescolate e deboli) contro il regime di Gheddafi. Conosciamo gli sviluppi successivi, alcuni drammatici come in Siria, altri preoccupanti come in Egitto. Ma nulla sarà comunque come prima.

### **Alcune caratteristiche comuni**

Come ho accennato, non si tratta di un movimento omogeneo. È una galassia piuttosto complessa e diversificata. Tuttavia alcuni elementi sono analoghi nei diversi paesi. Un primo rilievo riguarda l'assenza di veri e propri leader (ci sono solo portavoce). C'è però una visione nella quale tutti vi trovano il loro spazio senza che nessuno tuttavia se ne sia impadronito. Quell'amico presente in piazza Tahrir, nel suo diario di quei giorni, scrive: "c'è un bel clima, la gente pare contenta di potersi controllare da sola, senza polizia...", cade l'alibi di una società incontrollabile. È stata una rivolta non-violenta (dopo tanta violenza) e non è stata "contro" gli USA o l'Occidente o Israele. I manifestanti hanno chiesto cittadinanza e desideravano contare. E forse proprio l'assenza di violenza ha impedito agli Occidentali e agli osservatori di capire quel che stava accadendo. Del resto l'attenzione quasi totalizzante sul rifornimento energetico da parte dell'Occidente ha impedito un'attenzione altrettanto forte alla cultura di quei paesi e ai sentimenti profondi che attraversavano gli animi di quei popoli. Per quegli arabi era ormai prepotente il bisogno di liberarsi dalla paura che li teneva bloccati da decenni. Volevano finalmente costruire una nuova convivenza, senza distinzioni. Si voleva una democrazia araba da parte di quei dimostranti? Non è facile dirlo. Certo è che le ideologie erano infiacchite ed è apparso un pragmatismo nei gesti con una grande voglia di futuro. Indubbiamente si apriva un grande e complesso capitolo sulla variegata cultura araba e islamica in genere. L'Occidente avrebbe dovuto mostrare un impegno ben più robusto di quello che aveva per comprendere e aiutare un incontro anche tra le culture.

Un ruolo importante in questa "primavera araba" lo hanno giocato la difficile situazione economica, la corruzione, l'oppressione politica, le disuguaglianze, l'impossibilità di organizzare un'opposizione, la chiusura dei regimi. Si trattava di condizioni antiche, presenti da decenni, ma che finalmente trovavano un terreno più fertile che nel passato per scatenare una reazione. Fa impressione la dimensione giovanile delle manifestazioni: il 60% erano sotto i 30 anni e il 30% sotto i 14. Si è trattato di una generazione molto più istruita delle precedenti. Questi giovani si sono sentiti soggetto e non oggetto della storia. Stava avvenendo, in questi paesi nel corso

di questi anni – senza che ce ne accorgessimo – una vera e propria “rivoluzione mentale”. Mi piace ricordare qui che l’unico leader occidentale che si è rivolto direttamente ai giovani, è stato Giovanni Paolo II. Egli accettò l’invito del re del Marocco di parlare a 80.000 giovani musulmani marocchini nello stadio di Casablanca. Dopo c’è stato il vuoto. Oggi, le giovani generazioni non sono più isolate. La nuova tecnologia e la stessa Al Jazeera hanno creato un’opinione pubblica araba, un’agorà facilitata dalla comunanza della lingua. Insomma una sorta di “panarabismo” dal basso, di natura popolare. Per quel che concerne il fattore “Israele-nemico comune”, seppure continua ad esistere, ha però paradossalmente giocato al contrario, come hanno dimostrato le manifestazioni a Gaza. Al Jazeera ha portato nella case arabe l’esempio degli scandali israeliani, le dimissioni di primi ministri, presidenti o ministri. Questo ha lasciato una traccia nei giovani.

C’è poi una considerazione ulteriore da fare. L’Islam radicale e politico ha fallito il suo obiettivo. Potremmo dire che Bin Laden, di colpo, è stato annullato da questi sconvolgimenti. È vero che lo djihadismo e il salafismo sono tornati alla ribalta, ma non si deve sottovalutare l’avvio di una secolarizzazione della società. La società araba resta religiosa ma sta vivendo una sua secolarizzazione, molto diversa dalla nostra, ma non per questo meno significativa: la sanguinosa battaglia per la legittimità a incarnare il vero islam, la contrapposizione tra gruppi e strategie, le innumerevoli vittime musulmane del terrorismo di questi anni, hanno “banalizzato” il fatto religioso (O. Roy) fino al punto che nessun partito né tendenza può oggi rivendicare il monopolio dell’Islam. E i giovani guardano oltre, senza nemmeno il bisogno di criticare la religione. Si rendono conto che si tratta di un fattore manipolato da tutti, anche dai regimi i quali abusato della religione per non cambiare nulla nel paese. I Fratelli musulmani, oggi in relativa posizione di forza, non hanno aderito alla tempesta salafista o djihadista, e si sono ritagliati una posizione nella società utilizzando anche le istituzioni. L’Occidente ha paura anche perché poco conosce l’Islam. Qualcuno ha parlato di una “ipnosi geopolitica che ha costruito l’ideologia della pietrificazione delle società arabe”. In ogni caso, la polarizzazione: “noi o il caos” – che accomunava la classe politica araba e quella occidentale sin o a tollerare regimi incredibilmente impietosi – non funziona più.

### **Verso dove?**

Tutti siamo stati sorpresi dagli eventi, dall’opinione pubblica occidentale ai seguaci di Al Qaeda. L’Islam radicale politico non è stato alla guida delle rivoluzioni, non è riuscito a sollevare le masse né a prendere il potere. Ha dissanguato i popoli musulmani e li ha resi invisibili al mondo. Solo i Fratelli

musulmani, come ho accennato, hanno saputo fondersi con il movimento, anche perché si sono presentati con più modestia. Sui siti dei radicali islamici iniziò immediatamente l'autocritica. Un responsabile di Al Qaeda, in quei giorni, scrisse: "non è la rivoluzione ideale che volevamo... forse può essere una tappa per tempi migliori... per ora occorre che negoziamo con le forze che la dirigono...".

Non è certo tutta primavera. Anche perché i governi in tanti paesi continuano a gestire il loro potere. E ci sono anche passi indietro, come è accaduto in Pakistan ad esempio dopo l'uccisione di Shabbaz Bhatti, ministro delle minoranze in Pakistan. Il governo pakistano ha declassato il ministero. Ma noi non possiamo abbandonare il sogno di questo martire dei nostri giorni. Qualche giorno prima dell'attentato aveva chiesto agli amici: "Pregate per me. Sono un uomo che ha bruciato le sue navi alle sue spalle: non posso e non voglio tornare indietro in questo impegno". E ha pagato con il sangue la sua scelta. Nel Testamento, tra l'altro, scrive: "Io dico che finché avrò vita, fino all'ultimo respiro, continuerò a servire Gesù e questa povera, sofferente umanità, i cristiani, i bisognosi, i poveri. Credo che i cristiani del mondo che hanno teso la mano ai musulmani colpiti dalla tragedia del terremoto del 2005 abbiano costruito dei ponti di solidarietà, di amore, di comprensione, di cooperazione e di tolleranza tra le due religioni. Se tali sforzi continueranno sono convinto che riusciremo a vincere i cuori e le menti degli estremisti. Ciò produrrà un cambiamento in positivo: la gente non odierà, non ucciderà nel nome della religione ma si ameranno gli uni e gli altri, porteranno armonia, coltiveranno la pace e la comprensione". In molti casi le minoranze religiose, soprattutto cristiane, continuano ad essere perseguitate. Ed è comprensibile l'apprensione dei vescovi nei paesi di fronte a quanto sta accadendo e ai possibili sviluppi negativi. Ma in questa "primavera" abbiamo visto anche germogli di amicizia e di fraternità. Vanno coltivati.

L'Europa oltre ad essere impaurita, appare invecchiata, priva di grandi sogni e per di più divisa. E fa fatica a comprendere in profondità quel che sta avvenendo nel Mediterraneo. E qui permettete una brevissima digressione. Non è solo un caso che il Mediterraneo, culla delle tre grandi religioni monoteistiche, abbia visto un così singolare sommovimento all'inizio di questo nuovo millennio. Dopo i terribili fatti – quelli dell'11 settembre – che hanno segnato in maniera così drammatica l'alba del millennio, ce ne sono altri di segno diverso. Non è un gruppo di terroristi che attacca il cuore dell'Occidente e con Osama Bin Laden che esulta, ma giovani musulmani che si sono immolati per avere lavoro e libertà, e migliaia di persone che hanno sfidato, senza paura e senza violenza, regimi totalitari con i quali gli occidentali avevano stretto alleanze robuste. Sarebbe irresponsabile gua-

dare dall'esterno e attendere i risultati. Penso sia all'Europa che all'Occidente. Il Mediterraneo – per la sua storia, la sua cultura umanistico-giuridica, per la sua forza anche religiosa – deve riscoprire la sua vocazione umanistica dai tratti universali. L'intero pianeta ne ha bisogno. Si comprende allora quanto sia stato poco lungimirante, di fronte agli incredibili sconvolgimenti che stavano avvenendo, che le classi dirigenti dell'Europa si siano fermate per lo più a dibattere sul pericolo della immigrazione. È senza dubbio un tema da affrontare, e l'Europa comunque farebbe bene ad allargare la mente oltre che il cuore. Gli allarmi si sono rivelati infondati. Il fenomeno migratorio va guardato nella sua complessità. L'Europa sta diventando sempre meno attrattiva di manodopera proprio mentre cresce il bisogno di averla. Molti libici, ad esempio, preferiscono il Sud Africa che ha un'economia più prospera. E ricerche attente, come quella di Jeffrey Williamson, sostengono che i flussi dei lavoratori dai paesi poveri continuerà a diminuire sino a scomparire nel 2050. In pochi poi credono alla convivenza. E quella che viene chiamata l'Eurabia è un incubo: siamo ben lontani dal sogno di Camus sulla Federazione Euro-araba.

E non è inoltre paradossale che, dopo aver tanto parlato di “esportazione della democrazia”, ora che la gente la chiede, non viene aiutata? Quel che è accaduto con la cosiddetta “primavera araba” è una rivoluzione umana e sociale prima che geopolitica. È vero che la potente spinta iniziale è stata in parte incanalata verso altre direzioni. E la fase di transizione non sarà né breve né facile. Ma non si deve dimenticare che la svolta è comunque epocale. Ed è bene che l'Occidente riveda in maniera radicalmente nuova il suo rapporto con i paesi arabi e il mondo musulmano in genere. L'esigenza di convincere l'opinione pubblica della necessità di affrontare il nuovo nemico ha fatto sì che ogni tentativo di comprendere in modo meno sommario venisse criticato come un pericoloso cedimento. Gli ultimi dieci anni sono stati terribili in questo senso. E forse anche per questo la primavera araba è giunta come una novità improvvisa e forse anche incompresa.

Le prudenze geopolitiche vanno tenute in gran conto, ma è anche opportuno credere alle correnti profonde della storia che di tempo in tempo emergono e cambiano le vicende umane. Il sacrificio di quel giovane tunisino, Mohammed Bouazizi, che sta all'origine di un così gran cambiamento, è un “segno dei tempi” che va colto. Ed ora l'importante non è avere o no previsto ciò che stava per accadere ma accogliere la domanda di fiducia che sale dal profondo di questi movimenti. Forse sta nascendo un “nuovo noi” tra i paesi arabi. L'Europa e l'Occidente sono pronti ad essergli amici? Osserviamo nel mondo arabo levarsi molteplici tensioni unitive che cercano rapporti. Non sarà facile ma hanno bisogno di noi. Tali tensioni riavvicinano

in un attimo mondi che sembravano lontani, lontanissimi, mondi di cui si diceva di dover aver paura.

A un'Europa ripiegata su di sé, a un Occidente preso da una crisi finanziaria ed economica, oltre che politica e sociale, va detto che è urgente aprire gli occhi e lasciarsi trasportare da sentimenti di generosità. È la via per ritrovare anche uno slancio interno. Nella piazza Tahrir, piena certo di tante contraddizioni, è nata una speranza nuova che può significare l'inizio di una nuova storia. Ad una condizione, che l'Occidente non si fermi a distanza. Deve tornare ad avere una visione larga della storia e riprendere a camminare. È in questo contesto che vorrei porre a tema la questione della presenza delle minoranze cristiane nel Medio Oriente. Esse fanno la voce preoccupata di fronte ai possibili esiti negativi. E hanno ragione da vendere, visti gli attacchi continui che continuano a subire dall'islamismo radicale. Invocano protezione. E bisogna dargliela con urgenza. La minoranza cristiana ha pieno diritto a vivere là dove da due millenni vivono e credono, ben prima che arrivasse la fede islamica. La presenza cristiana è decisiva per lo stesso mondo islamico. Mohammad Sammak, un musulmano libanese che ha partecipato più volte agli Incontri di Preghiera per la Pace e ultimamente chiamato a intervenire anche al Sinodo dei Vescovi per il Medio Oriente, a ragione diceva: "Quando affrontiamo il dibattito sul tema dei cristiani d'Oriente, dobbiamo aver chiaro che non si tratta di una questione eminentemente cristiana, ma di una questione che è in primo luogo musulmana. E quando un cristiano abbandona il Medio Oriente, è uno dei fili che compongono il tessuto della società mediorientale ad essere estratto. E quando estraiamo fili da questo tessuto è il tessuto stesso che rischia di lacerarsi".

Cari amici, la "primavera" è stata possibile anche per la presenza dei cristiani. E forse dobbiamo auspicare che nell'intero pianeta ci sia una nuova "primavera" o, se si vuole, che si affermi una nuova visione.

# A RETURN TO MULTIPOLARITY AND REALPOLITIK? HUMAN RIGHTS UNDER PRESSURE

■ JANNE HAALAND MATLARY

*Pacem in terris* (PT) was written at the height of the Cold War, which is the only time in history marked by a bipolar world order. The US and the USSR “balanced” each other in what was referred to as the “terror balance”, based as it was on nuclear deterrence. The hot wars that were fought during these forty-five years were mostly proxy wars. This order of the international state system was truly an *order*, “frozen” for 40 odd years, and as such a *stable* order. Realist theorists in political science point out that bipolarity is very stable. But this was a dangerous time and a nervous order, and not the kind of order the Pope speaks about in the encyclical. Order in the Catholic vocabulary naturally refers to order based on truth, and stability is likewise of metaphysical origin. Peace is much more than the mere absence of war, therefore the order of the state system may seem to be rather irrelevant as a topic when we take our point of departure in PT and Catholic social teaching.

Yet it is not, as I shall try to show in this paper. The importance of the analysis below lies in the implication a shift in power towards old-fashioned Westphalian states and traditional sovereignty has for the promotion of liberal democracy, rule of law and most importantly, human rights. In short, if the West lacks the power to promote these norms, notably human rights, their role will be endangered. The less power the West has to promote and impose human rights in its political dialogues, diplomacy, aid and trade, the weaker the norms that PT embraces and advocates.

## Power Shifts from the West

As said, during the Cold War the two super-powers dominated the state system, and regions and individual states mattered much less than the systemic level, as we political scientists term the highest level of international politics. Security policy trumped all else, and the world was at the brink of war during the Cuba crisis. Deterrence however prevented this, as well as risky coercion.

Bipolarity is stable in the sense of being based on a balance of power, or balance of threat, between only two actors. After the USSR imploded, from 1990, we experienced the so-called “unipolar moment” of US hegemony.

Between 1990 and circa 2005 we can meaningfully speak of a unipolar system with no challenge to US power. There seemed to be no end to the march of liberal democracy in the world; this was, as Francis Fukuyama optimistically said, “the end of history”. The West, with the combined power of the US and Europe, would export the liberal-democratic model, and we find much evidence of this in the imposition of political conditionality in all aid and trade agreements (save humanitarian aid) from about 1995 onwards. Human rights, rule of law, and democracy become what I will term the “trinity” of international and national politics, the values on which the polity must rest and the basis for peace. The EU, Council of Europe, OSCE, NATO, and the UN all incorporate such conditionality in their admission criteria, partnership for peace policies, trade agreements, etc.

Also unipolarity is stable – states cater to the hegemonic power, which protects them and enjoys trade and political burden-sharing. And the unipolar power underpinned the many international organisations – multilateralism flourished ever since the inception of the Cold War, on the Western side – in Europe in particular, but also transatlantically and globally. The US upheld this multilateral system and was the major force behind its creation. Let us pause for a moment to remind ourselves that all the international organisations (IOs) we have today are the products of the victors of WWII – the UN and Bretton Woods system, NATO, the EU, the COE, the OEEC, etc. *Multilateralism ensures that small states have a say, that big states are bound by rules, and that international law is discussed and applied.* Realpolitik does not cease to exist, but it is tamed.

The UN Pact and the creation of all these IOs mark a true watershed in the world and the state system. The “trinity” is introduced as the only valid basis for politics (human rights are introduced in 1948 and become codified from 1966; the Genocide Convention is from 1948, etc.). The state system worked by the rules of Realpolitik before WWII – the League of Nations was a failure – but after the UN Pact, human rights conditioned old-fashioned state sovereignty.

This will be elaborated on below. Suffice it now to point to the co-existence of unipolarity and multilateralism.

But power changes again, and from about 2005 we can speak about emerging multipolarity in the world. This is not an unknown situation – in Europe balance of power has been the rule rather than the exception. But now the emerging powers are not European, but first of all China, then Russia, India, South Africa, Brazil. China stands out with economic growth per annum that is not rivalled by any other state. At the same time the West is in an economic crisis, the US as well as Europe.



Multipolarity is unstable, political scientists point out. There is competition and rivalry. This is economic, but most often also military. China increases its military expenditure by 12% this year whereas both the US and Europe decrease theirs by up to 15–20%. In 2012 Asian defence spending is larger than that of Europe for the first time.<sup>1</sup> US strategic thinking is directed towards Asia, and China has clear regional security interests.

The new great powers subscribe to a Realpolitik of old in terms of sovereignty. Human rights are not allowed to trump the non-intervention norm, elaborated on below. The use of force is not ruled out in pursuit of interests, as we saw in Georgia in 2008. The old and feared concept “sphere of interest” is back.

The new multipolarity is marked by a return to Realpolitik. This is what makes it so problematic from the point of view of the peace theme as developed in PT. The role of human rights as the basis for human dignity and freedom is denied by such Realpolitik.

### **States Should be Based on Human Rights**

Pope John XXIII says that only a society based on truth, i.e. on the natural rights and obligations of man, is true society. In line with classical political thought he underlines that only a just society is a real society: “Any human society that is established on relations of *force* must be considered *inhuman*” (my emphasis, 24) and continues, “human society is bound together by freedom, that is, in keeping with the dignity of its citizens, who accept the responsibility of their actions, precisely because they are by nature rational beings” (25). These are very clear and strong words: repressive regimes are illegitimate. When PT was written, there were many such states, as today – at that time Communist dictatorships, today dictatorships, theocracies, and other forms of totalitarian states.

This dignity gives rise to human rights, which are inborn and the mark of an ordered society. The Pope mentions all the key human rights (9–13) and states that they are “universal and inviolable so they cannot in any way be surrendered” (9). An ordered society is one where citizens recognize these rights and duties, for “the order that prevails in society is by nature moral” (37). Therefore an ordered society is always just.

Only when the common good is sought and human rights respected, will there be peace of a real kind. The absence of war is the first condition, albeit a superficial one. Real peace requires a society justly ordered, based on truth and virtue.

<sup>1</sup> *The Economist*, April 7<sup>th</sup>–13<sup>th</sup>, 2012, “China’s Military Rise”, cover story.

Concretely, the Pope speaks about the need for a world authority and mentions the UN. Specifically, he points to the importance of the Universal Declaration of Human Rights (UNHR) of 1948, “an act of the highest importance performed by the United Nations Organisation was the Universal Declaration of Human Rights (143) ... the documents represents an important step on the path towards the politico-juridical organization of all the peoples of the world (144)”. He goes on to underline the natural human rights of every person and hopes that the UN will safeguard human rights.

Clearly, the “trinity” of politics is democracy, rule of law and human rights, where the latter is the substance and basis. Multiparty democracy and rule of law follow directly from human rights, from the fundamental civil and political rights. There is thus a clear distinction between states founded on force, as the Pope puts it, and those founded on this “trinity”. In sum, liberal democracy, when truly respecting human rights, is the only legitimate form of government. A dictatorship or totalitarian government can per definition not respect human rights. I should add that when the UDHR was adopted by the General Assembly, the USSR and its satellite states in East-Central Europe abstained because they did not accept that human rights are apolitical and pre-political, natural law-based rights. In other words, they did not accept that state sovereignty is constrained by human rights and that there is anything that is above and beyond politics. The same issue is at stake now, when states deny the existence of universal human rights. Politicians are wont to try to maximise their power, in any regime, but in democratic states there is at least lip service paid to human rights.<sup>2</sup>

It follows from the above that the form of government is related to peace, a notion Immanuel Kant developed in *Zum ewigen Frieden* and which is known today as the “democratic peace” thesis. Extensive empirical studies conclude that the thesis that democracies do not fight each other is true, whereas democracies fight – but in non-democratic states. But as said, peace is not fulfilled as a condition only because there is an absence of war. If we take the Pope’s “deep” definition of peace seriously, we should investigate how well liberal democracy fares in today’s world.

<sup>2</sup> In 2009–2012 I was a member of an expert select committee of the Norwegian parliament tasked with proposing a chapter of human rights in the soon 200-year-old Norwegian constitution (“Lønning-Utvalget”). When discussing the concept of human rights with certain Socialist politicians, they seemed unable to understand that human rights are not political “products” that are given and can be revoked by governments. The notion that anything is not political was completely foreign to them.

This is what I propose to do below in asking whether we experience a return to a multipolar world where traditional sovereignty is asserted again – marked by a *rejection* of human rights as prepolitical, apolitical and beyond politics, therefore trumping sovereignty; and further, marked by a willingness on the part of states to again use military force in pursuit of interests, not only in self-defence or with a UN mandate. The rejection of human rights and the use of force in support of diplomacy are the two key characteristics of Realpolitik, in addition to great power claims for “spheres of interest”.

Realpolitik was rejected by the UN Pact in 1946 and the value put on sovereignty was balanced by human rights in the pact, which is the founding document of the post-WWII order.

The analysis proceeds as follows.

- First, I show how sovereignty has evolved from an absolute *rex imperator in regno suo* to the conditional sovereignty of today where human rights are not only to be recognised by states, but where governments are bound to implement them.
- Second, I ask whether we are now in a multipolar world order where states that pursue Realpolitik – basically China and Russia – are set to dominate. In short, this is the empirical question of how much power these states have and whether they are on the rise. In this section I use a couple of case studies as illustrations, one about human rights (China’s reaction to the Nobel Peace Prize to Liu Xiaobo in 2010) and one about the use of military force in support of state policy (the Russian invasion of Georgia in 2008). I also try to assess the relative importance of types of power – economic, military, diplomatic, the power of attraction and legitimacy – in order to assess how powerful the new “pole” is.
- Third, in a concluding section I assess the “signs of the times” with regard to the future of human rights and the liberal-democratic order.

### **From Absolute to Conditional Sovereignty**

State sovereignty has been changing away from the Westphalian concept of absolute power on the territory, particularly after 1990, towards the emergence of conditional sovereignty in the form of democracy/human rights of today. But as stated, the rules of Realpolitik are returning. The Russians and Chinese entertain a traditional, non-interventionist concept of sovereignty, something which is visible in how they vote in the UN Security Council (UNSC), frequently vetoing criticism of the so-called internal affairs of states, such as in the Syrian case recently. The concept of sovereignty that is conditional upon the acceptance and protection of human rights is today forcefully challenged.

Historically, sovereignty has many meanings. Mainly, however, it is associated with the 1648 Treaties of Westphalia, which ended the Thirty Years' War by laying down the principle that the ruler decides everything within his territory and no other ruler can intervene. In a Europe where feudalism had defined power structures non-territorially and where the Catholic Church had exercised spiritual power, there had not been any such thing as a territorial state. Power or authority had been defined along functional lines, not territorial ones. Finally, the long struggle between Emperor and Church on the one hand and the Protestant princes on the other was decided, in favour of the latter.

The Westphalia Treaty texts stated the principle of non-intervention thus:  
*to prevent for the future any differences arising in the politick state, all and everyone of the Electors, Princes and States of the Roman Empire, are so establish'd and confirm'd ... that, by virtue of this present Transaction: that they never can or ought to be molested therein by any whomsoever upon any manner of pretence (art. LXIV)*

In addition, it was stipulated that these principalities had the right to close agreements amongst themselves and with other states, thus making the *territorial border* the main political variable. Thus, it is hardly surprising that Pope Innocent X condemned the Treaties of Westphalia in his bull *Zelo domus Dei* as being “null, void, invalid, iniquitous, unjust, damnable, reprobate, inane, empty of meaning and effect for all time”. (!)

The theorists of the new order, such as Jean Bodin, referred to this as the fact that the sovereign or prince is not subject to any other's command. The classic concept of sovereignty was based on *substance* in terms of power: a state was recognized by other states only if it could rule itself, i.e. if the ruler possessed the military power to control his territory. This is a point of key importance: power first, legality afterwards. We find a succinct analysis of this in the scholarship of the international jurist G. Kreijen (See Kreijen 2002a, 2002b). He points out that international law adapted itself to empirical power politics: sovereigns preceded sovereignty – that is, power decided.

The *locus classicus* of the early doctrine of sovereignty is Bartolus de Saxoferato, a lawyer who lived from 1314 to 1357. His reasoning was based on the emerging philosophy of nominalism which competed with the metaphysical realism of the traditional Aristotelian and Thomistic paradigms. Nominalism, which came to predominate in legal philosophy, posited the *nomos* – the name – as the changeable quality of a thing. One could not hold on to an “old” name for a new thing (*res*) – it was the facts on the ground that made the state or not, so to speak. A ruler who possessed enough power to control a territory would be designated its sovereign.

Thus, legal recognition accrued to those states whose rulers were physically in control. This was of course the principle applied at Westphalia – the victors in the Thirty Years' War wrote the peace treaties and determined this new concept of sovereignty, in contrast to the older Catholic notion of divine right and papal jurisdiction.

This principle of concentration of power within a given territory was to become the cornerstone of the international system and still is. It had made “non-intervention” the central norm, as expressed in e.g. paragraphs 2(4) and 2(7) of the UN Charter: these state that the use of force against another state is impermissible, apart from those cases in which military power is used in self-defence or where “international peace and security” is threatened.

These “facts on the ground” approach to sovereignty was developed by the major thinkers of international law. In 1576 we find the first major exposition of the concept, in Jean Bodin's *De Republica*. Like Sassoferrato much earlier, Bodin observed the facts of real power, and deduced from them. He argued – in a logical but scholastic fashion – that since the ruler made the laws, then logically this same ruler could not be bound by the law that he made himself until after the fact of law-making: hence he was the sovereign, the head of the first and unprecedented authority from which all laws must logically flow (*primum ac praecipuum caput majestatis*). In a Machiavellian vein, Bodin observed that other institutions that competed for power were then automatically excluded from claiming sovereignty (Jennings 2002). Once a ruler had been designated the sovereign, there could be no other sovereign in the same territory. This move blessed physical, military power with authority, and made “power into law”, as Rousseau was to put it much later. *In our terms: power became legitimated through the concept of sovereignty* thus defined, and the state system as well, for the limits of sovereignty lay in the limits of territorial power.

Europe at that time was in danger of disintegration; and it was imperative to consolidate absolute rule in order to create order. Jean Bodin gave legitimacy to the absolutist ruler, unfettered by higher norms. We may argue that this power-based state system at least created order, but not peace. The states kept each other at bay, and this constituted a kind of stable order, albeit not one at all connected with peace in the sense of *Pacem in terris*.

However, only a century later, perhaps the greatest international lawyer of them all, Hugo Grotius, advanced a type of *conditional* sovereignty. Occasioned by a conflict in which Dutch subjects to the Spanish crown acted on behalf of Holland – Grotius' own cousin was involved in claiming prize money from the capture of a Portuguese vessel in 1602 – Grotius developed an argument

that derived sovereignty from the subjects and not from the power of the ruler. His *De Indiis* advanced another view of sovereignty, one in which the subjects transfer it to the ruler: any *respublica* is something formed by the people, and they can recall sovereignty – that was the radical implication.

This was a harbinger that has begun to re-emerge in our own time. The emergence of the Universal Declaration of Human Rights, the UN Charter, and the principles of the Nuremberg trials must all be seen as one major normative revamping. They also represent a *major breakthrough for the idea of rights-based sovereignty*. But before the human rights movement could become politically important, the older traditional notion of substantial sovereignty – based on empirical power – would have to yield to the rights-based notion of sovereignty to former colonies.

The principle of self-determination of peoples lay at the core of this new sovereignty. It dates back to Woodrow Wilson's Fourteen Points and the Treaty of Versailles in 1919, but also has older antecedents in nationalism itself. The idea that each nation should be the basis of statehood is the national idea; whereas the idea that the inhabitants in a territory should determine statehood, federation, or secession is the idea of self-determination. This was laid down as a key principle in both the American Declaration of Independence (1776) and the French Revolution (1789).

At the end of the First World War, the statement of this principle “set in motion a restructuring and redefinition of the world community's basic rules of the game”, as Cassese remarked (quoted in Kreijen 2002b: 59). The implication was crucial to the substantial concept of sovereignty: formerly the ruler could barter, conquer, or sell off territory together with its subjects; but if the subjects were the source of sovereignty, this would no longer be possible – quite the opposite. Woodrow Wilson drew the logical conclusion: no longer would it be acceptable that subjects “be bartered about from sovereignty to sovereignty as if they were mere chattel” (*Ibid.* 60) – yet that is what happened at Versailles...

Now new political ideas – the experience of the Second World War, the increased power of the USA in international affairs, the venue of the UN as the global forum of legitimate norm creation – all these factors turned the tables on the old norm of colonialism: “Anti-colonialism in retrospect looks more like a sea change in international legitimacy” (Jackson, quoted in Kreijen 2002: 66).

A series of resolutions followed, making self-determination into a right of peoples. Today this right has assumed the status of *jus cogens*, a peremptory norm of international law. In our perspective, this new right greatly aids the redefinition of sovereignty into a democratic entitlement.

Statehood was by now defined as a legal category of a right to be recognized, regardless of internal governability and external capacity for own defence. As Kreijen laments, “recognition merely became a cordial cognitive act which in turn implied a general failure on the part of the international community to question the viability of the entities destined for statehood” (2002b: 85). This evolution of “juridical statehood” has changed the “rules of the sovereignty game” completely, insofar as “weakness presently may serve as admission into the international community rather than as a bar to it” (*Ibid.* 93).

In conclusion, the de-colonial process resulted in new states, legally sovereign entities but in terms of classical Weberian terms of internal and external power, failed states. The “international community” – especially former colonial powers – then assumed some kind of responsibility towards creating order in these states, albeit with unclear implications. For the next step in this direction, we should look under the rubric of “democratic sovereignty”.

### **“Democratic” sovereignty and the “liberal peace”**

The school of legal thought and the political scientists who advance the “democratic entitlement” argue that the right of self-determination of peoples logically leads to the right to democracy within states. This concept is tied to security policy in two ways: One, democracy is argued to promote peace as such – the thesis of the “liberal peace”; and two, if democracy is an entitlement, should the international community also promote it with military means?

The “liberal peace” thesis is relevant because it posits democracies as the only legitimate governments – because they do not fight each other and because they are governments by the people. The main intellectual antecedent is Immanuel Kant’s *Zum ewigen Frieden* from 1795, where he stipulates three conditions for peace: that states that are republican (today: democratic); that states trade with each other; and that states are governed by law. Today we find this in the EU “security community” approach and in the liberal peace thesis in the literature of security studies.

As discussed above, the democracy entitlement started with right to self-determination of peoples after the First World War, which in turn led to plebiscites and popular consultations at Versailles. There developed a body of international norms for international supervision and the holding of plebiscites at this time. Symptomatically, the “League of Nations” was defined as one of peoples, not of states. Later, this norm was developed as the legal right to self-determination in the process of de-colonialization. Then came the Second World War, after that human rights and the UN Charter

developed. But the rights to democracy lay dormant during the Cold War; only *after 1990* do we see the right to democracy emerging as a right increasingly established through the election monitoring, etc. of international organizations.

Human rights instruments have proliferated, both as hard as well as soft law. The major change in international affairs in recent years is the growth in interdependence and complexity in interrelations, as well as the exposure made possible by the media. This amounts to no less than *a new type of sovereignty*, argue Chayes and Chayes:

*In all but a few self-isolated nations, sovereignty no longer consists in the freedom of states to act independently, in their perceived self-interest, but in membership in reasonably good standing in the regimes that make up the substance of international life. To be a player, the state must submit to the pressures that international regulations impose. Its behaviour in any single episode is likely to affect future relationships not only with the particular regime involved but in many others as well, and perhaps its position within the international system as a whole (1995: 27; emphasis added).*

Thus, the soft power tool of “shaming” is intimately tied to the “hard” power tool of “the shadow of the future”, where compliance is based on the long-term self-interest of each state. It is difficult to separate the effect of “shaming” from the cost/benefit analysis of the “shadow of the future”.

How is national sovereignty protected in such an interdependent international system? Chayes and Chayes argue that “the only way most states can realize and express their sovereignty is through participation in the various regimes that regulate and order the international system. Connection to the rest of the world and the political ability to be an actor within it are more important than any tangible benefits in explaining compliance within the international system ... Sovereignty, in the end, is status – the vindication of the state’s existence as a member of the international system” (*Ibid.*)

In sum, we can conclude that the concept of state sovereignty has undergone major changes – from its inception as a power-based validation of military rule from 1648 onwards, through a conditionality based on the self-government of peoples to the present-day emphasis on democratic government and observance of human rights as the qualifiers of legitimate sovereignty. There has been a strong political normative evolution in favour of “democratic entitlement”, but there has also been an evolution of legal thinking in this field. Sovereignty in a purely juridical form today does not convey legitimacy, which increasingly rests with acceptable internal decision-making – democracy, or “good governance”.



### ***Human Security: The human right to state protection of the individual***

“Human security” refers to an emerging security agenda where the point of reference is the *individual* person and his or her right to personal security. The right to security is a human right enshrined in all relevant human rights documents. The term “human security” was first used by the UN in its UNDP Human development Index for 1994.

In 2004 a UN High-Level Panel on Security finished its report. The panel consisted of ex-politicians from various countries. The report, which was endorsed by Kofi Annan and which formed the basis for the UN summit of September 2005, is remarkable for its candid realism. Noting that “today’s threats recognize no national boundaries” (UN 2004: synopsis), the panel defines a threat to international peace and security – which is the basis for Chapter VII mandates of the Council – as “any event or process that leads to large-scale death or lessening of life chances and undermines States as the basic unit of the international system”. In this definition we find both state security and human security.

The report also discusses the concept of sovereignty, stating that it implies responsibilities which have become clearer over the years: “Whatever perceptions may have prevailed when the Westphalian system first gave rise to the notion of state sovereignty, *today it clearly carries with it the obligation of a state to protect the welfare of its own peoples and meet its obligations to the wider international community*” (*Ibid.* 22, my emphasis). The panel is equally clear on the implications of this: When a state is unable or unwilling to assume its responsibilities, “the principles of collective security mean that some portion of those responsibilities should be taken up by the international community ... to help build the necessary capacity or supply the necessary protection, as the case may be” (*Ibid.*). Here we witness a major change of principle in the intervention norm: sovereignty, based on conditionality, somehow reverts to the “international community” when the sovereign fails to meet the obligations of sovereignty. This can also imply “protection”, which in turn can mean the use of force. This has never before been spelt out so clearly in a UN setting. The panel continues: “The collective security we seek to build today asserts a shared responsibility on the part of all States and international institutions, and those who lead them, to do just that (fulfil the rights of citizens)” (*Ibid.*).

At the UNGA in 2005 there was a general endorsement of this report as a new norm of international politics, the “responsibility to protect” (R2P). The R2P principle was invoked in the run-up to the air operation in Libya, and logically means that sovereignty is subject to human rights: a state that breaks the right to human security of its citizens, risk intervention, and as in the Libyan case, removal.

In sum, modern sovereignty is a norm which is no longer absolute. Human rights are to be safeguarded by the sovereign, i.e. a government, and human rights and liberal democratic norms therefore present a form of conditionality. The protection of human rights has extended as far as to security policy – human security and the R2P are the logical conclusion: the security of the state's borders is no longer the only valid security policy. Sovereign states may today find themselves intervened into if their governments violate or permit gross violations of human rights.

The development of these “qualifiers” of sovereignty has particularly taken place after 1990, during the “unipolar moment” where the Western democracies have been the most powerful states in the world. What happens to human rights when the power to promote them fades?

### **Back to Multipolarity and Realpolitik?**

Joseph Nye has written much about contemporary power – types and levels (Nye, 2008, 2011, 2002). In his most recent book, *The Future of Power* (2011), he argues that “today, power in the world is distributed in a complex three-dimensional chess-game. On the top chessboard, military power is largely unipolar and the US is likely to remain supreme for some time. But on the middle chessboard, economic power has been multi-polar for more than a decade, with the US, Europe, Japan, and China as the major players” (*Ibid.*, p. XV).

How important are types of power in relation to each other? Can they be compared at all? Nye attempts to do so, and concludes thus: “Military force remains important because it helps to structure world politics ... markets and economic power rest upon political frameworks. In chaotic conditions of great uncertainty, markets fail. Political frameworks rest upon norms and institutions, but also upon management of coercive power” (*Ibid.*, p. 49). In other words, the ordering power of military force is indispensable, even if this source of power cannot be used to achieve gains as it could in previous centuries.

The systemic or global level of the state system is where the unipolar or hegemonic power “commands”. The US still “commands the commons” as it is usually called, at sea, in the air, in cyberspace, and below the sea. The superiority of the US, with allies like France and the UK, is not in question. These three states have the ability for global force projection, none other. The US is in a class by itself. The systemic level structures the state system and the regional level, and we can assume that this structural superiority will continue. The Chinese and the Russians do not (yet) aspire to global, structural security dominance – something which underpins the political system as a whole – but regional such. China has doubled its defence budget

twice over the last years, and clearly aims for regional security dominance in Asia (Le Miere, 2011, Jones, B., 2012). As Beckley points out, there are too many studies that assume that China rises quickly and is on a par with the US soon (Beckley, 2011). But it is also true that history knows no example of great powers that do not translate riches into guns. China has been rising peacefully for 30 years now, not even paying attention to its ageing nuclear weapons, but in the last decade a massive program of military modernisation has started. The same situation occurs in Russian defence. In need of major restructuring, it is not a global contender, but oil income allows for improvement and enlargement.

If we look at the deterring, structural aspects of military power, emphasized by Nye, US and Western hegemony is clear still. But the US has recently revised its strategic plans in the direction of Asia, and the Japanese-American ballistic deterrent has been upgraded. There have been incidents of brinkmanship in the South China Sea and the issue of Taiwan remains a “red line”. Exercises have been shows of force and belligerence, and there is no reticence in neither rhetoric nor willingness to use force: “the return of gun-boat diplomacy to East Asia might also imply that states are increasingly willing to utilise the more powerful militaries available to them. This could gradually undermine the norm against the use of military power to pursue foreign-policy objectives” (Le Miere, op. cit., p. 58).

In international affairs, much change occurs on the Nike shoes campaign slogan “Just do it”. If states start to use military power in support of their interests, the UN Pact’s norms may change quickly again, back towards the logic of *Realpolitik*. One example of such use of force was the Russian strategic attack on Georgia in 2008 (Asmus, 2010). Russian forces stayed in the country for several weeks to underline that they could and would do this, in contravention of the UN Pact, and the real reasons for this move was to prevent NATO from granting membership action status to Georgia. Recently then president Medvedev revealed to officers in Vladikavkaz that the real aim of the attack was to stop NATO expansion into what he regards as Russian spheres of interest.<sup>3</sup> While the official reason for the invasion at the time of attack was to protect Russian “peace-keepers” in Abkhazia, the real reason was to keep NATO out: “if we had faltered in 2008, geopolitical arrangements would be different now and a number of countries in respect of which artificial attempts were made to drag them into NATO would have probably been there now” (*Ibid.*). He added: “it was absolutely necessary ...

<sup>3</sup> “Medvedev gets caught telling the truth”, BBC, 29.11.2011.

the fact that Russia's actions at the time were so tough has eventually secured a situation for us ... we have simply calmed some of our neighbours down by showing them that they should behave correctly in respect of Russia ... for NATO it was a signal that before taking a decision on the expansion of the alliance, one should first think about the geopolitical stability" (*Ibid.*).

This fits the Realpolitik paradigm: Russia asserts a sphere of interest around its borders and demands that NATO keep out of it. The threat of military action had been made many times before it happened, coupled with the traditional Russian demand that it be consulted about expansion of NATO. NATO answers that each state decided itself whether to join and that admission is decided by NATO alone. This familiar standoff in European security politics ended in military invasion this time, and because NATO then faced a military conflict with Russia, it backed down in the sense of putting the whole Georgia-issue aside. Ever since the idea of Georgian membership has been shelved, something which underlines the power of military force if the adversary rules its out. In this sense the Russians had complete success in this case.

Thus, while the "global commons" are still commanded by US military assets, regional hegemony is sought established through "spheres of interests" in both the South China Sea and the Caucasus (Buzan and Wæver, 2004, Hart and Jones, 2011). Moreover, the use of force for state interests is demonstrated again. This development runs contrary to the ad bellum norms of the UN Pact and threatens a return to Realpolitik's rules of the game. The use of military force is dangerous in many ways, one of them is called the friction or fog of war by Clausewitz: one thing leads to another, unplanned. In their article "The Rubicon Theory of War" Johnson and Tierney offers an apt subtitle: "How the Path to Conflict Reaches the Point of No Return" (Johnson and Tierney, 2011).

In a multipolar state system we will see regional hegemons, and China and Russia are in the process of establishing themselves as such. The instability of such a system is marked by the power struggle of emerging powers, and the economic interdependence between them – say the US and China – may lead to more instability, not less. In a relationship of interdependence, even interlock, the most dependent party will suffer. When there is power asymmetry, there is power of one over the other, and also the possibility of acquiescence. We see this in US-China relations where the US is careful in its human rights criticism, as is the EU.

While it is too early and uncertain to conclude about how the US-China relationship will evolve, it is clear that human rights policies evidence the new power structure in the world. I mention the reticence on the part

of US leaders to criticize China on human rights – both president Obama and secretary Clinton were very quiet on this score when in Beijing the last few years – let me now discuss one case where the powerful role of China is clear and where the very notion of human right is rejected:

The Norwegian Nobel Committee grants the annual peace prize, which in 2010 went to the Chinese dissident Liu Xiaobo. He was in prison, and after the announcement of the prize, his wife and friends were also arrested. Neither Liu nor his family have been able to collect the prize. Prior to the announcement of the laureate, Chinese embassy staff were very active in Oslo, trying to stop the process. Once a fact, the Chinese embassy wrote to all ambassadors in town threatening to cut trade relations if they appeared at the ceremony. As the EU counts 24 embassies in Oslo which are obliged to act in unison, the EU delegation ensures orders from Brussels that all member states must be present, and they were (personal interview). Thus, only 16 other states in the end refrained from coming.

But after the ceremony the Chinese reaction towards Norway continues, despite efforts by the foreign minister to have a dialogue, even making public a letter to this effect. The reply from the Chinese was that the prize represents an intervention into the internal affairs of China and contempt for Chinese law and the judiciary which had sentenced Liu. In other words, there are no universal human rights that trump state sovereignty.

This policy is not unique to China, it is rather very consistent. Norway experiences trade cuts and political and economic boycott by China as a punishment for the Nobel Prize. The punishment is quite severe, continuing at present, and being a major economic disadvantage for Norway. The Norwegians are currently serving as a *Prügelknabe* in order to make the point to the rest of the world: Human rights criticism of China is banned and will lead to severe economic punishment. This is a smart move as it works as a deterrent; other states learn this lesson quickly.

In the scholarship on human rights we have much evidence that China acts like this when criticised over human rights. The effect has been a muting of the criticism by state leaders – only NGOs continue. State leaders criticize Zimbabwe and other states where not much is at stake instead. My point here is a structural one, regarding the “rules of the game”: If human rights are invoked less and less by major states in the world, the importance of human rights quickly subsides. Before 1990 human rights played a very little role in world politics despite being codified for fifty odds years and counting as *ius cogens*. The Nike slogan is relevant: “Just do it” – if states refuse to “do it”, to use human rights obligations as norms of international affairs and diplomacy, other norms will replace them.

I mentioned above that human rights conditionality was introduced in all foreign aid (save humanitarian) in the 1990s – IOs as well as states in the West applied the “trinity” of politics, especially human rights, to their programmes in the Third World. Today China is the contender for African development, and no such strings are attached. Many African states prefer the incumbent. Human rights are controversial, and the dependence on the West is no longer there.

In sum, through these examples I wished to illustrate that we are in the midst of a contestation of the liberal democratic regime, or “trinity” of norms where human rights are the core. The power behind human rights is weaker, and a new multipolarity is challenging the West. The central norm of conditional sovereignty is challenged, as is the non-use of military force for state interests.

### **Conclusion: *Pacem in terris* and the Current “Signs of the Times”**

PT was written in hard times, and we may be heading for hard times today as well. Disregarding the importance of power in the anarchic state system that makes up this world, the Pope courageously pointed out that states must be based on freedom and human rights and that states based on force are unjust. There were many states in the latter category then as there are today, yet today we count about 120 states as nominal democracies. In a way, the norms of the political “trinity” have become established as the only legitimate ones: Almost all states present themselves as democracies, and there are some cases of real progress in this direction.

The Pope mentioned the UN: it is still the only IO in the world with global membership. Today the majority of member states are non-Western, but they are developing countries, not great powers. It is still hard to get a UN Security Council (UNSC) mandate for humanitarian intervention, as it was in 1963 – powers like Russia and China use their veto. Throughout the Cold War, the UNSC was mired by the veto; then it became very important, the actor it should be in 1990, and now we again face the veto by great powers in protection of a traditional concept of sovereignty.

Is the new multipolarity – which is emerging quickly – like that of the past? This is perhaps the crucial question. One difference is the degree of interconnectedness and the inability to dominate and control one’s population, *vide* the Arab Spring; another is the large number of non-state actors that have important roles in international affairs. It is simply much harder today to maintain a national unity behind a territorial border. When inhabitants were subjects, they could be controlled, but once they are citizens, they have rights. In our time the rights of the social contract have been re-

defined as universal, inherent rights – not given by rulers, but inborn. In light of this it is to be hoped that a return to absolutist sovereignty is well nigh impossible.

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# FORCIBLE PREVENTIVE DISARMAMENT IN TRADITIONAL JUST WAR THEORY

■ GREGORY M. REICHBERG\*

Spurred in large measure by the 2003 Iraq invasion, and more recently by debates on the possibility of an Israeli (and American) attack on Iran's alleged nuclear weapons program, quite a few studies on the ethics and legality of preventive war have appeared over the last few years. While most authors recognize that preventive military action has long been a topic for normative inquiry, sharply different assessments have been proffered regarding its status within traditional just war theory.<sup>1</sup> Some maintain that "a blanket prohibition on preventive action" has been the dominant view among just war theorists.<sup>2</sup> This appears to be the position staked out in the Compendium of the Social Doctrine of the Church.<sup>3</sup> Others, by contrast, hold that considerable support can be found within the just war tradition in favor of the moral justifiability of at least some preventive wars.<sup>4</sup> Assessing which

\* In my summary presentation at the PASS conference 2012, I will apply the conclusions of this paper to claims made about the justifiability of a preventive attack on Iran as a strategy of forcible nuclear disarmament.

<sup>1</sup> The term "traditional just war theory" is here used to designate developments in the tradition from its inception in medieval canon law (with Gratian ca. 1140) to the middle of the 18<sup>th</sup> century (Vattel), when the tradition entered a period of sharp decline. Excluded from consideration are developments in the latter part of the twentieth century (beginning with Ramsey and then Walzer) wherein a renewal of interest has, in reaction to contemporary trends, moved the tradition in novel directions.

<sup>2</sup> Alan Buchanan and Robert O. Keohane, "Preventive Use of Force: A Cosmopolitan Institutional Proposal", *Ethics & International Affairs* 18/1 (2004): pp. 1-22, on. p. 2.

<sup>3</sup> "[E]ngaging in a preventive war without clear proof that an attack is imminent cannot fail to raise serious moral and juridical questions" (italized in the text) (Pontifical Council for Justice and Peace [London: Burns and Oats, 2004], §501, p. 251).

<sup>4</sup> See, for example, Randall R. Dipert, "Preemptive War and the Epistemological Dimension of the Morality of War", *Journal of Military Ethics* 5/1 (2006): 32-54, who writes (p. 32, Abstract) that "it is far from clear that preventive war is absolutely prohibited in traditional Just War Theory". Cf. Stephen C. Neff, *War and the Law of Nations* (Cambridge: Cambridge University Press, 2005), who maintains that prevention was central to the idea of defensive war in the classical just war tradition: "Defensive war – or preventive war as it might alternatively be called – was designed to prevent an attack from being launched in the first place. As a result, this preventive feature meant that defensive



of these claims best characterizes the main thrust of the just war tradition constitutes the primary purpose of the article.<sup>5</sup>

As can be expected, the approach to this question will depend, in large measure, on how one draws the contours of the just war tradition, namely which authors are included within its fold and which are excluded.<sup>6</sup> Also decisive will be the way in which one characterizes the very idea of prevention. In the recent literature prevention is usually contrasted to preemption.<sup>7</sup> While both sorts of action are anticipatory (they aim at countering attacks that have not yet occurred), the latter is most often taken to designate an armed defense against an offensive that, by demonstrable signs, is imminent, while the former presupposes a longer time frame. Prevention thus seeks to counter an adversary who either is preparing to mount an attack at a still undetermined point in the future, or, still more remotely, has acquired a military capability which, if exercised, would have devastating consequences for the defender. As indicated by the title, this article will focus most especially on the problem of prevention. It will be useful, however, to begin by considering some medieval (12<sup>th</sup>-13<sup>th</sup> century) texts on preemption, since this was the context in which the early just war thinkers first came to discuss the ethics of anticipatory military action. Only much later, in the 16<sup>th</sup>-18<sup>th</sup> centuries, do we find authors mounting arguments for and against prevention, probably as a result of reading Thucydides, who famously asserts in his history of the Peloponnesian War

wars, notwithstanding the label, were essentially offensive in nature..." (p. 127). Based mainly on a reading of Gentili and Grotius, Neff's treatment papers over the very significant differences which (as we shall see) exist between these two authors on the issue of prevention.

<sup>5</sup> This represents an updated version of my article "Preventive War in Classical Just War Theory", *Journal of the History of International Law* 9/1 (2007): 5-33. Preemption/prevention has not been much discussed in the historical literature on just war. A few treatments do nevertheless exist. See for example: Karl-Ernst Jeismann, *Das Problem des Präventivkrieges im Europäischen Staatensystem mit besonderem Blick auf die Bismarckzeit* (Freiburg/München, 1957), where an introductory chapter (pp. 1-31) outlines a variety of positions on this theme (by, *inter alia*, Machiavelli, Clausewitz, Vitoria, Grotius, Montesquieu, Kant, Luther, and More); Richard Tuck, *The Rights of War and Peace* (Oxford: Oxford University Press, 1999), pp. 18-31, which discusses this theme relative to Cicero, Gentili, and Bacon; and Neff, *War and the Law of Nations*, op. cit., pp. 126-30.

<sup>6</sup> For an account of how the just war tradition can be distinguished from other approaches to the ethics of war (pacifism, realism, perpetual peace, and regular war), see the preface to *The Ethics of War: Classic and Contemporary Readings*, edited by G.M. Reichberg, H. Syse, and E. Begby (Blackwell Publishing: Oxford, 2006), pp. 8-12.

<sup>7</sup> This distinction may be found, e.g., in Michael Walzer's *Just and Unjust Wars* (New York: BasicBooks, 1977), in the chapter "Anticipations", pp. 74-85.

that it was fear of future harm which impelled the Lacedaemonians to initiate a war against Athens and its allies.<sup>8</sup>

### **Preemption in medieval canon law**

For the medieval canon lawyers, preemption was discussed as a mode of defensive force. Defense, on this understanding, was considered to be one of two legitimate aims for which Christians might wage war, the other aim being the punishment of wrongdoing. Thus, in a section of the *Decretum* (ca. 1140) which is devoted to the theme of war and coercion (part II, causa 23), Gratian noted that “the point of all soldiering is either to resist injury to carry out vengeance”.<sup>9</sup> Whether injury may be resisted even before it has been inflicted was not expressly discussed within the *Decretum*. This topic was however taken up by one of Gratian’s commentators, in the gloss *Qui repellere possunt*, which advanced one of the first explicit theories of legitimate defense within Western Christianity. The gloss adhered closely to the rules on self-defense which had earlier been set forth in Roman Law. It broke new ground, however, when it discussed self-defense as a special kind of action which could be undertaken by individuals and polities alike. In this respect, it went well beyond the conception that had been articulated in ancient Rome, where the law of self-defense applied solely to the interrelations of private individuals, and not to the public domain of war.<sup>10</sup>

The gloss asserted that force could be employed in self-defense only if two key conditions were met: it must be exercised in the heat of the moment and the defender should limit himself to using only so much force as was necessary to ward off the attack. Today we would term the first condition “immediacy” (or “imminence”) and the second “proportionality”. It was in relation to the former that the gloss raised the problem of preemption.

In discussing immediacy (“in continenti” was the Latin term used) the gloss distinguished between defense of persons and defense of property. It made clear that the defense of persons (either of oneself or of others who might be in harm’s way) allowed for some forward looking (preemptive) action, while the latter generally did not. Although the gloss did not elaborate on this distinction, it made clear that Christians, both clerical and lay,

<sup>8</sup> Thucydides first states this view in Book I, chap. 23.

<sup>9</sup> *Decretum Magistri Gratiani*, in Emil Friedberg, ed., *Corpus Iuris Canonici*, pars prior (Leipzig: Tauchnitz, 1879). A translation of the passage in question may be found in Reichberg et al., *The Ethics of War*, pp. 109–111.

<sup>10</sup> On this, see Peter Haggemacher, *Grotius et la doctrine de la guerre juste* (Paris: Presses Universitaires de France, 1983), pp. 94–5.

who used force to defend themselves, were entitled to engage in more than simple blocking motions. They were also permitted to strike back, even to the point of killing an assailant, either preemptively, as, for instance, to ward off an ambush, or, after the attack had already been initiated, to prevent its renewal. This active resistance to injury the author sharply distinguished from revenge. Defense and revenge were thus construed as two contrasting reasons for the sake of which someone might return violence for violence.

But certain people have contended that no one ought to resist force before it strikes; yet it is permitted to kill an ambusher and anyone who tries to kill you. ... If, however, someone returns violence, this should be done with the assumption that it is for defense, rather than for revenge... and only if the first attacker intends to strike once more; otherwise, if the attacker does not intend to strike once more and the other person still returns force, this should be seen as revenge rather than resistance to force. And this is what I understand when it is said that force may be resisted “on the spot” (*in continenti*). It is therefore required that a return blow be in defense, not in revenge...; and self-defense must be exercised in moderation.<sup>11</sup>

In a text written some fifty years later (ca. 1240), the legal casuist Raymond of Peñafort proposed an expanded version of the main principles outlined in *Qui repellere possunt*. Like his predecessor, Raymond emphasized how the condition of immediacy was meant to distinguish the force used in countering an attack (“repulsio iniurie”), i.e., defense, from any resort to force that had punishment (revenge) as its primary goal. Raymond explained that while punishment sought rectification for offenses that were past and done, self-defense was exercised against threats that were in some measure ongoing.

[I]f someone after [suffering] an act of violence strikes back, and does it immediately (*in continenti*), that is, when he sees the other ready to strike again, he is in no way liable, but if he strikes back while the other does not want to hit him again, this is impermissible, because this is not to fend off injury (*repulsio iniurie*) but is for revenge (*vindicta*), which is prohibited for everyone, and most of all for the clergy.<sup>12</sup>

<sup>11</sup> From the Decretum gloss *Qui repellere possunt*, in *Decretum Divi Gratiani una cum glossis & thematibus prudentum, & doctorum suffragio comprobatis* (Lyon, 1554); English translation in Reichberg *et al.*, *The Ethics of War*, pp. 109–11.

<sup>12</sup> Raymundus de Pennafort, *Summa de poenitentia, et matrimonio, cum glossis Ioannis de Friburgo* [= William of Rennes], part II, §18, Rome, 1603. Translation of the passage cited in Reichberg *et al.*, *The Ethics of War*, op. cit., p. 140.

The problem, of course, was how exactly to define the immediacy in question. On this question, Raymond adhered closely to the teaching of *Qui repellere possunt*. Upon observing how some people say restrictively “that no one ought to repel force unless it has [first] been applied (*nisi illatam*)”, he made clear on the contrary that such force may also justifiably be repelled in anticipation of the actual attack (*priusquam sit illata*), stating that the defender is even permitted “to kill an ambusher and one who intends to kill” ... “if there is no other way (*si aliter non potest*) to counter the threat of the ambusher”.<sup>13</sup> This last phrase points to what is today termed necessity, the condition that a forcible defensive action will be justified only when no other mode of recourse (e.g., by seeking protection from one’s superior – prince or judge – who would ordinarily be entrusted with protecting the innocent from violations of the law) lies open to the defender.<sup>14</sup>

If “necessity” allowed the defender some degree of anticipatory action, it also, on Raymond’s account, permitted him a reasonable delay in undertaking his response to an unjust attack.

If force is directed against property, then one is permitted to repel it, whether it has already occurred (*illatam*), or is planned (*inferendam*), but rather, that is, most of all, when it has already occurred; provided this happens immediately (*in continenti*), that is, as soon as one knows that the attack has occurred, and before one turns to a contrary action (*contrarium actum*).<sup>15</sup>

In other words, far from signifying a necessity so overwhelming that it could leave no time for deliberation, the requirement of immediate response was construed to be fairly elastic. Strictly speaking, the defender was not obliged to mount his counter-attack contemporaneously with the assault; for he was allowed to set aside time to prepare an adequate defense, under condition, however that, in the interim, he did not engage in a “contrary action”.<sup>16</sup>

<sup>13</sup> *Ibid.*

<sup>14</sup> For a brief account of just-war “necessity”, see Endre Begby, Gregory M. Reichberg, and Henrik Syse, *The Ethics of War. Contemporary Authors and Issues*, Philosophy Compass, forthcoming, May 2012.

<sup>15</sup> Reichberg *et al.*, *op. cit.*, p. 141.

<sup>16</sup> *Ibid.* Raymond’s commentator William of Rennes explained (in Raymundus de Pennafort, *Summa de poenitentia*, *op. cit.*, §18, “contrary action”) that it is not a “‘contrary action’ if one in the meanwhile eats, drinks, or sleeps, or prepares to drive the enemy out of an unjustly occupied possession or recover booty brought away by him, even if this preparation demands a period of delay (as has been said); but if one disregards the injury and gives up the intention to pursue one’s goods, turning to other occupations, then this is ‘a contrary action’” (Reichberg *et al.*, *The Ethics of War*, pp. 142–3).

In sum, then, the early canon law treatment of legitimate defense did allow for some forms of preemptive action, as long as these remained within the bounds of necessity and immediacy. Moreover, the texts that we have considered implicitly distinguished between two sorts of preemption. One sort is exercised against an aggression that is about to begin for the very first time, as in the example of an ambush; the other is exercised within the context of an aggression that has already occurred but is likely to be renewed. To employ the twin terms that are of fairly recent coinage, these may be termed respectively *ad bellum* and *in bello* preemption.

Thomas Aquinas (ca. 1224–1274) In elaborating his famous outline of just war principles in *Summa theologiae* II-II, q. 40, a. 1,<sup>17</sup> Thomas Aquinas made no mention of anticipatory military action. However, the notion which he places at the center of his account – just cause – *prima facie* would seem to exclude any purely preventive action, since only a party that is already guilty of determinable wrongdoing would be liable to attack. Attacking a party for what it might do, rather than what it has already done, would appear to contradict Aquinas’s fundamental premise that there is just cause for war only when “those who are attacked deserve attack on account of some fault”. By contrast, the possibility that armed force might justifiably be used to impede wrongful actions that have been concretely planned, but not yet executed, would seem not to be excluded within the context of Aquinas’s broader moral theory, which does include a concept of inchoate wrongdoing.<sup>18</sup>

In a related text,<sup>19</sup> Aquinas remarks that taking due care to judge fairly (inwardly in thought, outwardly in words and actions) of someone else’s character and actions (including, presumably, the character and actions of another polity and its leaders) is itself an obligation of justice. He warns against being overly suspicious, as “when a man, from slight indications, esteems another man’s wickedness as certain”.<sup>20</sup> “Consequently, unless we have evident indications of a person’s wickedness, we ought to deem him good by interpreting for the best whatever is doubtful about him”.<sup>21</sup> If we extrapolate this comment beyond its immediate context (the ethics of judgment) and apply it to the domain of war, it would appear to militate against

<sup>17</sup> Latin text in Sancti Thomae Aquinatis Doctoris Angelici, *Opera Omnia iussu impensaue Leonis XIII*, vols. 8 (Rome: Editori di san Tommaso, 1895), p. 313. English translation in Reichberg et al., *The Ethics of War*, op. cit., pp. 176–78.

<sup>18</sup> See for example, STh I-II, q. 72, a. 7.

<sup>19</sup> STh II-II, q. 60.

<sup>20</sup> *Ibid.*, art. 3, in corp.

<sup>21</sup> *Ibid.*, art. 4, in corp.

any strategy of purely preventive action. This should not be taken to imply, however, that only an evil must be fully manifest before effective action may be taken against it. As he notes within the same article, “when we have to apply a remedy to some evil, whether our own or another’s, in order for the remedy to be applied with greater certainty of a cure, it is expedient to take the worst for granted, since if a remedy be efficacious against a worse evil, much more is it efficacious against a lesser evil”.<sup>22</sup> On a prudential level, the lesson seems to be that opposing wrongdoing at its inception is preferable to combating it only once it has reached full strength.

### **Francisco de Vitoria (ca. 1492-1546)**

Drawing on Aquinas’s earlier sketch of just war theory, the Spanish Dominican Francisco de Vitoria wrote one of the very first full-fledged treatises on the law of war (*De iure belli*, ca 1539).<sup>23</sup> Therein he made a rather sharp distinction between the different causes (“grounds”) of a just war. A war that was waged to repel an (unjustified) armed attack would be classed under the category of “defense”. Engagement in this sort of war would not require the permission of the highest authority in the realm (a prince or king), as anyone, a duke, a magistrate, or even a private individual could resort to force under circumstances of “necessity”.<sup>24</sup> However, like his predecessors, Vitoria placed fairly strict limitations on what might be done in the name of defense, especially when carried out at the initiative of a lower official or private individual. Such action could be resorted to only in the absence of other viable options (most especially, if time constraints precluded contact with one’s superior or he was unable to respond quickly to the threat), it had to be exercised “in the heat of the moment” (*in continenti*), i.e., contemporaneously with the attack or just before it, if it was imminent, and in strict observance of proportionality.<sup>25</sup> Most importantly, a person or

<sup>22</sup> *Ibid.*, ad 3.

<sup>23</sup> Latin text: Francisco de Vitoria, *Relectio de iure belli; o, Paz dinámica*, L. Pereña, V. Abril, C. Baciero, A. García, & F. Maseda, eds., *Corpus Hispanorum de Pace VI* (Madrid: Consejo Superior de Investigaciones Científicas, 1981). English translation: Francisco de Vitoria, *Political Writings*, Anthony Pagden and Jeremy Lawrance, eds. (Cambridge: Cambridge University Press, 1991), 295-327.

<sup>24</sup> *De iure belli*, §9 (Pagden and Lawrance, p. 302).

<sup>25</sup> In the 12<sup>th</sup>-13<sup>th</sup> centuries, fairly detailed accounts of self-defense, articulated in terms of the criteria now known as “necessity”, “immediacy”, and “proportionality”, were elaborated by authors such as John the Teutonic, Raymond of Peñafort, and William of Rennes. For an overview, see Gregory M. Reichberg, “Aquinas on Defensive Killing: A Case of Double-Effect?” *The Thomist*, vol. 69, July 2005, pp. 341-70, especially pp. 354-61.

group acting in self-defense was not allowed to seek redress for past harms or to punish wrongdoers. The latter two aims constituted what Vitoria termed “offensive war”. The prosecution of this sort of war, was, he held, exclusively the prerogative of the prince, the supreme authority in the land.

On the question of defensive preemption, Vitoria added little to the teaching of the canon lawyers. He repeated their admonitions about not exceeding the bounds of immediacy, necessity, and proportionality, which, as we have seen, allowed for some very limited modes of anticipatory action. In his earlier lectures on question (64) of the *Summa theologiae* II-II (“On homicide”), Vitoria made clear that preemptive measures can licitly be adopted by a private individual (and, we can add, by extension a state) only when these three conditions are in place, and where, in addition, there is “scientific certitude [certitudine scientiae] that his enemy will seek him and kill him”.<sup>26</sup>

In his treatment of offensive war, by contrast, Vitoria did open up some new perspectives. His treatment was basically divided into two parts. In the first, he discussed what now goes under the heading of *ius ad bellum*, i.e., the set of problems associated with the resort to armed force. In close continuity with Aquinas, he maintained that only such wrongdoing as constituted the serious violation of a right, could justify the use of force against an enemy. For this reason, his theory would seem to leave very little opening for preventive strategies, and indeed, at this juncture he says nothing explicitly about them. On the other hand, however, when discussing punishment, which, as we saw above, was considered by him to be one of the aims of war, Vitoria asserted that this could justifiably be intended not only to effect retribution for past misdeeds, but also and by the same token, to deter against the renewal of such wrongdoing in the future. Punishment, on this account, aims at both retribution and deterrence.<sup>27</sup>

The deterrent aspect of punishment was discussed by Vitoria in the second part of the *De iure belli*, where he focused on issues that would today go under the heading of *ius in bello*, or in Vitoria’s summation of what is to

<sup>26</sup> *Commentarios a la Secunda Secundae de Santo Tomás*, q. 64, a. 7. Latin text and English translation in J.P. Doyle, ed., Francisco de Vitoria, O.P., *On Homicide* (Milwaukee: Marquette University Press, 1997), pp. 202–3.

<sup>27</sup> *De iure belli*, §5 (Pagden and Lawrance, p. 300): [T]he commonwealth cannot sufficiently guard the public good and its own stability unless it is able to avenge injuries and teach its enemies a lesson, since wrongdoers become bolder and readier to attack when they can do so without fear of punishment. It is necessary for the proper administration of human affairs that this authority [to punish injuries done to itself and its members] should be granted to the commonwealth”.

follow, “what, and how much, may be done in the just war”.<sup>28</sup> At the outset of this treatment, he notes that “in a just war one may do everything necessary for the defense of the public good”.<sup>29</sup> Hence, whatever defensive measures are allowed to private individuals will also, and to an even greater degree, be conceded to a commonwealth and its prince. Expanding on this last point, Vitoria explains how in a just war “a prince may do everything ... which is necessary to secure peace and security from attack”.<sup>30</sup> Thus not only is the prince permitted to repel an attack at the very point where it occurs, but, in addition, he is within his rights in adopting preventive measures, “say by demolishing the enemy’s castles or setting up garrisons in his territory, if that is necessary to secure himself from attack”.<sup>31</sup> Under this description, punishment is forward looking; having disrupted the peace, the unjust enemy is liable to suffer such measures as may prevent him from renewing his hostile action in the future:

The proof of this is that... the purpose of war is peace, and therefore those who wage just war may do everything necessary for security and peace. Tranquillity and peace are accounted among the good things that men strive for; without security, all the other good things together cannot make for happiness. When enemies upset the tranquillity of the commonwealth, therefore, it is lawful to take vengeance upon them.<sup>32</sup>

The scope of this forward-looking vengeance is not limited to the period which precedes victory. Not only during the war, “but even after the victory has been won and property restored to its rightful owners, and peace and security established, it is lawful to avenge the injury done to the enemy and, and to teach the enemy a lesson by punishing them for the damage they have done”.<sup>33</sup> On this basis, a victorious prince may be justified in removing the defeated prince from power, thereby effecting, in the interests of future security, what today we would term “regime change”:

However,<sup>34</sup> it cannot be denied that there may sometimes be legitimate reasons for supplanting princes, or for taking over the government.

<sup>28</sup> *Ibid.*, §15 (Pagden and Lawrance, p. 304)

<sup>29</sup> *Ibid.*

<sup>30</sup> *Ibid.*, §18 (Pagden and Lawrance, p. 305).

<sup>31</sup> This is the variant reading which is indicated in Pagden and Lawrance, p. 300, footnote 19.

<sup>32</sup> *Ibid.*, §18 (Pagden and Lawrance, p. 305).

<sup>33</sup> *Ibid.*, §19 (Pagden and Lawrance, p. 305).

<sup>34</sup> In the paragraph immediately preceding (§58), Vitoria had explained that enemy princes should not be deposed at the outcome of each and every just war; this practice should be reserved only for the most egregious cases: “... punishments should be dimin-



This may be because of the number or atrocity of the injuries and harm done by the enemy, and especially when security and peace cannot otherwise be ensured, when failure to do so would cause a dangerous threat to the commonwealth. This is clear enough; if it is lawful to occupy a city for this reason ... then it must be lawful to remove its princes.<sup>35</sup>

Vitoria's views regarding the permissibility of preventive measures, while quite robust, were nevertheless framed squarely within the context of wars that were either underway or just completed. In other words, this was a teaching about the *ius in bello*, and, at its fullest extension, about what might be done *post bellum*. Most emphatically, however, it was not a teaching about the *ius ad bellum* and the justifiability of starting a war so as to protect one's commonwealth from the threat of some future harm.

### **Alberico Gentili (1552-1608)**

An Italian Protestant and professor of law at Oxford, whose family had fled their homeland in order to avoid persecution, Gentili was one of the first authors in the Christian West openly to endorse the idea of preventive war. His writings combine elements from two quite different normative approaches to war. On the one hand, he engaged in what was by then a standard discourse (in theology and canon law) about just war. From this perspective, war was deemed a unilateral instrument by which a belligerent enforced its rightful claim to sanction an injury that had been done to it by the opposing party. On the other hand, in continuity with the ancient Roman legal theorists, the juriconsults, who endorsed what Vattel would later term "regular war" (*guerre réglée*),<sup>36</sup> Gentili conceptualized armed conflict as a contest between equal belligerents who both, owing to their sovereign status, enjoyed a similar capacity to wage war, regardless of the cause that had prompted the conflict. As in a duel, they were both entitled to exercise the same legal prerogatives against each other. Gentili likened this

ished in favor of mercy. This is a rule not only of human law, but also of natural and divine law. Therefore, although the harm done by the enemy may be a sufficient cause of war, it will not always be sufficient to justify the extermination of the enemy's kingdom and deposition of its legitimate native princes; this would be altogether too savage and inhumane" (Pagden and Lawrance, p. 326).

<sup>35</sup> *Ibid.*, §59 (Pagden and Lawrance, p. 326).

<sup>36</sup> On the contrast between just war and regular war, see Peter Haggemacher, "Just War and Regular War in Sixteenth Century Spanish Doctrine", *International Revue of the Red Cross*, September–October 1992 (no. 290), pp. 434–45.

contest to a legal process in which the two litigants are presumed to have entered the proceedings in good faith. Since in war (as in litigation) it usually remains doubtful which of the opposing sides is possessed of the just cause, it is incumbent on the belligerents to observe the same code of honor in their conduct toward each other.

Gentili combined the two approaches described above by implicitly distinguishing the theoretical versus the practical implications of the idea of just cause. Theoretically and on the level of principle, he maintained that the difference between just and unjust causes of war can be determined with adequate clarity. He emphasized however that the application of this knowledge to concrete cases will often be problematic. Awareness of this practical difficulty appears to have been the central factor that induced him to argue, in line with some other proponents of Roman law, that “war may be waged justly on both sides”.

A focus on the practical uncertainty surrounding decision-making in situations of conflict was one of the key factors which led Gentile to advocate in favor of preventive war. This theme arises in bk I, chap. XIV of *De iure belli libri tres* (*Three Books on the Law of War*),<sup>37</sup> where he discusses “defense on grounds of utility”. Under conditions of uncertainty, he argues, it is justifiable to

make war through fear that we may ourselves be attacked. No one is more quickly laid low than one who has no fear, and a sense of security is the most common cause of disaster. [...] We ought not to wait for violence to be offered us, if it is safer to meet it halfway. [...] Therefore... those who desire to live without danger ought to meet impending evils and anticipate them.

One ought not to delay, or wait to avenge at one’s peril an injury which one has received, if one may at once strike at the root of the growing plant and check the attempts of an adversary who is meditating evil.<sup>38</sup> [...]

This last statement could suggest that Gentili is here simply considering preventive action against a wrong that has already been decided on and is in process of being planned. In such a case the application of armed force would be akin to a police operation that is mounted to thwart an ongoing criminal conspiracy. While this sort of scenario would undoubtedly fall within the purview of his comments, it becomes clear, as we read through

<sup>37</sup> Hanau: G. Antonius, 1612, pp. 96–107; citations from the English translation in Reichberg *et al.*, *The Ethics of War*, pp. 372–7.

<sup>38</sup> Reichberg *et al.*, p. 376.

the chapter, that he is first and foremost concerned with a situation in which another polity, which one has reason to fear as an adversary, has acquired a capacity by which it might do future harm:

No one ought to expose himself to danger. No one ought to wait to be struck, unless he is a fool. One ought to provide not only against an offence which is being committed (*est in actu*), but also against one which may possibly be committed (*est in potentia ad actum*). Force must be repelled and kept aloof by force. Therefore one should not wait for it to come; for in this waiting there are the undoubted disadvantages.<sup>39</sup> ...

[I]t is better to provide that men should not acquire too great power, then to be obliged to seek a remedy later, when they have already become too powerful.<sup>40</sup>

Gentili takes care to clarify that the fear of possible future harm must be grounded a careful and reasonable assessment of the risks:

A just cause for fear is demanded; suspicion is not enough. Now a just fear is defined as the fear of a greater evil, a fear which might properly be felt even by a man of great courage. Yet in the case of great empires I cannot readily accept that definition, which applies to private affairs. For if a private citizen commit some offence against a fellow citizen, reparation may be secured through the authority of a magistrate. But what a prince has done to a prince, no one will make good.<sup>41</sup> [...]

But since there is more than one justifiable cause for fear, and no general rule can be laid down with regard to the matter, we will merely say this, which has always been a powerful argument and must be considered so today and hereafter: namely, that we should oppose powerful and ambitious chiefs. For they are content with no bounds, and end by attacking the fortunes of all.<sup>42</sup>

In the passage which brings this chapter to a close, Gentili expresses some ambivalence about the doctrine he has just expounded. On the one hand, he states quite boldly that his intent throughout has been to assert the justice of defending one's commonwealth not only against "dangers that are already meditated and prepared" but also and especially against

<sup>39</sup> *Ibid.*

<sup>40</sup> *Ibid.*, p. 377.

<sup>41</sup> *Ibid.*

<sup>42</sup> *Ibid.*

“those which are not meditated, but are probable (*verisimilia*) and possible (*possibilia*)”.<sup>43</sup> On the other hand, he indicates that this doctrine must be applied with circumspection, since it is not meant to cover just any situation in which a prince has grown in power against his peers, for example through successions and elections. More than sheer power must be taken into account, “some other reason must be added for justice’s sake”;<sup>44</sup> presumably (Gentili does not elaborate on this point) the prince in question must, by his past behavior, have provided some indication of his ambitious and aggressive character if he is to be deemed liable to preventive attack.

Finally, among the reasons which motivated Gentili’s endorsement of preventive war, in addition to the one already mentioned – the practical difficulty of ascertaining just causes for war in concrete circumstances – it must also be noted that he articulated another reason which appears to have moved him in this direction. In the chapter (XIII, “Of necessary defense”) which immediately preceded his treatment “of defense on grounds of utility”, Gentili had explained, how, in conformity with the teaching of the ancient Greeks and Romans, self-defense must be viewed as a natural right (*ius naturae*) which applies to brutes and human beings alike. This right proceeds not from some rational argumentation (*opinio*); rather, we (and presumably brutes as well) are persuaded of it by a kind of inborn power (*innata quadam vi*). Since it arises in us naturally, spontaneously, as it were, the acts to which it inclines have no inherent connection with the rational order of justice (*non pertinent ad iustitiam*). It answers rather to the law of necessity. In this vein Gentili quotes Bodin approvingly, when the latter cited the ancient Roman adage that “War is just for whom it is necessary” (*Justum bellum, quibus necessarium*).<sup>45</sup>

From this account of self-defense, it follows, quite logically, that preventive (*ad bellum*) strategies need not be justified first and foremost on grounds of justice and of law. To the contrary, this sort of defense pertains to a realm more basic than law, where one’s very survival is at stake. Not long thereafter, Hobbes would develop this view into an elaborate normative theory of social interaction. And for the humanist thinkers of the period, it was manifest that the doctrine of prevention was built on premises quite alien to the natural law based, just-war teaching of the scholastics. This divergence was pointedly expressed by Gentili’s contemporary Francis Bacon (1561–1626), in a passage well-worth quoting:

<sup>43</sup> *Ibid.*

<sup>44</sup> *Ibid.*

<sup>45</sup> Bodin, *On the Republic*, V.v.

However some schoolmen, otherwise reverend men, yet fitter to guide penknives than swords, seem precisely to stand upon it, that every offensive war must be 'ultio', a revenge, that presupposeth a precedent assault or injury; yet neither do they descend to this point, which we now handle, of a just fear; neither are they of authority to judge this question against all the precedents of time. For certainly, as long as men are men ... and as long as reason is reason, a just fear will be the cause of a preventive war ...<sup>46</sup>

### Hugo Grotius (1583-1645)

In the Dutch jurist's great work *De jure belli ac pacis* (1625),<sup>47</sup> we find the first concerted to attempt to assess the justifiability of preventive war by reference to a systematic treatment of just war principles. A close reader of both Gentili and Thucydides (whose Peloponnesian War is amply cited in this connection), Grotius was well aware of the key issues at stake in the debate about prevention, and consequently his reasoned opposition to this strategy takes on special salience.<sup>48</sup>

From the outset, he sets his entire treatment within the context of law, for, as he puts it, "where judicial means fail, war begins" (II.I.II<1>).<sup>49</sup> War,

<sup>46</sup> Francis Bacon, *The Letters and the Life*, VII, ed. James Spedding (London, 1874), p. 477; quoted by Richard Tuck, *The Rights of War and Peace*, op. cit., p. 19.

<sup>47</sup> *De iure belli ac pacis liber tres*, B.J.A. De Kanter-van Hettinga Tromp, ed. (Leiden: Brill, 1939); all citations are taken from the English translation in Reichberg *et al.*, *The Ethics of War*, pp. 385-437.

<sup>48</sup> In *The Rights of War and Peace*, op. cit., Richard Tuck maintains (pp. 102-8) that Grotius's normative approach to war shows considerable continuity with the line earlier marked out by Gentili and, more generally, with the tradition of "humanist jurisprudence": "Far from being an heir to the tradition of Vitoria and Suarez ... he [Grotius] was in fact an heir to the tradition Vitoria most distrusted, that of humanist jurisprudence" (p. 108). Since Tuck makes much of the fact that Gentili endorsed the idea of preventive war (p. 18), the reader could easily infer that the position taken by Grotius on this point was very much the same. But as is clearly manifest from the texts cited below, on the question of preventive war, Grotius was clearly at pains to distance himself from Gentili. Thus, despite Tuck's contention that Grotius had much in common with Gentili (and later with Hobbes), if we take into account the Dutch thinker's position on preventive force (and related issues), it is more plausible to class him alongside the scholastic theologians as a representative of traditional just war theory; cf. for some critical comments on Tuck's reading of Grotius, see Peter Hagggenmacher, "Droits subjectifs et système juridique chez Grotius", in Luc Foisneau, ed., *Politique, droit et théologie chez Bodin, Grotius, et Hobbes* (Paris: Éditions Kimé, 1997), pp. 73-130, on pp. 77, 89, 102 and 120.

<sup>49</sup> Reichberg *et al.*, *The Ethics of War*, p. 401.

on this account is taken to be an extension of the rule of law (i.e., of determinable rules of right conduct) into a realm where the standard procedures of law (i.e., the enforceable decisions of courts of law) no longer apply. Grotius's discusses anticipatory defense within two different contexts. The first is his treatment of self-defense in IBP, bk. II, chap. I, where the focus is on what we have termed "preemption"; while the second, bk. II, chap. XXII, is directed specifically to the problem of prevention. Let us survey each of these in turn.

(1) Preemption. Building on the analogy between legal action and war, Grotius first notes (II.I.II<1>) such procedures may be directed either against offenses that have not yet been committed (*non factum*), or inversely, against offenses that have already been carried out. In the latter case the aim to coerce restitution or effect punishment; applied to armed conflict this constitutes the domain of *bellum offensivum*. With respect to the former, steps will be to prevent imminent harm (*damni infecti*), thus giving rise to *bellum defensivum*.

Focusing initially on the conditions of private self-defense (II.I.V<1>), Grotius explains that if an application of force is to be justified, the danger must be immediate (*praesens*) and on the spot as it were (*quasi in puncto*). Thus "if an assailant seizes weapons in such a way that his intent to kill is manifest, the crime can be forestalled".<sup>50</sup> Grotius quickly qualifies this assertion by adding that it obtains only in situations where the risk of harm is truly immediate; under less urgent circumstances other measures will have to be adopted:

Further, if a man is not planning an immediate attack (*vim non... praesentem intentet*), but it has been ascertained that he has formed a plot, or is laying an ambush, or preparing a poison in our way, or that he is making ready a false accusation and false evidence, corrupting the judicial procedure, I maintain that he cannot rightly (*iure*) be killed, either if the danger can in any other way be avoided, or if it is not altogether certain that the danger cannot be otherwise avoided. Usually, in fact, the delay that will intervene affords opportunity to apply many remedies and to take advantage of many accidental occurrences ... There are, it is true, theologians and jurists who would extend their indulgence somewhat further; but the opinion stated, which is better and safer, does not lack the support of authors (II.I.V<2>).<sup>51</sup>

<sup>50</sup> *Ibid.*, p. 403.

<sup>51</sup> *Ibid.*

In a more general vein, Grotius comments (presumably against Gentili) that fear alone is an insufficient standard for decision-making about the limits of defensive action:

[T]hose who accept fear of any sort as justifying anticipatory slaying, are themselves greatly deceived, and deceive others. Cicero said truly, in book I of *On Duties*, that most injuries have their origin in fear, since he who plans to do harm to another fears that, otherwise he may himself suffer harm. In Xenophon, Clearchus says: 'I have known men who, becoming afraid of one another, in consequence of calumny or suspicion, and purposing to inflict injury before receiving injury, have done the most dreadful wrongs to those who had had no such intention, and had not even thought of such a thing (II.I.V<1>).<sup>52</sup>

Grotius concludes this first part of his treatment with a comment about how the principles enunciated above (immediacy and necessity), require some adjustment when they made to regulate the actions of states rather than individuals. The first adjustment arises due to the longer duration of inter-state conflicts, while the second relates to the admixture of defense and punishment which characterizes force as exercised within the public sphere:

What has been said up to this point, concerning the right to defend oneself and one's possessions, applies chiefly, of course, to private war; yet it may be made applicable also to public war, if the difference in conditions be taken into account. In private war this right is, so to say, momentary; it ceases as soon as circumstances permit an approach to a judge. But since public wars do not arise except where there are no courts, or where courts cease to function, they are prolonged, and are continually augmented by the increment of fresh losses and injuries. Besides, in private war, self-defense is generally the only consideration; but public powers have not only the right of defense but also the right to exact punishment. Hence for them it is permissible to forestall (*praevenire*) an act of violence which is not immediate (*praesentem*), but which is seen to be threatening (*imminere*) from a distance (*de longo*); not directly – for that, as we have shown,<sup>53</sup> would work injustice – but indirectly, by inflicting punishment for a crime commenced (*coeptum*) but not yet carried through (*non consummatum*) ... (II.I.XVI).<sup>54</sup>

<sup>52</sup> *Ibid.*

<sup>53</sup> Bk. II, II, V<1-2>.

<sup>54</sup> Reichberg *et al.*, *The Ethics of War*, p. 404.

This last point is especially important. Grotius is here suggesting that holders of public authority may be justified in undertaking long-term preemptive action only when the target of such action (which may be the leadership of another state) has been found guilty of conspiracy to commit future aggression. In other words, a discernable wrong must already have been committed if such preemption is to have a grounding in sound moral and legal principle. It would then take on the form of deterrent punishment. Thereby excluded would be purely preventive action, in which an attack is mounted solely to preclude another party from achieving the capacity to engage in a project (not yet decided on) to engage in future harm. Grotius thus condemns as illicit any use of force which would aim to counter misdeeds which have not yet been “meditated”, but are merely “possible”.<sup>55</sup>

(2) Prevention. Already alluded to in the passage just quoted, the issue of *ad bellum* prevention is taken up explicitly in the section of IBP which immediately follows. Discussing what he will later classify (II.XXII) among the “unjust causes of war”, Grotius asserts unequivocally (II.I.XVII) that “a public war is not admitted to be defensive which has as its only purpose to weaken the power of a neighbor”:<sup>56</sup>

Quite untenable is the position, which has been maintained by some [Gentili], that according to the law of nations it is right to take up arms in order to weaken a growing power which may do harm (*nocere posset*), should it become too great. That this consideration does enter into deliberations regarding war, I admit, but only on grounds of utility, not of justice. Thus if a war be justifiable for other reasons, for this reason also it might be deemed far-sighted, to undertake it; that is the gist of the argument which the writers cited on this point present. But that the possibility of being attacked confers the right to attack is abhorrent to every principle of equity. Human life exists under such conditions that complete security (*plena securitas*) is never guaranteed to us (II.I.XVII<1>).<sup>57</sup>

<sup>55</sup> Grotius’s position on preventive war has been well summed up by Peter Haggemacher, who notes that the eminent Dutch jurist excludes “la guerre préventive, dans la mesure du moins où elle se fonderait uniquement sur un motif de défense; il admet en revanche la légitimité d’une action visant à frapper à titre punitif un délit en cours d’exécution, mais cela ne jouera en pratique qu’au bénéfice des puissances publiques, à l’exclusion des particuliers” *Droits subjectifs et système juridique chez Grotius*, op. cit., p. 101.

<sup>56</sup> *Ibid.*, p. 405.

<sup>57</sup> *Ibid.*



In the subsequent chapter on unjust causes of war, amplifying on this theme of security, Grotius takes another swipe at Gentili. This affords him with an opportunity to elucidate the key element – intention – which separates justifiable preemption from wrongful prevention:

We have said above that fear with respect to a neighboring power is not a sufficient cause [for war]. For in order that defense may be lawful it must be necessary; and it is not necessary unless we are certain, not only regarding the power of our neighbor, but also regarding his intention (*animo*), the degree of certainty required being that which is accepted in moral matters (II.XXII.V <1>).<sup>58</sup>

Grotius concludes with a prescription about what may be done in self-defense against a neighboring country that has grown in power, but has not yet manifested an evil intent (say, by breaking a sworn treaty or other such agreement): Build your own fortress!

Wherefore we can in no wise approve the view of those who declare that it is a just cause of war when a neighbor who is restrained by no agreement builds a fortress on his own soil, or some other fortification which may some day cause us harm. Against the fears which arise from such actions we must resort to counter-fortifications on our own land and other similar remedies, but not to force of arms (II.XXII.V <2>).<sup>59</sup>

While it cannot be doubted that Grotius intends to deny any moral or legal foundation to capacity prevention, to the question whether preventive strategies may be employed against an adversary who is “meditating evil”, yet whose project to cause harm still remains distant from any concrete action,<sup>60</sup> he gives no straightforward answer. As we have seen, he does allow that forcible measures may be taken (especially by public authorities) to thwart inchoate wrongdoing. Yet he is clearly keen to restrict the application of such measures to circumstances where there is discernable wrongdoing on a par with what we would today term “criminal conspiracy”. In other words, such measures could not be taken on the basis of vague suspicions or tenuous allegations, but on the sort of evidence which would be admis-

<sup>58</sup> *Ibid.*, pp. 410–1.

<sup>59</sup> *Ibid.*, p. 411.

<sup>60</sup> The use of armed force to counter a long-term project of harm (as distinct from preemption on the one hand, and pure capacity prevention on the other), has been well explored by Raino Malnes in an essay that thus far has appeared only in Norwegian: “Er forebyggende krig rettferdig krig?” (Is preventive war a just war?), in Bjørn Erik Rasch, Janne Haaland Matlary, and Per Kristen Mydske, eds., *Spillet om Irak*, (Oslo: Abstrakt forlag, 2003), pp. 151–86.

sible in a court of law. Moreover, evidence of mere planning (simple intention) would be an insufficient warrant for resort to such force. For, as Grotius argues, taken in isolation, the intent to engage in wrongdoing is an insufficient basis for punishment; in addition there must be some outward manifestation (incitement to wrongdoing, enlisting the support of fellow conspirators, etc.), since, as he writes in II.XX.XVIII, “internal acts are not punishable by men”:

Crimes that have only just begun (*inchoata delicta*) are therefore not to be punished by armed force, unless the matter is serious, and has reached a point where a certain damage has already followed from such action, even if it is not yet that which was aimed at; or at least great danger has ensued, so that the punishment is joined either with a precaution against future harm (about which we spoke above in the chapter on defense), or protects injured dignity, or checks a dangerous example (II.XX.XXXIX<4>).<sup>61</sup>

There is, in other words, a strong presumption against this sort of preventive action, which, to be overcome, requires that quite rigorous standards of proof and necessity be met.

### **Emer de Vattel (1714-1767)**

The issue of preventive war was given a prominent place in the just war theory of Emer de Vattel. We find the Swiss diplomat first raising this issue in bk. I, chap. IV, of the *Le droit des gens*<sup>62</sup> where, after noting (§49) that both individuals and nations enjoy the moral power, i.e. a right, “to protect themselves from all injury,” he asserts (§50) that “[t]he safest plan is to forestall (*prévenir*) evil, where that is possible”, “by anticipat[ing] the other’s design”.<sup>63</sup>

From the later and more ample treatment given in book III of the same work, it becomes clear that Vattel is very consciously working with a distinction between what we have here termed “preemption” versus “prevention”. Quite interestingly, these appear as subdivisions within the broader category of “offensive war”. In contrast to defensive war, the purpose of which is the protection of self and others from attack, the aim of offensive war is twofold:

<sup>61</sup> *Ibid.*, p. 406.

<sup>62</sup> London (i.e., Neuchâtel), 1758. Citations are taken (with some amendments) from the English translation by Charles G. Fenwick, *The Law of Nations or the Principles of Natural Law, Applied to the Conduct and the Affairs of Nations and of Sovereigns*, The Classics of International Law (Washington, D.C.: Carnegie Institution, 1916).

<sup>63</sup> *The Law of Nations*, p. 130.

(1) the enforcement (*poursuite*) of rights and (2) security (*la sûreté*).<sup>64</sup> While the first subdivides into the classic distinction between recuperation of goods and the punishment of injury, the latter, as defined by Vattel, permits of two different modes. On the one hand, force may be used preemptively against another nation to forestall (*prévenir*) an injurious action which it is preparing to commit (*elle se prépare à faire*). Yet, force may also be employed preventively to ward off the harm which one nation believes itself to be threatened by the increased power of the other (*dont on se croit menacé de sa part*).

Vattel seems little interested in the problems associated with protection from imminent harm, which earlier authors had discussed in terms of concepts such as defense *in continenti*, necessity, and proportionality.<sup>65</sup> He appears to take for granted that such defense is fully licit and therefore requires little in the way of moral or legal justification. By contrast, more so than any of his predecessors (yet in line with Gentili) he appears intent on thematizing the issue of prevention as a central problem in the normative assessment of war. In this respect, his doctrine brings a new dimension to earlier treatments within the just war tradition. The discussion arises in a section (book III, chap. III) of the *Le droit des gens* where Vattel has just finished considering (§41) under what circumstances a nation can engage in offensive war to punish injury done to it by another nation. Recognizing that the issue of preventive force is of “the greatest importance”, he begins his treatment in a manner reminiscent of Gentili, whom he echoes by asking (§42)

whether the aggrandizement of a neighboring State, in consequence of which a Nation fears that it will one day be oppressed, is a sufficient ground for making war upon it; whether a Nation can with justice take up arms to resist the growing power of that State, or to weaken the State, with the sole object of protecting itself from the dangers with which weak States are almost always threatened from an overpowerful one. The question presents no difficulties to the ma-

<sup>64</sup> Bk. III, chap. I, §5. Nevertheless, later in the same book (chap. III, §28) Vattel appears to reverse himself when he describes security from future attack (“nous défendre, en nous garentir d’injure”) as a mode of defense, thereby contrasting it to offensive war, which is concerned with recuperation and punishment. The inconsistency is only apparent, however, since Vattel subsequently clarifies (chap. III, §28) that “sûreté” will be posited as an aspect of punishment (in which case it will come under the heading of offensive war), in those cases where a party (including a nation) that has already been judged guilty of an offense, is compelled to offer guarantees for the future.

<sup>65</sup> Hence he writes (bk. III, chap. III, §35, op. cit., p. 246) that “defensive war is just when carried out against an unjust aggressor”, and, as such, it “needs no proof”.

majority of statesmen; it is more perplexing for those who seek at all times to unite justice with prudence.<sup>66</sup> From this statement we can see that Vattel was at pains to harmonize two very different and in fact competing points of view on preventive force: the natural law tradition as represented most eminently by Grotius, and realist tradition, represented by thinkers such as Thucydides, Bacon, and Gentili. There results, in the *Droit des gens*, an uneasy compromise between the two orientations, with some comments supporting the realist view, while others stipulate limits that seem most in keeping with the perspective of the natural lawyers. This tension is of a piece with Vattel's attempt at merging the two normative approaches to war – just war and regular war – which were discussed above by reference to Gentili.<sup>67</sup> Although, on a theoretical level, Vattel maintains the language and conceptual framework of just versus unjust causes of war, when it comes to the actual implementation of these norms in concrete settings, he follows the line marked out by Gentili according to which no one state may stand in judgment over any other.<sup>68</sup> Conceiving of states in characteristically modern terms as compact entities confronting each other within a distinct sphere of action, Vattel places particular emphasis on each nation's inherent right of self-preservation.<sup>69</sup> The exercise of this right lays upon leaders a special obligation to “avoid carefully and so far as possible whatever might bring about [the state's] destruction”.<sup>70</sup> In this respect more in keeping with the thought of Hobbes than of Grotius,<sup>71</sup> Vattel

<sup>66</sup> *The Law of Nations*, p. 248.

<sup>67</sup> For a brief discussion of Vattel's attempt (in line with his predecessor Christian Wolff) at synthesizing these two approaches, see the editors' comments in Reichberg *et al.*, *The Ethics of War*, pp. 469–70 and 504–6.

<sup>68</sup> This is expressed in the Introduction (§21) to the *Droit des gens* as derivative upon his postulation, very much in keeping with the regular war idea, of the equality of states: “Since Nations are free, independent, and equal, and since each has the right to decide in its conscience what it must do to fulfill its duties, the effect of this is to produce, before the world at least, a perfect equality of rights among Nations in the conduct of their affairs and in the pursuit of their policies. The intrinsic justice of their conduct is another matter which it is not for others to make a definitive judgment upon; so that what one may do another may do, and they must be regarded in the society of mankind as having equal rights (*un droit égal*) (*The Law of Nations*, p. 7).

<sup>69</sup> On the right and duty of national self-preservation, Bk. I, chap. II.

<sup>70</sup> *Ibid.*, §19, p. 14.

<sup>71</sup> This point has been well seen by Peter P. Remec (*The Position of the Individual in International Law according to Grotius and Vattel* [The Hague: Martinus Nijhoff, 1960], who notes that “The law of nature, as exposed by Wolff and Vattel, follows Hobbes, in the

considers the foresight of dangers, and the taking of efficacious action against them, as the paramount role of political leaders. And, in line with thinkers of the realist orientation, he perceives an especially wide gap between the requirements of private and public (leadership) prudence. Leaders must be on their guard to a degree not expected of private individuals; by virtue of their role, the former have a responsibility to take suspicions much more seriously than would be permitted, morally speaking, of the latter.<sup>72</sup>

Yet in keeping with the natural law tradition, Vattel states (§30) that “an act in violation of justice can never be truly beneficial to the state”,<sup>73</sup> and for this reason “prudence ... can never counsel the use of illegitimate means in order to obtain a just and praiseworthy end” (§43).<sup>74</sup> And following out this line of reasoning, he asserts unambiguously that “it is a sacred rule of the law of nations that the aggrandizement of a [neighboring] state cannot alone and of itself give anyone the right to take up arms to resist it” (§43).<sup>75</sup> He thus rejects, as incompatible with the true dictates of justice and morality, any preventive attack the sole aim of which is to eliminate the growing power of another state which has hitherto given no evidence of malicious behavior or intent.<sup>76</sup> Acknowledging (§46) that the statesman should nevertheless remain diligent in the face of such a possible threat – “a nonchalant imprudence would be impardonable in a matter of such great importance”<sup>77</sup> – Vattel makes clear that overt military action must be emphatically excluded. He does however countenance the use of softer means (*moyens plus doux*) – military alliances, exclusionary trading partnerships and the like –

main, not Grotius or any classic writer on natural law. It is Hobbes’s idea of individualistic self-preservation and not the classic notion of rational and social human nature that prevails in Wolff’s and Vattel’s writing” (p. 53).

<sup>72</sup> See, for instance, bk. III, §44, where Vattel writes that “The interests of nations have an importance quite different from the interests of individuals; the sovereign can not be indolent in his guardianship over them; he can not put aside his suspicions out of magnanimity and generosity. A Nation’s whole existence is at stake when it has a neighbor that is at once powerful and ambitious. Since it is the lot of men to be guided in most cases by probabilities, these probabilities deserve their attention in proportion to the importance of the subject-matter; and, if I may borrow a geometrical expression, one is justified in forestalling a danger in direct ratio to the degree of probability attending it, and to the seriousness of the evil with which one is threatened” (*The Law of Nations*, p. 249).

<sup>73</sup> *Ibid.*, p. 244.

<sup>74</sup> *Ibid.*, p. 248

<sup>75</sup> *Ibid.*

<sup>76</sup> This specific issue is taken up in bk. III, §§46–49.

<sup>77</sup> *The Law of Nations*, p. 250.

in order to preserve the balance of power from the distortions which have been introduced into the system by the growth of this “formidable power” (§46). In this vein, he hastens to add (§46) that if Rome’s neighbors had only been possessed of the foresight to “set limits to her progress, they would not progressively have become subject to her”.<sup>78</sup>

Purely preventive measures are thus excluded. Force may be used, he reiterates (§43), “only in order to avenge an injury received, or to guarantee oneself (*se garantir*) against an injury by which one is threatened (*menacé*)”.<sup>79</sup> In line with the first disjunct, Vattel readily acknowledges that forcible preventive strategies may be employed as a mode of deterrent punishment against a neighboring power that has previously been guilty of some grave breach of justice.<sup>80</sup> In this respect, he adheres to the just war doctrine as it was earlier articulated by Vitoria and Grotius.

A notable divergence with the earlier just war tradition emerges however when Vattel considers whether one state may use force preventively to protect itself from another that has previously done it no harm, when this latter behaves in a way that the former has reason to believe it will be deliberately threatened with future harm. Vattel describes this scenario by reference to the following four conditions: the “menacing” power (1) has the ability to oppress a neighboring country (*le pouvoir d’opprimer impunément*), (2) whose whole existence is thereby at stake (*il y va de tout*), (3) it intends to do so (*la volonté y soit jointe*), and (4) it has shown signs (*marques*) of “injustice, greed, ambition, and a will to dominate” in the past (§44).<sup>81</sup> These four conditions conjoined, the potential victim(s) may justifiably resort to arms, “at the moment it [the other] is about to receive a formidable addition to its power” in order to “impede its designs” (§44).<sup>82</sup> From the context (the imaginary case of Louis XIV) it is manifest that Vattel is not here referring to imminent harm, but rather a long-range plan by which the formidable power hopes one day to dominate other less powerful neighbors. Yet it was precisely under such a scenario that Grotius had tightly circumscribed the resort to preventive force, to the point of denying it under all but the most convincing of circumstances, since “the delay that will intervene affords the opportunity to apply many remedies and to take advantage of many accidental

<sup>78</sup> *Ibid.*

<sup>79</sup> *Ibid.*, p. 248.

<sup>80</sup> See bk. III, §28, pt. 2.

<sup>81</sup> *The Law of Nations*, p. 249.

<sup>82</sup> *Ibid.*

occurrences ...” (see above, p. 17). Such action would thus ordinarily be disallowed under the heading of (what we today term) “necessity”.

It is true that Vattel qualifies his account somewhat when he adds the caveat that any state threatened with harm in the manner just described must first “demand guarantees (*des sûretés*)” of the would-be aggressor; the former will be justified in resorting to force only once it becomes clear that these guarantees will not be forthcoming. But this condition does little to modify the overall tenor of Vattel’s argument, since the entire burden of proof is on the state suspected of future aggression; the onus is on it, and not its accuser, to provide evidence of peaceable intent. Any failure to provide such guarantees will automatically warrant the adoption of forcible measures of defense by the other.<sup>83</sup> Similarly, the least injustice committed by the state under suspicion will justifiably enable other states, “profiting by the occasion”, to “join forces with the injured state in order to put down the ambitious prince, disable him from so easily oppressing his neighbors, or from giving them constant cause for fear” (§45).<sup>84</sup> The strict correlation of crime to punishment, central to Grotius’s theory of penal justice,<sup>85</sup> seems no longer operative in the “prudential” scheme proposed by the Swiss diplomat.<sup>86</sup>

Vattel concludes by asserting that “if this formidable prince... betrays his plans by preparations or other advances, other nations have the right to check him; and if the fortune of war be favorable to them, they may profit by the favorable opportunity to weaken and reduce his strength, which up-

<sup>83</sup> In this formulation Vattel seems dependent on Pufendorf (*De iure naturae et gentium* [1672], bk. VIII, chap. 6), who wrote that “not only may I use force against an enemy until I have warded off the peril with which he threatened me, or have received or extorted from him what he had unjustly robbed me of, or refused to furnish, but I can also proceed so far as to secure guarantees for the future. And if he allows that to be forced from him, he shows clearly enough that he still intends to injure me again in the future” (in Reichberg *et al.*, *The Ethics of War*, pp. 460-1).

<sup>84</sup> *Ibid.*, 250.

<sup>85</sup> See IBP, bk. II, chaps. XX-XXI.

<sup>86</sup> In this respect as well Vattel appears to have been influenced by Pufendorf, who suggested that when a party has shown bad behavior in the past, any single instance of renewed wrongdoing can be met with a severer response than would otherwise have been the case, since its bad “track record” (as we would now say) justifies the imposition of proportionately more stringent measures to prevent the likely repetition of such wrongdoing in the future (*De iure naturae et gentium*, bk. VIII, chap. 6): “Nor is it in fact always unjust to return a greater evil for a less... since the evils inflicted by right of war ... [do not] have as their direct object the reform of the guilty party or others, but the defense and assertion of my safety, my property, and my rights” (in Reichberg *et al.*, *The Ethics of War*, p. 461).

sets the balance of power and constitutes a menace to the common liberty of all” (§49).<sup>87</sup> Here again the divergence with Grotius is patent. The most the eminent Dutchman could council under suchlike conditions of insecurity would be to build “counter-fortifications on our own land and other similar remedies, but not... [a resort] to arms” (see above, p. 20).

### Conclusions: Just War, between the Webster and Bush Doctrines

Contemporary discussion of the permissibility of preventive force has been oriented around two key texts which together have framed the parameters of the debate. On the one hand, there is the famous Webster doctrine of 1841, which, in defining legitimate defense by reference to threats which are “instant, overwhelming, leaving no choice of means, and no moment for deliberation,” would seem emphatically to exclude any preventive military action.<sup>88</sup> On the other hand, there is the Bush doctrine as expounded in the 2002 National Security Strategy (NSS) document, which asserts that the United States would be justified in using its military force “to prevent or forestall hostile acts by [its] adversaries,” “even if uncertainty remains as to the time and place of the enemy’s attack” (p. 15).<sup>89</sup>

<sup>87</sup> *The Law of Nations*, p. 252.

<sup>88</sup> The formula is taken from a letter by U.S. Secretary of State Daniel Webster to British Ambassador Henry Fox, dated April 24, 1841. For the full text of the passage, see Reichberg *et al.*, *The Ethics of War*, op. cit., pp. 563–4. A extended treatment of the Caroline incident of 1837, which gave rise to the exchange of diplomatic letters between Webster and Fox, may be found in Kenneth R. Stevens, *Border Diplomacy: The Caroline and McLeod Affairs in Anglo-American-Canadian Relations, 1837–1842* (Tuscaloosa: University of Alabama Press, 1989). The author notes that Webster was apparently well-versed in the writings of Grotius and Pufendorf, since some years prior he had pleaded an admiralty case before the U.S. Supreme Court, wherein he and a colleague had utilized arguments drawn from these two thinkers (*ibid.*, p. 104). It remains the case, however, that the criteria of legitimate defensive action which Webster applied to the Caroline case were considerably more restrictive than the doctrine earlier articulated by Grotius (and Pufendorf). Aside from the advocacy role which Webster assumed in this case, which clearly lent itself to a restrictive interpretation, it must be said, in addition, that the debate over the Caroline incident was concerned with determining the conditions under which the neutrality of a third party (in this instance the U.S.) might justifiably be violated; this was not, *ex professo*, a debate about the limits of preemptive force.

<sup>89</sup> The National Security Strategy of the United States of America (Washington, D.C.: The White House, September 2002; available online at [www.whitehouse.gov/nsc/nss.pdf](http://www.whitehouse.gov/nsc/nss.pdf)). For a good treatment of the moral and legal issues involved in the 2002 NSS document, see Dieter Janssen, “Preventive Defense and Forcible Regime Change: A Normative Assessment”, *Journal of Military Ethics* 3/2 (2004, special issue on Ethics and International Law): pp. 105–28.



Read in light of the earlier just war tradition, Webster's formula seems an apt description of the sort of defense which might legitimately be carried out by private individuals. But as applied to the action of states, it falls short of the full range of defensive strategies which might justifiably be carried out in the face of a dangerous threat.<sup>90</sup> For, as we have seen, writers as early as Raymond of Peñafort made clear that the condition of immediacy was fairly elastic; it was in no wise restricted to contemporaneity with an actual attack, but could allow for a period of careful deliberation and planning. In addition, the formula leaves wholly out of consideration the admixture of defense and punishment which is characteristic of state action in this field. Inchoate wrongdoing, when it takes the form of conspiracy to engage in future acts of aggression, can ground a limited resort to preventive force. Likewise, states that have fallen victim to aggression can be warranted, post bellum – i.e., assuming the adversary has been defeated – in adopting forcible measures to eliminate its capacity to undertake future aggression.

By contrast, it must be said that the policy articulated in the 2002 NSS exceeds what would be deemed legitimate by the mainstream of just war thinkers. In essence, this document promotes a doctrine of pure capacity prevention,<sup>91</sup> which, as we have seen, is incompatible with the central just war postulate that resort to offensive force is permissible only when it is a reaction to determinable wrongdoing.

True, the NSS does base its argument on the premise that the targets of this preventive military action are “rogue states”, which, by their past behavior, cannot be trusted to refrain from deploying (or sharing with terrorists groups) unlawful weapons of mass destruction, should such weaponry come into their possession. But strikingly, the text is entirely silent on the key issue of wrongful intention (conspiracy to engage in harm), which, as we have seen, was central to the justification for preventive attack on Grotius's carefully circumscribed account (“[preventive] defense is not lawful ... unless we are certain, not only regarding the power of our neighbor,

<sup>90</sup> This is the position taken by Michael W. Boyle in *Striking First: Preemption and Prevention in International Conflict* (edited and introduced by Stephen Macedo [Princeton: Princeton University Press, 2008]): “The Caroline standard is too extreme. ... Moreover, the principles themselves are deeply flawed. They justify reflex defensive reactions to imminent threats and nothing more (p. 15).

<sup>91</sup> “We must be prepared to stop rogue states and their terrorist clients before they are able to threaten or use weapons of mass destruction against the United States and our allies and friends” (NSS, op. cit., p. 14, emphasis added).

but also regarding his intention”<sup>92</sup>). Even Vattel, who was more liberal than his Dutch predecessor in allowing for preventive military measures, recognized that a pattern of nefarious behavior in the past could warrant the employment of such measures only under condition that one’s (would-be) adversary reveal (if only by his actions) a resolute will to cause specific harm in the future.<sup>93</sup>

Of the doctrines that we have reviewed on the question of prevention, the NSS stands closest to the position outlined much earlier by Gentili. Neither can properly be described as a version of just war theory. Rather, they represent a form of realism that the classical just war thinkers sought to refute.

<sup>92</sup> IBP II.XXII.V <1>, cited above p. 18.

<sup>93</sup> See above, p. 26.

# RELIGION'S TWO ALTERNATIVE AND COMPLEMENTARY PATHWAYS: FROM FAITH TO REASON AND FROM REASON TO FAITH

■ ENRICO BERTI

An extraordinary document of the way in which the early Christians – the Apostles themselves actually – intended evangelization is St. Paul's speech to the Athenians, as reported in the *Acts of the Apostles*. Some scholars (Norden, Jaeger) question the authenticity of this speech but they are classical philology scholars rather than New Testament exegesis specialists. However, experts now identify almost beyond doubt the author of Acts as the evangelist Luke, which argues in favour of the authenticity of Paul's discourse, even though any doubts on the latter would still not undermine the historical value of a document that was certainly written by the first Christian communities. The first reason to be interested in the discussion is the fact that it addresses the population of the city which throughout the ancient world had the reputation of being the capital of philosophy, the birthplace of Socrates and Plato, the place where Aristotle, Epicurus and the Stoics taught. The apostle Paul, who was a man of culture, was certainly aware of this fact, and took it into account in his evangelization efforts. The Book of Acts in fact refers that he would debate every day in the public square (the famous *agora*) with whoever happened to be there, among whom there were 'some of the Epicurean and Stoic philosophers'.<sup>1</sup>

The first reaction of those who listened to Paul preaching about Jesus and resurrection was that he was a promoter of foreign deities. No one in Athens had in fact ever heard of Jesus and especially of his resurrection, a concept entirely alien to Greek culture, which understood the concept of immortality instead, thanks to Platonism, and in some cases even the concept of reincarnation, thanks to Pythagorism. The introduction of foreign gods, for a religion like the Greek one – which was largely a civil religion, one founded on the worship of the gods of the *polis* – was almost a crime. We should not forget that this was what Socrates had been accused of and sentenced to death. Despite this negative reaction, however, Paul's listeners, being Athenians, were curious, because – as the author of the Acts observes – they 'used their time

<sup>1</sup> *Acts* 17, 16-18.

for nothing else but telling or hearing something new'. So they led Paul to the Areopagus, the hill that was the headquarters of the supreme court of Athens, and invited him to explain his doctrine clearly.<sup>2</sup>

The strategy adopted by Paul emerges clearly from the beginning of his speech. He praises the Athenians as very religious, as evidenced by the many temples and shrines found in the *agora*, and claims to have seen among those monuments an altar dedicated 'to an unknown god'. There is no reason to doubt the historicity of this statement, which reveals a very natural concern in those practicing a polytheistic religion, namely the fear of unknown gods and the fact of not wanting to antagonize them. Paul's tactic is to exploit this situation to show that the God proclaimed by him is not a foreign god, but it is exactly the same god that the Athenians worship unknowingly, that is, a god that they themselves acknowledge. This is not a simple *captatio benevolentiae*, as is often said, but a strategic choice made by the Apostle in order to begin with an approach shared by his listeners themselves, in this case with polytheistic, i.e. popular religion.

Straight after this first move, however, Paul completely changes his reference point, because he states: 'The God who made (*poiésas*) the world and all that is in it, the Lord of heaven and earth, does not dwell in sanctuaries made by human hands (*cheiropoiêtois*), nor is he served by human hands as if he needed (*prosdeomenos*) anything. Rather it is he who gives to everyone life and breath and everything'.<sup>3</sup> This is no longer one of the gods of popular religion, but it is the one that would later be called 'the God of philosophers'. Indeed, in *Timaeus* Plato had spoken of a God who made (*poiêtês*) the world and this doctrine had been spread all over the Greek and Roman world thanks to Aristotle's dialogue *De philosophia*, lost to us but read and quoted by many, including pagan philosophers such as Cicero and Jewish philosophers like Philo of Alexandria. Precisely in this dialogue, probably quoting a speech given by the character of Plato, Aristotle had declared that God had the whole world as his temple, not the works made by human hands (*cheiromêta*), and that he did not give orders to servants, because he did not need (*deitai*) anything.<sup>4</sup> These are more or less the same words used by Paul. Aristotle himself, in works that probably derive from the *De*

<sup>2</sup> *Ibid.*, 19–21. A bronze plaque with the original text of Paul's discourse in ancient Greek is still visible today in the Areopagus in Athens.

<sup>3</sup> *Ibid.*, 24–25.

<sup>4</sup> For a documentation of these affirmations please refer to my *Nuovi studi aristotelici*, IV/1, Brescia, Morcelliana, 2009, pp. 43–63.

*philosophia*, declared that ‘from there’, that is from the God who moves the heavens while remaining motionless, ‘derive the being and life’ of all things.<sup>5</sup>

The discourse continues with more references to the ‘God of philosophers’, when Paul says that this God, having created the nations of men, has fixed for them ‘the ordered seasons and the boundaries of their regions, so that people might seek God, even perhaps grope for him and find him’.<sup>6</sup> The ordered seasons mean the changing of the seasons on the earth, and the boundaries of their regions are the divisions between habitable lands and oceans, so the reference is to cosmic order as a whole, which Paul considers as a reason offered to men so that they may seek and find God, even though they might have to ‘grope for him’, i.e. find Him without the help of revelation. Well, even in Aristotle’s *De philosophia* the cosmic order, the work of God, consists in the alternation of the seasons and the division between land and sea, and is listed as one of the signs of God’s existence. Moreover, in the *Letter to the Romans*, as you know, Paul says that the visible things made by God, that is, precisely the cosmic order, show His invisible perfections and thus make Him somewhat knowable to men, regardless of their faith.<sup>7</sup>

Finally, in his speech to the Athenians, Paul says that “‘In him we live and move and have our being”, as even some of your poets have said, “For we too are his offspring” (*genos*)’.<sup>8</sup> Here, as you know, the reference is to the conception of God proper to the Stoics and the quote literally takes a verse of the *Phenomena* of the Stoic poet Aratus of Soli, also quoted in the *Hymn to Zeus* by Cleanthes of Assos. So the reference to the ‘God of philosophers’, i.e. of Plato, Aristotle and the Stoics, is explicit.

This had already been reported by Joseph Ratzinger in his *Introduction to Christianity*, where he states that ‘early Christianity boldly and resolutely made its choice and carried out its purification by deciding *for* the God of the philosophers and *against* the gods of various religions’, adding that ‘the choice thus made meant opting for the *logos* as against any kind of *mythos*: it meant the definitive demythologization of the world and of religion’.<sup>9</sup> And John Paul II’s encyclical *Fides et ratio*, referring explicitly to Paul’s speech to the Athenians, says that ‘If pagans were to understand them, the first Christians could not refer only to “Moses and the prophets” when they

<sup>5</sup> Aristotle, *De caelo* I 9, 279 a 28–30.

<sup>6</sup> *Acts* 17, 26–27.

<sup>7</sup> *Rom* 1, 19–20.

<sup>8</sup> *Acts* 17, 28.

<sup>9</sup> J. Ratzinger, *Introduzione al cristianesimo*, Brescia, Queriniana, 2003, pp. 128–129. English edition: J. Ratzinger, *Introduction to Christianity*, Communio Books, 2004, pp. 137–138.

spoke. They had to point as well to natural knowledge of God and to the voice of conscience in every human being. Since in pagan religion this natural knowledge had lapsed into idolatry, the Apostle judged it wiser in his speech to make the link with the thinking of the philosophers, who had always set in opposition to the myths and mystery cults notions more respectful of divine transcendence'.<sup>10</sup>

In his speech to the Athenians, the debate against idolatry appears immediately after Paul quotes Aratus, when he says: 'Therefore since we are God's offspring, we should not think that the Godhead is like gold or silver or stone, which harbours the imprint of the human imagination or art'.<sup>11</sup> The clearest reference to these words, for the Athenians, was probably the Chryselephantine (i.e., gold and ivory) statue of Athena, positioned in the centre of the Parthenon, which was still visible at the time. Even in Aristotle's *De philosophia*, as evidenced by the Jewish Philo, the concept of one God, creator and ruler of the universe, was opposed to the 'statues made by human hands'. But the apostle's words contain an argument that can only be understood in the light of Greek philosophy. Paul says that since we are God's offspring, we should not think that God is like gold, silver or stone, i.e. the stuff of which statues are made. This means that if we are God's offspring, we are like him, and since we are not made of gold, silver and stone, that is, of matter, God cannot be identified with material statues either, as the popular religion believed. The implication of this argument is that we humans are not matter but spirit, that is – as the Greek philosophers said – intelligence (*nous*). In fact, both Plato and Aristotle repeatedly declared that man is intelligence (*nous*), that intelligence is the divine element (*theion*) present in man and that God is essentially intelligence.<sup>12</sup> In short, according to Paul, the Greek philosophers, by reason alone, had been able to formulate a concept of God that was much more advanced than that of popular religion based on myth, and this is the God he announces to the Athenians.

However, this is only the first part of Paul's discourse. The author of the Acts refers to the second part more briefly but there is no reason to assume that it was less important. Indeed, after mentioning the 'times of ignorance', i.e. the time when men did not know the true God, Paul declares that the time has come for all people everywhere, that is, not only Jews, but also

<sup>10</sup> John Paul II, *Fides et ratio*, n. 36.

<sup>11</sup> *Acts* 17, 29.

<sup>12</sup> In the last remaining fragment of the lost dialogue *On prayer* Aristotle said that "God is intelligence (*nous*) or something higher than intelligence itself" (*Aristotelis Fragmenta selecta*, ed. D.W. Ross, Oxford 1955, p. 57.

Greeks, to repent (*metanoein*), i.e., change their way of thinking, in short, to recognize the true God. At this point he explicitly presents the Christian message, i.e. that God has appointed a man to judge the earth with justice, 'and he has provided confirmation for all by raising him from the dead'.<sup>13</sup> The brevity of these words is not enough to conceal their meaning: the man appointed by God is clearly Jesus, whom he had already mentioned at the beginning of his speech; the reference to resurrection, also mentioned at the beginning of the text, attests His divinity; the task assigned to Him, 'to judge the earth with justice' refers to redemption. It is the whole Christian message, revealed to all men, but acceptable only through faith. The first path of evangelization, which went from reason to faith, now follows the second path, from faith to reason.

The author relates the listeners' reaction to that announcement as follows: 'When they heard about resurrection of the dead, some began to scoff, but others said, "We should like to hear you on this some other time". [...] But some did join him, and became believers. Among them were Dionysius, a member of the Court of the Areopagus, a woman named Damaris, and others with them'.<sup>14</sup> This passage is usually interpreted as a sign of the failure of Paul's discourse, and thus implicitly of the type of evangelization adopted by him in this circumstance. But a careful reading shows that the text does not say that. The text speaks of a division among the listeners, produced by the announcement of the resurrection, that is, the divinity of Jesus. In fact, the concept of resurrection, as we said earlier, was totally alien to Greek culture, and as such was met by some with derision.

However, the text says that this was the reaction of 'some' (*hoi men ... hoi de*), and then adds that 'some' others (*tines*) believed, thus giving the impression of the audience being divided into two groups which, although not quantitatively characterized, are however represented in the same way: 'some ... some'. The believers include a member of the Areopagus, Dionysius, that is, an important figure, presumably of great learning and authority, and a woman named Damaris, i.e. a person who was at the opposite end of the Greek social hierarchy, with no importance or culture. The author probably makes these remarks to indicate the variety of those who believed, and therefore the universality of the accession to faith. There is no reason to believe that Paul's speech was a failure.

<sup>13</sup> *Ibid.*, 30–31.

<sup>14</sup> *Ibid.*, 32–34.

Indeed, it brings together two alternative and complementary ways of presenting religion, one that goes from reason to faith and one that goes from faith to reason. The first, as St. Thomas says, must precede the second: 'Faith cannot altogether precede understanding, for it would be impossible to assent by believing what is proposed to be believed, without understanding it in some way'.<sup>15</sup> This means that starting from reason does not serve to inspire faith, as many think, but only to make people understand the truths of faith, i.e. to show that they are not absurd, i.e. impossible. Resurrection, for example, would be absurd without a God who, having created the world, is omnipotent and therefore can also raise people from the dead. The path that starts from reason, therefore, does not compel us to believe, as proven by the fact that some did not believe Paul, although they presumably shared his appeals to the god of philosophers, who was their god, the god of the Greek philosophers. This path, however, allows one to believe, clears the field of any possible obstacle to faith and opens, as it were, a space for faith, as evidenced by the fact that some others, after hearing the specifically Christian message, the appeal to faith, believed.

Everything becomes clearer for those who adhere to faith: they understand why God created the world, why He set an order that was a sign of His power, why He created man in His image, and why He wanted to redeem man of ignorance, sin and death through the death and resurrection of His only begotten Son, true man and true God at the same time. Thus, as St Thomas always says: 'the perfection of understanding follows the virtue of faith: which perfection of understanding is itself followed by a kind of certainty of faith'.<sup>16</sup>

Since the first route is based on reason, which is possessed by everyone, it is in a way binding for everyone, even if not everyone is then willing to use reason or knows how to use it properly. Proof of this is the fact that the Greek philosophers managed to attain it without the help of any revelation. The Greek philosophers, in fact, came to conceive of a God, creator and lord of heaven and earth, and a man who is intelligence, i.e. spirit, who can be considered divine offspring, i.e., created by God in His likeness. Today this path consists in showing that reason, constituted mainly by science, does not deem

<sup>15</sup> Thomas Aquinas, *Summa Theologiae* II-II, q. 8, a. 8 ad 2um: *Fides non potest universaliter praecedere intellectum, non enim posset homo assentire credendo aliquibus propositis nisi ea aliquantulum intelligeret.*

<sup>16</sup> *Ibid.*: *Sed perfectio intellectus consequitur fidem quae est virtus, ad quam quidem intellectus perfectionem sequitur quaedam fidei certitudo.*



absurd, i.e., impossible, the content of faith and that it is perfectly compatible with it, although it is unable to prove it because it is beyond its capacity.

Since the second path is based on faith, it logically presupposes the first – not necessarily in chronological order – since faith would not be possible unless one had the concept of an absolute, transcendent and omnipotent God. But this path is the result of free choice, because faith is an act of freedom. It is not required by reason, because after admitting the existence of an absolute and transcendent God – as many in fact admit today – one might not believe that He has saved men through His Son – as many today do not believe. However, faith is made possible by reason, that is, it is shown as not impossible, not absurd, not irrational, as it would be if reason were to demonstrate that there is no transcendent God and that the world can be explained entirely by itself. The complementarity of the two alternative paths perhaps reveals a new additional meaning of the saying of the Gospel ‘the truth shall make you free’,<sup>17</sup> because if reason is used to arrive at the truth, it makes possible that act of true freedom which is faith.

<sup>17</sup> *Jn* 8, 32.

# THE RELIGIOUS AND SPIRITUAL DIMENSION OF PEACE

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## The understanding of peace in world religions

In today's usage, peace is the state in which existing conflicts between human beings, social groups or countries are conducted without violence according to legally regulated norms. The concept defines a state in the relationship between peoples, countries and social groups which excludes the use of force, particularly war, for the implementation of policy. The word therefore plays a role not only in relations between countries but also between groups within a country: in internal political conflicts (breach of the peace), in labour relations (industrial peace), in public behaviour (disturbing the peace), within households (domestic peace) and so on. In its final sense we also speak of peace in the relationships of religions and churches.

The religions themselves of course have a more comprehensive understanding of peace. This includes rather than excludes the political and social understanding of peace, but means far more than the absence or the prevention of war and conflict. Most religions do in fact also possess militant texts, like the Old Testament imprecatory psalms for example, but these are overcome step-by-step within the Bible itself in a process of critical transformation. On the whole, peace has an essential universal significance within a cosmic order. Peace is to a certain extent the ideal description of an intact and salutary state of reality, and refers to both the cosmos and humanity in the whole of the cosmos. If this peace is disturbed, the disturbed harmony must be reconciled and restored through sacrifice and atonement.

It is only possible to make a few fleeting references in this present context. For Asian thinking the idea of harmony is fundamental. Hinduism acknowledges the concept of *ahimsa* as foundational. In its basic meaning it signifies the rejection of the use of force and of whatever is harmful. In the more recent phases of Hinduism this concept gained currency as a rule of conduct. Mahatma Gandhi above all renewed the ancient *ahimsa* ideal in the sense of non-violence, and applied it to all spheres of life including the political. For Buddhism all life is suffering. Empathy (*karuna*) means sympathetic compassion for the suffering and fate of all people and all living creatures. The attitude of *karuna* encounters all beings and all phenomena of this world with love and helpfulness.

In ancient Chinese Taoist thought all reality is determined by constantly changing relationships and by the harmonious complementarity of the two primal principles of “Ying” (the receptive, feminine, the earth) and “Yang” (the creative, masculine, heaven). Thus in world religions the word peace acquires the meaning of inner peace in the sense of inner calm, the peace of the soul, “peace of mind”. The internal attitude of peaceableness is seen as the prerequisite for creating external peace in the world.

In this context I can only deal with the biblical meaning of peace in the Old and the New Testament in greater detail. The Hebrew word *shalom* (like the Arabic word *salaam* derived from the same word stem) means far more than the English word peace. It is still today used among Jews as a greeting in which the person who is greeted is granted peace in a performative act. It is therefore a kind of benediction. It has the meaning of comprehensive happiness and wholeness, a state of individual and communal contentment. *Shalom* is therefore not only understood as internal, but is essentially grounded in righteousness (Ps 85,9ff). “Opus iustitiae pax” (Is 32,17; cf. James 3,18). This state of wholeness can only be granted by God. We ask him for peace and thank him for peace (Ps 122,6ff); God himself is in fact identified with peace (Judges 6,24: “The Lord is Peace”). The prophets foretell an eschatologically understood comprehensive state of salvation (Is 2,2ff). The Messiah is awaited as the Prince of Peace (Is 9,6).

The New Testament expands on the Old Testament message of peace. The birth of Jesus is proclaimed as peace on earth. (Luke 2,14). The kingdom of God announced by Jesus is understood as the kingdom of peace and righteousness (Rom 14,17). This high esteem is expressed already in the Beatitudes of the Sermon on the Mount, where the peacemakers are praised as blessed (Matt 5,9). Jesus intensifies this message through the command to love one’s enemies (Matt 5,44; cf. Rom 12,14.20). The disciples are to speak peace in the name of Jesus (Luke 10,5f). The Resurrected One greets the disciples: “Peace be with you!” (Luke 24,26; John 20,19.21.26). and leaves them his peace (John 14,27). Paul opens his letters with the greeting of peace (Rom 1,7; 1 Cor 1,3 etc). God is a God of peace (Rom 15,13; 16,20; 1 Cor 14,33 etc). Jesus Christ is our peace; on the cross he established peace and reconciliation, and in his body he reconciled those who were divided with God (Eph 2,14ff). Peace is a fruit of the spirit (Gal 5,22). It is to rule in our hearts (Col 3,15). Through Christ God has created a state of peace that now obligates us and also enables us to live in peace with all mankind (Rom 12,18; 2 Cor 13,11; Heb 12,14 etc).

This message of peace lives on in the liturgy, for example in “passing the peace”, “Pax vobis”, the reciprocal address and exchange of *Pax*, and in the

chant “Agnus Dei”, “Dona nobis pacem”. The Christmas gospel and the Christmas liturgy are characterised above all by the message of peace (*pax homibus*).

So according to the biblical message, peace is a universal good of salvation which in view of the chaos and unrest of the world can only be granted by God, but which demands our service in all spheres of life. Engagement for peace is the form taken by Christian responsibility towards the world. The advent of universal, perfect and lasting peace of course remains something to be hoped for, which God alone can bring to fulfilment eschatologically. That distinguishes the Christian message of peace from purely interior utopias of peace.

### **The historical legacy of Christianity**

The statements made about both Asian religions and about Christianity are more or less descriptions of the ideal, of what should be. One can always find sufficient counter-arguments to them in both Christianity and the other religions when one looks at the lived historical reality. The monotheistic religions, and here again Christianity in particular, are at present often accused of being conflict-laden or even aggressive. That the Christian churches have in the course of history repeatedly been the cause and have even initiated conflicts, including military conflicts and outbreaks of violence – for example in the Crusades or the persecution of heretics and religious wars – no sensible person would wish to deny. The same is true of other religions. But one can reduce Christianity and church history to such phenomena only if one adopts a one-sided and selective ideological perspective.

In the following discussion I cannot enter into the peace-making powers of Christianity (such as in the “Peace [or Truce] of God” [*Treuga Dei*] of the early Middle Ages) or of the great saintly figures who proved to be peace-makers (Francis of Assisi, Albertus Magnus, Bruno von Querfurt, Nikolaus von der Flüe etc). Instead I wish to point to the most significant and historic theology of peace which Augustine has bequeathed to us as cultural heritage for humanity in his monumental work *De civitate Dei*.

Augustine is writing in the face of the collapse of the Roman Empire. That caused a great shock at the time, as the empire had functioned as the guarantor of peace. St Paul had made use of the *Pax Romana* for the propagation of the gospel, and referred with pride to being a Roman citizen (Acts 16,37; 22,25). But now this empire was collapsing under the onslaught of the barbarians. Many were asking: why? Many blamed the Christians because they had destroyed the heathen religion. In this very accusation it is clear that even according to heathen universal human thinking, no peace and no lasting order was possible without religion.

Augustine wishes to invalidate this grave charge. Peace became for him a key theme of his monumental work. For our context the 19<sup>th</sup> book (Chap. 11-17.21.24) is of critical importance. It is hardly possible to adequately summarise the wealth of Augustine's ideas. Augustine firstly demonstrates that peace is what everyone wants. Even wars are fought in order to arrive at peace; peace is the desired goal of war. Even a person who rebels against the existing order of peace must at least work together in peace with his brothers-in-arms; he too wants peace, but a different peace.

But peace can only prevail in the ordered relationship of all parts: in our personal life, in the family as well as in the state. Peace is – that is Augustine's famous definition – tranquillity in order (*tranquillitas ordinis*). But since the gods of the heathen were not real gods but demons, and because the God of the Christians alone is the true God, real and lasting peace can only be found in him. Certainly, according to Augustine there is also earthly peace, and he admonishes that it should be maintained. It is also of value for the people of God. Earthly peace in ordered co-existence and prosperity and the peace of the city of God can exist together in harmony.

But because we with our sinful deeds always lag behind God, this earthly peace will always be imperfect: it is, as Augustine says pointedly, solace in misery rather than enjoyment in felicity. In this world the church treads the pilgrim road between the persecutions of the world and the consolations of God. Lasting peace, which is the highest good of humanity, can only be the eternal peace in which we are one with God and in God with our neighbour. In the last chapter of his work (Book 22, 30) we find an inimitable description of this peace “where no-one shall suffer opposition either from himself or any other”; “There we shall rest and see, see and love, love and praise. This is what shall be in the end without end. For what other end do we propose to ourselves than to attain to that kingdom of which there is no end?”

It would lead too far from our topic to explain in detail how Thomas Aquinas takes up Augustine's ideas (*S. Th.* II/II q. 29). For Aquinas too, peace consists in harmony, *concordia*, but a harmony which presupposes inner contentment and, to that extent with specific reference to Augustine, peace in order. With that, inner peace for Aquinas acquires a constructive role, which then became important for mystical movements derived from Aquinas: Meister Eckhart, Tauler, Seuse and others. One important difference from Augustine must of course be mentioned. In contrast to Augustine, Aquinas emphasises the relative intrinsic value of earthly realities and so also of earthly peace. While Augustine says the City of God makes use of the earthly state, for Aquinas this has its own value, although relative, because for him earthly peace remains related to peace with God and in God.

Augustine has often been held responsible for the use of force. Certainly, when all the dialogue and arguments against the Donatists were unavailing and Donatist bands moved through the land killing and burning, he finally called in the imperial police with the words “*Cogite entrare!*”. I think that today too we would act in just the same way. With the best will in the world, Augustine himself could not predict in the situation of the collapse of the old Roman Empire the medieval situation in which 500 years later in a new Holy Roman Empire secular and religious unity would be integrally interwoven with one another, so that any offence against the peace of the church was at the same time an offence against the peace of the secular order.

This concept was also normative for the Reformers. For Martin Luther too temporal peace was the highest good on earth, comprising all other temporal goods within itself (WA 30/II, 538). Therefore Christians too should participate in all the corresponding applications of force, and evil-doers should be punished with the sword (CA XVI). In this, he dissociated himself from the Anabaptists, who as a consequence were cruelly persecuted by both the Lutheran and Catholic sides, while the Baptists, like the Mennonites, Quakers, Moravians and other pacifist Christian communities still call themselves peace churches today. Basically these free churches have in many respects prefigured the situation in which the “established” mainline churches find themselves today.

The new situation developed when, in the process of secularisation at the beginning of the 19<sup>th</sup> century, the medieval and early modern imperial church declined and the church expanded to other continents for which the medieval pre-history, with its unity of ecclesial and secular order, had never existed. That set new parameters for the question of peace and order. The Enlightenment sought a new approach with the aid of the rationalist understanding of natural law and human rights. Today in a pluralist world – in both the religious and the philosophical sense – the question arises anew, since there is no longer any consensus on a metaphysically anchored or rational universally binding order, much less on whether or to what extent the earthly order of peace has a religious correlation. That does not mean that this order and this correlation do not exist, but that in our pluralist world there is no agreement on its ultimate foundation and therefore of its practical application.

That places us today in a new situation in relation to Augustine, Thomas Aquinas and even Martin Luther, in which we must re-think the legacy of our understanding of peace and actively engage in debate in its behalf in order to make it fruitful once more. In the meantime thinkers like Jürgen Habermas, who do not come from the Christian or any religious tradition,

point out that without the impulses of religion, especially Christianity, humanity is hardly in a position to cope with the great challenges with which it is confronted. On the other hand, reference to the eschatological dimension of peace has attained a function as ideology critique in respect to interior peace utopias which wish to construct world peace by force according to their own understanding.

One last sign that the peace-making tradition of Christianity is still alive can be seen in the Christmas Truce during the First World War on 24 December 1914 and the following days, when a more-or-less spontaneous ceasefire came about, leading in part even to the fraternisation of the hostile troops. Pope Benedict XV had issued the call for that truce. Similar scenes are said to have taken place to some extent during the Second World War battle of Stalingrad. So it seems that even in this hell of Stalingrad a last remnant of European-Christian culture seems to have persisted.

### **Current significance for inter-religious and intercultural dialogue**

In this context it cannot be our task to present and analyse the messages of peace which the Popes of the last and of this century, since Benedict XV, have sent forth into the new situation in the history of the world and the spirit. Pius XII (Condemnation of total war and atomic war), John XXIII (*Pacem in terris*, against the arms race), Paul VI (Development as a new name for peace), John Paul II (Peace through acknowledgement of the dignity of the human person and human rights), Benedict XVI (Peace in truth and as the fruit of love). In the Ecclesial Constitution *Lumen gentium* the Second Vatican Council defined the church as a quasi-sacrament of unity with God and between human beings (LG 1,9 etc) and in the Pastoral Constitution *Gaudium et spes* proposed a detailed ethics of peace (GS 77-90).

Of fundamental significance is the declaration of the Second Vatican Council on freedom of religion *Dignitatis humanae* and the declaration *Nostra aetate* on relations with non-Christian religions. In the light of Jesus Christ which shines in each human being (John 1,9), inter-religious dialogue is to gather the seeds of truth (*logoi spermatikoi*) in other religions and in the cultures of humanity (NAe 2; AG 9; 11), to purify them and to bring them to full maturity. In the light of Jesus Christ, who is the key, the core and the goal of the whole of human history (GS 10,45), inter-religious dialogue is to contribute to the elimination of conflict, to better understanding and to collaboration between religions in the service of world peace, as an anticipation of the eschatological fulfilment and a preliminary foretaste of it. It is the only possible alternative to the widely feared clash of cultures, ethnicities and religions.

The idea of peace between religions is found already in Nicholas of Cusa's *De pace fidei*, and in the spirit of Christian humanism of Erasmus of Rotterdam's *Querela pacis*. On the basis of the Second Vatican Council, Pope John Paul II took up the idea of religious peace by initiating and proclaiming the inter-religious World Day of Prayer for Peace in Assisi (1986; 1993; 2002), which was continued by Pope Benedict XVI (2011). This initiative has been taken up both by official dialogues and individual groups and movements (such as Sant'Egidio and Focolare), as well as by charitable organisations, by church service organisations for peace and development and mission societies, and also Christian peace movements, which have become vocal in all churches particularly since the Second World War.

At this time reference is often made to the significance of religious peace for world peace. The "Golden Rule" can serve as an appropriate starting point. In its negative formulation it states, "That one should not do unto others what one would not wish for oneself". In its positive formulation it says that one should do unto others what you would have them do unto you. This rule can be found in one form or another in all religions. It is also found in the Sermon on the Mount (Matt 7,12; Luke 6,31) (cf. Tobit 4,14; Sirach 31,15; later Did. 1,2 f). According to Augustine this rule has been inscribed by God into the hearts of humankind (*De ordine* II,25; *Confessiones*, I,18,29). It is a tradition of humankind and as such forms part of the intangible cultural heritage of humanity.

This demonstrates that none of the great religions of humankind, if they remain true to themselves, can glorify violence or advocate ruthless self-assertion. According to the fundamental principles of all religions, any link between religion and violence represents a misunderstanding, a misuse and a distortion of true religion. So Christian ethics can be linked to a universal religious tradition, it is not a hermetically sealed separate morality but can be presented in a universally comprehensible manner and made communicable. That means that it is open to inter-religious dialogue, capable of connecting and communicating within a universally comprehensible ethics of humankind.

Nevertheless, one must not allow it to degenerate into a commonplace generic morality which encounters all the others at the lowest common denominator. It has already often been pointed out – for example by Immanuel Kant – that the Golden Rule is intrinsically ambiguous. George Bernard Shaw remarked sarcastically and ironically, "Do not do unto others as you expect they should do unto you. Their tastes may not be the same". The Golden Rule therefore needs to be refined and to be interpreted within the total context of the relevant religion. Thomas Aquinas speaks in this sense of a *determinatio* (*S. Th.* I/II q. 100 a. 11). In regard to Christianity,



this rule must be understood and applied – as Jesus does in the Sermon on the Mount – within the context of the command to be merciful and to love one another, even one's enemies. Thus it can according to the Church Fathers be acknowledged as the sum and as the stated goal of Christian behaviour (Did. 1,2 f; Justin, Dial. 93,2; Clemens of Alexandria Paed. II,2).

Understood and lived in the Christian sense, the Golden Rule is a fruit of the Holy Spirit. He knows and understands the sighs and the birth pangs of creation, and he is at the same time the first fruits of the hoped-for coming kingdom of freedom of the children of God (Rom 8, 21-30). In this both painful and hopeful process of human history, the Golden Rule can, through empathy and sympathy, sensitivity and compassion within inter-religious and intercultural dialogue, be a helpful bridge and serve as the Golden Rule for world peace.

# INTERNATIONAL CIVIL SOCIETY, FOCUSED ON THE CATHOLIC CHURCH IN ASIA: A PHENOMENOLOGICAL INQUIRY

■ MINA RAMIREZ

## Introduction

The greatest gift of the Catholic Church to the world is its pronouncements on the dignity of the human person, endowed with mind and freewill to be responsible stewards of the whole creation. On the basis of this truth of Faith, the Church through her social encyclicals and other Church documents has provided the peoples of the world with the guiding moral and social framework by which we could bring about a social order of justice and peace.

Considered an expert in humanities, the Church delivers her message which, according to Most Rev. Diarmuid Martin, D.D., is “globally embracing” and is bounded by “two complementary polarities which inspire all Judeo-Christian social reflection. Right from the first pages of the Bible, in the creation narratives of Genesis, we find these two polarities: the particular and the global. God, manifesting his love, looked on each single element of his creation as being good. God created the human person – male and female – in His own image and likeness. Each human person has, therefore, a unique individual worth and dignity and is endowed with inherent rights, relationships which he established among all the elements of creation. Humankind is not just a group of isolated individuals, but also a family. The human family is the custodian and the steward of the God-given harmony and equity of relations within creation, the goods of which are destined to be at the service of humankind”.<sup>1</sup>

The social question triggered by the new mode of production in the industrializing era (18<sup>th</sup> century) in Europe coupled by the impassioned colonization of tribes and nations in the world has wittingly or unwittingly resulted in the violation of respect for the dignity of the human person and

<sup>1</sup>“The Social Dimension of Globalization and Christian Social Teachings”, by Bishop Diarmuid Martin, D.D., former Secretary of the Pontifical Council for Justice and Peace. He delivered the Francis Senden Memorial Lecture to a Philippine Audience from different sectoral groups in October 1999. The lecture was published in *Occasional Monograph* no. 10 of the Asian Social Institute (ASI) in 2000.

integrity of creation. This condition has produced the multifaceted divides in society – a challenge for an enlightened minority whose efforts represent humanity’s struggle to re-create a just peace.

The dignity of the human person, from which we derive the human rights with their corresponding duties and responsibilities is expounded in the first part of *Pacem in Terris* (PT, 1963),<sup>2</sup> a summary of the Christian Social Doctrine of the Church since Leo XIII’s *Rerum Novarum* (1891) and according to changing social contexts had its unique elaboration and development in the encyclicals of succeeding Popes – Paul VI,<sup>3</sup> John Paul II, the latest being our present Pope Benedict XVI’s *Caritas in Veritate* (CV, 2009). The march towards a humanizing and civilizing social order continues in a globalizing world. These social doctrines have had their impact in the world-at-large through social legislation particularly in Western Europe and North America. In the struggle of South and Central America to resolve the social question as a result of the desire to “develop” following the model of Western countries, the people have nevertheless been made conscious that authentic development is people-centred. Development of nations should be free from impositions but be promoted by mutual exchanges on the basis of partnerships among equals in a common quest for the greater good of all.

<sup>2</sup> Part One of PT deals with the ff. rights: the right to life and a worthy standard of living, rights pertaining to moral and cultural values, the right to worship God according to one’s conscience, the right to choose freely one’s state of life, economic rights (which includes the right to work, to a working wage capable of giving the family a decent standard of living, right of meeting and association), the right to emigrate and immigrate, the right to take part in public affairs and contribute one’s part to the common good of the citizens. It also deals with corresponding duties: the duty to preserve life, of living life becomingly, of seeking the truth; the duty to contribute generously to the establishment of a civic order where all citizens and social entities collaborate together for people’s well-being, the duty to act freely and responsibly; social life (and thus political society) should be established in Truth, Justice, Charity and Freedom, spiritual values which when practiced leads “to a better knowledge of God, who is both personal and transcendent, and thus they make the ties that bind them to God the solid foundations and supreme criteria of their lives both of that life which they live interiorly in the depths of their own souls and of that in which they are united to other men in society” (PT, printed by Daughters of St. Paul, pp. 5-13).

<sup>3</sup> Pope Paul VI’s encyclical referred to here is *Populorum Progressio* (1967), which Pope Benedict XVI considers as ‘the *Rerum Novarum* of the present age, shedding light upon humanity’s journey toward unity’ (CV, no. 8). Other Church Documents written by Pope Paul VI on Integral Human Development and Integral Evangelization are the following: *Octogesima Adveniens* (1971), *Humanae Vitae* (1968) and *Evangelii Nuntiandi* (1975) [CV, no. 15].

Liberation Theology<sup>4</sup> emerged from the people's struggle particularly in Latin America to free themselves from poverty and oppression of dominating powers both locally and internationally. Guided by people's reflection on Gospel values, Christian leaders have renewed Faith life. An ongoing process was a search for a way of life rooted in the person's relationship with our Triune God in and through Jesus Christ. Fruits of this view of the world in relation to God have been: the Basic Christian Communities (BCC)<sup>5</sup> as a way of being Church, and the liberating kind of education espoused by social thinkers, such as Paulo Friere (1926–1997)<sup>6</sup> with his cele-

<sup>4</sup> Cf. Dennis Caroll, *What is Liberation Theology?* The Mercier Press, Ltd. (no year). According to Dennis Caroll, "the theology of liberation frequently represents the themes of the great Church Fathers on faith, salvation, justice, charity and so on. Nor do the theologians of liberation question the model of theology as rational knowledge underpinned by critical philosophical analysis. However they vigorously reject abstract philosophizing as normal theological procedure. Instead they carefully attend to the human sciences – history, sociology and psychology as aids to doing theology. ... The theology of liberation forsakes the discourse of the curiae, of the chancellors and of most universities. Nor does it address the 'modern man' of Europe and North America. Rather its interlocutor, its partner in dialogue, is a non-person. The marginalized woman or man consigned to the 'underside of history'. These are the silent ones of history. In the Latin American perspective, the silent ones are the Indians, the blacks, the mestizos, the dwellers of shantytowns, the landless peasants, the day laborers. Whereas the concern of conservative classical theology of liberation is the search for meaning discovered in freedom, the overarching concern of the theology of liberation is the cry of the poor. The cry is for participation in fashioning the new person, free from dependence, free to build the kingdom of justice, love and peace glimpsed in the 're-appropriation of the Bible'. In the face of this cry, the only relevant theological question is how to tell the non-person ... that God is love and that this love makes us all brothers and sisters" (pp. 26–27).

<sup>5</sup> Gustavo Gutierrez as cited in Dennis Caroll's book, *What is Liberation Theology?* says that "the experience of many base level Christian communities is making us realize that they are the active agents of evangelization of a whole people in the very midst of the struggle for liberation". Sergio Torres adds that the BCCs are "not a church parallel to the institutional church, but rather one that responds to the most basic Christian demands" ... "these communities DO the theology of liberation. So, too, those bishops, priests, and religious who, without being professional theologian, make their own, the life, the interests and the aspirations of the poor" (p. 14).

<sup>6</sup> cf. Moacir Gadotti. Translated by John Milton. *A Land of Contrasts and a Pedagogy of Contradictions*. State University of New York Press, Albany. 1994<sup>1</sup>. Paulo Friere, a Brazilian educator, recognized worldwide ... (who) "has provided the conditions for countless individuals regardless of race, gender, caste and class to break free from the historically contingent and entrenched vocabularies to face up to their fallibility and strength as agents of possibility ... continues (through his writings and educational advocacies) to identify and challenge not only those pedagogical mechanisms central to the phenom-

brated publication of the *Pedagogy of the Oppressed* and *Deschooling Society* by Ivan Illich (1926–2002)<sup>7</sup> recognized worldwide as a social critique of the dominant educational system operative in widening the gap between the rich and the poor. That this critique has resulted in debates about the true nature of education for lessening gaps has been a healthy sign. For my part, I still believe that it is the Churches and the Universities, Schools and Colleges which could be the catalysts of justice, peace and integrity of creation by being the social facilitators of conversion (*metanoia*, a theological concept), social transformation (institutional positive change, a sociological concept), self-actualization (a psychological concept) and individuation processes (a concept in the field of psycho-analysis) depending on the worldview of educators.

Indeed, the responses of the Church, concerned about the total salvation of the person in a modernizing world can be traced back to the issuance of her social teachings since 1891. A renewed consciousness of the social dimension of the Faith was precipitated by the Second Vatican Council (1963–65) which then had its reverberations in all Catholic Churches in the various continents. A holistic view of the world catalyzed the aspirations of people for a more integrated view of the human and the divine, the material and the spiritual, the body, mind and spirit unity, Catholics and other Christian groups, non-Christians and other major faith groups. The Church hierarchy grew closer to the people. What was stressed is that it is the people who make up the Church. This was manifested by the changes in Liturgy. The vernacular of different groups became the language in the Eucharistic celebration. In the Holy Mass, the priest celebrant faces the people and the people could receive Communion with their hands. The community aspect of the Eucharistic celebration is emphasized. The Church has become more aware of the world with the mission to transform it for people to have a taste of God's Kingdom on earth. The Gospel of St. John 10:10 is often

enon of oppression but also those relations within wider social, cultural and institutional contexts that confront individuals with the logic of domination...”.

<sup>7</sup> Ivan Illich is known for his radical critique of institutionalization that dehumanizes, of commodification of knowledge, of experts and expertise. On this topic, he opines that “experts and an expert culture always call for more experts. Experts also have a tendency to cartelize themselves by creating ‘institutional barricades’ – for example proclaiming themselves gatekeepers, as well as self-selecting themselves. Finally, experts control knowledge production as they decide what valid and legitimate knowledge is, and how its acquisition is sanctioned” (cf. Smith, Mark, “Ivan Illich: Deschooling, conviviality and the possibilities for informal education and lifelong learning”, INFED, sourced from the Internet).

quoted “that all may have life and have it more fully”. It is given an articulation by Pope Paul VI in his encyclical *Populorum Progressio* (1967) where he advocates for the materially poor “to have more so that they could be more”. Church leaders became protagonists in charting their own destiny towards total wellbeing in changing contexts. This movement, of course, is not without a struggle amidst the dominating influence of big powers in politics and big business. These organizations, movements and groups mediating between government and/or big business and the people-at-large are what President Mary Ann Glendon refers to as Civil Society. The Catholic Church through her social teachings has been, if not the author, the advocate of a Civil Society rooted in spiritual values to guarantee the continual humanization of the world that recognizes God as the beginning and end of all creation. In and through Jesus Christ Who has given His Life as an act of complete surrender to the Will of His Father, believers have, in and through this Truth of Faith struggled to witness to God’s Love in the world. The social fabric of society cannot remain strong with a stable evolving dynamism without the absolute moral authority that emanates from our personal relationship with God. As His Holiness, Pope Benedict XVI puts it for our own reflection on Love as the motive life force of our projects and programs...

Even in this most difficult and complex times, besides recognizing what is happening, we must above all else turn to God’s love. Development requires attention to the spiritual life, a serious consideration of the experiences of trust in God, spiritual fellowship in Christ, reliance upon God’s providence and mercy, love and forgiveness, self-denial, acceptance of others, justice and peace. All this is essential if ‘hearts of stone’ are to be transformed into ‘hearts of flesh’ (*Ezek* 36:36), rendering life on earth ‘divine’ and thus more worthy of humanity. All that leads to salvation: ‘the world or life or death or the present or the future, all are yours; and you are Christ’s; and Christ is God’s (1 *Cor* 3:22-23)[CV, no. 79]

### **The Catholic Church of Asia**

*Pacem in Terris* (PT) referring presumably to a significant countries of Western Europe and some regions in North America, points to the lack of integration of Faith and Action. Pope John XXIII says that ... *in traditionally Christian nations, secular institutions although demonstrating a high degree of scientific and technical perfection and efficiency in achieving their respective ends, not infrequently are but slightly affected by Christian motivation or inspiration.* The lack of integral Education in Catholic schools, colleges and universities is contained in the following statement of his Holiness of blessed memory, the Pope of Change,

*Indeed, it happens in many quarters and too often that there is no proportion between scientific training and religious instruction. The former continues and is extended until it reaches higher degrees, while the latter remains at elementary level.*<sup>8</sup>

It is indispensable therefore, that in the training of youth [which comprises the great majority in Asia], education should be complete and without interruption, namely that in the minds of the young, religious values should be cultivated and the moral conscience refined in a manner to keep pace with the continuous and ever more abundant assimilation of scientific and technical knowledge. And it is indispensable, too, that they be instructed regarding the proper way to carry out their actual tasks.<sup>9</sup>

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A question that we could ask ourselves is: What has been the social impact of the Catholic Church in Asia, considering that it is a continent that constitutes three-fifths of the world's population and yet has only barely three percent (2.7%) of baptized Catholics?<sup>10</sup> The world population as of 2011 is 7 billion and 3.9 billion of these are in Asia.<sup>11</sup> Christians in Asia comprise an estimated 10%.<sup>12</sup> The 90% of the rest in Asia belong to various religious persuasions; a small minority identify themselves as non-believers specifically coming from the Republic of China. The world's major religions and belief systems include: Baha'I, Buddhism, Confucianism, Hinduism, Islam, Judaism, Orthodox Eastern Church, Protestants (Amish Mennonites, Baptists, Church of Christ, Church of England, Episcopal Church, Lutheran Church, Methodist, Pentecostal Churches, Presbyterian Church, Seventh Day Adventist Church, United Church of Christ, The Church of Jesus of Latter-day Saints popularly known as the Mormons, Jehovah's Witnesses, Religious Society of Friends-the Quakers, Unitarian Universalist Association), Roman Catholicism, Rosicruciansim, Shintoism, and Taoism (list as of 1993).<sup>13</sup>

<sup>8</sup> Pope John XIII, *Pacem in Terris* (PT), Program for World Peace. Saint Paul Publications. Printed by the Daughters of St. Paul, Pasay, Metro-Manila, p. 38.

<sup>9</sup> *Ibid.*, p. 38. This passage echoes a similar idea in *Mater et Magistra* (M.M.) of John XXIII.

<sup>10</sup> Thavis, John, "Vatican Stats: Catholic Church growing, especially in Asia, Africa", February 12, 2007, Catholic News Service ([www.catholicnews.com](http://www.catholicnews.com)).

<sup>11</sup> The world population figure is from [www.hsph.harvard.edu/news/pressreleases](http://www.hsph.harvard.edu/news/pressreleases); the Asia population is sourced from [www.trueknowledge.com/q/population\\_of\\_asia\\_2011](http://www.trueknowledge.com/q/population_of_asia_2011)

<sup>12</sup> [wiki.answers.com/Q/What is the percentage of Christians in Asia](http://wiki.answers.com/Q/What_is_the_percentage_of_Christians_in_Asia)

<sup>13</sup> [www.cftech.com/brainbank/otherreference/religions/majorreligions.html](http://www.cftech.com/brainbank/otherreference/religions/majorreligions.html)

While Catholics in particular and Christians in general are a minority in Asia, it is to be noted that Asia is rich in its spiritual traditions, it being the home of major religions dating back to 2000 to 600 BC – Judaism (with 18 million followers founded in 2000 BC by Abraham, Isaac, and Jacob), Hinduism (with 648 million followers as of 1996, 1500 BC), Buddhism, (307 million followers, between 5<sup>th</sup> and 6<sup>th</sup> century BC) and ancient philosophies – Confucianism (5.6 million followers, 500 to 600 BC), and Taoism (number of followers uncertain, 604 BC).<sup>14</sup> These ancient religions constitute the dynamic element of their diverse cultures.<sup>15</sup> The religions that have emerged and/or have been disseminated shortly after Christ (AD) have been the following: Roman Catholicism, the largest Christian church in the world. It claims direct historical descent, perceived by many as founded by the apostle of Christ, Peter. Islam (840 million followers, AD 610), Orthodox Eastern Church (with 158 million followers, a break-away from Roman Catholic Church in 500 AD, the break having been finalized in 1054 AD), and Protestant Denominations (1500–1957) However, the term “Protestant” originally referred to the break-away group from Roman Catholicism led by Martin Luther from 1521, Shintoism (with 3.5 million followers specifically in Japan, considered an ancient native religion founded in the fifth century AD).

My interest on this topic, “International Civil Society, Focused on the Catholic Church in Asia” stems from my past personal involvement with the International Young Christian Workers founded by the author of the See-Judge/Discern-Act method, Monsignor Joseph Cardijn who later became a Cardinal. The appeal of this Monsignor who spoke convincingly of the dignity of work and the worker in one of the forums in a college run by Belgian missionaries, made me join the young worker’s movement based in my parish. To make a long story short, it was the YCW that brought into my life the realization of the gap between the Truth of Faith and the experience of reality. The experience of the social contradiction and the implications for action and advocacy not only on the national level but also on the Asian and international level, has brought me to what I am today. Little did I know that the resource person, the late Rev. Fr. Dr. Francis Senden, CICM, who as YCW president I used to invite to enlighten us on the socio-philosophical under-

<sup>14</sup> *Ibid.*

<sup>15</sup> “Religion is alive and vital in Asia, probably more than on any other continent; no one will ever understand Asia if its religions are brushed aside”, a statement of Francis X. Clark, S.J. in the preface of his book titled, *An Introduction to the Catholic Church of Asia*, Q.C., Philippines: Cardinal Bea Studies IX. 1987, p. ix.



pinnings of Christian Social Teachings, would be the Founder of the Asian Social Institute (ASI), a Graduate School of the Social Sciences of which I became one of its first batch of students. When this missionary priest passed away in 1973, I was tasked by the then Provincial of the CICM (who later became the General of the Congregation) to take over as Director and then President of ASI, an assignment beyond all my and my colleagues' expectations. Amidst severe objective limitations financially and organizationally, ASI, as it were, had to sail through rough waters. The first lay collaborators of the Founder had only the socio-pastoral ideals of the Founder lighting the path of ASI towards the fulfillment of a social mission – education to justice and peace through a social science based academic program.

The purpose of ASI as an Asian Graduate School of Social Transformative Praxis towards Justice, Peace and Integrity of Creation (JPIC) is to give opportunities for students of modest means but with leadership potential in Asia to take up graduate studies. ASI's dream is that the graduates of ASI through their social science based training will have a comprehensive understanding of the socio-cultural situation of society from the micro-mezzo and macro-levels, reflect on the situation and attempt to transform it in the light of Christian Social Teachings. Masteral students in Economics, Sociology, Social Work, Social Services and Development and Education and in the doctoral program of Applied Cosmic Anthropology hopefully will continue to take an active part as leaders of institutions with the marginalized persons, families and communities as the frame of reference in a movement of transformative ideas based on experiences; of research and inquiry; of action and advocacy towards JPIC. This concern has been voiced out by His Holiness, Pope John XIII in his *Pacem in Terris* – and I quote:

Every effort should be made to ensure that persons be enabled, on the basis of merit, to go on to higher studies, so that, as far as possible, they may occupy posts and take on responsibilities in human society in accordance with their natural gifts and the skills they have acquired.<sup>16</sup>

The Philosophy of Relatedness and Interconnectivity – the philosophy of part and whole is an important element of the awareness building for our graduate students to contribute as members of their respective families, communities, bio-regions, institutions, countries and the world to a people centered integral development and/or integral evangelization where the interest is not merely for people to progress economically but in the various

<sup>16</sup> PT, p. 6, which also refers readers to the Radio Message of Pope Pius XII, Christmas Eve, 1942.

dimensions of their life exemplifying body-mind and spirit unity or as Christians in creating the conditions for total well-being rooted in transcendental values of human and divine dignity, integrity of creation, common good, social justice, respect for differentiation, subsidiarity, solidarity and communion.

Our graduates from diverse cultures, religions and social ethnic origins are in organized networks of Civil Society but for this movement to be sustained, a socially engaged spirituality, we believe, is to be imbibed by all of us. How to instill values in a socialist country, for instance, where ASI in partnership with an international NGO – Community and Family Services International (CFSI) – is currently giving basic social work education to 400 managers (CEOs) of Vietnam’s Ministry of Labor, Invalids and Social Affairs (MOLISA) and its branches in the different districts of the country. The Vietnamese Government while still highly centralized politically is economically-speaking connected with the international market. It has made a policy decision to train 20,000 professional social workers in the next ten decades. According to the government, inevitable social consequences of the market economy in the global capitalistic system are the following “social evils”: homelessness, HIV-AIDS, drug addiction, child and woman trafficking. The state university in Vietnam – University of Labor and Social Affairs (ULSA), the academic arm of MOLISA, requested from ASI scholarship grants for three of their faculty members to get a Master’s Degree in Social Work (MSSW) with the view to develop the master’s program in Social Work. Three students who are members of the party of the Socialist Republic of Vietnam are with the majority of Christian students who are formed in the Philosophy of Commitment to Total Human Development (PCTHD).

ASI has been chosen by the International NGO to partner with it in this project of SWEP (Social Work Education Program) because more than fifty percent of professional social workers in Vietnam are ASI graduates, not to speak of the ASI graduates of other courses: bachelor’s, master’s and/or doctoral program(s) in Applied Cosmic Anthropology as well as the Diploma Course in Community Development (IDCCD). That this is possible is due to church-related development agencies and/or integral evangelization centers abroad that have been in support of ASI since 1974 in its educational social mission. Because ASI has graduates in practically all countries in South Asia, Southeast Asia and East Asia, another Catholic Foundation is inviting ASI in its mission – the educational and internal capacity building processes to facilitate the self-empowerment of marginalized persons, families and communities. Philippine Australian Community Assistance Program (PACAP) requests for ASI’s partnership in their aim of giving

opportunities for leaders in conflict areas of Mindanao (Southern Philippines) to take up graduate studies. According to the agency the matrix of courses being offered by ASI is currently relevant to PACAP's social interests and concerns. ASI's study master's programs have philosophy of commitment to total human development (on the graduate level) deepened by creation spirituality on the post graduate level as foundational courses to students in economics, sociology, education, social work and applied cosmic anthropology. Exposure-immersion programs of both students and faculty in the long-range social development program, the theme of which is "Co-Creating Sustainable Bio-Regional Communities (CSBCom)" are integral to ASI's pedagogy that along with research is described as participatory, contextual, processual and experiential.

Christianity took root in some parts of Asia via a circuitous path. Examining the history of the Judeo-Christian apostolic mission, we all know that from the Hebrew world St. Paul preached the Gospel among non-Jews. Jewish scholars like St. Paul "whose *native city was Tarsus in Cilicia* (southeastern modern Turkey, a center of Hellenist culture) and according to Luke, "*he and his family enjoyed Roman citizenship and traveled westward to preach the Good News in Asia minor, Macedonia, Greece, Illyricum and Italy*". In his preaching, "*he showed some familiarity and facility in the use of Hellenist philosophical terminology*".<sup>17</sup>

That Faith was being explained in Greek-Roman categories quite different from thought patterns of the various cultures in Asia may be one of the reasons why Catholicism appeared "foreign" among the different religions in Asia. It led to persecutions of Catholics and martyrs from among a big number of lay women and men especially in East Asia – Korea, Japan, China and Vietnam within the span of 1550-1900.<sup>18</sup>

The apostles moved westward rather than South and East Asia except for St. Thomas the Apostle, who preached the Good News in Kerala, India. A significant number of Christians in Kerala are descendants of the Christians of St. Thomas since 52 AD. However these ancient local communities

<sup>17</sup> Taylor, Michael, J., S.J. *Paul. His Letters, Message and Heritage, a Reflective Commentary*. Makati City: St. Pauls Philippines. 2007, pp. x-xi.

<sup>18</sup> Clark, Francis X., S.J. *An Introduction to the Catholic Church of Asia*. Cardinal Bea Institute, Loyola School of Theology, Ateneo de Manila University, 1987, pp. 11-13. It is significant according to Francis Clark, S.J. that "there are over 400 ... saints and blessed, from six countries (China, India, Japan, Korea, Philippines and Vietnam) and two facts especially concerning them are striking. The first is that by far the majority of them are lay people, ordinary men and women. The second fact is that they are so little known throughout Asia itself. Many Asian Catholics have hardly heard of them..." , p. 23.

split into so many branches – the first Christians took different faith paths. They first were co-opted by the Syrian Orthodox Church, then they split into several sects – such as the Mar Thoma Church, considered to be a Protestant denomination, and others. Kerala is known as the most Catholic part of India.<sup>19</sup> Asia predominantly has been home to Hinduism, Buddhism and other belief systems – Taoism and Confucianism. Of the Abrahamic communities (Jewish, Christianity and Islam), Islam took root in Asia earlier than Roman Catholicism (610 AD).

St. Francis Xavier, S.J. in the 16<sup>th</sup> century was the missionary that was responsible for baptized Catholics in India, (particularly in Goa), Ceylon (now Sri Lanka), Melaka, Malaysia; Japan and China.<sup>20</sup> The Philippines has been known to be the only Christian country of Asia with 82% Roman Catholics. Now as an independent country, Timor Leste, also may be considered like the Philippines as predominantly inhabited by Roman Catholics.

Catholicism in the Philippines was introduced through the Spanish conquistadors/colonizers and spread rapidly in the various lowlands, where the dominant belief was animism. The only parts of the Philippines that remained entrenched in their original belief systems are the Muslims in Mindanao, Southern Philippines and in the Cordilleras (northern Philippines), although in the latter region, through Belgian missionaries, many “natives” were converted to Catholicism through the Catholic schools and parish mission stations established in the different provinces.

### **Catholic Education in Asia as a Springboard for a Humanizing and Civilizing Culture**

It must be noted that Catholic education in the various Asian countries where Catholics are a small minority, has been an approach by missionaries to establish their qualified presence in Asia. Catholic schools, colleges and universities in Asia have gained the respect of Asian republics and states where in basically non-Christian countries, Hindu, Muslim, Buddhist, Protestants and Catholics study together and are taught also by a multi-religious faculty.<sup>21</sup> Why

<sup>19</sup>Cf. [www.anathapuri.com/kerala-history.asp?page=christian](http://www.anathapuri.com/kerala-history.asp?page=christian)

<sup>20</sup> Cf. [www.newadvent.org/cathen/06233b.htm](http://www.newadvent.org/cathen/06233b.htm)

<sup>21</sup> Clarke, op. cit., p. 7; see also the following references, “Catholic Identity and Jesuit educational mission in South Asia”, by Frazer Mascarenhas, S.J., [www.jheasa.com/~jheasa/docs/CatholicIdentityAndJesuitEducationalMission.pdf](http://www.jheasa.com/~jheasa/docs/CatholicIdentityAndJesuitEducationalMission.pdf); see also: “Understanding Teachers’ Commitment to Their Profession in St. Euphrasie’s Girl’s High School: a Phenomenological Study”, by Sr. Shilipi Mabel Costa, RNDM, unpublished master’s thesis. Asian Social Institute (ASI), Manila, 2011.

has Catholic education been highly recognized in most Asian societies? Rev. Fr. Francis Clarke, S.J. explains: “People highly esteem Catholic schools for various reasons: their respect for the individual student, the just, reasonable discipline, the serious standards of instruction, the solid general training that assures many graduates future employment and dignity in society”. The acceptance of Catholics in the various Asian countries has been achieved through their graduates who have obtained positions as professionals in different institutions as well as statesmen and women schooled in colleges and universities that have been set up by the Catholic missionaries primarily to be of service to society and the local Churches which in turn through their diocesan and parish structures through which they catechized their members, established also their respective parochial elementary and high schools with students and teachers from different religious persuasions.

The oldest university in Asia is the Pontifical University of Santo Thomas, founded in 1611. In 2011 the university celebrated its 300 years of existence. We find Salesians with their technical schools all over Asia. The universities, colleges and schools of the Jesuits, the Dominicans, the Society of the Divine Word, the Franciscans and many congregations of religious sisters and brothers are well recognized by societies in Asia. Likewise, contemplative religious orders – Carmelites, Benedictines, the Cistercians, the Trappists, the Sisters-Servants of the Holy Spirit of Perpetual Adoration popularly known as the Pink Sisters, to name a few – are actively present no less. The non-acceptance of Catholic educational institutions happened in Socialist countries; educational institutions have been perceived as a power in the country and thus the state ruled out missionaries’ involvement in secondary and tertiary education. In Vietnam the religious congregations are not yet allowed to set up secondary, tertiary and higher educational institutes. They are allowed to offer only primary education. And yet in a significant number of countries in Asia, educational institutions run by Catholic missionaries of priests, brothers and sisters and the diocesan clergy have been a great source of leadership in government and non-governmental organizations in non-Christian countries.

### **The Organization of the Federation of Asian Bishops Conferences (FABC), a Source of Leadership in Civil Society**

In 1970, following the example of CELAM, the acronym for Consejo Episcopal Latinoamericano (the organization of the Episcopal Conferences in Latin America, organized in 1957), the Federation of the Asian Bishops Conference (FABC) was born, an attempt to bring isolated Churches in Asia together and renew the Face of the Church in Asia. An

introductory statement in a publication of this milestone event is the following:<sup>22</sup>

We see the face of an Asia at long last coming to birth in a true community of peoples. For barriers which have so long isolated our nations from one another are falling one by one, and the desire grow among us to know each other and find each other as Asian, sister-nations among whom relationships of friendship and trust, of collaboration, sharing and genuine solidarity may be firmly, lastingly wrought.

Francis C. Clark, S.J. wrote a book titled *An Introduction to the Catholic Church of Asia* (1987). In this book, a composite picture of the Asian Church is described:

The Catholic Church's presence is in almost all countries of Asia. The church is active in many fields – in education, (universities, colleges, high schools, grade schools and kindergarten schools); in caring for the sick through their clinics, hospitals, leprosariums, nursing schools, medical schools; among poor and the oppressed, they are involved with social action institutes, credit unions, cooperatives, labor and management schools, grassroots activities for organizing and conscientization; in the mass media, there are periodicals, newspapers, audio-visuals centers, radio, television and film projects; centers of formation – retreat houses, ashrams, guidance centers, centers for contemplation and other such spiritual bases, to offer inspiration for human suffering and searching.

Fr. Clarke, singles out two works that serve the whole of Asia – *Radio Veritas* (founded in 1972) which broadcasts shortwave in thirteen Asian languages; and the *East Asian Pastoral Institute* (EAPI), on the campus of the Ateneo de Manila University (founded in 1966) as a renewal center for priests, Brothers, Sisters and lay men and women active in all the cultures of Asia. Each year it sends them back with fresh dedication and plans for service, with updated knowledge and upgraded skills. He then makes a comment on two activities which he perceives as polarities: education and work with the poor and the oppressed.

The Federation of Asian Bishops Conference (FABC) was in effect founded in 1970 during the first meeting of bishop-representatives of the

<sup>22</sup> *For All Peoples of Asia: The Church in Asia, Asian bishops' Statements on Mission, Community and Ministry, 1970-1983*. Manila IMC Publications 1984, p. 13 cited by Clarke, Francis, S.J. *An Introduction to the Catholic Church of Asia*. Cardinal Bea Studies. Loyola School of theology. Ateneo de Manila University, 1987, p. 1.

local Churches of different Asian countries as well as their lay counterparts. Soon after, FABC started realizing the imperatives to initiate socio-pastoral programs along the line and spirit of the Gospel in the modern world – the Christian Social Teachings. Vatican II documents signaled the emphasis to be given by the Church in service of the world based on an integral Faith formation.

A relatively well-organized FABC came into being. It is supposed to be a voluntary association of Episcopal conferences in South, Southeast, East and Central Asia established with the approval of the Holy See. Its purpose is to foster among its members solidarity and co-responsibility for the welfare of Church and society in Asia and to promote and defend whatever is for the greater good. Impinged upon by the same global realities that has created an ocean of materially poor and oppressed people in the world, the FABC structured itself for promoting the values and principles of Christian Social Teachings through its General Secretariat coordinating and monitoring the concerns and activities of its various Offices. Its first offices are the following: 1) Office of Education and Student Chaplaincy (OESC), 2) Office for Ecumenical and Interreligious Affairs (OEIA), 3) Office of Evangelization (OE), 4) Office for Human Development (OHD) 5) Office for the Laity (OL) and lastly, 6) the Office for Social Communication (OSC). It had great inspiration from the experience of CELAM; and for this reason, the Asian constituents of FABC through their offices have been also enlightened by Liberation Theology, adopted the methods of Paulo Friere in giving non-formal education and took as essential thrust – the BEC approach to integral evangelization as a way of being church.

It is to the credit of FABC that to a great extent the life of the Catholic Church of Asia has been renewed especially in its role of organizing immersion programs in the situation of the poor for Asian Bishops. A process of reflection on the situation of the poor has become the basis of the thrusts and advocacies which follow the seminar-workshops. Although not all bishops have been able to avail of the programs, the bishops who have participated in the activities provided the Christian motivation and inspiration for the networks of socially involved groups in their respective countries.

In 1990, the FABC Conference of Asian Bishops came up with a statement which is intended to once again renew the spirit of Christian life in service of the Church and Society. The said conference was held in Bandung, Indonesia. In the biggest continent where three-fifths of the world's population live, where the great majority are non-Christians, a region so culturally and religiously diverse, impinged upon by global realities of the

modern and post modern era, the challenge being posed to the Federation of Asian Bishops is the “witness(ing) of Christians and of Christian communities to the values of the Kingdom of God, a proclamation through Christlike deeds” (“Journeying Together Toward the Third Millennium” – the Final Statement of the Fifth Plenary Assembly of FABC in Bandung, Indonesia, 27 July 1990) From this perspective, the Asian Bishops have set its path of animation in preparation for the 21<sup>st</sup> century. The significance of the Bandung Conference has in more ways than one articulated the “incessant yearning for the church to see new opportunities to proclaim the saving mission of Jesus in Asia”. This, she has seen following the collapse of the sharp ideological and political divide in the West and the consequent rise of many developing nations into the status of new industrializing economies. Seeing these great economic and political wonders, the “Look East” policy, the gradual gravitation of the rest of the world to Asia to realize the vision of new global partnership has created new situations and systems of relationships in the world community. However, both the fundamental objectives and even the manifest consequences of these developments may be fraught with ambivalence. While both foreign and domestic policies of Asian nations have been reshaped to situate themselves into the new scheme of global relations offering the fruits of development in neat packages, the cultural dislocation, abject misery and increasing marginalization in which the sea of humanity in Asia is sadly enmeshed await the dawning of an era where balance and harmony would be attained, brokenness vanquished, and total well-being experienced.<sup>23</sup>

In 1995 (the 25<sup>th</sup> anniversary year of FABC), the Asian Social Institute (ASI) was tasked to present the results of the commissioned study by the Board of Directors of FABC, a study to assess the impact of FABC’s animation work from the perspective of the Final Statement of the Bandung FABC Conference in 1990.<sup>24</sup> Specifically the study assessed the Asian Bishops in

<sup>23</sup> Ramirez, Mina in her Introduction to the *Conclusion of the FABC Impact Study*. Asian Social Institute, 1995, p. 108.

<sup>24</sup> Final Statement of the Federation of Asian Bishops’ Conference, Fifth Plenary Assembly “Journeying Together Toward the Third Millennium”, 17–27 July 1990 in Bandung Indonesia is an articulation of the shared reflections of Asian Bishops accompanied by theologians of Asia on the Challenges and Hopes for the Church of Asia – the Challenge of Ferment and Change, the breakdown of the ideological divide, the danger of religious fundamentalism, the ambiguity of the process of modernization where development happens at the detriment of cultural identity and loss of traditional community symbols; the challenge of continuing injustice – unbalanced social structures, with the



terms of their knowledge, perceptions and attitudes towards the FABC, their manner of participation in FABC affairs and their suggestions for improving FABC programs. On the other hand, the goal of assessing the process of animation is obtained by a descriptive profile of the channel of animation work either through some specific activities such as seminars, and workshops or publications and data pertinent thereto as well as future plans.

It was significant that this assessment was completed in 1995 – the year of Social Development, a year declared by the United Nations to remind the world to put people at the center of development in resolving core issues – poverty alleviation, employment expansion, and social integration. This view of development is not new to the Church. Definitely this view has been deepened by the Church’s renewed view of evangelization which is integral (*Evangelii Nuntiandi*, 1975, of Pope Paul VI). An evangelization that for the Church means to walk with (wo)man – “a way that, in a sense, is the basis of all the other ways the Church must walk, because with (wo)man – every man (and woman) without exception whatever – Christ

poor not having access to basic social services (education, health, media, etc), several issues related to children and youth (child abuse, abortion, child and woman trafficking), generally a crisis of survival: Hope at the Crossroads – a new consciousness, the grassroots groups becoming more self-empowered, more participative, more appreciative of democracy, of dialogue, desire for solidarity and community, a desire for creating conditions open to the Grace of the spirit; the dichotomy disappearing between social action and pastoral care – thus approaching the mission for integral evangelization enunciated by Pope Paul VI, inspired by *Gaudium et Spes* and the Synod of bishops of 1971, the need of a continual reflection on Gospel values concerning the building of God’s Kingdom on earth; the relevance of the social doctrine of the Church to daily decisions in life, the challenge of the Mode of Mission: the importance of interreligious dialogue, of involvement with and for the poor; and inculturation; the role of the lay faithful as primary evangelizers of culture, calling for a thorough education of Catholics in the social doctrine of the Church as well as the formation of their hearts toward just and compassionate living in present day Asian society, evangelizing among peers – young evangelizing young, workers evangelizing workers, professionals evangelizing professionals, etc. – the leaven for the transformation of Asia; the face of the Church in Asia to be partners of other faiths in a quest for God, for a better human life guided by the Spirit of Christ. The Final Statement ended with reiteration of the process by which the Final Statement was drafted – a) dialogue with the realities of Asia from within, b) discerning the movement of God’s Spirit in Asia; and c) translating into deeds what the Spirit bids to accomplish. Pervading Pastoral Imperatives were identified on the Level of Discernment and on Level of Doing. In effect the Final Statement was a response to *Pacem in Terris*’ exhortation to the Church by Pope John XXIII to have unity of Faith and Action; and of Pope Paul VI’s call for integral evangelization, as well as Pope Benedict XVI’s call for a new humanism – when “hearts of stone” are transformed into “hearts of flesh”.

is in a way united, even when one is unaware of it” (*Redemptor Hominis*, 1979), of Pope John Paul II, cited in the Final Statement of the Fifth Plenary Assembly of FABC, Bandung, July 17, 1990.

The study result(s) show that only 50% of the bishops in 1995 are aware and/or engaged in the socio-pastoral thrusts of FABC. Two remarks of two bishops show the extremes in attitude towards the FABC. Only about 51.8 percent, just by the fact that they took time to respond to a questionnaire is an indication that at least 51.8 percent are aware and recognize the FABC. Probable reasons why 48.2% did not answer could be that Bishops were too busy or simply lack interest in FABC due to an uneasiness about its preoccupation with changing the face of the earth to create conditions for people’s well-being. Two extreme remarks by bishops are cited below:

the local Church of \_\_\_ and her missionaries (in a particular way the foreign missionaries) have placed too much attention to the pastoral concerns listed in 3.3 in our questionnaire and have forgotten the primary mission of the Local Church of \_\_\_ – evangelization and conversion of the billion people to Christ our Lord.

Too much emphasis placed by foreign missionaries on socio-political affairs, in one hand exalts foreign values and its superiority, and on the other hand depicts insultingly bad image of the local society, creating thus bad influence to Evangelization, particularly among the \_\_\_ intellectuals...

While another quote from a respondent is:

I belonged to the \_\_\_ Delegation of Bishops that were in Manila, when Pope Paul VI visited Manila in 1970. I was present when this memorable event ended with the clarion call to establish the FABC... Although I was entitled as Apostolic Administrator to wear the Episcopal paraphernalia, I did not. I wore my Franciscan Habit, and, do so till today...

I have attended the seminar on the “lay Ministries” and a few BISAs (Bishops for Social Action). I enjoyed being present in dialogue and sharing. Just an extra word on the Seminar on the lay Ministries. The workshops I attended were inspiring and was looking forward to the “Conclusions” of this seminar. I was disappointed as it was clear for me and others that the Conclusions were watered down due to the presence/pressure of some “Roman Officials”. In spite of these shortcomings, I must admit that these seminars have helped me personally. I have tried to follow up what I have personally learnt from these seminars in the service of my Diocese, my people, but I was unable to cross the Boundary of my Diocese.

I read the FABC Publications: Newsletter, Communications Info. Edited Books and papers. I am happy to receive them and hope to receive them in the future. The last paper I read was no. 66 entitled “People Everywhere: Open the door to Christ”.

I have read the Final Statement of the FABC Bandung Conference of 1990. In fact, I have used it, when I was preaching a Retreat to the Major Seminarians of our National Seminary (Bishop from \_\_\_\_). The animating work of FABC was through the varied activities organized by their different offices.

Though the Catholics are a small minority, the Church in Asia is relatively well organized. The Federation of Asian Bishops Conference (FABC) is always in the process of reflecting on how they could in line with the Vatican II documents and the Gospel and Christian Social Teachings integrate themselves in the lives of Asian peoples of different cultures and religions.

The contribution of Catholic Church in Asia to Justice and Peace in the World is to assess to what extent Federation of Asian Bishops (FABC) founded in 1971 has created a vibrant Church, facilitating the self-empowerment or the God-empowerment of persons, families and communities to be witnesses of the values of the Kingdom here on earth. This implies that the Pastors of the Catholic Church become animators of Christians and non-Christians alike to a life of caring and sharing in the spirit of freedom, charity and truth. In the modernizing and post modernizing context this caring and sharing should be organized.

The education towards human rights with corresponding responsibilities, the right order of relationships on all levels – families, groups, communities, institutions, nations and regions in solidarity and subsidiarity – are summarized in *Pacem in Terris* already fifty years ago and then expounded by *Caritas in Veritate*, in the context of a globalizing world. The Churches are to look up to their Pastors – particularly the Bishops of various dioceses. Socio-pastoral leaders are called to listen to the voices of the people.

The FABC has organized itself as a catalyst and animator of the spirit of the social encyclicals and Vatican II. The result of a process of integrating into oneself the values of the Gospel, made concrete in the context of the globalized world has been the journey of the Catholic Church of Asia rooted in a living faith. They run the following offices: General Secretariat, Human Development, Social Communications, Laity and Family, Theological Concerns, Education and Faith Formation, Ecumenical and Interreligious Affairs, Evangelization, Clergy, Consecrated Life.

The FABC Office of Human Development, Office of Communication, Office of Education and Faith Formation, Office of the Laity and the Fam-

ily are powerful and subtle sources of delivering the Christian message in word and deed to Asian Societies. There is an emphasis on the initiating BCCs. However, the BCCs, except in the Philippines, could be called not Basic Christian Communities, but Christians in Basic Human Communities due to the fact that in Asia, the Christians and specifically the Catholics constitute barely 3% of the population of Asia.

In the FABC, bishops of Asia on a volunteer basis together with their lay counterparts submit themselves to exposure immersion programs which enable them to be in touch especially with the poor and the marginalized. Among the FABC offices that pioneered in exposing bishops to the realities of Asia is the FABC Office for Human Development (FABC-OHD).

It is noteworthy to glean from the programs the involvement of the Church in Asia in transmitting the Christian message in this 21<sup>st</sup> century.

Posted in late March 2012 in the home page of its website are the following items of interest:

- The FABC–Office of Social Communication invites all bishops to join a five-day seminar workshop on “Social Media: Networking, Blogging, Gaming, Addiction... – A Critical Approach for Pastoral Ministry”. This 8<sup>th</sup> “Bishops Institute for Social Communications” (BISCOM 8) will be held from 3 to 8 September 2012 at Assumption University, Suvarnabhumi Campus in Bangkok, Thailand.
- The Women’s Desk of the FABC–Office of Laity and Family is organizing the 4<sup>th</sup> Bishops Institute for Lay Apostolate on Women (BILA IV on Women) on 9–13 July 2012 at Camillian Pastoral Centre, Latkrabang, Bangkok, Thailand. The gathering aims to confront Women’s issues at the Asian level and to renew the ministry and mission towards a more just and egalitarian society.
- The FABC Office of Laity and Family – The BEC Desk will be holding its 6<sup>th</sup> Assembly on 18–24 October at Chintana Center, Nainamadama, Sri Lanka. The theme of the assembly is “Go you are sent forth” (*Mt.* 10:5) – following Jesus in mission: Small Christian communities serving and ministering.
- The message from the 8<sup>th</sup> Bishops’ Institute of Social Action (BISA VIII) of the FABC Office of Human Development at Camillian Pastoral Care Center, Bangkok, Thailand from 18–24 January 2012 is now available. The participants proposed a Pastoral-Theological Programme of Action for Asia.
- The Bishops’ Institute of Theological Animation (BITA-IV) on “Youth in Asia: Challenges of Fundamentalism and Relativism” is rescheduled

from May 2011 to 23-27 April 2012 and will be held in Baan Phu Waan Pastoral Centre, Sampran, Thailand.

- The 16<sup>th</sup> annual gathering of bishops responsible for communication and their secretaries was held at St. Paul’s Pastoral Centre in Hulalien, Taiwan from 14 to 19 November. More than 30 participants came with officials of Radio Veritas Asia, Sigma-Asia, and the Christian Conference of Asia (CCA).<sup>25</sup> Msgr. Paul Russel, the Holy See’s charge d’Affaires in Taiwan was also present. The theme “Social Networking for Pastoral Ministry” was mainly treated through a two day seminar-workshop on 15-16 November on the how-to’s of social media e.g., file sharing, micro blogging, visual storytelling, and online gaming. This year’s Final Statement lists guideposts on how the Church should engage in social media. In it, the participants stress the importance of creative engagement through collaborative efforts, as well as research. Social media should be placed at the service of FABC’s three-fold dialogue – with the poor, cultures, and religions.
- FABC met in Bangkok on 19-20 October 2011 to discuss “Church Response to the Challenge of Climate Change in Asia towards a New Creation”. International experts assisted on the urgency of the issue in the context of the Church’s commitment to protect the integrity of God’s Creation in Asia leaving a meaningful legacy for future generations. One significant decision was to create a Desk in the Central Secretariat of FABC with a competent person to follow up on this urgent issue. The seminar was financially supported by the German Catholic Bishops’ Organization for Development Cooperation.

The FABC’s exposure to social realities may have been contributory to Asian people’s closeness to a significant number of bishops who promote and extend moral support to the work of Civil Society (the network of non-governmental organizations involved in advocacies for the rights of industrial workers, fisherfolk, farmers, indigenous groups, cutting across the various sectors – children, youth, women, and the elderly). But while it struggles to foster the networks for a people-centered development thrust, it nourishes those engaged in this humanizing work with the Christian motivation rooted in Gospel values and Christian Social Teachings. In the context of an increasingly globalizing world the Asian Catholic Church is concerned with the continual reality assessment

<sup>25</sup> The Christian Conference of Asia (CCA) is the Protestant Churches’ counterpart of FABC. CCA has more or less the same integral development concerns as FABC.

of Asian realities, reflection and advocacies on issues of poverty, migration, ill-health, lack of participation of people in cultural, economic, social and political affairs and in the overarching issue of sustainable development and the negative effects of climate change. This involvement lends itself to criticism that the Church has involved herself with politics.

Considering the socio-cultural-religious context of Asia, the Catholic Church in Asia, meaning the Catholics in Asia in striving to live the Christian values of human dignity, integrity of creation, common good, social justice, respect for differentiation, communion and solidarity, it is imperative that Asian Catholics in particular and Christians in general engage themselves in the following community building processes: a) poverty alleviation, b) inter-religious dialogue which starts with a dialogue of life, c) inculturation (which is tantamount to asking “how shall we enable Jesus to speak in their respective languages”. Language here can be taken in the broad sense. Culture is a language. Being witnesses is a powerful language (*Evangelii Nuntiandi*). The finest expressions of people’s culture, the soul of a people, are reflected in their arts – painting, song, dance, drama poetry, architecture, sculpture and cultural practices that create and preserve community life as well as their prayer forms. These are a projection of the Godliness of a people.

Here, our model is Jesus Himself. He observed the Jewish spiritual tradition, and yet he shattered some of the assumptions of his own culture. He was promoting a Faith Culture, a life lived in absolute obedience to the Will of His Father. As Christians, followers of Jesus Incarnate – among Us – should we not do less... to see with the eyes of Faith, in constant communication with our Triune God, and discern with these eyes the true state of affairs of our world in a journey towards total salvation.

Inter-religious dialogue which includes dialogue of life which presupposes an attitude of awe and wonder at the mystery of the other and all elements of God’s creation, especially in Asia, is a challenge. Feeling at home with each other despite the enormous diversity of persons, cultures, religions, political systems, and race, are the beginning of integral development, integral evangelization. A Hindu-Muslim scholar, Dr. Chandra Muzaffar, points to Asia’s common ground on which all religions could reflect together:

... like Islam, most (religions) and philosophies (Buddhist, Confucianist, Taoist, Hindu and Christian) acknowledge a) the spiritual destiny of man and the spiritual basis of our existence b) the sacredness of the human being and his moral duty to establish righteousness on earth c) the importance of cultivating ethical values in the individual like kindness, compassion, love and selflessness d) the importance of creating an ethical social order where there is no oppression, exploita-

tion, greed and corruption; where human beings cooperate with, and care for one another; where peace and harmony prevail e) the importance of utilizing nature's bounties in a harmonious manner so that the needs of every human being are met.<sup>26</sup>

Hopefully the Civil Society in Asia will be with this difference in that the motive force for the civilizing and humanizing movement is a socially engaged spirituality fueled by a "mystic fire" of inner quiet, peace, humility, joy and humor, and a compassion for the other as well as for oneself and a profound respect for integrity of creation.

Asia is replete with multi-faceted divides – economic, cultural, socio-political-religious, race, intergenerational, digital, rural-urban, gender and our alienation from Mother Earth. CV points to the call for dialogue between faith and science, among disciplines – sociology, economics, and psychology, biological and metaphysical sciences – all must be focused on life; otherwise, the result will be fragmentation of oneself, and fragmentation on all levels of society.

Moral evaluation and scientific research must go hand in hand... charity must animate them in a harmonious interdisciplinary whole, marked by unity and distinction. The Church's social doctrine, which has "an interdisciplinary dimension", can exercise, in this perspective, a function of extraordinary effectiveness. It allows faith, theology, metaphysics and science to come together in a collaborative effort in the service of humanity. It is here above all that the Church's social doctrine displays its dimension of wisdom. Paul VI had seen clearly that among the causes of underdevelopment, there is a lack of wisdom and reflection, a lack of thinking capable of formulating a guiding synthesis, for which a clear vision of all economic, social, cultural and spiritual aspects is required. The excessive segmentation of knowledge, the rejection of metaphysics by the human sciences, the difficulties encountered by dialogue between science and theology are damaging not only to the development of knowledge, but also the development of peoples, because these things make it harder to see the integral good of man in its various dimensions. The broadening (of) our concept of reason and its application is indispensable if we are to succeed in adequately weighing all the elements involved in the question of development and in the solution of socio-economic problems. (CV, 31)

<sup>26</sup> Muzaffar Chandra. *A plea for EMPATHY. The Quest for Malaysian Unity*. Kuala Lumpur: Zubedy Ideahouse Sdn Bhd, 1947.

A heightened consciousness of this state of affairs compels us to be healers, making whole what we have fragmented in the past. What is needed is to balance the physical, the mental and the spiritual dimensions of our existence. The prayer of quiet may give us the Light of the Spirit of our God of Life and Love for a Synthesis – the Person of Jesus. His Holiness Pope Benedict XVI has drawn our attention to the spiritual richness of Asia, a richness that could be harnessed for healing ourselves and the rest of humankind and all creation:

The journey towards a “new humanism” is our journey in faith to look for religion as an experience, that the mystical aspect of religions is an important part of it: religion that offers me contact with the absolute Other. In our historical situation, this means that the mystical religions of Asia (parts of Hinduism and Buddhism), with their renunciation of dogma and their minimal degree of institutionalization, appear to be more suitable for enlightened humanity than dogmatically determined and institutionally structured Christianity (p. 7, Benedict XVI, *Christianity, Yesterday, Today and Tomorrow*).

The Church of Asia is a vibrant church in a socio-political-cultural and religious context that is highly diverse. And yet this is its richness. Charity that will embrace all these differences of personalities, various religio-cultural persuasions and bio-diversity to work for and with the poor, facilitating their and our own self/God empowerment. Regular inter-religious prayer of quiet and contemplation may still be the essential element of sustainability, of a fruitful convergence among Civil Society networks towards justice, peace and integrity of creation.



# THE PROMOTION OF RELIGIOUS TOLERANCE AND NON-DISCRIMINATION AS A FUNDAMENTAL FACTOR TO ENSURE *TRANQUILLITAS ORDINIS*

■ OMBRETTA FUMAGALLI CARULLI

## 1. European experience: from religious wars to religious freedom, as a pillar of social harmony

Speaking – with historical objectiveness – of the religious factor as an instrument to ensure *tranquillitas ordinis* can be embarrassing for us Europeans. In fact, for many centuries, religious struggles in Europe have slowed down the emergence of categories such as freedom, tolerance, non-discrimination, which are fundamental for social peace, as we intend it today.

A historical trajectory, from the autumn of the Middle Ages<sup>1</sup> to the French Revolution, shows the causes of this.<sup>2</sup> During the Renaissance, religious truth became darker and was no longer a cohesion factor as it was during the *res-publica christiana*. During the 15<sup>th</sup> century it seemed a breaking element of pacific social harmony. I will now mention two names. Dominican friar Girolamo Savonarola, in Florence, disgusted by the decadence of customs, preached the end of the world. In Basel, humanist Sebastian Brant announced storms and catastrophes in his satiric work *The Ship of Fools* (*Das Narren Schiff*, 1494), “because the Antichrist, sitting in the big nave, has sent his herald scattering lies around”. The disappearance of Christian truth would bring further heresy, as it had happened during the previous Middle Age. But the fracture brought by Luther in the early 16<sup>th</sup> century – in relation to a key issue of faith such as free will – resulted in a wider break-up that revolutionized the institutional conceptual basis of Church and State irreversibly. Religious struggles drew the borders of our Countries with blood. Entire nations embraced the Reformation. New State Churches were created in reformed Countries in opposition to the Papacy. Each sovereign – in order to appease the society that he governed – chose between Catholic or Reformed religion and guaranteed such religion on an exclusive basis.

<sup>1</sup> J. Huizinga's essay remains fundamental, *L'autunno del Medio Evo*, 1919, Italian translation with *Introduction* by E. Garin, Florence 1966.

<sup>2</sup> For a longer treatise see O. Fumagalli Carulli, *'A Cesare ciò che è di Cesare a Dio ciò che è di Dio'*. *Laicità dello Stato e libertà delle Chiese*, Milan 2006.

As a consequence of two opposite conceptions of man and justice,<sup>3</sup> there is a contrast between two different ways to ensure tranquillity of order. According to Luther (who took to the extreme some of St. Augustine's passages about man as a sinful creature hurt by Original Sin and saved by faith alone, not by works) the Prince could do anything, including the use of force and violence (a religious version of the "fox" or "lion" in Machiavelli's *The Prince*), and could violate divine commandments,<sup>4</sup> if it were necessary to ensure exterior tranquillity, because such tranquillity would allow Christians to devote themselves totally and exclusively to their inner life.<sup>5</sup> According to Erasmus of Rotterdam<sup>6</sup> – who followed Thomas' philosophy of Man (which derived from the Aristotelian one), as a creature inclined to social life, and of political community, as an instrument to develop and improve the person due to his/her works – wisdom and goodness, which are typical of every man, should be present in their maximum degree in the Prince who called upon to govern the political community, because he should imitate the Divine Providence.

Confessional Absolutism of the 17<sup>th</sup> century is the son of Luther,<sup>7</sup> more than Erasmus. In the name of one religious denomination, it consolidates its own legal order as the only authority to govern society also with reference to the spiritual aspects. We are in the presence of a "strong" State, which guar-

<sup>3</sup> The protestant conception (although less radically than Calvinism) excludes any kind of merit based on works and denies the State any limitation; the Catholic conception continues to maintain the existence of objective justice and natural law.

<sup>4</sup> Luther said: "Although in this case the imperial majesty would act unjustly and exceed its duty and its oath, the imperial authority, and the duty of obedience on the part of its subjects, are not abrogated ... an emperor and prince breaks all God's commandments and still remains emperor and prince".

<sup>5</sup> The external world, pervaded by evil, coincides with the political world in Luther's view. It is the "left hand kingdom". The law of the State that governs it is not grounded on *caritas*, but on power. It is addressed to the *homo exterior*. What prevails is the *necessitas* imposed by the evil both of man as an individual and of the community (the "Mr Omnes" of Luther's burning invectives). The Real Kingdom in which the Christian can take refuge is the "Right hand kingdom": an interior, purely spiritual kingdom, guided by the *lex caritatis*, addressed to the *homo interior*, which is perceivable only through faith and thus requires a continuous conversion. Commenting on Psalm 82, Luther writes: "For where God's word is protected and supported so that it can be freely taught and learned, and if the sects and false teachers are not given license and not defended against those who fear God, what greater treasure can there be in a land? God must certainly live there, as if in God's own temple".

<sup>6</sup> O. Giacchi, *Lo Stato laico*, Vita e Pensiero, Milan 1978, p. 43.

<sup>7</sup> Luther stated that a government had to be hard and serious to force and oblige the evil-minded and that the world could not be governed without bloodshed.

antees social peace with the sword and, at same time, is *ab-solutus*, absolved from any obedience to any other authority, whether civil or religious. There is no freedom for those who profess a religion different from the king's; at the most (but not always) there is tolerance.<sup>8</sup> The Territorial Church – an instrument of the State (and this would also be the case in the Catholic States, as shown by the Declaration of the Clergy of France of 19 March 1682) lost its freedom. The sole limit to the action of the absolute Prince was his own conscience.<sup>9</sup> Once the unity of faith was broken, interventions of control and limitation by the Papacy decreased in value also in the Catholic States, where the Catholic Church had no option but to convene a Concordat with the State, in the guise of the exchange of privileges.<sup>10</sup>

When, in the middle of the 18<sup>th</sup> century, Enlightened Absolutism replaced Confessional Absolutism, the State took primacy over the Church not in the name of a “defence of the faith”,<sup>11</sup> but in the name of principles of reason, set free from any tie with the supernatural. The State – only the State (not the Church) – was considered as a teacher of civilization, according to the enlightened idea of “unstoppable progress”, which became a political programme centred on the autonomy from transcendence, and which was ready to rebel against it. Religious peace was challenged by the heavy interventions of the enlightened sovereign during the entire life of Church: the Church's properties were confiscated, monastic orders were suppressed, theological teaching was placed under control, and the kings continued to interfere in the appointment of ecclesiastical offices, in the meetings of the clergy and even in bishops' communications with Rome.

<sup>8</sup> In order to recall the paradigmatic nation, in France the merciless repression of the Huguenots leads in 1685 to the revocation of the Edict of Nantes (granted by Henry IV in 1598 in favour of Protestants): Protestants were not only deprived of freedom but even of tolerance, since the public exercise of Protestantism was suppressed. Although Pope Innocent XI didn't agree with the revocation – all the more so since he was trying to ensure religious tolerance for English Catholics by their king, James I – his opinion didn't count in the eyes of those who governed, since the inexorable logic of confessionalism proper of Absolutism were others.

<sup>9</sup> What derives is the absolute separation in assessing the State's action between spiritual and political order: an approach that was very successful from the 18<sup>th</sup> century onwards and became one of the postulates of the modern elaboration of the lay State.

<sup>10</sup> In the leading nation (historians speak of *Europe Française*), the alliance between throne and altar is consecrated for the first time in the Concordat between Leo X and Francis I in 1516.

<sup>11</sup> It is a *ius circa sacra* which is so important in the confessional absolutism to be demanded by the kings as “bones of their crown”.

During the French Revolution, the distinction between the temporal and the spiritual order – which was dear to the followers of the Enlightenment and not contrary in itself to Christian dualism (“Render therefore unto Caesar the things which are Caesar’s; and unto God the things that are God’s”) – turned into a violent struggle of Caesar against God, in the name of a *laïcité* that was very different from the distinction between Caesar and God, which was at the origin of Christian civilization. The “intellectual revolt” (as it was called by Daniel-Rops),<sup>12</sup> which had started three centuries earlier, was accomplished in the “Declaration of the Rights of Man and of the Citizen” (20 August 1789) with its lights and shadows: human rights were in the first place, before the rights of the State, but at the same time the “struggled separation” of State and Church began and would result in a violent eradication of any Christian root from the society. In a short time, during Terror, the words “*liberté, égalité, fraternité*”, although coinciding with a great Christian teaching, covered unprecedented violent episodes against anything – being transcendent – that was outside of the “*raison-raisonnante*” or, as the case may be, the new cults (the Goddess of Reason, the Supreme Being). The Civil Constitution of the Clergy (voted by the National Constituent Assembly on 12 July 1790) attacked every religious power.<sup>13</sup> The Pope lost his authority over the bishops. The bishops lost their authority on their clergy. Parish priests become in practice dependant on their electors.

The trajectory of the separatist *laïcité* ends in a climate of a greater *détente* compared to the Thermidor: after abandoning the Jacobin severity and the Civil Constitution of the Clergy’s repeal (18 September 1794), the idea to relegate the Church to the private realm became more and more popular and is today triumphant. At the end of the French Revolution, the *laïque* State appeared on the European scenario as a reaction to the confessional State and was declined in two ways: either antireligious (“struggled separation”) or a-religious (“quiet separation”). A new declination of these two key categories was embraced inside and outside of Europe<sup>14</sup> over the years.

<sup>12</sup> H. Daniel-Rops, *La Chiesa delle rivoluzioni*, in *Storia della Chiesa del Cristo*, vol. VI-I, *Di fronte a nuovi destini*, It. transl., Turin 1966.

<sup>13</sup> Please note that it was not discussed in the Convention, a turbulent assembly dominated by the intense feelings of the lower classes, but in the Constituent Assembly, where the three classes were represented and the debate took place in relative harmony.

<sup>14</sup> Napoleon abandoned the principle of a single State religion and laid the groundwork for religious freedom. His Concordat (1801) became a model for the post-confessional Concordats: they too outline a model of *laïcité* that does not fight against or ignore the religious factor but considers it the subject of freedom agreements. Today this

Quite heterogeneous forms of secular State were implied in the Concordats of the Conciliar and Post-Conciliar Age.<sup>15</sup> Concordats were no longer designed as exchanges of privileges, but rather as instruments for cooperation in order to promote mankind and the interest of the Country (this is the wording of the Concordat with Italy and Poland).

It would be interesting to recall the specific development of the concept of secularism in America, from the moment when – to say it with Tocqueville’s words – “*La démocratie, comme en Amérique*” was established. But it would be too long to do so here.

Coming back to Europe – and trying to understand how the anti-discrimination laws arose during the second half of the 20<sup>th</sup> century – we should start with two highlights of recent history which are not less disgraceful than religious wars: Nazi extermination camps and communist gulags. They led to the massacre of human dignity, showing the grave consequences of the State claiming to be the unchallengeable regulator of life in society. But, as it sometime happens in history, good rises from evil. The international community reacted with the Universal Declaration of Human Rights (1948). Western Europe was the first to reply: it adopted the European Convention on Human Rights (1950) and provided it with a jurisdictional body (European Court for Human Rights since 1959). Human dignity and religious freedom became the pillars of European social harmony and of Western European Constitutions. *Tranquillitas ordinis* is based on the commitment of all, including religious denominations, to protect the human rights and *in primis* religious freedom. The United Nations’ system succeeded the Westphalian system.

model is followed by several non separatist countries (European and non European), which however don’t include France, which with the 1905 Constitution abrogated the Napoleonic Concordat e proclaimed laïcité as a constitutional principle, relegating religion to the private sphere. This new approach also generated the most recent French ecclesiastical policy, currently in the limelight, of the absolute denial of religious symbols or signs in public facilities (Islamic headscarves forbidden at school).

<sup>15</sup>The Council (*Gaudium et Spes*, n. 76) is clear: the Church “does not place her trust in the privileges offered by civil authority. She will even give up the exercise of certain rights which have been legitimately acquired, if it becomes clear that their use will cast doubt on the sincerity of her witness or that new ways of life demand new methods”. What matters is its freedom, i.e. “to preach the faith, to teach her social doctrine, to exercise her role freely among men”, being aware that the political community and the Church are both “in their own fields autonomous and independent from each other”; but both “are devoted to the personal and social vocation of the same men”. “The more that both foster sounder cooperation between themselves with due consideration for the circumstances of time and place, the more effective will their service be exercised for the good of all”.

The embarrassment of us Europeans for allowing religious differences to draw the borders of our Continent in blood in the name of intolerance has come to an end. The Pontiffs have taken up the new demand for peace and justice<sup>16</sup> since the early 20<sup>th</sup> century (from Pius X to Benedict XV and Pius XI), also in light of the fact that *Rerum Novarum* (1891) boosted the Church's social teaching. When on 11 April 1963 John XXIII signed *Pacem in Terris* in front of all the TVs of the world, the Encyclical appeared as a significant milestone of a new manner to deal with world disorder. Along the same line the subsequent Pontiffs strengthened the presence of the Holy See in the International Organizations. At that time Europe was still divided into two blocks. But in the long process of *détente* (in which the CSCE, today OSCE,<sup>17</sup> played a fundamental role) resulting in the fall of the Berlin Wall, Christian religious denominations proved to be the “midwives” of democracy. They spread the culture of fundamental rights and advocated for reciprocal respect of the State's jurisdiction on temporal matters and of the Church's one on spiritual matters also in Eastern Europe. Every post-totalitarian State (including Albania)<sup>18</sup> is more aware of the role played by religious denominations, and even more so when they manage to overcome ancient internal divisions.

Today the centrality of religious freedom, as a human right, in international documents influences domestic law even in those European States which are most proudly separatist.<sup>19</sup> This centrality is shared by Christian Churches, considering that the traditional claim of the *libertas Ecclesiae* gives

<sup>16</sup> A. Canavero, I Papi e la pace nel XX secolo, in *Pacem in terris tra azione diplomatica e guerra globale*, edited by A. Giovagnoli, Milan 2003, pp. 41 f.

<sup>17</sup> See Fumagalli Carulli, 'A Cesare ciò che è di Cesare a Dio ciò che è di Dio'. *Laicità dello Stato e libertà delle Chiese*, p. 119 f.

<sup>18</sup> O. Fumagalli Carulli, *Lo Stato albanese e le comunità religiose*, in *Ius* 2004, p. 35 f.

<sup>19</sup> France, for example, now recognises complete freedom of self-organization to the Church, facilitating the Catholic presence in important sectors such as private education. The special treatment reserved to confessional schools (even though based on a more general policy in favour of the private sector) translated in laws that would have been unthinkable at the time (1905) in which France chose the separation of State and Church in an attitude of anticlerical antagonism rather than respect for religious choices. Today the French private school network covers 16% of the national network and is run by Catholics in 90% of the cases. Of course, the trend proper to the separatist type of relationship models between State and Church aimed at excluding religion from all public facilities remains and even becomes stronger in France, as proved by the wide debate on religious signs and symbols in public schools, which, in the name of separatist *laïcité* now forbids Islamic female students to wear headscarves. But there is a greater awareness than in the past of the positive role of confessional schools.

way to the priority of the claim of religious freedom as a human right, a foundation for the building of a fair social order and an instrument for peace and solidarity between peoples. This exterior peace – as the Churches say – postulates an interior peace. The blessed John Paul II recalled it in his 1993 *Address to the Tribunal of the Roman Rota*. Quoting a prominent Italian jurist, Francesco Carnelutti (“Justice is the condition for peace... People reach this state of mind when there is order in and around them. Justice is conformity to the order of the universe. Law is just when it really serves to put order into society”), he recalled, in the footsteps of Thomas Aquinas and Augustine, that “*omne appetens appetat pacem, in quantum scilicet omne appetens appetit tranquille et sine impedimento pervenire ad id quod appetit, in quo consistit ratio pacis, quam Augustinus definit tranquillitatem ordinis*”.

## 2. *Tranquillitas ordinis* and world order

Let me broaden our horizon to world order and focus on our emergencies. Nearly 60 years after *Pacem in Terris*,<sup>20</sup> what kind of war perturbs the *tranquillitas ordinis* today?

In its 40<sup>th</sup> anniversary John Paul II brought the Encyclical once again to the world’s attention, pointing his finger against war in Iraq and repeating the “no more war” claim already pronounced by his predecessors (Benedict XV who denounced the “useless carnage”, Paul VI with his invocation at the UN, “*jamais plus la guerre*”).<sup>21</sup>

Already at that time, and even more so today, the end of the Cold War coincided with world disorder marked by new forms of terrorism, including those with an Islamic root, by alarming perspectives of nuclear holocaust, and by local and global fundamentalisms, which were modern “religious wars”.

The international geopolitical context has radically changed. After the fall of communism, two opposite blocks became devoid of purpose. Re-aggregation is multipolar, mainly for economic reasons. In particular the financial factor plays an important role, more negative than positive. It is sufficient to mention here a recent fact: BRICS Countries claim a major role in Bretton Woods Institutions (Summit of 29 March 2012), pointing their finger at the financial disasters of the USA and Europe.

<sup>20</sup> For the history of the drafting of the Encyclical and in order to frame it historically see A. Melloni, *Pacem in Terris*, Bari 2010.

<sup>21</sup> For a detailed analysis of the tormented history of the stances taken in the 20<sup>th</sup> century by the Catholic Church towards war see D. Menozzi, *Chiesa, pace e guerra nel Novecento*, Bologna 2008. From an American point of view see the fundamental work of G. Weigel, *Tranquillitas ordinis*, New York 1987.

The religious factor may seem irrelevant, for better or worse. But this is not true. It continues to be relevant, either strengthening or, on the contrary, endangering political stability in different ways (depending on the type of democracy which is present in the various political scenarios). Here are some of the key factors: economic situation, reaction to the crisis of Western values, consequence of massive streams of immigrants and asylum seekers, strengthening of religious radicalisms. In Countries where democracy and rule of law are weaker, the promotion of religious tolerance and non-discrimination represents a necessary pre-condition to the complete fulfilment of religious freedom. The risk that should be avoided is that these countries, with a weak democracy, use the shield of tolerance to cover up effective violations of religious freedom, as it had already happened in the age of “tolerated cults”. There are episodes of intolerance even in countries where fundamental rights and liberties are formally guaranteed: the resurgence of anti-Semitism in the Western world, the spread of Islamophobia after 9/11 and discriminations against Christians are constant in the public agenda. One novelty of our times is that in several “hot” conflicts one of the contending parties is not a national State but an ethnic group. The latter, *inter alia*, are defined by their religious affiliation.<sup>22</sup> I’m referring to violence that still occurs not only in two BRICS Countries – India and China – but also in Africa (in Nigeria for example). I’m also referring to the resurgence of ethnic-religious tensions in Europe: violence against the Serb-Orthodox Church in Kosovo, discriminations and violence (fortunately only verbal at the moment) against Catholic Croats in Bosnia. I’m referring, finally, to a return of bomb attacks in Northern Ireland after more than 10 years.

Some questions arise from this scenario, where religion continues to be at the same time the target and the origin of intolerance, discrimination and violence. Are the commitments adopted by the international community and the protection guaranteed in State Constitutions adequate to ensure religion freedom and to combat raising fundamentalisms? What kind of limitations may be imposed to the principle of non interference in the internal affairs of the States? Are the instruments at the disposal of the international community effective or, on the contrary, are they ineffective weapons? Can the promotion of religious freedom, or at least, of tolerance and non-discrimination in a certain way ensure *tranquillitas ordinis*? What can a jurist say in this regard?

<sup>22</sup>These are the so-called asymmetric conflicts that have been characterizing the current geostrategic organization after 9/11. V.M. Bishara, L’ère des conflits asymétriques, in *Le Monde diplomatique*, octobre 2001, pp. 20–21.



The need to contrast fundamentalisms is well known to States, the international community and the *media*. Other fundamental limitation of freedom are less known, because they are less eye-catching: these range from very serious phenomena such as hate crimes, to the trend (which is apparently less serious, but equally pernicious in a subtle way) towards marginalization of religion from public debate, to the role of media and education, to the importance of dialogue between and with religions. Let us examine them.

### 3. Hate crimes

Episodes of overt violence against religious communities – which destabilize the social order – can even result in the murder of their members. These episodes equally affect the North and South of the world, East and West: the tragic events in Toulouse, the recent murder of a woman in California because she was wearing an Islamic veil, the violence against the Christian communities in India and Nigeria. These *in odium fidei* events undermine peaceful cohesion in each State, seriously affecting the victimised community. Moreover they can be seen as seeds of wider conflicts, provoking a reaction even thousands of kilometres away, to the detriment of international stability. One example: the Muhammad cartoon in the Danish newspaper *Jyllands-Posten* brought violence and tension all over the world, also affecting diplomatic relations between States.

For these reasons the international community is legitimated – and in my opinion has the duty – to promote the most appropriate initiatives, without any State being allowed to object to the violation of its sovereignty or interference in its internal affairs.<sup>23</sup>

Even when hate crimes do not take forms of genocides, war crimes, ethnic cleansing or crimes against humanity, their prevention by the interna-

<sup>23</sup> For the delicate relationship between respect for sovereignty and protection of human rights, restricting the field to semi-official documents, the following reports are fundamental: *The Responsibility to Protect*, of the International Commission on International and State Sovereignty, and *A More Secure World: Our Shared Responsibility*, of the High-Level Panel on Threats, Challenges and Change, as well as the subsequent report of the Secretary General of the UN, Kofi Annan, *In Larger Freedom: Towards Development, Security and Human Rights for All*. Significantly the then Conference for Security and Cooperation in Europe, in its Document of the Moscow Meeting of the Conference on the Human Dimension (1991), after underlining that “*issues relating to human rights, fundamental freedoms, democracy and the rule of law are of international concern, as respect for these rights and freedoms constitutes one of the foundations of the international order*” affirmed that they “*are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned*”.

tional community prevents consequences that may affect the *tranquillitas ordinis*. Which tools are available to achieve these objective?

Positive examples come from the Organization for Security and Cooperation in Europe. It publishes on a yearly basis a report on hate crimes that have occurred in participating States and illustrates the best practices adopted in response to such crimes. The OSCE supports States in their adoption of appropriate legislation and in training their law enforcement agencies and judiciary in order to fight these crimes more effectively. It raises the awareness of governments and civil societies on these phenomena.<sup>24</sup> In several cases the non-fulfilment of the commitments certified by International Organizations does not turn into actual juridical sanctions. Soft law, instead, comes into play and calls upon the sense of responsibility of States and of non-primary legal orders, so that they adopt some form of self-regulation in order to guarantee the common good.

The legitimate intervention of the international community and of other actors does not substitute nor exclude the responsibility of the States: quite the opposite, since it is of primary importance. First of all, they should abstain from committing these kinds of violence themselves. Unfortunately this does not happen in several countries where religious communities are harassed by the police or by other governmental agencies. Their members are jailed, their places of worship are arbitrarily searched, religious publications are censored and visas for missionaries are refused. Secondly, States have a positive obligation<sup>25</sup> to guarantee that all citizens are not affected by intolerance and discrimination, even if not deriving from the law or from acts of the public authority. In other words it is not satisfactory that the State merely adopts an appropriate legislation, but it should also assume all the initiatives, including non legislative initiatives, which are necessary to promote tolerance and non-discrimination (such as educational programmes, awareness campaigns and so on). Every time hate crimes occur, we should ask whether the State has done its best to prevent the crime *ex ante*, not only to punish it *ex post*.

<sup>24</sup> For a description of the OSCE in this sector see the *Annual Report 2010* (downloaded from [www.osce.org/odihr/77665](http://www.osce.org/odihr/77665), in particular pp. 44-52) of the Office for Democratic Institutions and Human Rights, which is the Organization's body devoted to the so-called human dimension.

<sup>25</sup> On *positive obligation* in the European Convention on Human Rights see J.-F. Akandji-Kombe, *Positive obligations under the European Convention on Human Rights*, Strasbourg 2007, and A.R. Mowbray, *The Development of Positive Obligation under the European Convention on Human Rights by the European Courts of Human Rights*, Oxford 2004.

#### 4. The exclusion of religion from the public space

*Nemo repente fit pessimus* is an old traditional Church saying. The Shoah teaches us that violence does not suddenly arise but is the tragic final act of a slippery road which starts with mockery and social intolerance, then passes through discrimination also established by law and from there it ends in the most awful violence.<sup>26</sup>

If early warning is fundamental, it is important to pay attention to several forms of intolerance. One of them is more and more common and shared in Western societies: the trend to exclude religion from the public space. The paradox is that this happens in the name of tolerance or – we should say – of a mistaken idea of tolerance.

I'm referring to the claim, widely shared in many circles, that a democratic and pluralistic society imposes a relativistic approach to various religious beliefs: they should all be considered equally valid and the preaching of absolute truths and non-negotiable principles is considered as a form of intolerance, a refusal of the other, of the person who is different. Therefore strong ideas, such as those which are religiously inspired, are (wrongly) considered as an element of conflict and division. With the excuse of “multiculturalism”, they are relegated to the private realm. In this manner, although we are experiencing a “God is back” trend in our societies (contradicting the “God is dead” prophets), a qualitative secularization is imposed: religion does not disappear but is marginalized. From the marginalization of religion to the marginalization of believers is but a short step. Finally, the reaction of the marginalized may be violent and affect the *tranquillitas ordinis*.

There are various ways leading to the marginalization of religious truth. Let us see some of them.

##### a) Religious symbols

The first way consists in the removal of every religious symbol from the public space.<sup>27</sup> This is not limited to the elimination of religious symbols from public buildings (an issue that involves the relationship between State and religious communities). It is also a phenomenon that affects the right

<sup>26</sup> The inclined plane logic which emerged within the OSCE, was taken up by D. Mamberti, *La libertà religiosa: un obiettivo ed un impegno comune*, 29 March 2012 in [www.vatican.va](http://www.vatican.va)

<sup>27</sup> For a general description of the topic see V. Pacillo-J. Pasquali Cerioli, *I simboli religiosi*, Turin 2005, and, at the international level, M. Evans, *Manual on the Wearing of Religious Symbols in Public Areas*, Strasbourg 2009.

of the person to manifest his/her religious affiliations, without being a victim of intolerance or discrimination. I'm referring to the possibility of wearing religious attire in public or in the workplace. Significantly, the former UN *Special Rapporteur on freedom of religion or belief*, in a 2010 statement addressed to the Human Rights Council, noticed that “it is indeed regrettable that societies with high levels of income and education have openly expressed their aversion to see religious symbols in public”.

It is necessary to avoid any misunderstanding in this respect. It is legitimate to adopt legislation, in line with the principle of proportionality, which bans the wearing of religious attire when this is justified by reasons of security and public order (for example if it is necessary to identify people during demonstrations) or for safety and health-related reasons (the requirement to wear safety helmets that does not allow the wearing of Sikh turbans). On the other hand, laws that forbid *tout court* the wearing of religious attire in the public space or in the workplace are seriously discriminatory.<sup>28</sup> The fact that they affect in the same manner believers of all religious communities is not sufficient to exclude their discriminatory nature. In this case, in fact, discrimination does not take place between believers of different religious communities, but between those who wish to manifest their beliefs by wearing these clothes and those who, by wearing them, manifest their political or trade union affiliation. After all, a ban on wearing political or trade union symbols would be considered a serious violation of fundamental freedoms. Why – if not for an anti-religious prejudice – doesn't a similar sensitivity come into play when religious freedom is at stake?

### **b) Religions in public debate**

Another sign of this dangerous marginalization is related to religious interventions in public debates. With the rise of ethical issues (in particular on the beginning and end of life and on sexual behaviour), the voice of religious leaders is heard with annoyance or even with hostility. The Catholic Church is accused of interfering in the temporal order and being intolerant,<sup>29</sup> instead

<sup>28</sup> With specific reference to the right to wear religious clothing in the workplace see V. Pacillo, *Contributo allo studio del diritto di libertà religiosa nel rapporto di lavoro subordinato*, Milan 2003, especially pp. 198–223, and R. Benigni, *L'identità religiosa nel rapporto di lavoro*, Naples 2008, *passim* and in particular pp. 43–80.

<sup>29</sup> G. Dalla Torre identifies this as the only real *punctum pruriens* in the relations between Church and States, in his *Laicità dello Stato, appartenenze religiose e prospettiva canonistica* in L. Gerosa – A. Neri – L. Müller [eds], *Annuario DiReCom. Laicità dello Stato, appartenenze religiose e ordinamento giuridico*, 2008, Lugano pp. 39–48.

of being considered as a contributor of values to the public debate. It is a trend that clashes with the right claimed by the Conciliar Church “to preach faith, to teach her social doctrine, to exercise her role freely among men, and also to pass moral judgment in those matters which regard public order when fundamental rights of a person or the salvation of souls require it” (*Gaudium et Spes* n. 76). Back in time, this vindication was welcomed by secular culture as an evidence of the fact that the Catholic Church had abandoned its triumphalism and had embraced the role of “servant of humanity” (to quote a metaphor used by Paul VI).

This trend also contrasts with international standards. In 1975 European and North American countries committed themselves to consider “favourably the interest of religious communities to participate in public dialogue, also through mass media”.<sup>30</sup>

Considering that opinions of religious leaders on State laws and on citizens’ behaviour is a legitimate exercise of institutional religious freedom<sup>31</sup> (unless they incite violence and hatred), the battle is often conducted in an indirect way. A sensational example: some anti-homophobic laws punish religious leaders that criticize homosexual behaviour instead of punishing violence or incitation to violence against homosexuals.<sup>32</sup> Paradoxically laws aimed at promoting tolerance and non-discrimination turn into tools of intolerance and discrimination. The misconception from which they stem is clear: historically tolerance was considered as an acceptance by the majority of the minority position; today it happens that the imposition of all points of view is equally legitimate, without any possibility to criticize, on pain of being accused of intolerance and discrimination.<sup>33</sup>

<sup>30</sup> Principle 16.11 of the Final Document of the Vienna Meeting of the then Conference – nowadays Organization – for Security and Cooperation in Europe. Analogously see art. 6 of the Declaration on the elimination of all forms of intolerance and discrimination based on religion and conviction (proclaimed with a resolution of the UN General Assembly 36/55 of 25 November 1981).

<sup>31</sup> For canonical profiles see O. Fumagalli Carulli, *Il governo universale della Chiesa e i diritti della persona*, 2003, Milan, for ecclesiastical ones see Id., ‘*A Cesare ciò che è di Cesare, a Dio ciò che è di Dio*’. *Laicità dello Stato e libertà delle chiese*, 2006, Milano, and *La libertà religiosa in Europa. Considerazioni giuridiche* in C. Alzati [ed.], *Cristianità ed Europa. Miscellanea di studi in onore di Luigi Prosdocimi*, 1994, Rome–Freiburg–Wien, vol. I, pp. 833–845.

<sup>32</sup> On the well known case of Pastor Ake Green v. C. Cianitto, *Tra hate speech e hate crime: la giurisprudenza statunitense e il caso Ake Green* in *L’indice penale*, 2008 (2), pp. 743–763.

<sup>33</sup> The paradoxical nature of the norm against intolerance which becomes intolerant in itself is well described by M.A. Casey, *The Puzzle of Intolerant Intolerance* in *Solidarity: The Journal of Catholic Social Thought and Secular Ethics*, 2011 (1). M. Sina [ed.], *La tolleranza religiosa*, Milan 1991 reviews the history of the evolution of the concept of religious tolerance.

### c) *Religious inspired behaviours*

Another facet of the exclusion of religion from the public sphere is hostility toward religiously-inspired behaviours. Especially in our pluralistic societies – where laws cannot reflect the religious and moral convictions of all citizens – conscientious objection has to be the rule, not the exception. Accordingly the right to conscientious objection is recognized by most relevant international documents. Let us see some of them. The Helsinki Final Act (1975) of the CSCE already provided for the right of the individual “to profess and practice ... religion or belief acting in accordance with the dictates of his own conscience”. In an interpretative way, the UN Human Rights Committee’s *General Comment no. 22* of 30 July 1993 (Article 18 of the ICCPR) considered conscientious objection as a projection of religious freedom. Article 10 of the Charter of Fundamental Rights of the European Union (“Freedom of thought, conscience and religion”) represents an explicit recognition of the close tie between conscientious objection and religious freedom. The second paragraph reads as follows: “The right to conscientious objection is recognised in accordance with national laws governing the exercise of this right”.

The path from general principles to actual legislation is long and tortuous. Today conscientious objection to compulsory military service (where military service is still compulsory) is generally recognized.<sup>34</sup> The same recognition should be expected in relation to other ethically sensitive issues: abortion, same-sex marriage or civil union, child adoption by homosexual couples, research on human embryo and so on.<sup>35</sup> But this is not always the case. On the contrary, exterior manifestation of religious convictions is often seen as a problem rather than a manifestation of pluralism, which should welcome.

## 5. Role of *media* and education

The media play a major role in the promotion of tolerance and non-discrimination. Promoting knowledge and understanding of religions, portraying them correctly and giving them the opportunity to express their point of view means introducing people to an important aspect of existence, also creating an atmosphere of appreciation. The Italian law on public serv-

<sup>34</sup> In this regard see ECtHR (Grand Chamber), *Bayatyan v. Armenia*, Application No. 23459/03, sentence of 7 July 2011. N. Hervieu, *Liberté de religion (Art. 9 CEDH): Reconnaissance conventionnelle du droit à l'objection de conscience* in [www.statoechiese.it](http://www.statoechiese.it) comments on this sentence by the Court of Strasbourg.

<sup>35</sup> For a complete and specific examination of conscientious objection and of the different conscientious objections see L. Navarro Valls-J. Martínez Torrón, *Conflictos entre Conciencia y Ley: Las objeciones de conciencia*, Madrid 2011.

ice broadcasting is a positive example of this: the law imposes on RAI (the Italian State-owned public service broadcaster) to include in its programming some slots assigned to religious communities who then self-manage these slots.<sup>36</sup> It is necessary to avoid any misunderstanding also in this respect. Religious freedom and the promotion of tolerance and non-discrimination do not imply the right of the religious communities to be immune from criticism or adverse comments. But a critical analysis, also from a theological point of view, is quite different from incitement to discrimination and violence against a religion and its believers. Between these two extremes there is no *consensus* at international level on the wide spectrum of expressions. Namely there is no agreement on how and where the frontiers between freedom of expression and religious freedom should be drawn.<sup>37</sup>

Reality is often discouraging. It is sufficient to examine the media or surf the Internet or watch some TV programs or videos on YouTube to find incorrect portrayal and negative stereotypes that lead to hostility and prejudice against religions as well as irreverent behaviour and the provocative portrayal of religious symbols.<sup>38</sup> There is a discriminatory peculiarity: the Quran's desecration is promptly and indignantly abhorred but when Christian symbols are targeted and there is a complaint about it, then it is considered censorship.

The recent Report of the Group of Eminent Persons of the Council of Europe<sup>39</sup> evidences how delicate is the balance between freedom of expression

<sup>36</sup> Art. 6, law 14 April 1975, n. 103.

<sup>37</sup> The relation between freedom of religion and freedom of expression was the specific subject of Resolution 1510 (2006) of the Parliamentary Assembly of the Council of Europe and was subsequently examined in detail by the Venice Commission in the *Report* adopted during the 76<sup>th</sup> Plenary Session. See also *Blasphemy, insult and hatred. Finding answers in a democratic society*, Strasbourg 2010. Possible limitations to the freedom of expression in order to promote and protect tolerance and non-discrimination, not only religious, are included in the legislation on *hate speech*. Cfr. A. Weber, *Manual on hate speech*, Strasbourg 2009.

<sup>38</sup> For example, *How to desecrate a host* is the title of a few videos found on YouTube showing HostDesecrator – this is the graphic name of the user that uploaded them – burning a host, writing the name of Muhammad on another one or freezing another with dry ice, taking care to mention that they are consecrated hosts. Are these behaviours a legitimate expression of freedom of expression or are they acts of intolerance? A few more examples can be found in G. Kugler [ed.], *Report 2011 of the Observatory on Intolerance and Discrimination against Christians in Europe*, Vienna 2011, pp. 32–35.

<sup>39</sup> The Report, entitled “*Living Together*”: *Combining diversity and freedom in 21st-century Europe*, was presented to the Ministers Committee in 2011.

and religious freedom. The Report mentions the possible clash between these liberties as a risk to the fundamental values of our democracies.

Voluntary professional standards and self-regulation codes of conduct can prevent intolerant discourse against religions, in order to ensure that *media* are respectful of religions. The adoption of these standards and codes – instead of (or in addition to) the approval of repressive *ad hoc* laws – can exclude criticism on censorship and on the limitation of the freedom of expression and in practice may give the best results. Another Italian example: our journalists adopted a self-regulation chart (the so-called Charter of Treviso) in order to preserve under-age crime victims. The results are better than those of the law protecting the secrecy of investigations.

The role of education, especially at school, is equally important because it acts at the roots of the phenomenon. Mingling with students belonging to different religions is in itself a great help in understanding the unity of humankind. Moreover, it is important for schools to teach the various religions, permitting each student to manifest and tell his/her belief. Educational programmes should be developed and strengthened in order to promote a better understanding and respect of the different cultures, ethnic groups and religions.<sup>40</sup> These programmes should also teach higher values such as the dignity of every person and the solidarity between members of the human family. The education to respect human rights is no less important, both in school and in any professional training (of judges, lawyers, armed forces, law enforcement agencies and so on...).

## 6. Dialogue with and between religions

I started my paper by mentioning the lights and shadows of the European experience. Let me finish on a bright note: Article 17, Paragraph 3, of the Treaty on the Functioning of the European Union provides that “*recognising their identity and their specific contribution, the Union shall maintain an open, transparent and regular dialogue*” with churches and religious societies or communities.

Therefore, in Europe, the acknowledgment of religion’s public role also passes through the dialogue between religions and public authorities. There

<sup>40</sup> An international document that can serve as a reference for teaching about religions is the ODIHR-Advisory Council of Experts on Freedom of Religion or Belief, *Toledo Guiding Principles on Teaching About Religions and Beliefs in Public Schools*, Warsaw 2007. Although it wasn’t officially adopted by the OSCE, it was mentioned both in a sentence by the European Court of Human Rights and in a Report of the *Special Rapporteur on freedom of religion or belief* of the United Nations.



are two consequences that I would like to point out. First of all, the European Union recognises the unique features of religious communities as opposed to other actors present in our societies: it does not assimilate them as mere NGOs – as it did in the past (for instance during the activities of the European Convention’s Presidium), upsetting John Paul II<sup>41</sup> – and it takes into account their historical, cultural and numerical relevance. Secondly, a dialogue between the EU and the religious communities is foreseen that is not restricted to issues pertaining to religious freedom but also open to any matter of common interest. Article 17 of the TFEU exist today thanks to the dialogue – during the European integration process (from Maastricht Treaty to Amsterdam Treaty) – between the Christian communities that I mentioned as a positive aspect of the contemporary European experience.

Broadening the horizon to the dialogue between all religions (including non-Christian ones), it is legitimate to ask what is the best kind of dialogue in order to ensure *tranquillitas ordinis*. Today we see initiatives coming from religious communities, and at the same time we see others that are adopted by national governments or International Organizations. The first seem to be more fruitful than the latter, even when they involve religious communities with very different values. Despite significant divergences, the Islamic-Catholic dialogue – started after the letter *A common world* signed by 138 Muslim personalities – is proving to be fruitful. We cannot say the same about the Alliance of Civilizations, promoted by the UN Secretary General to promote confidence and understanding between different societies, in particular between Western and Islamic societies. Initiatives promoted by the political community – although laudable – appear to be reduced to high-level programmes and meetings that have nothing to do with reality. On the other hand, neo-jurisdictionalism is a risk that affects such initiatives – as I pointed out in one of our previous Sessions.<sup>42</sup> Neither the States nor the international community have the competence to dictate the timing and methods of inter-

<sup>41</sup> In his traditional address to the Diplomatic Corps on 10 January 2002 John Paul II stated that “with some regret, I have noted that, no explicit mention was made of communities of religious believers among the partners who are to contribute to the reflection on the ‘Convention’ instituted at the Laeken summit last month”. The bitter reference concerns the fact that religious communities, unlike other institutions such as NGOs, were not explicitly mentioned in the list of members of the civil society whose voices were to be heard, but were included in a vague “etc.” at the end of the list.

<sup>42</sup> O. Fumagalli Carulli, Freedom of conscience and religion as fundamental human rights. Their importance for interreligious dialogue, The Pontifical Academy of Social Sciences, 15<sup>th</sup> Plenary Session, 1-5 May 2009, *Catholic Social Doctrine and Human Rights*, Acta 15, pp. 314 f.

religious dialogue, which is a matter for religions. The actors of the inter-religious dialogue, in fact, should only be the religious communities. The political community has the duty to create the right atmosphere to develop the dialogue, also intended as an instrument for *tranquillitas ordinis*.

In my opinion, this dialogue is also one of the preconditions for peace ensuring *tranquillitas ordinis*, as Benedict XVI told politicians at the Reichstag in Berlin (22 September 2011), referring to Salomon's story (*The First Book of Kings*).

## ▶ AGENTS, NEW IDEAS, AND AUTHORITIES IN THE GLOBAL COMMONS



# THE TRIARCHICAL STRUCTURE OF THE POST-WESTPHALIAN GLOBAL ORDER

■ MICHEL BAUWENS

In the emerging institutional model of peer production,<sup>1</sup> most visibly in the already mature free software industry, we can distinguish an interplay between three partners, i.e.

- 1) A community of contributors that create a commons of knowledge, software or design;
- 2) An entrepreneurial coalition that creates market value on top of that commons; and
- 3) A set of “for-benefit institutions” which manage the “infrastructure of cooperation”.

There is a clear institutional division of labour between these three players: the contributors create the use value that is deposited in the shared innovation commons of knowledge, design and code; the for-benefit institution enables and defends the general infrastructure of cooperation which makes the project “collectively” sustainable (for example the Wikimedia Foundation collects the funds to support the server space without which access to the Wikipedia would become impossible); the entrepreneurial coalition makes the individual contributors “sustainable”, by providing an income, and very often they provide means for the continued existence of the for-benefit associations as well.

Can we also learn something about the politics of this new mode of value creation, something that would be useful not just for these particular communities, but to society in general? Is there perhaps a new model of power and democracy co-evolving out of these new social practices that may be an answer to the contemporary crisis of democracy? My answer will be an emphatic yes, and stronger yet, I will argue that we are witnessing a new model for the state. A “p2p” state, if you will.

Let’s look at the mechanics of power and the politics of commons-oriented peer production by looking at the three players involved in this new institutional set-up.

<sup>1</sup> [www.ctheory.net/articles.aspx?id=499](http://www.ctheory.net/articles.aspx?id=499)

## 1. The post-democratic logic of community

First of all, and quite amazingly, these communities are not democracies. Why is that so? Very simply, because both democracy, and the market, and hierarchy, are modes of allocation of scarce resources. In hierarchy, our superiors decide; in the market, prices decide; in a democracy, “we” decide. But where resources are abundant, as they are with immaterial knowledge, code, and design, which can be copied and shared at a marginal cost, they are truly unnecessary. Such communities are truly poly-archies and the type of power that is held in them is meritocratic, distributed, and ad hoc. Everyone can contribute without permission, but such a priori permissionlessness is matched with mechanisms for “a posteriori” communal validation, where those with recognized expertise and that are accepted by the community, the so-called “maintainers” and the “editors”, decide which software/design patches are acceptable. These decisions require expertise, not communal consensus. The tension between inclusiveness of participation and selection for excellence is one that every social system must face, and that peer production has solved in a rather elegant way. The genius of it is not that it avoids conflict, but that it designs away “unnecessary” conflict by allowing for maximum human freedom compatible with the object of cooperation. Indeed, peer production is always an “object-oriented” cooperation, and it is the particular object that will drive the particular form chosen for its “peer governance” mechanisms.

The main allocation mechanism in such project, which replaces the market, the hierarchy and democracy, is a “distribution of tasks”. Unlike in the industrial model, there is no longer a division of labor between “jobs”, and the mutual coordination works through what scientist call “stigmergic signalling”. Because the work environment is designed to be totally open and transparent (this is called “holoptism”), every participating individual can see what is needed, or not and decide accordingly whether to undertake his/her particular contribution. What is remarkable with this new model is that it has achieved capacities both for global coordination, and for the small group dynamics that are characteristic of human tribal forms and that it does this without “command and control”! In fact, we can say that peer production has enabled the global scaling of small-group dynamics.

Of course, there may be conflicts between contributors as they are working together, and there are, but these are not decided by authoritarian fiat, but by “negotiated coordination”. Differences are “trashed out” in the forums and mailings lists and chatforums that these communities use to coordinate their work.

The “hierarchical” decision that remains, i.e. the decision to accept or not a patch to the program, necessary to protect the quality and excellence

of its production, is balanced by the freedom to fork. This means that disagreeing participants can always take the codebase with them, and create another version, where their options would prevail. It is not a light decision to take, but it does create a counterpower. Maintainers know that unjust and unilateral decisions would lead to a bleeding out of the membership and/or to a fork.

## 2. The relation between the community and the entrepreneurial coalition

What is the relationship between this entrepreneurial coalition and the commons from which they derive their value? The coalition supports the individual commoners in their livelihood, and may contribute to the for-profit-institution as well. For example, IBM pays salaries to the developers/commoners contributing to the Linux pool, and it supports the nonprofit (Linux Foundation), with subsidies. In this way, they co-produce and sustain the commons on which their success is built.

For sure, by doing this they also do turn Linux into what is partly a “corporate commons”, as explained by Doc Searls:

The Linux Journal editor explains that, “Linux has become an economic joint venture of a set of companies, in the same way that Visa is an economic joint venture of a set of financial institutions. As the Linux Foundation report makes clear, the companies are participating for a diverse set of commercial reasons”.<sup>2</sup>

A Linux Foundation report on the work on the Linux kernel makes this very clear: “over 70% of all kernel development is demonstrably done by developers who are being paid for their work. Over 14% is contributed by developers who are known to be unpaid and independent, and 13% by people who may or may not be paid (unknown), so the amount done by paid workers may be as high as 85%. The Linux kernel, then, is largely the product of professionals, not volunteers”.<sup>3</sup>

But this is not the whole story. Timothy Lee explains that the corporatization of Linux has not changed its underlying organisational model:

... what matters is the way open source projects are organized internally. In a traditional software project, there’s a project manager who decides what features the product will have and allocates employees to work on various features. In contrast, there’s nobody directing the overall development of the Linux kernel. Yes, Linus Torvalds and his

<sup>2</sup> [www.linuxjournal.com/content/linux-now-slave-corporate-masters](http://www.linuxjournal.com/content/linux-now-slave-corporate-masters)

<sup>3</sup> [www.linuxjournal.com/content/linux-now-slave-corporate-masters](http://www.linuxjournal.com/content/linux-now-slave-corporate-masters)

lieutenants decide which patches will ultimately make it into the kernel, but the Red Hat, IBM, and Novell employees who work on the Linux kernel don't take their orders from them. They work on whatever they (and their respective clients) think is most *important, and Torvalds's only authority is deciding whether the patches they submit are good enough to make it into the kernel.*<sup>4</sup>

Clay Shirky, author of *Here Comes Everybody: The Power of Organizing Without Organizations* stresses that companies that work with Linux, such as IBM "have given up the right to manage the projects they are paying for, and their competitors have immediate access to everything they do. It's not IBM's product".<sup>5</sup>

This then is the point I want to make, that even with shareholder companies allied with peer production, the community's value creation is still at the core of the process, and that the entrepreneurial coalition, to a substantial degree, already follows this new logic, where the community is primary, and business secondary. In this model, business logic has to accommodate to the social logic, it is in other words, already an "ethical economy".

### **3. The democratic logic of the for-benefit institutions**

Peer production also rests on a sometimes costly infrastructure of cooperation. There would be no Wikipedia without the funding for its servers, no free software or open hardware without similar support mechanisms.

This is why open source communities have created a new social institution: the for-benefit association. Again, an important social innovation, because, unlike classic non-profits or non-governmental institutions, they do not operate from the point of view of scarcity. Classic NGOs still operate much like other industrial institutions such as the corporation and the market state, as they believe that resources need to be marshalled and managed. By contrast, the new for-benefits only have an active role in enabling and empowering the community to cooperate, by provisioning its infrastructure, not by commanding its production processes. These associations exist for the sole purpose of "benefitting" the community of which they are the expression, and this is the good news, they are generally managed in democratic ways. And they have to be, because an undemocratic institution would also discourage contributions by the community of participants.

<sup>4</sup> [www.techdirt.com/articles/20080423/082724929.shtml](http://www.techdirt.com/articles/20080423/082724929.shtml)

<sup>5</sup> [http://blogs.cioinsight.com/knowitall/content001/decoding\\_the\\_professionalization\\_of\\_linux.html](http://blogs.cioinsight.com/knowitall/content001/decoding_the_professionalization_of_linux.html)



Now, here is the kicker, how would you call an institution that is responsible for the common good of all the participants, in this case, not the inhabitants of a territory, but of people involved in a similar project? I would argue that this type of for-benefit institution has a very similar function to what we commonly assign to the state. While the state form is always also a class institution which defends a particular arrangement of social privilege, it can never be a simple instrument of privileged rule alone, but needs to manage the common as well. To the degree that it is seen to do the latter, most people would see this as an acceptable or even “good” state form. On the other hand, to the degree that I fail to do this, it loses legitimacy, and is increasingly seen as a source of oppression by a minority. Generally speaking a state reflects the balance of forces in a particular society. The welfare state was an acceptable form because it was based on a social compromise and on the strength of a strong labour movement, while the “fear of God” was instilled in the privileged layers by the existence of an alternative state form that could have taken away the loyalty of their citizens. Once this alternative collapsed in 1989, with the social movements in the West further weakened by the social, political and economic choice to desindustrialize the North since the 1980s, the welfare state slowly made place for the contemporary corporate welfare state (sometimes called the “market state”), which only helps the privileged, guts social solidarity mechanisms and impoverishes the majority of its population, fatally weakening the middle class. Unfortunately, such a system can have no long-term legitimacy, and breaks any social contract that can guarantee social peace. It’s hard to build loyalty on the promise of ever increasing pain!

This means we are witnessing not just the actual death of the social welfare state, but also the announced death and logical impossibility of the neoliberal corporate welfare state. We should also of course add that even the welfare state has become problematic. The main reason is that its social basis, the western industrial labour class and its social movements, have become demographic minorities, and that its mechanisms, even when they worked, would not do much to assist the current social majority, i.e. the often free-lancing and precarious knowledge and service workers. Furthermore, the paternalistic and bureaucratic functioning of many welfare state institutions are becoming unacceptable to the emerging demand for personal and social autonomy, that is one of the primary social desires of the new class of knowledge workers. Many of the other positive social functions of the welfare state have been weakened by neoliberal “New Labour” reforms which aimed to introduce private sector logics in the public sector.

#### 4. Towards a Partner State

Can we then imagine a new type of state? Enter the concept of a Partner State! The Partner State, first theorized by Italian political scientist Cosma Orsi,<sup>6</sup> is a state form that enables and empowers the social creation of value by its citizens. It protects the infrastructure of cooperation that is the whole of society.

The Partner State can exist at any territorial level, as a set of institutions that protect the common good, and enable the citizens to create value. It does on a territorial scale what the for-benefit institutions do on a project-scale. While the for-benefit associations work for the commoners as contributors and participants to particular projects, the Partner State works for the citizens. This is needed because just as the Invisible Hand of the market is a myth, so would an invisible hand of the commons be. Commoners tend to care about “their” commons, not about society as a whole. That specific care for the whole requires its own specific set of institutions!

The good news is, such a Partner State already exists, we have seen it in action, at least in a local embryonic form. A few years ago we visited the city of Brest in French Bretagne. Brest is not really a beautiful city, though it is embedded in a most beautiful natural region and undoubtedly has its charms. But it was bombarded in WWII and a lot of rather unattractive social housing was built, leading to a certain amount of social “anomie”. Michel Briand, assistant to the Mayor, and his team of city workers had a brilliant idea: why not use the virtual to enhance physical social life in the city? The team created local versions of Facebook, YouTube and Flickr, helped local associations develop an online presence,<sup>7</sup> invested heavily in training, and even had a physical library where citizens could borrow production material. One of their projects was the revitalisation of old “smuggling trails” in order to attract the “trekking” crowd. So they decided to “virtually enrich” the trails.

And here is where their social innovation comes in: the city council did not do by substituting themselves to the citizenry (i.e. state provisioning), nor did they ask the private sector to carry this out (privatisation or public-private partnerships), no, what they did was to enable and empower local teams of citizens, to create added value. This happened through various forms such as the creation of picture galleries of notable landmarks, in the

<sup>6</sup>The Political Economy of Reciprocity and the Partner State. By Cosma Orsi. Contribution to the Nottingham Peer Production Workshop, 2007. [http://p2pfoundation.net/Political\\_Economy\\_of\\_Reciprocity\\_and\\_the\\_Partner\\_State](http://p2pfoundation.net/Political_Economy_of_Reciprocity_and_the_Partner_State)

<sup>7</sup> Info via [www.a-brest.net/](http://www.a-brest.net/); profile of Michel Briand via [www.a-brest.net/auteur2.html](http://www.a-brest.net/auteur2.html)

form of oral history collections, etc... (even “bird taping” was on the menu!) This then is the Partner State, namely public authorities which create the right environment and support infrastructure so that citizens can peer produce value, from which the whole society then benefits. It stimulates a thriving local economy as well, as local entrepreneurs create added market value and attract more tourists. Michel Briand and his team worked tirelessly “for the benefit of the citizens”, enhancing their capacity to create civic value. Obviously, the knowledge and culture thus created constituted a vibrant commons. If we expand this on a national and even supra-national scale, we get a state form that practices “commonfare”, i.e. fosters the commons and the value-creating commoners.

There are of course other examples to mention as well. The Austrian region of Linz has declared itself a Commons Region; the city of Naples has created “An Assistant to the Mayor on the Commons” position, and San Francisco city council has created a Commission to promote the Sharing Economy.

One danger lurks here though, and this was exemplified by the Big Society program in the UK, which uses a superficially similar language of civic autonomy and action, but hides a completely different practice, i.e. is based on a strategy to further weaken the welfare states and its provisions. A partner state cannot be based on the destruction of the public infrastructure of cooperation. This may not have been the initial intention of Philipp Blond and his “civil society”-oriented “Red Tories”,<sup>8</sup> but it certainly is what David Cameron’s government put in practice. The peer production of common value requires civic wealth and strong civic institutions! In other words, the partner state concept “transcends and includes” the best of the welfare state, i.e. the social solidarity mechanisms, high educational attainments, and a vibrant and publicly supported cultural life. What the British Tories did was to use the Big Society rhetoric to attempt to further weaken the remnants of social solidarity and throw people back to their own wits without any support. There was no enabling and empowering, but rather its opposite.

While peer production will undoubtedly also emerge as a drive for resilience in bad times, a really thriving commons-based society requires a Partner State, i.e. a network of democratically-run for-benefit institutions which protect the common good on a territorial scale.

<sup>8</sup> Profile via [http://en.wikipedia.org/wiki/Phillip\\_Blond](http://en.wikipedia.org/wiki/Phillip_Blond); a similar tendency in the British Labour Party, “Blue Labour”, was stillborn, see [http://en.wikipedia.org/wiki/Blue\\_Labour](http://en.wikipedia.org/wiki/Blue_Labour)

## 5. A value crisis of the capitalist economy

While peer production exists in relation with an entrepreneurial coalition that creates market value on top of the commons, the exponential rise in the creation of user value by productive publics, or “producers”<sup>9</sup> as Axel Bruns calls them, is not without creating problems and contradictions for the current political economy. Indeed, it creates in fact a huge problem for a capitalist system, but also for workers as we have traditionally conceived them. Markets are defined as ways to allocate scarce resources, and capitalism is in fact not just a scarcity “allocation” system but in reality a scarcity engineering system, which can only accumulate capital by constantly reproducing and expanding conditions of scarcity. Where there is no tension between supply and demand, there can be no market, and no capital accumulation. What peer producers are doing, for now mostly in the sphere of “immaterial” production of knowledge, software, and design, is to create an abundance of easily reproduced information and actionable knowledge, that cannot be directly translated into market value, because it is not at all scarce, but on the contrary, over-abundant. And this activity is moreover done by knowledge workers, who are now being produced on such a massive scale, that their over-supply also renders them precarious workers. Hence, an increased exodus of productive capacities, in the form of direct use value production, outside the existing system of monetization, which only operates at its margins. In the past, whenever such an exodus occurred, of slaves in the decaying Roman empire, or of serfs in the waning Middle Ages, that is precisely when the conditions were set for huge and fundamental societal and economic phase transitions.

Indeed, without a core reliance of capital, commodities and labor, it is hard to imagine a continuation of the capitalist system.

The problem of the use value creation that Internet collaboration has enabled is that it totally bypasses this normal functioning. The normal functioning of our economic system would require that increases in productivity are somehow rewarded and that these rewards enable consumers to derive an income and buy products. But this is no longer happening. Facebook and Google users create commercial value for their platforms, but only very indirectly and they are not at all rewarded for their own value creation. Since what they are creating is not what is commodified on the market for scarce goods, there is no return of income for these value creators. This means that social media platforms are exposing an important fault line in our system.

<sup>9</sup> <http://p2pfoundation.net/Producer>

The current so-called “knowledge economy” is therefore a sham and a pipe dream, because abundant goods do not function well in a market economy. For the sake of the increased precariousness that is awaiting the world’s workers, is there a way out of this conundrum? Can we restore the broken feedback loop?

## 6. The prefiguration of a new social model

Strangely enough, the answer may be found in the recent political movement that is Occupy, because along with “peer producing their political commons”,<sup>10</sup> they also exemplified new business and value practices. These practices were in fact remarkably similar to the institutional ecology that is already practiced in the production of free software and open hardware communities. This is not a coincidence.

Let’s look back at the workings of Occupy Wall Street at Zuccotti Park, when it was still in operation last fall. At the center, there was a productive public, reaching consensus through the General Assembly and offering all kinds of templates (Mic Check, Protest Camping, Working Groups, etc.) which, in a true open source way, could be copied and practiced by similar communities the world over, but also modified to suit local needs (this is called “forking” in open source parlance). If you did not contribute, you had no say, so engagement was and is necessary.

This community had all kinds of needs, physical needs, such as food, shelter, health care. Did they simply resort to the market economy for this? No, but also yes, but in a qualified way. Let me explain.

OWS set up all kinds of working groups to find solutions to their physical needs, in other words, the economy was considered as a provisioning system, as explained in Marvin Brown’s wonderful book on *Civilizing the Economy*, and it is the “citizens”, organized in working groups, which decide which provisioning system would be appropriate given their ethical values. For example, the Vermont organic farmers provided free food to the campers, cooked by volunteer chefs, but this had a negative side effect. Indeed, the local street vendors, generally poor immigrants, did not fare too well with everyone getting free food; they could no longer easily sell their wares. The answer to this drama was that the occupiers cared about the vendors, and set up an Occupy Wall Street Vendor Project, so that funds could be raised to buy food from the vendors. Bingo, in one swoop, OWS created a well-functioning ethical economy, that was both a market dynamic, but

<sup>10</sup> Bian Holmes, [www.constantvzw.com/transmedia\\_archive/000101.html](http://www.constantvzw.com/transmedia_archive/000101.html)

that also functioned in harmony with the value system of the occupiers. What is crucial here is that it was the citizens who decided on the most appropriate provisioning system, and not exclusively the property and money owners in an economy that is divorced from ethical values.

What can we learn from the incipient Occupy model, if we generalize it on the level of society as a whole?

Today, we assume that value is created in the private sphere, by for-profit companies, and let's recognize that civil society is just a "remainder" category, it's what we do when we come home, exhausted after our paid work. This is recognized in our derivative language for civil society, where we call them nonprofits or non-governmental. The system as a whole is managed by a state, where the social democratic welfare state has increasingly become a neoliberal corporate welfare state, where the gains are privatized and the losses socialized. In other words, the state itself has become an extension of the corporation, and is increasingly less and less a servant of the citizenry. We can see the progress of this model in how the Troika is now imposing slash-and-burn politics in the heart of Europe, i.e. Greece, and no longer on weaker developing countries alone.

Occupy and open source models show us a new possible reality, a model where the democratic civic sphere, productive commons, and a vibrant market can co-exist for mutual benefit:

- At the core of value creation are various commons, where the innovations are deposited for all humanity to share and to build on;
- These commons are enabled and protected through nonprofit civic associations, with as national equivalent the Partner State, which empowers and enables that social production;
- Around the commons emerges a vibrant commons-oriented economy undertaken by different kinds of ethical companies, whose legal structures ties them to the values and goals of the commons communities, and not absentee and private shareholders intent of maximising profit at any cost.

Where the three circles intersect, there are the citizens deciding on the optimal shape of their provisioning systems.

This model can exist as a submodel within capitalism, and partially already does so in the present system, as the open source software business ecology. It could also become, with some necessary hacks, the core logic of a new civilization. The Occupy movement has not just shown us prefigurative politics, but in fact, prefigurative economics.

A separate question is of course, "how do we get there". Part of the answer is that this will require not just powerful social movements that advo-

cate for social reform and transformation, but a further transformation and maturation of the peer production model itself.

Today, it is a proto-mode of production which is entirely inter-dependent with the system of capital. There would be no social reproduction of the workers involved, if not for the general public infrastructure provided by the state, but more specifically, through the income produced by working for capitalist enterprise.

Is there any possibility to create a really autonomous model of peer production that could create its own cycle of reproduction? For this, we propose two “hacks”.

The first is the use of a new type of license, the peer production license, which has been proposed by Dmytri Kleiner. This sharing license proposes that all who contribute to the commons, can also use the commons. The second hack consists of creating independent entrepreneurial vehicles that are not for-profit companies, but ethical companies, whose members are the commoners, and whose mission is the support of the commons and its contributors. Following the lead of Neal Stephenson in his fictional account in *The Diamond Age*, and the pioneering practice of the cooperative network *lasindias.net*, we propose to call them phyles. Phyles are mission-oriented, purpose-driven, community-supportive entities that operate in the market, on a global scale, but work for the commons. In this way, the social reproduction of commoners would no longer depend on the accumulation cycle of capital, but on its own cycle of value creation and realization. Combined with social movements and political representation, we believe this three components would be the basis of a new social and political “hegemony”, which would be the basic social force pushing for social transformation in the sense of a deepening and broadening of peer production models, from the micro-economy, to the macro-economy.

## **7. Towards a civilization based on economies of scope, not scale**

Following the international division of labour imposed by globalization, the aim of the competition is to be able to produce more of a unit, so as to drive the unit price down, and outcompete the competition. Multinational corporations and global brands now have very complex value chains, where various parts of a product are mass-produced in different parts of the world.

Nevertheless, the system has obvious weaknesses. One weakness is that it drives towards monocultures, both of the agricultural type, but also industrial monocultures such as the dependence of the Chinese coastal economy to exports. And the latter example highlights a related second problem. Competition drives prices relentlessly down, so, in the 1980s, the dominant

western players changed their strategy. They abandoned the costly western workers to precarity, moved the low-profit industrial production to low wage countries, and expanded the IP regime to extract rent and superprofits via patents, copyrights and trademarks. As Thijs Markus writes so eloquently about Nike in the Rick Falkvinge blog,<sup>11</sup> if you want to sell \$5 shoes for \$150 in the West, you better have one heck of a repressive IP regime in place. Hence the need for SOPA/PIPA, ACTA and other attempts to criminalize the right to share.

But there is of course a more fundamental problem: the whole system of globalizing the advantages of scale fundamentally rests on cheap global transportation and thus, the continuous availability of superabundant fossil fuels. After the passage of Peak Oil, and thus the end of the era of cheap oil and with still exploding demand from the exploding BRICS countries, it is more than likely that the whole regime will come tumbling down, not in one day of course, but gradually, though non-linear downward jumps are to be expected as well. Punctuated equilibrium is indeed not just a feature of biological systems, but of social systems as well! This means that competing on the basis of scale, even if it is still effective today, is also ultimately a game that loses relevance and ultimately can only be played by those who do not care about the destruction of our planet... What game can the others play? Consistently increasing prices for fossil fuels means that innovation and competition have to find another outlet. Actually, it's about inventing another game altogether.

But first, a short historical intermezzo, as this drama of transition has been played out before...

While the late fifth-century Romans were still fighting for the crown of Cesar Augustus, the Germanic "barbarians" were already at the gate, and the Christian communities already prefigured the values of a coming era of relocalization based not on an economy of scale, but on an economy of scope. And what are economies of scope? As a teaser, for now, this short definition: "An economy of scope exists between the production of two goods when two goods which share a CommonCost are produced together such that the CommonCost is reduced".<sup>12</sup> In other words, something that brings down the common cost of a factor of production, not by producing more of a unit but through shared infrastructure costs. But let's resume our short historical excursion.

<sup>11</sup> Falkvinge is the founder and former President of the Swedish Pirate Party, see <http://falkvinge.net/2012/01/31/why-acta-is-so-mercilessly-pursued/>

<sup>12</sup> <http://appropriatesoftware.net/wiki?EconomyOfScope>



As the Roman Empire could no longer bear the costs of its own scale and complexity and supplies of gold and slaves became gradually more problematic, the smarter landowners started to free their slaves, but binding them contractually to the land as “coloni” (serfs) while on the other hand, the increasingly taxed and bankrupted freeholders sought protection from the very same domain holders. Thus, one side of the equation was pure and simple localization, since the system could no longer bear the global scale of the Empire. But the new post-Roman system also invented a new system of innovation, based on the advantages of scope, not scale. Indeed, as the cities were emptying out, and with it their knowledge system of urban libraries, elite home schooling and academies, the Christians invented monasteries, as the new agrarian knowledge centers. But the important thing is that while the physical system localized, the Christian Church actually functioned as a global open design community. Monks and manuscripts travelled, and with them the many innovations of the worker-monks. While Europe initially decayed as the remnants of the Empire crumbled, eventually, after the first European social revolution of 975,<sup>13</sup> this new system created the seeds for the first medieval industrial revolution. Between the 10<sup>th</sup> and the 13<sup>th</sup> century, based on a unified culture of knowledge, Europe started once again blossoming, re-introduced negative interest money which kept accumulation by elites in check,<sup>14</sup> doubled its population, regrew its beautiful cities many of which were run democratically by the guild councils,<sup>15</sup> and invented peer-to-peer universities in Bologna in the 11<sup>th</sup> century.<sup>16</sup> This first Renaissance was all based on the economics of scope, the unified body of knowledge that European intellectuals and artisans could build on. The guilds may have had their secrets, but they took them with them wherever Cathedrals were built.

The same experience was reiterated in 1989, on a national scale, in the most dire circumstances, when isolated Cuba could no longer rely on the advantages of scale of the Soviet system. The Cuban crisis of 1989 prefigured the current world situation because they experienced their very own Peak Oil situation when the Soviets abruptly stopped delivering oil at below world market prices. While initially the Cubans went back to using donkeys

<sup>13</sup> R.I. Moore. *The First European Revolution, 970-1250*. Blackwell, 2000.

<sup>14</sup> Bernard Lietaer and Stephen Belgin. *New Money for a New World*. 2012.

<sup>15</sup> Bibliography of European Medieval Democracies, by Elliot Bulmer, [http://p2pfoundation.net/European\\_Medieval\\_Democracy](http://p2pfoundation.net/European_Medieval_Democracy)

<sup>16</sup> <http://chronicle.com/article/Rereading-the-University/124271/>

and the bodyweight of the population went in decline, the rulers took a number of interesting initiatives. First, they liberated local entrepreneurship by granting more autonomy to the local agricultural cooperatives; and second, they mobilized the grassroots knowledge of the population, including of urban dwellers. But thirdly and perhaps most crucially, they created a number of agricultural institutes with the overriding goal of emulating and spreading local innovations. Whatever the other faults of the totalitarian system in Cuba, this open design experiment worked beyond all expectation. As documented by Bill McKibben<sup>17</sup> and a number of documentaries,<sup>18</sup> Cuba now produces more nutritious and organic food, with a fraction of fossil fuels, and this for the same reason as the earlier example regarding the Christian Church in the European Middle Ages: sharing knowledge created economies of scope. Agricultural innovations could quickly spread across the country and be adopted by everyone.

Indeed, economies of scale work well in periods of energy “ascent”, when more and more energy is coming online, but they work less and less in periods of energy “descent” when the overall supply of energy and resources are diminishing. What you need then are economies of scope, when you can “scale up from one”, as with today’s emerging “making on demand” infrastructure. Economies of scope is exactly what peer production (in its different iterations of open knowledge, free culture, free software, open and shared designs, open hardware and distributed manufacturing...) is all about.

Let’s recap what is wrong with the current global system, which is entirely predicated on economies of scale, and actually in many instances makes economies of scope illegal.

- 1) Our current system is based on the belief of infinite growth and the endless availability of resources, despite the fact that we live on a finite planet; let’s call this feature, runaway “pseudo-abundance”;
- 2) The current system believes that innovations should be privatized and only available by permission or for a hefty price (the IP regime), making sharing of knowledge and culture a crime; let’s call this feature, enforced “artificial scarcity”.

Peer production methodologies are based on the exact opposite economic and social DNA. Peer production communities believe that knowledge is

<sup>17</sup> [www.harpers.org/archive/2005/04/0080501](http://www.harpers.org/archive/2005/04/0080501)

<sup>18</sup> Megan Quinn on the Cuban experience, [www.youtube.com/watch?v=f7i6ro-VB5MI](http://www.youtube.com/watch?v=f7i6ro-VB5MI)

a commons, for all to share, and hence, no innovation can be withheld from the human population as a whole. In fact, withholding a life-saving or world-saving innovation is seen as distinctly unethical, and this represents a true “value inversion”. And peer production designs for “distribution” and inclusion, i.e. small scale, even “personal” fabrication. Planned obsolescence which is a feature and not a bug of the current system, is totally alien to peer production logics.<sup>19</sup> In other words, sustainability is a “feature” of open design communities, not a bug.

Again, there are historical precedents to such value inversions. The Christian communities in the Roman Empire were not competing with the Empire, they were building their own institutions, based on a different and alien logic. While Roman elites hated work, which was for the lowly slaves, Christian monks extolled work and tried to prefigure Eden in their earthly Cities of God. Similarly, the French Sans-Culottes of 1789 were not competing for feudal privileges, they abolished all of them in one single day. It would therefore be wrong to see peer production simply as a set of “competing” techniques... In fact, these evolutions are happening on a different plane altogether. They live and co-exist in the same world, but they do not really belong to the same world-logic.

So what are the economies of scope of the new p2p age? They come in two flavours:

- 1) The mutualizing of knowledge and immaterial resources;
- 2) The mutualizing of material productive resources.

The first principle is easy to understand. If we lack knowledge as individuals – and nobody can know everything – as a community, local or virtual, it is much more likely that someone knows. Hence, the mutualizing of knowledge and “crowd-accelerated innovation”,<sup>20</sup> now already a well-known feature of the collaborative economy. But the advantage of scope is created when that knowledge is shared, and thus, can be used by others. With this social innovation, the common cost of the joint production factor that is knowledge, is dramatically reduced. Take the example of the paradigmatic Nutrient Dense Project.

This global community of agrarian workers and citizen scientists is interested in experimenting with better nutrients to obtain better quality food.

<sup>19</sup>Value inversions in peer production, an overview, <http://keimform.de/2012/characteristics-of-peer-production/>

<sup>20</sup> [www.wired.com/magazine/2010/12/ff\\_tedvideos/3/](http://www.wired.com/magazine/2010/12/ff_tedvideos/3/)

Hence joint research can be carried out to test various nutrients in various soils and climate zones, and it will instantly benefit not just the whole participating community, but potentially, the whole of humankind. Strategies that are based on privatizing intellectual property, cannot obtain such advantages of scope, or at least, not at that level. Or take the example of the urban homestead of the Dervaes family in Los Angeles,<sup>21</sup> who succeed in producing 6,000 pounds of food annually on a tiny city plot. Because they are sharing their productivity innovation, hundreds of thousands have already learned to improve their own lots, but imagine the speed of innovation that would occur if they were supported by Partner State institutions,<sup>22</sup> who would support and spread such social innovations even further!

The second principle, of mutualizing physical productive resources, is exemplified by the trend towards collaborative consumption. The general idea is the same. Alone, I may lack a certain tool, skill, or service, but seen from the point of view of a community, it is likely someone else has it, and that other person could share, rent or barter it. No need to all possess the same tool if we can access it when we need it. Hence the proliferation of “p2p marketplaces”.

Let’s take an illustrative example: car-sharing. Car-sharing projects can be mutualized through the intermediary of a private company which owns the cars (fleetsharing, like ZipCar), through p2p marketplaces which link car users to each other (RelayRides), or through nonprofits (San Francisco) or public entities (Autolib in Paris). But they all achieve economies of scope. According to a study cited by ZipCar, for every rented car, there are 15 fewer owned cars on the road, but not just that: carsharing members changed their behaviour and drove 31% less than when they owned a vehicle. So, in 2009 alone, carsharing diminished global carbon dioxide emissions by nearly half a million tons.<sup>23</sup>

Imagine similar developments in every sector of production...

So, what will the new system look like, if economies of scope become the norm and replace economies of scale as the primary driver of the economy and social system?

We already mentioned the global open design communities, and we suggest that it will be accompanied by a global network of microfactories, who are producing locally, such as the ones that the open source car companies

<sup>21</sup> [vimeo.com/2231318](http://vimeo.com/2231318)

<sup>22</sup> [www.aljazeera.com/indepth/opinion/2012/03/20123111423139193.html](http://www.aljazeera.com/indepth/opinion/2012/03/20123111423139193.html)

<sup>23</sup> <http://futureofcarsharing.com>

like Local Motors and Wikispeed are proposing and which are already pre-figured by the networks of hackerspaces, Fablabs and co-working spaces. This means we also need global material organisations, not to produce on a global scale, but to organize our material activities so as to minimize the “common costs” of the various networks, and not just in terms of sharing knowledge. In other words, who will play the role that the Catholic Church and its roaming monks played in the Middle Ages? Let’s not forget, it was not just an open design community but an effective material organisation giving leadership to a whole continent-wide cultural sphere. Do we have a potential p2p version of this that can operate globally? The answer is of course the generalization of the “phyle” as proposed previously.

The only thing left to do is to have an answer to the crucial question: what does global governance look like in p2p civilization? How can we transform the global material Empire which at present dominates world affairs for the benefit of a few, and replace the ineffectual global institutions that are present inadequate to deal with global challenges?

## 8. Imagining a post-Westphalian global order

Can we imagine a replacement for the current Empire, dominated by global financial powers who at least for now seem to have the upper hand vis-à-vis the declining power of nation-states, including even huge networked state forms such as the European Union?

The alternatives are still in very embryonic stage, however the speed of global mobilization of the Occupy movement gives an idea that non-linear events are possible and could jumpstart possible solutions.

First of all, there are of course global Civil Society Organisations. However, a peer-to-peer perspective suggests these traditional organisations are no longer truly representative of civil society, which now also consists of networked productive publics, whose input must be taken into account. It goes without saying that the neo-liberal model of public-private partnerships, which are based on a dialogue of public authorities with private corporate players, is even more unacceptable. What is necessary we believe is that the for-benefit institutions assert a more powerful role on a global scale, as a new important segment of global civil society.

Global digital commons are undoubtedly being formed, and playing an increasing informal role. Global physical commons are on the agenda amongst advanced policy advocates, though the field of solutions considered by dominant players are still exclusively neoliberal market solutions, and sometimes, public solutions. The commons is as yet absent from mainstream policy debates. They could take the form of global trusts that protect vital global re-

sources. A lot of advocacy and political and social organizing on a global scale will be needed before commons-oriented solutions will be envisaged (such as cap and share managed by a SkyTrust, instead of private cap and trade or public carbon taxes as exclusive solutions to climate change).

The phyles which we discussed before could be an embryonic form of post-corporate market entities that play a global role and could eventually project global power as a challenge to the current non-ethical corporate monopolies. A merger of the cooperative/ethical/social/solidarity economy players, with open source commons would eventually create powerful global players that could count of both civic, commons, and ethical-private players, in a powerful but as yet untried combination. We also favour the use of post-Westphalian, global reserve, socially-sovereign currencies, such as Bitcoin, already used by the p2p Foundation.

We believe that the key will be the creation of a global coalition for the commons, which can operate on a global scale, so that the balance of forces can be altered and commons oriented governance and policy solutions can enter the global arena. Such coalition will be based on 1) all the forces that recognize that our planet needs to be preserved through some type of steady-state economy, which no longer depletes its capacities for regeneration; 2) the social forces, such as the free culture movement, open access and data movements, and others, who advocate for a global shared innovation commons for all socially vital knowledge, and refuse its privatisation and the criminalization of sharing; 3) all the forces that aim for social justice on a global scale. We believe such a combination of social forces would be very powerful and that the new global structures will be born from its prefigurative experiences.

# WIKIPEDIA, FREE KNOWLEDGE AND PEACE\*

■ JIMMY WALES

I was asked to speak on the topic of peace and Wikipedia, which is a pretty big topic, and I've been fortunate enough in the past few days to have conversations over lunch and dinner with several people here and it became apparent that there's a lot of interest in how Wikipedia actually works, so I'm going to cover that as a base for about ten minutes to really explain, as quickly as I can, some of the mechanics of how Wikipedia actually functions. Once that base is covered I'll talk about our neutrality policy in particular, and how I think that that contributes to, and can contribute to, peace.

The original vision for Wikipedia is for all of us to imagine a world in which every single person on the planet is given free access to the sum of all human knowledge, so every piece of this vision statement is important. When we talk about every single person on the planet the project is inherently global in scope and – in vision, anyway – reaches far beyond just the people who have access to the Internet. When I say “free access” I mean something very particular by that, which, as was just discussed in the previous lecture, has more to do with open sharing than it has to do with cost. An old joke from the open source software community is, “we mean free as in speech, not free as in beer”. Free beer is great, people love to get a free beer, but we're talking about something more fundamental than just cost, we're talking about the licensing condition that allows anyone to copy, modify, and redistribute modified versions of all of our work and people can do that commercially or non commercially, which gives rise to a lot of interesting side-projects and things that go on. Finally, when we talk about the sum of all human knowledge, this is really, in a way, a limitation on what Wikipedia is. Wikipedia is not everything in the world, Wikipedia is not a textbook, Wikipedia is not YouTube: I love funny cat videos as much as anybody does but they don't belong in Wikipedia. What we have is an essentialized summary of human knowledge with the depth of material depending on the context.

How does Wikipedia work? Although Wikipedia is an open community, Wikipedia is not an anarchy. We have several hundred pages of editorial rules and guidelines and one of the amusing things people will often say to

\* Transcript unrevised by author.

me is, has your community ever thought of \_\_\_\_ (and you can fill in what you want there) and the answer is, probably yes, probably not only have they thought of it, they've had a 30-page discussion about the names of rivers in Poland, or whatever it might be. It's an incredibly verbal community who think really hard about editorial policies and guidelines. The way this all works is that we have a complex social structure within our community, which I will try to explain very briefly. What we have is a curious but workable mix of several things: consensus, and by consensus what I mean is, whenever there is some disagreement about what an entry in Wikipedia should say we try, over and over and over again, on the discussion page, to find a formulation that will have very wide support, that even supporters and opponents will be able to agree with and I'll go into that in more detail when I talk about the neutrality policy. We have some elements of democracy: sometimes we do have informal votes on things, sometimes there is no simple way to compromise. If the entry in question is the Eiffel Tower in Paris, everybody agrees that we need to have a picture of the Eiffel Tower, but there's maybe disagreement about which picture to use and we'll have a little straw poll on it and see what happens. Those votes are typically not binding, but they do help to generate consensus. People may say, well I think this picture is better than that one but I see that 80% of people disagree with me so I'll drop the issue and let it go. Also, we have administrators who are elected by the community but, once elected, it's very, very difficult for someone to lose their status as an administrator. In a certain sense, there's a bit of aristocracy, these are the people in the community who've gained a certain status, a social status, a technical status as administrators, and they need a certain amount of independence to do their work and therefore they can't be unelected. They can be removed as administrators, it does happen from time to time, but it's quite rare. And then we have a little bit of monarchy, and this is my role in the community. I always say that Americans have a very hard time understanding how Wikipedia functions, as compared to the British, who do understand the idea of layers and layers of protocol and things that really rest almost as much on tradition and custom as anything else, and the idea of a monarch like me who mainly just waves at crowds is something that the Brits very much do understand.

The first thing to know is that anyone can edit Wikipedia so, within this complex social structure, the first thing to know is that for 99.9% – I don't know the exact number, it's actually higher than that – of the pages in Wikipedia anyone can edit anything at any time without even logging in. You don't even have to log in, you just click "edit", you make a change and you save and it goes live immediately. What happens if you don't log in is



that your IP address – the address identifying your computer – is shown, we can see that the edit was made by someone who wasn't logged in, we can see your IP address, and then once that edit is made it goes to the recent changes page – every change to Wikipedia is posted on the recent changes page – and there's a large group of people who spend their time – it's almost like a videogame for them – monitoring the recent changes page and looking at all the changes that come in. There are various tools that they use, robots that are looking for certain types of changes that are easy to flag as problematic so, for example, if a page goes from 20,000 characters down to 3 characters, you probably know that's not a good edit, somebody just blanked a page, that's probably wrong, a human needs to look at it and see what's going on. There are edit filters that look for curse words. Sometimes it can be appropriate in Wikipedia to have a curse word, you know, if a famous person has said a famous statement that includes a curse word it wouldn't be absolutely banned in Wikipedia but usually, when somebody puts in a curse word, they're up to no good and so that gets flagged and humans look at that more quickly. Additionally, every editor who is logged in has their personal watchlist. Most of the experienced editors have it set so that anything they ever edit goes on to their watchlist, so once you've participated you can see on your watchlist, the next day when you log in, what's changed in the areas you're interested in since yesterday. That's a slower filter, it may take several hours before somebody sees it on their watchlist, and that is the way a lot of ongoing discussions take place.

Anonymous edits are viewed, quite rightly, with suspicion. People say, this is someone we don't know, this is somebody who didn't even bother to log in, so if people want to gain a reputation in the community they log in, they gain a stable identity, they have an identity, everyone can see what they're doing, it's all very transparent and open, and there are certain pages that are semi-protected, we call it, due to ongoing troubles. An example of this would be a page like "George W. Bush" which, if you leave completely open so that people can edit without logging in it's exhausting, the number of people who come by and insert curse words or blank the page or do bad things. I don't mean to single out George W. Bush, this is true for a lot of very prominent people, he is just particularly prominent, particularly controversial. There are a lot of pages that end up semi-protected and in order to edit those pages you have to log in, have an account, and you have to have an account for four days. Once you've had an account for four days, then you're allowed to edit semi-protected pages. That's a very low barrier to entry. The idea here is that we still want to have this open community where people can participate, it's something like a cooling off period, if you

just come by and you're angry and you want to insult the President you have to wait four days. As it turns out, this eliminates 99% of that kind of behaviour. After four days people feel a little bit better and they realise, if they just log in and insult the President, they're just going to be banned and they'll have to start over again. This really does help a lot. And then we have full protection. This is when there's a big argument that's broken out between established editors, emotions are running high and there's a decision made to say we need a 24-hour cooling off period, we need to say, everybody step back, go to the discussion page, work out your difficulty and then come back and edit the article. The only people who can edit an article while it's under full protection are those administrators who are elected by the community but, as a tradition and custom, they don't edit those pages. This is mainly just to calm things during a big fight. The administrators are elected by the community, they do have additional powers, they can protect the pages, they can block people from editing, but their powers are socially limited. They are police, not judges, and so their actions can be reviewed. If someone is blocked in Wikipedia there is an avenue for appeal. You can say, I was blocked unfairly, I was blocked for disagreeing with someone, and this is where it becomes important that the administrators are something of an aristocracy, they don't have to bow to immediate popular will, but they do have checks and balances, there is an ability for administrators to lose their administration. How does that happen? We have the arbitration committee. This is a committee that is elected by the community and then appointed by me. The arbitration committee can issue binding decisions and in many cases they take on very difficult and thorny cases where there's been a longstanding, ongoing controversy and good editors haven't been able to resolve the conflict. After the arbitration committee makes a decision the only possible appeal is to me, and that is an avenue that is open to people, but I only review things for significant injustice or abuse of authority, I don't view it as appropriate for me to overturn the arbitration committee just because I disagree. I don't think that's the right role for a final appeal. I'm here as a final check and balance to say, if the arbitration committee decides to go crazy and starts banning people for reasons that don't make any sense, I'm there to say no, something has to give. My role in the community is, I would say, constitutionally ambiguous, and I would like to keep it that way. The rules say I can set policy by *fiat*, but whether such policy would be popular and accepted is an open question, so I avoid it, much like the Queen of England who, in theory, has a lot of power, but avoids using it because probably, if she did, she would lose her job. I try to avoid doing things unless absolutely necessary. The last time

I did was in July 2010 and that policy held firm, we had a policy on child protection where we really wanted to be quite firm about issues surrounding advocacy of paedophilia and there was some debate and discussion in the community as to whether it was policy or just tradition and that very much stuck within the community and now has been ratified.

This system is very complex, obviously, and it has a lot of checks and balances within it and unfortunately, of course, with any system as complex as this there's also some bureaucracy and so one of the questions that arises for people is what is the quality that results from this process. Now that you've heard a little bit about how we do it, I hope you feel a little bit reassured that it isn't just randomly anyone can do anything at any time, and the best academic studies of quality that we have suggest that the quality is similar to, or in some cases, better than Britannica. There was an academic study that showed the number of errors in Wikipedia versus Britannica is quite similar. But the truth is, and this is important to understand, this is not because we are great, this is because Britannica was never as good as people thought it was! The truth is, doing good quality reference material for the general public is a very hard task. We do make a lot of errors, and sometimes we get beaten up in the press for those errors and sometimes that's fair and sometimes that's not fair, but we are aware that there's always room for improvement and quality.

I want to move now into talking about the subject of Wikipedia and peace. I do think that we have, at least potentially, a significant role to play here, and it's something that I very much desire for Wikipedia as a mediating and moderating influence on the discourse of the Internet. Wikipedia now reaches nearly 500 million people every month. The last numbers I have, last month I think it was 481 million people read at least one thing in Wikipedia, and we are the most linguistically diverse website, we are in many, many languages. Just to give you some of the scope of that, English, German, French and Dutch all have over one million articles. We have six more languages that have over 500,000, we have 39 languages with over 100,000 articles and we have 108 that have over 10,000 articles. Ten thousand articles is still not a comprehensive encyclopaedia, but it's important to remember that for many of these languages – a good example would be Swahili, which has around 30,000 articles – there has never existed an encyclopaedia as we understand it. They've never had an encyclopaedia in their language and so this is the first encyclopaedia for many, many people all around the world. The growth of Wikipedia in the developing world is something that I'm extremely excited about and one of the things that I've been trying to communicate to people in the past few months is something

that I think a lot of people don't realise yet, which is how quickly Internet access is growing now in the developing world. Just to take a look at one country, Nigeria, what we've seen is that in 2000, 0.1% of Nigerians were online. By 2006 that had exploded, you might think, to 3.1%. In 2009 it was 16.1% and in 2011, the latest numbers I have access to, 29% of Nigerians were on the Internet. This is an incredibly important transformative change to society, in the same way that it was an important and transformative change to the wealthy societies of the world, people are able to get online. And what we're seeing, in the Yoruba Wikipedia, which is one of the major languages of Nigeria, just as Internet access has nearly doubled in the last year, the size of Yoruba Wikipedia has doubled in the last year, as people come online they become very interested and very eager to work in their own language. This is true even of people who are part of the diaspora. In many cases, talking to people who are in the diaspora, who are working in wealthy countries, they still have a very strong passion for their mother tongue but in the days when no one back home had Internet access there wasn't much inspiration to write in Yoruba Wikipedia. If you're a professor and you're working in Europe you might feel, well, if I write in Yoruba no one will read it, because they're not on the Internet yet. This is increasingly not true. Increasingly, if you're a professor out in the world somewhere, you can write in your home language and people back home will be able to read it, and so it's a very important mechanism to allow people to share their knowledge with people back home.

Some of Wikipedia's policies are very important. One of the most important ones is assume good faith. The idea here is that if you see someone doing something wrong in Wikipedia it usually isn't because they're being malicious, it's because they're trying to do the right thing in a wrong way. This is a very optimistic view of people but it turns out to be empirically justified. In most of the cases where you see someone come into Wikipedia and they're doing something that you think is bad if you challenge them and say, why are you doing that, this isn't the right thing to do, they'll reply and you'll have a conversation with them and they turn into much better contributors. We can't be super naïve. Obviously some people are just malicious people or crazy people or whatever and we do have to block people, we do have to deal with that, but by and large it turns out that most people are basically good and they're more than happy to contribute in a positive way.

Perhaps the most important policy of Wikipedia is what we call "NPOV" in our bit of jargon, "neutral point of view". This is one of the earliest policies of Wikipedia and it's one that I set down at the beginning of the project and said that NPOV is non negotiable. The question of

whether or not Wikipedia should strive to be as neutral as possible is a question we don't discuss or debate within the community, it's just part of the context of how we operate and who we are. What do we mean by this, by "neutral point of view"? Obviously the questions of bias and neutrality are, in many ways, very deep philosophical questions and we try to be as sophisticated as we can be about that. Insofar as possible, in any controversy, Wikipedia should not take sides but should fairly describe all significant viewpoints so that someone new to the subject can actually understand what is the debate about. Rather than that you come to what we think is the correct conclusion, it is more important to us that you really understand what all sides have said and why they say what they say. We try to maintain a subtle but philosophically sophisticated policy and so it precludes things and this is written directly into the policy. It precludes, for example, equating mainstream views with extreme minority viewpoints, so our view of neutrality is not to say, "some say the moon is made of rocks and some say the moon is made of cheese, who knows". We don't do that. We say, look, we want all significant viewpoints and there's a lot of discussion and debate on what constitutes a significant viewpoint, when does a minority viewpoint warrant equal treatment alongside another, and when does a minority viewpoint deserve to be simply ignored or simply moved out to a separate entry. These are very complex questions and there is no simple rule or simple answer. My view of this is that the only way to come to even an approximately sensible answer is through is an ongoing discussion, dialogue and debate, carried on in good faith and with thoughtful reason. For many controversies our mass media have been more inflammatory than informative, with more of an interest in encouraging combative discourse than encouraging a thoughtful dialogue and I hope that we try really hard to be an antidote to that.

I'll just tell one story, one example that I think is telling. I was in Taiwan and we had a group of students who were showing me around and the young man they had assigned to be my driver – who is a very active Wikipedia editor – told me that he had been raised in a very nationalist, Taiwanese household and he had been raised to think that the mainland Chinese were all completely brainwashed and that they knew nothing about history. He started to work in Wikipedia and working alongside people from the mainland and working on entries like the history of Taiwan and he said to me, "you know, there's a lot of really nice, really smart people. I still think they're wrong about a lot of things but I can kind of see where they are coming from". And so he had made that transition of thinking of them as mindless robots to thinking of them as human beings with whom

he had a disagreement, which I think is a huge step forward; in many parts of the world that is an incredible step forward that will help to further the cause of peace.

I'm going to close now. I know I'm slightly over time but as I'm quoting *Pacem in Terris* I think it's probably ok.

As we know from experience, men frequently differ widely in knowledge, virtue, intelligence and wealth, but that is no valid argument in favor of a system whereby those who are in a position of superiority impose their will arbitrarily on others. On the contrary, such men have a greater share in the common responsibility to help others to reach perfection by their mutual efforts (PT §87).

This is the spirit that we absolutely see in Wikipedia: the best academics who participate in Wikipedia understand that many of the people they are dealing with will have less knowledge, will be less reasonable. However, when they are filled with this spirit of sharing and love of knowledge, they are very patient and they realise it's important to work with everyone to come to a mutual understanding.

Thank you.

# EDUCACIÓN CRISTIANA PARA LAS NUEVAS GENERACIONES

■ ANTONIO MARÍA ROUCO VARELA

## Introducción: planteamiento del problema

Permitirán que comience mis palabras aludiendo a la celebración en Madrid de la XXVI Jornada Mundial de la Juventud en agosto de 2011.

Centenares de miles de jóvenes de todo el mundo acudieron a la llamada que Benedicto XVI les había lanzado en 2008 en Sydney para encontrarse en Madrid con el Papa y celebrar su fe. “Fue, y lo sabéis – decía el Papa a su regreso a Roma – un acontecimiento eclesial emocionante. Cerca de dos millones de jóvenes de todos los continentes vivieron, con alegría, una formidable experiencia de fraternidad, de encuentro con el Señor, de compartir y de crecimiento en la fe: una verdadera cascada de luz”.<sup>1</sup>

La calidad humana y religiosa de aquella juventud pacífica, solidaria, generosa y alegre, convirtió la ciudad de Madrid en el reflejo de esa “humanidad nueva” que nace y se desarrolla con la fe en Cristo. La riada de jóvenes católicos, gozosamente identificados con la Iglesia, despertó una gran esperanza en nuestras comunidades: ¡Es posible transmitir la fe a las nuevas generaciones! ¡Hay una juventud de hoy que es Iglesia al cien por cien!

Decía el Beato Juan Pablo II, iniciador y gran animador de estos encuentros, que “son los mismos jóvenes los que han inventado la Jornada Mundial de la Juventud”. Él sólo había respondido – afirmaba – a una necesidad de los jóvenes.

El primer encuentro tuvo lugar en el Domingo de Ramos de 1984 con ocasión del Año Santo de la Redención. El Comité organizador preveía unos 60.000 participantes y acudieron ¡250.000! Al año siguiente llegaron a Roma 300.000. No eran “turistas” aquellos jóvenes que se reunían en tiempos de oración y de catequesis, para encontrarse finalmente con el Papa. Esos jóvenes sentían el deseo de encontrarse, de compartir su experiencia, de escuchar una palabra de fe, de mirar juntos hacia el futuro, de confirmar su propio compromiso. Juan Pablo II intuyó que estas respuestas juveniles manifestaban una

<sup>1</sup> Benedicto XVI, *Audiencia general*, miércoles 24.VIII.2011, en *Ecclesia* 3.586/87 (3 y 10.IX.2011), 14; y en *Benedicto XVI, Discursos en la Jornada Mundial de la Juventud en Madrid*, edición preparada por Jesús de las Heras Muela, BAC, Madrid 2011, 133.

profunda búsqueda de Cristo: “Lo buscáis en la plenitud de esa verdad que es Él mismo en la historia del hombre”, les explicó a los jóvenes.<sup>2</sup>

Aquellos encuentros romanos pasaron al ámbito mundial. Primero en Buenos Aires en 1987. En 1989 en Santiago de Compostela, con su profundo significado cristiano para Europa, donde me fue confiada por el Papa la responsabilidad de acoger la que sería la IV Jornada Mundial de la Juventud. En 1991 Częstochowa fue el primer gran encuentro entre los jóvenes del este y oeste de Europa tras la caída del muro de Berlín. Y siguieron los encuentros multitudinarios, alternando la ciudad de Roma con otras ciudades: Denver, Manila, París, Toronto... Tras el fallecimiento de Juan Pablo II, el Papa Benedicto XVI los continuó en Colonia y Sydney. En Madrid ha convocado a los jóvenes para el año 2013 en Río de Janeiro. Ya ha comenzado la peregrinación de la Cruz y del Icono de la Virgen de la mano de los jóvenes brasileños.

Millones de jóvenes se han movilizado a lo largo de estos años, llenando calles y plazas de las grandes metrópolis, anunciando a Cristo, adorando al Señor, contando y cantando su fe. Estos jóvenes católicos, a los que Juan Pablo II llamó “centinelas de la mañana”, son generaciones nuevas de jóvenes dispersos por el planeta, pero todos “arraigados y edificados en Cristo, firmes en la fe”.

¿No estamos ante un “signo de los tiempos”, suscitado por el Espíritu, que deberíamos reconocer en todo su alcance actual para la misión de la Iglesia? Las Jornadas Mundiales de la Juventud, a mi entender, nos invitan a recuperar aspectos centrales de una pedagogía cristiana para la juventud del Tercer Milenio.

Es evidente que los jóvenes que acuden a estos encuentros no son todos los jóvenes católicos, y menos aún la multitud de jóvenes del mundo a los que hay que anunciar el Evangelio. Tenemos por delante una tarea enorme, que no carece de obstáculos. La situación humana, moral y espiritual de la juventud ha sufrido los efectos de los rápidos cambios sociales, económicos y culturales de la humanidad. La formación de los jóvenes encuentra dificultades de naturaleza sociológica y psicológica o de índole cultural, filosófica y teológica. Sin duda, como afirma Benedicto XVI, “educar jamás ha sido fácil, y hoy parece cada vez más difícil. Lo saben bien los padres de familia, los profesores, los sacerdotes, y todo los que tienen responsabilidades educativas directas. Por eso, se habla de una gran ‘emergencia educativa’,

<sup>2</sup> *Homilía*, 27.III.1988, Misa del Domingo de Ramos, III Jornada Mundial de la Juventud.



confirmada por los fracasos en los que muy a menudo terminan nuestros esfuerzos por formar personas sólidas, capaces de colaborar con los demás y de dar un sentido a su vida”.<sup>3</sup> Y el Papa insiste: “Como he reafirmado en varias ocasiones, se trata de una exigencia constitutiva y permanente de la vida de la Iglesia, que hoy tiende a asumir carácter de urgencia e incluso de emergencia”.<sup>4</sup>

Urge, por tanto, la tarea de formar a la juventud.

Para abordar nuestro tema, precisaremos primero la idea de “educación cristiana” y la situación de las “nuevas generaciones” a las que se dirige; luego habrá que proponer un camino formativo acertado; finalmente, mencionaremos algunos ámbitos de singular relevancia educativa en la actualidad.

## I. La educación cristiana

Primeramente hay que decir que la educación cristiana es “educación”, esto es, una transmisión de conocimientos y un cultivo de aprendizajes, de cualidades y de actitudes, todas ellas necesarias para el desarrollo de la vida personal y social de la persona. Es una tarea que requiere metodologías propias, y subsidios pedagógicos adecuados, así como su renovación y puesta al día.

No obstante, la atención por los medios y los modos no debe marginar los contenidos y los fines de la educación. La tarea de educar aspira a la formación *integral* de la persona, de sus cualidades morales, intelectuales y espirituales. En realidad, la concepción de la educación depende de la concepción del hombre que se tenga. Si toda buena pedagogía presupone una buena antropología, tanto más cuando se trata de la educación cristiana, cuyos contenidos específicos derivan de la visión del mundo y del hombre a la luz del designio salvador de Dios.

Este año celebramos el cincuenta aniversario del inicio del Concilio Vaticano II. Entre sus documentos se cuenta la Declaración *Gravissimum educationis* sobre la educación cristiana de la juventud. Esta Declaración presupone el contenido de la Const. past. *Gaudium et spes*, donde el Concilio expone la antropología cristiana con ocasión de responder a los permanentes interrogantes de la humanidad: qué es el hombre, cuál es el sentido del dolor, del mal, de la muerte, qué hay después de esta vida temporal.

La respuesta a estas preguntas sobre el sentido de la existencia humana y su destino final, sólo es completa y verdadera, en su realidad existencial,

<sup>3</sup> Benedicto XVI, *Mensaje a la Diócesis de Roma sobre la tarea urgente de la educación* (21.I.2008).

<sup>4</sup> Benedicto XVI, *Discurso a la Conferencia Episcopal Italiana* (28.V.2009).

cuando se considera al hombre ante Dios, creado por su amor, caído y herido por el pecado, salvado por Cristo, y llamado a un destino de comunión plena en Dios. El Concilio propone a Cristo Salvador como la clave de la existencia humana. “En realidad, el misterio del hombre sólo se esclarece en el misterio del Verbo encarnado. Porque Adán, el primer hombre, era figura del que había de venir, es decir, Cristo nuestro Señor. Cristo, el nuevo Adán, en la misma revelación del misterio del Padre y de su amor, manifiesta plenamente el hombre al propio hombre y le descubre la sublimidad de su vocación”.<sup>5</sup>

La verdad completa sobre el hombre es Cristo, que ilumina al ser humano para que pueda responder a su vocación. En consecuencia, dice el Papa Benedicto XVI, no “es posible (...) una verdadera educación sin la luz de la verdad”,<sup>6</sup> que nos ha sido revelada en Jesucristo, Camino, Verdad y Vida. No hay “educación” completa y verdadera, si se renuncia a la visión cristiana del hombre y del mundo (Romano Guardini).

De modo que la identidad de la pedagogía cristiana deriva de una antropología propiamente teológica. Conviene mencionar, guiados por la fe de la Iglesia, los elementos antropológicos constitutivos de esta “educación cristiana”.

1. Ante todo, la persona es un *ser esencialmente relacional*, llamado a la comunión en su dos dimensiones fundamentales, internamente relacionadas: a la vertical con Dios; y a la horizontal con los demás hombres. En palabras de Juan Pablo II: “Dios ha creado al hombre a su imagen y semejanza: llamándolo a la existencia por amor, lo ha llamado al mismo tiempo al amor. Dios es amor y vive en sí mismo un misterio de comunión personal de amor. (...) Dios inscribe en la humanidad del hombre y de la mujer la vocación y consiguientemente la capacidad y la responsabilidad del amor y de la comunión”.<sup>7</sup>
2. En consecuencia, el ser humano está llamado a trascender este mundo mediante la apertura de sí mismo en primer lugar y *de manera esencial a Dios*. La educación religiosa se deriva de esta dimensión trascendente de la persona. Sin educación religiosa se privaría a los jóvenes de un elemento esencial para su desarrollo personal. “Los niños y los adolescentes – dice el Concilio – tienen derecho a que se les estimule a apreciar con

<sup>5</sup> Concilio Ecuménico Vaticano II, Constitución pastoral *Gaudium et spes*, n. 22.

<sup>6</sup> Benedicto XVI, *Discurso con ocasión de la apertura del Congreso eclesial de la diócesis de Roma sobre la familia y la comunidad cristiana* (6.VI.2005).

<sup>7</sup> Juan Pablo II, Exhortación apostólica *Familiaris consortio* (22.XI.1981), n. 11.

recta conciencia los valores morales y a aceptarlos con adhesión personal y también a que se les estimule a conocer y amar más a Dios”.<sup>8</sup>

3. Además, la persona – sigue diciendo el Concilio – *es un ser social* que “no puede vivir ni desplegar sus cualidades sin relacionarse con los demás”.<sup>9</sup> Es un constitutivo humano el ser-con y para-los-otros, una relación que se actúa en el amor. Esta “relacionalidad” viene especificada primeramente en la diferencia sexual de hombre y mujer. La comunión conyugal es la expresión primera de la verdad del hombre como “imagen de Dios”.

Pero el amor dilata a la persona más allá de su vida privada y de los afectos familiares, hasta asumir a la entera humanidad. La educación cristiana supera así una visión individualista y favorece el desarrollo de las virtudes cívicas y de la responsabilidad personal y social. Forma personas capaces de asumir las necesidades ajenas porque, en palabras de Juan Pablo II, “todos somos verdaderamente responsables de todos”.<sup>10</sup>

La Iglesia misma es “la gran familia de Dios, mediante la cual Él forma un espacio de comunión y unidad entre todos los continentes, las culturas y las naciones”.<sup>11</sup> En la Iglesia la fuerza del Espíritu une a los creyentes a imagen del amor trinitario, y “transforma el corazón de la Comunidad eclesial para que sea en el mundo testigo del amor del Padre”, dice Benedicto XVI.<sup>12</sup> La Iglesia es “la casa y la escuela de la comunión”<sup>13</sup> para conducir a los hombres y mujeres a la comunión trinitaria, y así consolidar las relaciones fraternas entre los hombres. “A partir de la comunión intraeclesial – afirma Juan Pablo II – la caridad se abre por su naturaleza al servicio universal, proyectándonos hacia la práctica de un amor activo y concreto con cada ser humano”.<sup>14</sup>

4. Sin embargo, *el proyecto original* de Dios para la humanidad se ve *comprometido por el pecado*. El hombre está herido, histórica y socialmente, en lo más íntimo de su ser por el pecado de origen y por sus pecados actuales. “El hombre – sigue diciendo el Concilio – cuando examina su corazón, comprueba su inclinación al mal y se siente anegado por muchos males,

<sup>8</sup> Concilio Ecuménico Vaticano II, Declaración *Gravissimum educationis*, n. 1.

<sup>9</sup> Concilio Ecuménico Vaticano II, Constitución pastoral *Gaudium et spes*, n. 12.

<sup>10</sup> Juan Pablo II, Carta encíclica *Sollicitudo rei socialis* (30.XII.1987), n. 38.

<sup>11</sup> Benedicto XVI, *Homilía en la Vigilia de oración en Marienfeld* (20.VIII.2005).

<sup>12</sup> Benedicto XVI, Carta encíclica *Deus caritas est* (25.XII.2005), n. 19.

<sup>13</sup> Juan Pablo II, Carta apostólica *Novo millennio ineunte* (6.I.2001), n. 43.

<sup>14</sup> Juan Pablo II, Carta apostólica *Novo millennio ineunte* (6.I.2001), n. 49.

que no pueden tener origen en su santo Creador”.<sup>15</sup> La ruptura con Dios afecta a las relaciones del hombre consigo mismo, con los demás y con la entera creación. “Es esto lo que explica la división íntima del hombre. Toda la vida humana, la individual y la colectiva, se presenta como lucha, y por cierto dramática, entre el bien y el mal, entre la luz y las tinieblas. Más todavía, el hombre se nota incapaz de dominar con eficacia por sí solo los ataques del mal”.<sup>16</sup>

Pero *Dios no abandonó al hombre* en la soledad de su impotencia. En la plenitud de los tiempos ha enviado a su Hijo, para que el hombre recobre, en el Espíritu, la comunión con el Padre: “el Señor vino en persona para liberar y vigorizar al hombre, renovándole interiormente y expulsando al príncipe de este mundo, que le retenía en la esclavitud del pecado”.<sup>17</sup>

Toda educación cristiana ha de tener en cuenta, por tanto, que el hombre es débil y pecador, pero ha sido salvado del pecado y de la muerte por la gracia de Jesucristo. He aquí los dos factores radicales en la formación de la persona: el hombre creado y caído, pero redimido por el Señor, que le ofrece la gracia para su libre acogida. Si el pecado mantiene su potencia destructora, más fuerte es el amor de Cristo que restaura la naturaleza herida. Nadie hay totalmente perdido. Toda persona está llamada a abrirse a Cristo con la convicción del Apóstol Pablo: Jesús “me amó y se entregó a sí mismo por mí” (Gál 2, 20).

5. También en la fe somos instruidos acerca de nuestra vida temporal y en la esperanza de los bienes futuros. Por la gracia de Cristo somos llamados hijos de Dios, y lo somos de verdad; pero todavía no se ha realizado la manifestación con Cristo en la gloria, cuando seremos semejantes a Él, porque lo veremos tal cual es. “Esperamos el cumplimiento de ‘la esperanza bienaventurada y la llegada de la gloria del gran Dios y Salvador nuestro Jesucristo’, quien ‘transfigurará nuestro pobre cuerpo en un cuerpo glorioso semejante al suyo’”.<sup>18</sup> Cristo resucitado nos libera de la muerte para conducirnos a la vida plena en Dios. Esta esperanza nos sostiene mientras llevamos a cabo la obra que el Padre nos ha confiado en este mundo. “Mientras toda imaginación fracasa ante la muerte – dice *Gaudium et spes* – la Iglesia, aleccionada por la Revelación divina, afirma que el hombre ha sido creado por Dios para un destino feliz”.<sup>19</sup> La edu-

<sup>15</sup> Concilio Ecuménico Vaticano II, Constitución pastoral *Gaudium et spes*, n. 13.

<sup>16</sup> Concilio Ecuménico Vaticano II, Constitución pastoral *Gaudium et spes*, n. 13.

<sup>17</sup> Concilio Ecuménico Vaticano II, Constitución pastoral *Gaudium et spes*, n. 13.

<sup>18</sup> Concilio Ecuménico Vaticano II, Constitución dogmática *Lumen Gentium*, n. 48.

<sup>19</sup> Concilio Ecuménico Vaticano II, Constitución pastoral *Gaudium et spes*, n. 18.

cación de la juventud no debe silenciar el destino último de la humanidad. Sería tremendo condenar a los jóvenes a una existencia sin esperanza y sin sentido, ausente de ideales y de proyectos definitivos.

En síntesis, la cosmovisión cristiana nos habla del Dios Trino, que es comunión de Personas, Creador del mundo y del hombre a imagen suya en el amor; una imagen dañada por el pecado, pero restaurada en Cristo, hombre perfecto, que nos transforma por el Espíritu para que crecer en Él hasta que Dios sea todo en todos.

## II. Las nuevas generaciones

Este designio divino de salvación ha de ser anunciado a las nuevas generaciones. Sin embargo, la tarea encuentra obstáculos de enorme calado en la actualidad, cuyas causas se remontan tiempo atrás. Nuestras “generaciones jóvenes” son los hijos y nietos de aquellos otros jóvenes de la “generación del 68”.

### 1. La “generación del 68” y sus consecuencias educativas

En aquel momento se produjo una radical protesta contra la sociedad libre y democrática de la postguerra, que de manera inesperada parecía carente de legitimidad para los numerosos jóvenes que se manifestaban en las ciudades occidentales. Se trataba sobre todo de una ruptura cultural y espiritual con la tradición y las instituciones que la representaban: familia, sociedad, moral, religión, Iglesia. Quizá el tedio de una sociedad preocupada de sólo intereses materiales llevó a aquellos jóvenes a buscar promesas de libertad absoluta, de vida “auténtica” sin límites. Un anárquico “prohibido prohibir” se unía paradójicamente con la fascinación por el marxismo y la sublimación de sus epígonos del momento (Che Guevara, Mao Tse Tung...).

Debilitado el fervor inicial, aquellas utopías revolucionarias, incapaces de construir alternativas a la tradición que destruían, dejaron un amargo legado de desencanto y escepticismo. El campo había quedado sembrado de sal. Quedó el abandono de la educación religiosa y moral de los hijos; el abandono de la educación en la fe y de la práctica cristiana. Quedó una orfandad intelectual y afectiva, sin verdaderos maestros ni modelos de referencia. Quedó la desorientación moral y espiritual en los proyectos y objetivos de la existencia. Quedó una crisis de esperanza y de sentido, sustituido por el utilitarismo del éxito y de la satisfacción individual a toda costa. La “vida buena moral” fue sustituida por una “buena vida” hedonista...

## 2. El “*Sitz im Leben*” de la educación cristiana en la actualidad

Aquella ruptura cultural y espiritual del 68 no ha sido superada. Antes bien, sus consecuencias son evidentes en el clima en el que crecen las actuales generaciones juveniles. El relativismo moral y el individualismo permean las sociedades desarrolladas, propiciando un desinterés por las verdades fundamentales de la vida humana. Un nihilismo irracional hace del simple deseo individual el único criterio de valoración. Basta pensar en la ideología “pro choice”, con la libertad subjetiva como argumento decisivo a favor del aborto; o en la “ideología de género” que considera la condición sexuada de varón o mujer como un constructo cultural o el resultado de meras opciones individuales.

Nuestro contexto histórico-espiritual es, pues, “un mundo en el cual el desafío cultural ocupa el primer puesto, el más provocador y portador de más efectos”.<sup>20</sup> Los jóvenes encuentran cosmovisiones contrastantes, difundidas desde poderosos centros mediáticos, económicos y políticos. Las nuevas tecnologías de la información influyen en las imágenes y las vivencias de los jóvenes. El relativismo y el olvido de Dios, el escepticismo espiritual y religioso, provoca un gran daño, pues induce a la persona joven, decía Juan Pablo II, “a considerar la propia vida y a sí mismo como un conjunto de sensaciones que hay que experimentar, más bien que como una obra a realizar”.<sup>21</sup> La inestabilidad familiar impide el contrapeso de unos padres que se sienten impotentes, o han dimitido de la misión de educar. La consecuencia es una profunda desorientación existencial y afectiva de los jóvenes en un período delicado de su crecimiento y maduración, exponiéndoles a ser “sacudidos por las olas y llevados aquí y allá por cualquier viento de doctrina” (Ef 4, 4). Surgen así jóvenes sin Dios, sin Iglesia, sin padres, sin hermanos, sin responsabilidad.

Como es natural, para las corrientes ideológicas relativistas resulta enojosa la persistencia de criterios cristianos en la sociedad. Asistimos al constante intento de *desacreditar* el patrimonio intelectual, ético y cultural de la Iglesia y del cristianismo. En realidad, se trata de relegar la religión y la cuestión de Dios al ámbito de las opiniones socialmente irrelevantes. Pero, con ello, ¿no se declara irrelevante también la cuestión del hombre? Un ser humano desvinculado “esencialmente” de Dios también termina perdiendo el reconocimiento social de su dignidad personal.

<sup>20</sup> Juan Pablo II, *Discurso a padres, estudiantes y docentes de las escuelas católicas* (23.XI.1991), n. 6.

<sup>21</sup> Juan Pablo II, Carta encíclica *Centesimus annus* (1.V.1991), n. 39.

Es urgente, por tanto, ofrecer a los jóvenes una educación integral, que no se reduzca a una mera transmisión de conocimientos, sino que desarrolle todas las dimensiones de la persona humana. La “emergencia” educativa que mencionaba Benedicto XVI requiere un decidido compromiso por parte de todos los ámbitos educativos. Dice un proverbio africano que “para educar a un niño se necesita a toda la tribu”. Es una gran verdad, pues la educación se lleva a cabo en un contexto comunitario, con la implicación de todas las instancias.

Ante todo, la *familia* es el ambiente originario que orienta la personalidad de los hijos. Su labor educativa debe ser apoyada por la escuela, la Iglesia y la sociedad. El Concilio Vaticano II recuerda que a los padres “corresponde el derecho de determinar la forma de educación religiosa que se ha de dar a sus hijos, según sus propias convicciones religiosas”.<sup>22</sup> La marginalización de la religión equivale a asumir una posición ideológica que produce un daño irreparable en las jóvenes generaciones. En una sociedad pluralista, el derecho a la libertad religiosa exige que se asegure la presencia en la escuela de la enseñanza de la religión conforme a las convicciones de los padres. Un Estado verdaderamente democrático, decía Juan Pablo II, “se pone al servicio de los ciudadanos, de todos los ciudadanos, respetando sus derechos, sus convicciones religiosas”.<sup>23</sup>

### 3. *El impacto en la Iglesia y su superación*

Es claro el *impacto* de la situación en los jóvenes de la Iglesia. Si dirigimos la atención a la comunidad cristiana, hay que reconocer con franqueza que el impacto de estas ideologías también ha producido, en no pocos casos, una secularización interna de ambientes eclesiales. En realidad, hay muchos jóvenes que no han sido iniciados en la fe o que lo han sido de modo muy deficiente. No pocos se han apartado de la fe de sus padres, o sienten inseguridad y dudas ante las verdades fundamentales de la fe y de la vida cristiana. Otros han abandonado la vida de la gracia y sienten una debilidad práctica ante la realidad del pecado en sus vidas. Otros muestran recelo o falta de compromiso ante las propuestas de participación activa en la vida de la Iglesia. En muchos casos se da un retraimiento apostólico, que es consecuencia de no tener claras las razones de la fe y de la vida cristiana.

<sup>22</sup> Concilio Ecu­mé­ni­co Vaticano II, Declaración *Dignitatis humanae*, n. 5.

<sup>23</sup> Juan Pablo II, *Discurso a los Cardenales y a los colaboradores de la Curia Romana* (28.VI.1984).

Pero existen motivos para la esperanza. Porque también hay numerosos jóvenes que son Iglesia de manera consciente y llenos de amor a Jesucristo, sin miedo a manifestarlo públicamente; liberados de los prejuicios de un humanismo inmanentista, y con entusiasmo apostólico para llevar la fe a sus amigos y a toda la sociedad; jóvenes que han cultivado sus capacidades humanas, ajenos a la cultura de la muerte y sensibles al sufrimiento material y espiritual de los hombres.

Son motivo para la esperanza las *nuevas realidades eclesiales* que el Espíritu suscita en su Iglesia, y que son instancias de formación que ya constituyen una gozosa realidad. En estas comunidades muchos jóvenes encuentran a Cristo en la Palabra, en los sacramentos, en la oración. Su fe crece y madura en un clima de comunión eclesial, en la reciprocidad de las diversas vocaciones y en la misión compartida. “Los movimientos eclesiales, dice Juan Pablo II, siguen dando a la Iglesia una viveza que es don de Dios”.<sup>24</sup>

Son motivo para la esperanza *los nuevos sacerdotes*, que ya provienen de estas “nuevas generaciones”, y han seguido la llamada del Señor con plena conciencia del contexto en que desarrollan su tarea. Sacerdotes jóvenes, ajenos a problemáticas ya superadas. Sacerdotes que invitan a la conversión y proponen a Cristo como el centro de la existencia, sin apocamientos ante las posibilidades de los jóvenes. Su ministerio es una “corriente de aire” fresco en las comunidades donde sirven.

Entre esas comunidades se cuentan naturalmente las *nuevas Parroquias*, animadas por un espíritu evangelizador donde los jóvenes son acogidos y acompañados en su relación con Dios. Cristo sigue suscitando *atractivo*, hoy como siempre, en estas comunidades donde los jóvenes encuentran *ofertas y espacios de oración y de adoración* al Señor. En tales contextos crece una “tensión” evangelizadora, donde los jóvenes intercambian las experiencias de fe, con sencillos gestos y signos de amistad o mediante “las redes sociales” de comunicación interactiva. Son lugares de comunión para “sentir al hermano de fe en la unidad profunda del Cuerpo místico y, por tanto, como ‘uno que me pertenece’”.<sup>25</sup> Surgen numerosos *voluntariados*, que son escuelas de generosidad. En ese clima de entrega a los demás, oración y alegre serenidad, los jóvenes pueden discernir de modo personal la llamada divina a la santidad, ya sea en el celibato apostólico o en el matrimonio. De esta forma, surgen *nuevas formas de vida sagrada* entre quienes crecen en comunidades vivas

<sup>24</sup> Juan Pablo II, Carta apostólica *Novo millennio ineunte* (6.I.2001), n. 43.

<sup>25</sup> Juan Pablo II, Carta apostólica *Novo millennio ineunte* (6.I.2001), n. 43.



y evangelizadoras. Al calor de la comunión con Jesús y de la comunión fraterna crece una renovada e interiorizada conciencia de la catolicidad, con afectuosa *adhesión a la Iglesia*, al Papa y a los Pastores. Y los laicos toman conciencia viva de su responsabilidad por santificar el mundo *ab intra* tanto en el ámbito público como en el privado, con ocasión del ejercicio profesional y en sus relaciones familiares, sociales, etc.

Todas éstas, y otras muchas expresiones vitales, son luces de esperanza para la formación cristiana de las “nuevas generaciones”. Señalan un “camino” para la educación de la juventud. Cabría describir ese camino con una sencilla fórmula: introducir a los jóvenes en la vida de fe, iniciarlos en la vida litúrgica y comprometerlos en la vida apostólica.

### III. El Camino

En realidad, toda renovación en la Iglesia es un retorno a lo originario, también en el ámbito de la formación cristiana. Una educación en la fe siempre debe nutrirse de las fuentes de donde deriva su razón de ser. Esas fuentes son el conocimiento de la Palabra de Dios en la Sagrada Escritura y en la Tradición; Palabra que se hace eficaz en la celebración litúrgica y sacramental, y dispone al cristiano para la Misión.

#### 1. La introducción en la vida de la fe

El primer paso ha de ser la comunicación a los jóvenes de la gran experiencia de la verdad de Cristo. Para ello se *requiere la presentación íntegra y directa del Misterio de Cristo*. “Esta es la vida eterna: que te conozcan a Ti, el único Dios verdadero, y a Jesucristo a quien Tú has enviado” (Jn 17, 3). Este es el anuncio central: Jesús, Hijo de Dios, muerto y resucitado por nosotros, nos revela el amor del Padre y nos comunica su Espíritu, y así somos regenerados a una *vida nueva* en la Iglesia, para que vivamos con Él como hijos de Dios, ahora y en la vida eterna.

El Misterio de Cristo ha de ser presentado en toda su *integridad*. La formación doctrinal en la actualidad ha de ser particularmente cuidada, sin reducir a Cristo a la condición de un “hombre bueno”, y su Evangelio una simple filantropía. Jesús es el Hijo encarnado, Dios y hombre, Camino, Verdad y Vida. Es posible la transmisión de la fe a los jóvenes cuando no se les escamotea el Evangelio en toda su fuerza y su belleza; cuando se les abre el camino hacia Jesucristo, el Hijo de Dios vivo, sin adulteraciones ni recortes según la pobre medida de las ideas humanas. “La prioridad que está por encima de todas – ha señalado Benedicto XVI – es hacer presente a Dios en este mundo y abrir a los hombres el acceso a Dios. No a un dios cualquiera, sino al Dios

que habló en el Sinaí; al Dios cuyo rostro reconocemos en el amor llevado hasta el extremo en Jesucristo crucificado y resucitado (cf. Jn 13, 1)”<sup>26</sup>.

Sin conocimiento de los contenidos de la fe, es difícil, por no decir imposible, la comunión en la Iglesia. Sobre la urgencia de afrontar esta adecuada pedagogía de la fe ha hablado recientemente el Santo Padre: “Los elementos fundamentales de la fe, que antes sabía cualquier niño, son cada vez menos conocidos. Pero para poder vivir y amar nuestra fe, para poder amar a Dios y llegar por tanto a ser capaces de escucharlo del modo justo, debemos saber qué es lo que Dios nos ha dicho; nuestra razón y nuestro corazón han de ser interpelados por su palabra” (Benedicto XVI, Homilía en la Misa Crismal, 2012). Para afrontar este reto educativo encontramos la ayuda – sigue la cita del Papa – “en primer lugar en la palabra de la Iglesia docente: los textos del Concilio Vaticano II y el Catecismo de la Iglesia Católica son los instrumentos esenciales que nos indican de modo auténtico lo que la Iglesia cree a partir de la Palabra de Dios. Y, naturalmente, también forma parte de ellos todo el tesoro de documentos que el Papa Juan Pablo II nos ha dejado y que todavía están lejos de ser aprovechados plenamente” (Benedicto XVI, Carta *Porta Fidei* n. 11).

Es necesaria, en consecuencia, una cuidada catequesis y una sólida formación en la fe de los grupos juveniles, que esté a la altura de los actuales desafíos culturales. Un campo doctrinal especialmente vivo para los jóvenes es el del Evangelio del amor: la educación para conocer y vivir la verdad del amor humano en Cristo.

Junto a esta pedagógica y sólida formación doctrinal, parece muy oportuno adoptar una decidida pastoral vocacional: plantear a los jóvenes –y en general a todos los fieles cristianos– la radicalidad del seguimiento de Cristo, que se deriva del hecho sublime del Bautismo. Ahí se encuentra el núcleo del conjunto de las enseñanzas conciliares: la llamada universal a la santidad, como recordó el Papa Pablo VI (Carta Apostólica *Sanctitas clarior*, 19-III-1969). “Si a los jóvenes se les presenta a Cristo con su verdadero rostro – escribió Juan Pablo II – ellos lo experimentan como una respuesta convincente y son capaces de acoger el mensaje, incluso si es exigente y marcado por la Cruz. Por eso, vibrando con su entusiasmo, no dudé en pedirles una opción radical de fe y de vida, señalándoles una tarea estupenda: la de hacerse ‘centinelas de la mañana’ (cf. Is 21,11-12) en esta aurora del nuevo milenio” (Carta Apostólica *Novo millennio ineunte*, n. 9).

<sup>26</sup> *Discurso a la Plenaria de la Congregación para el Clero* (16.III.2009).

Ahora bien, la fe es un don de Cristo, que sale al encuentro del hombre. Por eso, hay que *ofrecer ocasiones, espacios y de formas de oración* en que los jóvenes puedan “dejarse encontrar por Él” de manera tal que Cristo determine su existencia personal.<sup>27</sup> Las Jornadas Mundiales de la Juventud evidencian la alegría que brota del existir personal en Cristo, en quien los jóvenes han encontrado al Hermano, con quien somos hijos del Padre; al Amigo, que da su sangre redentora por nosotros y nos fortalece con su Espíritu; al Señor, a quien es posible consagrar por entero la vida y la muerte.

Para encontrar a Cristo hay que buscarle en la Iglesia, que es su Cuerpo. “Seguir a Jesús en la fe es caminar con Él en la comunión de la Iglesia. No se puede seguir a Jesús en solitario”, dijo Benedicto XVI a los jóvenes en la Eucaristía de clausura de la Jornada Mundial de la Juventud en Madrid. “Quien cede a la tentación de ir por su cuenta – seguía diciendo el Papa – o de vivir la fe según la mentalidad individualista que predomina en la sociedad, corre el riesgo de no encontrar nunca a Jesucristo o de acabar siguiendo una imagen falsa de Él (...) Os pido, queridos amigos, que améis a la Iglesia, que os ha engendrado en la fe, que os ha permitido conocer mejor a Cristo, que os ha hecho descubrir la belleza de su amor”.<sup>28</sup> No es infrecuente presentar una Iglesia “problematizada” por cuestiones que resultan extrañas a los jóvenes, y que sólo preocupan a ciertos ambientes clericales trasnochados. La verdadera imagen de la Iglesia surge cuando se *ofrece y se presenta a la Iglesia como “el lugar” por excelencia para la plena y realizada experiencia de fe*. Sólo es posible seguir al Señor junto con los hermanos, en la comunión de la fe, cuya roca firme es la confesión de fe de Pedro. Es necesario, en consecuencia, ofrecerles ámbitos donde caminen eclesialmente en *compañía y amistad* con otros jóvenes, con los que reciben el impacto del Señor que han encontrado en el camino, y cuyo amor experimentan juntos.

Con la experiencia de Cristo que sale al encuentro en la Iglesia, emerge espontánea *la propuesta de una fe concretada y realizada a través del proyecto de la propia existencia, en todos los órdenes de la vida*. La adhesión a Cristo supone una vida cristiana seria, que aspira a la santidad. Una formación cristiana ha de interpelar a los jóvenes en un momento de la vida en el que han de tomar opciones determinantes, y así puedan orientar su existencia de modo duradero hacia Cristo.

<sup>27</sup> Antonio M<sup>a</sup> Rouco Varela, *Homilía en la Misa de apertura de la XXVI Jornada Mundial de la Juventud*, en *Ecclesia* 3584/85 (20 y 27.VIII.2011) 14; y en *Discursos*, BAC, 20.

<sup>28</sup> *Ecclesia*, 49; *Discursos*, BAC, 105s.

## 2. La introducción en la liturgia de la Iglesia

Introducir en la fe es también iniciar en la celebración del Misterio de Cristo. La Liturgia, dice el Concilio, “contribuye en sumo grado a que los fieles expresen en su vida, y manifiesten a los demás, el misterio de Cristo y la naturaleza auténtica de la verdadera Iglesia”.<sup>29</sup> La liturgia es la escuela del espíritu cristiano, donde se aprende que la “nueva vida” no es obra nuestra, sino obra de Dios en nosotros. La comunión con Cristo no es posible sin la participación activa en la liturgia y en la oración de la Iglesia. Los jóvenes son capaces de tal participación y están abiertos a comprenderla y a vivirla mejor cuando se les facilita los medios adecuados. Una buena catequesis litúrgica introduce a los jóvenes en la celebración del Sacrificio Eucarístico, que “es la cumbre a la cual tiende la actividad de la Iglesia y al mismo tiempo la fuente de donde mana toda su fuerza”.<sup>30</sup> El Sínodo de los Obispos del año 2006 habló de la *forma eucarística* de toda vida cristiana, porque en la celebración eucarística el Señor nos asocia a su ofrenda para que toda la existencia se transforme en culto agradable a Dios (cf. Rm 12, 1).

Además, la comunión del Cuerpo y de la Sangre del Señor es el *fundamento de la comunión eclesial* y del amor fraterno. La importancia de la Eucaristía es decisiva para vivir en “la Comunión de la Iglesia”. En ella pedimos al Espíritu Santo que “congregue en la unidad a cuantos participamos del Cuerpo y Sangre de Cristo” (Plegaria Eucarística II). De aquí surgirá también una connatural implicación de los jóvenes en el servicio de la caridad y de la solidaridad con los que más sufren.

La liturgia es *escuela de plegaria y de reconocimiento agradecido* de la presencia activa de Dios en el mundo. De la celebración litúrgica surge la actitud permanente de acción de gracias y de oración, que debe alimentarse también en espacios que ayuden a los jóvenes a descubrir, en palabras de Benedicto XVI, “el significado y la belleza de estar con Jesús”, especialmente al acompañarle en adoración eucarística. Por eso, el Papa sugiere que “cuando sea posible, sobre todo en los lugares más poblados, será conveniente indicar las iglesias u oratorios que se pueden dedicar a la adoración perpetua” (n. 67).

La fuerza y belleza espiritual de los signos litúrgicos favorece el sentido de lo sagrado. La dimensión *contemplativa y estética* de los ritos, los ornamentos, el lugar, la palabra y el canto, la sencillez de los gestos y la sobriedad de los signos, realizados según el orden litúrgico, comunican el Misterio y

<sup>29</sup> Concilio Ecuménico Vaticano II, Constitución *Sacrosanctum Concilium*, n. 2.

<sup>30</sup> Concilio Ecuménico Vaticano II, Constitución *Sacrosanctum Concilium*, n. 10.

educa a los jóvenes en la contemplación de Dios. Un buen *ars celebrandi* atrae más a los jóvenes que la artificiosidad de añadiduras inoportunas.

La gratitud por la cercanía del Señor, invita a los jóvenes a descubrir que la libertad que Cristo nos ha ganado desenmascara la falsa libertad del pecado. La imagen de miles de jóvenes acudiendo a la “Fiesta del Perdón”, como se llamó a la celebración continuada de confesiones en el parque del Retiro de Madrid, es un signo elocuente de la “demanda” que hacen los jóvenes de la reconciliación sacramental. Es necesario facilitar a los jóvenes la experiencia del perdón en el sacramento de la penitencia, en el que la gracia del Señor otorga la *fuerza interior para superar el mal y el pecado*, a pesar de la propia fragilidad. Además, frecuentar el Sacramento de la penitencia es vital para vivir la Comunión eucarística con un mínimo de verdad y de coherencia cristiana.

En la liturgia vivimos ya en la Comunión de los Santos y en la esperanza de la gloria eterna. Celebrar la Eucaristía y los sacramentos sitúa a los jóvenes en este horizonte *espiritual y escatológico* que todo hombre necesita para poder orientar sus propias decisiones: estamos en el mundo, pero peregrinamos “en el Señor”. La liturgia ayuda a comprender que “lo humano está ordenado y subordinado a lo divino, lo visible a lo invisible, la acción a la contemplación y lo presente a la ciudad futura que buscamos”.<sup>31</sup> Esta conciencia estar “de paso” ayuda a los jóvenes a situar el valor de los acontecimientos a la luz de Dios.

### 3. La introducción en la vida apostólica

Educación en la vida cristiana es introducir a los jóvenes en la misión de la Iglesia. “Los jóvenes – decía Juan Pablo II – no deben considerarse simplemente como objeto de la solicitud pastoral de la Iglesia; son de hecho – y deben ser incitados a serlo – sujetos activos, *protagonistas de la evangelización y artífices de la renovación social*”.<sup>32</sup> Las Jornadas Mundiales de la Juventud evidencian que ¡son los mismos jóvenes quienes se han convertido en evangelizadores de sus compañeros y de los mayores!

Si se presenta en toda su belleza humana y espiritual el ideal del sí a Cristo en toda la existencia, los jóvenes asumen con entusiasmo el compromiso apostólico de su vocación cristiana en el mundo, con una acción transformadora de las realidades temporales, sin avergonzarse de mostrar públicamente su pertenencia al Señor y a la Iglesia. De manera que es necesario promover el espíritu apostólico

<sup>31</sup> Concilio Ecu­mé­ni­co Va­ti­ca­no II, Con­sti­tu­ción *Sacrosanctum Concilium*, n. 2

<sup>32</sup> Exhortación apostólica *Christifideles laici* (30.XII.1988), n. 46, cursiva del texto.

y poner a las comunidades en “estado de misión”; ofrecer cauces a los jóvenes y *comprometerlos en la experiencia del apostolado participado y asociado con objetivos y programas concretos de acción y misión*. También hay que proponerles *la acción evangelizadora directa y habitual* en sus propios ambientes: en la familia, con los amigos y compañeros de escuelas, de talleres de trabajo, de la Universidad.

Cuando los jóvenes hacen experiencia personal de Cristo, y comparten la alegría de la fe con los demás, se hacen capaces de leer los signos la voluntad del Señor para ellos. Benedicto XVI, al despedirse de los voluntarios de la Jornada Mundial de Madrid, les decía: “Es posible que en muchos de vosotros se haya despertado tímida o poderosamente una pregunta muy sencilla: ¿qué quiere Dios de mí? ¿Cuál es su designio sobre mi vida? ¿Me llama Cristo a seguirlo más de cerca? ¿No podría yo gastar mi vida entera en anunciar al mundo la grandeza de su amor a través del sacerdocio, la vida consagrada o el matrimonio? Si ha surgido esta inquietud, dejaos llevar por el Señor”.<sup>33</sup>

De esa manera directa y sencilla el Papa invitaba a los jóvenes a descubrir la voluntad de Dios sobre sus vidas y a responder con amor decidido. Hay que *invitar sin temor a los jóvenes a tomar opciones de vida cristiana*, que para cada uno se concreta en responder a una llamada personal – vocación divina – para cumplir el sentido de su propia existencia según los designios eternos de Dios: bien sea en el sacerdocio, o en la vida consagrada; bien sea en la vida laical, en el celibato apostólico o en el matrimonio. El diálogo y el consejo, la experiencia de otros que viven con alegría su propia llamada, ayudará al joven a asumir compromisos.

Para ayudar a los jóvenes a discernir su vocación cristiana en la Iglesia, también resulta indispensable la propuesta gozosa del aprecio y cultivo de las virtudes humanas básicas – fundamento de las virtudes sobrenaturales: la humildad, la sinceridad, la generosidad, el desprendimiento y la laboriosidad y, en este momento de nuestra sociedad, se muestra imprescindible una rica pedagogía de la templanza, motivando sin miedo el ejercicio de la castidad que, sin ser la principal virtud, condiciona el ejercicio de las demás, además de constituirse como requisito para estar en condiciones para corresponder tanto a la llamada de Dios en el celibato apostólico como en el matrimonio; en este caso, para que puedan formar de verdad una “iglesia doméstica” (cfr. Concilio Vaticano II, Const. dogm. *Lumen gentium*, n. 11).

Una pastoral juvenil orientada al discernimiento, dotada de una buena formación doctrinal, litúrgica y espiritual, en un marco que permita desarrollar las virtudes cristianas, ofrece una buena base para la pastoral vocacional.

<sup>33</sup> *Ecclesia*, 53; *Discursos*, BAC, 120s.

Singular importancia tienen los testigos de la fe para iluminar el camino cristiano. “Dios manifiesta a los hombres en forma viva su presencia y su rostro, en la vida de aquellos, hombres como nosotros, que con mayor perfección se transforman en la imagen de Cristo”.<sup>34</sup> Al contemplar *los modelos de los grandes Santos y Mártires de ayer y de hoy* que han seguido a Cristo, los jóvenes descubren el camino de la santidad no de manera teórica, sino a partir de un testimonio vivo de fe y de amor. Especial resonancia tienen para los jóvenes los grandes santos modernos, más cercanos a sus circunstancias actuales.

La Santísima Virgen María, madre y educadora de Cristo, lo es también de los hombres. María es modelo de los discípulos del Señor, pues aceptó la palabra divina, abrazó la voluntad del Padre, y se consagró con generosidad a la obra de la salvación. Su amor materno nos protege mediante su intercesión solícita. Introducir a los jóvenes en el *conocimiento de María y fomentar su devoción filial* es camino directo para encontrar a Jesús. Los jóvenes lo saben bien cuando acompañan al Icono de la Virgen junto a la Cruz de las Jornadas Mundiales de la Juventud.

#### **IV. Dos ámbitos “claves” para la educación cristiana de los jóvenes de hoy**

Antes de concluir, conviene mencionar dos ámbitos claves para la educación cristiana. Me refiero al Colegio y la Universidad; y a los Medios de comunicación social.

##### **1. Colegio y Universidad**

*En el Colegio y en la Escuela católica, y también en los centros de titularidad estatal o social no confesionales*, los jóvenes deben encontrar un itinerario de formación intelectual, humana y espiritual, que no se reduzca al objetivo individualista de conseguir un título profesional. Una educación integral ha de ampliar la mirada de los jóvenes al mundo que los rodea, desarrollar su capacidad crítica y de valoración ética y moral; siempre con sentido de responsabilidad y con voluntad de empeño constructivo en la sociedad. Además de conocimientos “útiles”, los estudiantes necesitan una “sabiduría” acerca del sentido de la existencia, que oriente sus energías hacia el conocimiento de la *verdad plena*.

Con mayor razón, las instituciones educativas surgidas de la iniciativa de las familias religiosas, de las diócesis, de los movimientos eclesiales, o de ciu-

<sup>34</sup> Concilio Ecu­mé­ni­co Va­ti­ca­no II, Con­sti­tu­ción dog­má­ti­ca *Lumen Gentium*, n. 50.

dadanos católicos, han de ser un lugar de educación integral de la persona a través de un proyecto educativo que tiene su fundamento en Cristo.

Los católicos que trabajan en la educación, sea pública, de iniciativa social o de titularidad eclesial, han de sobresalir por su competencia profesional. A la vez, han de considerar su tarea “como una vocación personal en la Iglesia y no sólo como el ejercicio de una profesión”.<sup>35</sup> En palabras de Juan Pablo II, “los fieles laicos maestros y profesores en las diversas escuelas, católicas o no, han de ser verdaderos testigos del Evangelio, mediante el ejemplo de vida, la competencia y rectitud profesional, la inspiración cristiana de la enseñanza, salvando siempre —como es evidente— la autonomía de las diversas ciencias y disciplinas”.<sup>36</sup> Esto es posible cuando los educadores son personas con una vida personal arraigada en Cristo. De ese modo, el testimonio de vida y la palabra oportuna de sus maestros podrán formar en los jóvenes “los criterios de juicio, los valores determinantes, los puntos de interés, las líneas de pensamiento, las fuentes inspiradoras y los modelos de vida”.<sup>37</sup>

“La síntesis entre fe, cultura y vida tiene su lugar paradigmático en la *universitas magistrorum et scholarium*, profesores y estudiantes que buscan juntos la verdad en todos los saberes”, dijo Benedicto XVI en el inolvidable encuentro con jóvenes profesores universitarios en El Escorial el 19 de agosto de 2011.

La atención de la Iglesia al ámbito universitario ha de dirigirse a los profesores porque — se preguntaba el Papa en el citado encuentro — “¿dónde encontrarán los jóvenes esos puntos de referencia en una sociedad quebradiza e inestable? A veces se piensa que la misión de un profesor universitario sea hoy exclusivamente la de formar profesionales competentes y eficaces que satisfagan la demanda laboral en cada preciso momento (...). En cambio, la genuina idea de Universidad es precisamente lo que nos preserva de esa visión reduccionista y sesgada de lo humano”. Y remitía el Papa a su experiencia personal en tiempos de postguerra y escasez, cuando “todo lo suplía la ilusión por una actividad apasionante, el trato con colegas de las diversas disciplinas y el deseo de responder a las inquietudes últimas y fundamentales de los alumnos”. Esto es decisivo porque, seguía diciendo el Papa, “los jóvenes necesitan auténticos maestros; personas abiertas a la verdad total en las diferentes ramas del saber, sabiendo escuchar y viviendo en su propio

<sup>35</sup> Congregación para la Educación Católica, *El laico católico, testigo de la fe en la escuela* (15.X.1982), n. 37.

<sup>36</sup> Exhortación apostólica *Christifideles laici* (30.XII.1988), n. 62.

<sup>37</sup> Pablo VI, Exhortación apostólica post-sinodal *Evangelii nuntiandi* (8.XII.1975), n. 19.



interior ese diálogo interdisciplinar; personas convencidas, sobre todo, de la capacidad humana de avanzar en el camino hacia la verdad”.

La atención pastoral a profesores y estudiantes universitarios pide una adecuada oferta de espacios de diálogo entre fe y razón; entre cultura, ciencia y teología, para generar una síntesis que supere las informaciones sectoriales y conduzca hacia la verdad completa. La fuerza argumentativa del raciocinio y el desarrollo del espíritu crítico han de caracterizar a los universitarios. Una racionalidad que no clausura la inteligencia en límites artificiales, sino que respeta su apertura universal a la entera realidad y, por tanto, abierta a lo “más real”, que es Dios mismo y su acción en el mundo.

Es necesario animar a profesores y estudiantes universitarios para el formidable diálogo y debate cultural que tiene lugar desde hace años en la sociedad occidental. Una cierta inhibición, y un clima intelectual adverso, han podido retraer a los católicos de su presencia eficaz en el mundo de la cultura. Es posible también que no hayamos prestado la atención debida a la Universidad para ofrecer formas adecuadas de acompañamiento. Existen posibilidades todavía no exploradas que podrían emerger en un diálogo entre los Pastores, los profesores y los estudiantes.

## 2. Los medios de comunicación

El desarrollo de los medios de comunicación es uno de los rasgos distintivos de la sociedad actual. Sin duda, la Iglesia “acoge y fomenta con peculiar solicitud – afirma el Concilio – aquellos [avances] que más directamente atañen al espíritu del hombre y que han abierto nuevos caminos para comunicar con más facilidad, noticias, ideas y doctrinas de todo tipo”.<sup>38</sup> Pero tenemos el desafío de integrar el mensaje cristiano en la “nueva cultura” que estos poderosos medios crean y amplifican. Para la Iglesia “el uso de las técnicas y tecnologías de comunicación contemporáneas – dice Juan Pablo II – forma parte de su propia misión en el tercer milenio”.<sup>39</sup>

Las instituciones eclesiales han dado pasos en el aprovechamiento de estos medios para la información, la evangelización y la catequesis, la educación y la formación de los agentes de pastoral. No obstante, las urgencias cotidianas no deberían restar energías en un campo tan decisivo para la difusión de las ideas. Urge un cambio de mentalidad, porque vivimos en una cultura “mediática”. No cabe olvidar que, para la mayoría de los contemporáneos, y en particular para la multitud de jóvenes que viven “conectados”

<sup>38</sup> Concilio Ecu­mé­ni­co Va­ti­ca­no II, De­cre­to *Inter mirífica*, n. 1.

<sup>39</sup> Carta apost. a los Responsables de las Comunicaciones Sociales (24-I-2005), n. 2.

de continuo, los medios de comunicación son los principales, y a veces únicos, puntos de referencia para su conformación individual, familiar y social. A esta gran mayoría, también entre los católicos, sólo les llega la imagen de la Iglesia que reflejan los medios. Es necesario, pues, *dedicar recursos y personal para la pastoral de los medios de comunicación social*. En este ámbito, los consejos de los expertos son indispensables.

Además, es importante estimular las empresas de comunicación llevadas por profesionales que, bajo su responsabilidad, ofrezcan alternativas a los actuales monopolios mediáticos. En no pocos lugares se echan de menos los medios generalistas (periódicos, revistas, radio, televisión, cine, etc.) que transmitan una visión cristiana de la vida. No son empresas fáciles, a la vista de sus requerimientos económicos y organizativos. Pero vale la pena animar el compromiso de los católicos en este campo.

Finalmente, los profesionales que trabajan en los medios han de encontrar en la Iglesia el reconocimiento de su tarea, muy difícil con frecuencia; y también facilitarles una atención prioritaria de los Pastores que les ayude a sostener el sentido educativo y apostólico de su trabajo.

## Conclusión

Durante las Jornadas Mundiales de la Juventud muchas personas han sido tocados por la gracia de la fe. No son pocas las conversiones y los frutos espirituales. Obviamente es imposible medir los efectos de la gracia en el corazón de los fieles, jóvenes o mayores. Muchos han vuelto a recibir los sacramentos mejor preparados, y otros se han acercado a ellos por primera vez o desde hacía mucho tiempo. Para todos suponen un reforzamiento de su fe y vida cristiana. “La magnífica experiencia de la Jornada Mundial de la Juventud, en Madrid, – dice Benedicto XVI – ha sido también una medicina contra el cansancio de creer. Ha sido una nueva Evangelización vivida. Cada vez con más claridad se perfila en las Jornadas Mundiales de la Juventud un modo nuevo, rejuvenecido, de ser cristiano”.

Las Jornadas Mundiales de la Juventud, decía al comienzo de mi intervención, constituyen verdaderamente un “signo de los tiempos”. Nos ofrecen una clara orientación para una eficaz pedagogía cristiana en la vida ordinaria de las comunidades cristianas, y así llevar a cabo con renovado ardor la “nueva evangelización” mediante el anuncio directo de Cristo y de su Evangelio.

Que la Virgen María, Madre nuestra, nos ilumine en estos momentos de la vida de la humanidad, para que, como los sirvientes en la bodas de Caná, sigamos su invitación: “Haced lo que él os diga” (Jn 2, 5).

# **CATHOLIC EDUCATION FIFTY YEARS AFTER *PACEM IN TERRIS***

■ KEVIN RYAN

The Catholic Church's education legacy began with Christ's preaching in the towns and cities of Judea and His instruction of His disciples. After His death and resurrection, His disciples rallied to His order to "Go you into all the world, and preach the gospel to every creature" (Mark 16:15). In the context of today's understanding of the mission of education, theirs was a demanding, but narrow one: to spread the good news of the Gospels.

Over the centuries, the educational mission of the Catholic Church has grown and broadened. The process of evangelization begun by the disciples has developed today into the largest church in the world. The mission has expanded well beyond evangelizing the story of Christ. As the early missionaries of the Gospels spread the good news, they sought for a reasoned basis for faith. The early Church Fathers, in particular, laid the rationale foundations for Christian faith, and in the process launched the Catholic Church into the forefront of scholarship and reasoned discourse. A system of schooling which started out as small cathedral schools and seminaries, evolved into the university system. Great centers of learning were founded, manned and nurtured at Bologna, Paris, and Coimbra and throughout Europe. In the process, the Church became the repository, preserver and synthesize of knowledge both theological and natural from both old and emerging cultures. As the Church's evangelization mission spread to the New World, so did its broader educational mission. The idea of a university as an institution devoted to a focused expansion of human knowledge has been one of the great gifts of the Catholic Church to the world community.

Although it emerged much later, the idea of educating the masses received inspiration in the 16<sup>th</sup> and 17<sup>th</sup> Century from the life and work of clerics and religious, such as St. Francis de Sales. Religious orders were founded specifically to educate the laity. Currently, the Catholic Church has the world's largest educational system. The works of spreading the Gospels *and* developing the mind was fused with the spread of parish schools run by religious orders of priests, brothers and nuns that saw this work as their God-given charge.

## A Catholic Philosophy of Education

Out of these efforts a Catholic philosophy of education evolved. The French philosopher, Jacques Maritain, wrote that the “education of man is a human awakening” to his spiritual and material nature (p. 9). He went on to observe, “The ultimate aim of education concerns the human person in his personal life and spiritual progress” (p. 13). And further that “What matters above all is the inner center, the living source of personal conscience in which originate idealism, and generosity, the sense of law and the sense of friendship, respect for others, but at the same time deep rooted independence with regard to common opinion” (p. 16). Education “is to guide man in the evolving dynamism through which he shapes himself as a human person – armed with knowledge, and moral virtues – while at the same time conveying to him the spiritual heritage of the nation and the civilization in which he is involved, and preserving in this way the century-old achievements of generations” (p. 10).

Blessed John XXIII in *Pacem in Terris* (1961) stated the official policy of the Church in these words:

The natural law also gives man the right to share in the benefits of culture, and therefore the right to a basic education and to technical and professional training in keeping with the stage of educational development in the country to which he belongs. Every effort should be made to ensure that persons be enabled, on the basis of merit, to go on to higher studies, so that, as far as possible, they may occupy posts and take on responsibilities in human society in accordance with their natural gifts and the skills they have acquired (13).

Even at the time, five and six decades ago, that Maritain and Blessed John XXIII laid out these educational ideals, they, also, acknowledged the substantial threats to the education of Christians. Chief among these is the hegemonistic overtaking of education by scientific knowledge (Maritain, p. 5). Few, however, can doubt the extraordinary human benefits which our understanding and application of the scientific method have wrought. It has ushered in untold human goods, but there has been and continues to be a human cost.

Most notable, modern education, that is, scientific education, has been all but stripped bare of its ontological content (Maritain, p. 4). Essential questions, such as, “What is man?” “Is there a soul or not?” “Does spirit exist or only matter?” “Is man free or determined?” “What is a noble life?” are rarely asked. If and when one such question is asked, the only approved answer is one that is observable and measurable. As Maritain stated, today’s

student may have a few answers to “What is man?”, but rarely will he or she encounter the Greek, Jewish and Christian idea of man:

man as an animal endowed with reason, whose supreme dignity is in the intellect; and man as a free individual in personal relation with God, whose supreme righteousness consists in voluntarily obeying the law of God; and man as a sinful and wounded creature called to divine life and the freedom of grace, whose supreme perfection consists of love (p. 7).

The modern student, then, inherits and inhabits a shrunken, mechanistic of who he is and, therefore, what he ought to do with his life. It is this prevailing educational philosophy and the culture it has spawned with which Catholic schools and universities must contend and must overcome. It would appear that not only the sanctification of souls is in the balance. While some products of our scientific education contribute to human flourishing, other technological products (e.g., nuclear weapons, and instruments of germ warfare) increasing threaten the very existence of the human race. The mission, then, of Catholic education has evolved beyond evangelization, but to be a counterweight or corrective to modern, scientific education’s distortions of our understanding of humanity and the meaning of existence.

### **The Nature of a Catholic Education**

As Aristotle has taught us in the *Nicomachean Ethics* and as has been echoed by Catholic educators down through the centuries, the aim of education is happiness. In the Catholic understanding, the goal is happiness here and in the afterlife. What, then, is the nature of the education that the Church should foster to lead men to happiness?

In the modern mind, “education” is one of those words that when applied covers a great span of human experience. It has a womb to tomb range. Even when limited to schooling, the area of application is extensive. While there should be a consistent intellectual thread throughout, quite obviously what Catholic educators should offer to five-year-olds and to university students is different. Also, within any age group there are vast differences in intellectual capacity and abilities receive and benefit from a curriculum of study. That said, as philosopher Michael Pakaluk (2011) has written, three questions should animate the content of a good quality Catholic education: Is it good to know it? Is it useful to know it? Is it pleasant to know it?

The answer to the “good to know” question is Truth. While the secular world defines truth as a verified or indisputable fact, proposition, or principle, St. Thomas asserts that truth is the conformity of the intellect to the

things. *Veritas est adæquatio intellectus et rei* (S. Th., 1274). The “things” are reality, the stuff of life. Some are material and some are spiritual. Of particular interest to the Catholic educator are answers to those core human questions so often ignored or answered poorly by secular educators. Questions such as, “What is a person’s true nature and what is a worthy life?”; “What are the truths of God’s existence and how can man come to know God?”; “Is man free or determined, and if free, how should he use his freedom?” (Pakaluk, 2011).

The “useful to know” question is answered by whether or not it produces a good. “The most useful knowledge produces the greatest goods. So the most useful knowledge anyway would include: knowledge of the principles of a free society; knowledge of wealth creation; knowledge of a happy marriage and family life; knowledge of the virtues.” (Pakaluk, 2011) So, too, with bodies of knowledge, such as natural science, mathematics, languages, logic and other intellectual disciplines.

The “pleasurable to know” must be guided by our understanding and appreciation of the good. Men are drawn to both high and low pleasures and one of the realities of contemporary life is that we are surrounded by and the target of pleasures which reach out to our lower appetites, pleasures, such as pornography, which appeal to our carnal natures, and, such as blood sports, which cater to our bestial side. It is, therefore, important that a Catholic education exposes and educates students both to understand and appreciate good literature and poetry, music, sculpture and dance. The physical enjoyment of movement, whether in sport or dance, is also the fit material of a full education.

Except for specialized schools, such as vocational or professional schools, Catholic schools should be explicitly directed by the goal-oriented questions of universal truth, usefulness and pleasure. The curricula at each level should be dictated and tested by these criteria.

## Education and Schooling

Until recent centuries, formal education was a rare and casual event. For reasons of mutual survival, parents were the child’s first educator. Except for those few fortunate to have tutors, parents and the extended family were the providers of an education. The goals of this survival education were continued existence and simply to replicate successfully the lives of one’s parents.

Early on, the mission of Catholic education expanded beyond evangelization to knowledge production and dissemination. Formal schooling followed, first to the clergy and then to secular elites. The great expansion of education occurred when the Church extended this mission further to embrace the

laity in general. Initially in the 16<sup>th</sup> and 17<sup>th</sup> centuries, the Church championed the development of what became elementary and secondary schooling. As the mechanisms of the state evolved, it embraced schooling, but typically in cooperation and with shared goals with the religious authorities.

The history of the last three centuries, however, has seen an increasing breakdown and division between the educational goals and activities of the church and the state. In the 18<sup>th</sup> Century, French scholars and policymakers developed the justification for an attempt at State monopoly of the schooling for the common people. Their goal was to use schools as a means to impose a unifying ideology of secular nationalism. In the 19<sup>th</sup> Century, the new republican “experiments”, that is, France and the United States of America, developed extensive state-run school systems, systems which gradually have extinguished the religious element and perspective from schooling.

The American experience is an example for this gradually, but seemingly inexorable secularization of schooling in many parts of the globe. Early settlers in the New World colony of Massachusetts were frightened that their children, cut off from what they saw as the civilized world, were endangered. In 1647, the fledgling legislature of the Massachusetts colony responded and passed the Old Deluder Satan Law (Eberling, 1999). The settlers’ motivation was to establish schools in order to teach literacy for the expressed purpose of reading the Bible. Access to the Bible was considered the most effective way to escape the snares of Satan. They, in effect, used the power of the state to establish a system of elementary and secondary schools for a spiritual propose. That is, to ensure their children learned the truths of Christianity.

The Protestant Bible and Christian moral principles were mainstays in schools through the American Colonial period and into the early years of the United States as an independent nation. The leaders of the American Revolution and founders of the new country championed the establishment of tax-supported public schools and justified religious based moral teaching in order to raise “the mass of people to the high ground of moral responsibility necessary for their own safety and orderly government” (Ryan and Bohlin, 1999, p. 20).

Tensions over the control of the content of schooling, however, began in the 19<sup>th</sup> Century. First, under the justification of “promoting public virtue”, state educational authorities, such as Horace Mann and others, worked to substitute church sponsored schools with the public “common school”. Mann insisted that “the teacher at his desk exercised a more sacred calling than the minister in his pulpit” (Glenn, 2012, p. 40). Second, the issue of the state promoting a particular religion came into sharp relief with the 19<sup>th</sup> Century’s

large immigration of Irish and German Catholics who, chaffing under their children's exposure to the Protestant Bible, left the public school in large numbers and established an extensive network of Catholic schools.

This growing secularism of the nation led in the late 19<sup>th</sup> Century and into the 20<sup>th</sup> Century to the gradual removal of the religious perspective from public, state-supported schools. Vestiges of Christianity, such as Christmas pageants and carols, remained, but shortly after World War II, a conscious effort was made to make public schools "religion-free zones". So over a period of some 140 years, the state has gained what Charles Glenn has called "the public school's near-monopoly of education" (p. 40), an education that systematically excludes and rejects a theological understanding of human life.

A dozen years into the 21<sup>st</sup> Century, the American public schools educate 88% of the elementary and secondary students with only a shrinking 6% attending the once extensive Catholic schools. While the intellectual flaccidity of the public school system's curriculum and the moral vacuousness of its culture is widely acknowledged, Catholic parents have few choices. They are heavily taxed to pay for a state-sponsored school system which annually spends on average close to 12,000 dollars per pupil (Ryan and Cooper, 2013, p. 365). To attend to the theological education of their children, the great majority of Catholic parents fall back on once-a-week, short programs run by parishes. While taught by many well-meaning volunteer teachers, few have the theological background or Biblical preparation for the work. Their good will aside, the religious education of American youth has been a striking failure.

In the early years of the 21<sup>st</sup> Century, the United States' largest and most carefully crafted study of the religious practices and beliefs of American youth was conducted in by a team of sociologists led by Christian Smith. Entitled the National Study of Youth and Religion, it surveyed a carefully selected sample of 3340 teenagers. One of the most startling findings of this study was the relatively lower level of religiosity and laxity of Catholic teenagers compared with teenagers in other U.S. Christian traditions. Among their findings were those when compared with Conservative Protestants, Black Protestants and Mormons, Catholic teens:

- Have lower levels of attendance at religious services;
- Would attend religious services less if totally up to themselves;
- Report that their religion is less important in shaping their daily lives and life decisions;
- Substantially feel themselves less close to God;
- Have somewhat more doubts about their religious beliefs;



- Believe less that God is a personal being involved in the lives of people today;
- Believe substantially less in a judgment day when God will reward some and punish others;
- Believe less in miracles, the existence of angels, and life after death;
- Believe more in reincarnation, astrology and in psychics and fortune-tellers;
- Less have made a personal commitment to live life for God;
- Pray less frequently;
- Fewer are involved in a religious youth group;
- Have less frequently attended Sunday School/CCD, been on a religious retreat, attended a religious conference or rally or camp, or been on a religious mission or service project;
- More frequently report that they are bored in church;
- Less frequently report that their congregation has helped them understand their own sexuality and sexual morality (Smith, 2005, pp. 272-291).

The survey also reports that only 19% of U.S. Catholic teenagers attend mass on a weekly basis and that 40% never attend. In summary, the light which the National Study of Youth and Religion shines of Catholic teenagers is of a group that does not know or understand what are the core teachings of their church and do not appear to care very much about the religion into which they were born (Smith, p. 194).

Similar, though less empirically rigorous, critiques of Catholic college and university education point to equally dismal results from efforts to ground students in the truths of the Gospel and to gain commitment to the work of the church (Hendershott, 2009; Arthurs, 2008; Reilly, 2003). For instance, a 2003 study found that at Catholic colleges, agreement with Church doctrine on an array of issues, such as abortion, pre-marital sex and same-sex marriage, declines from freshman to senior year (McMurtrie, p. A 38). It would appear that in spite of the historical efforts of generations of priest, nuns and committed laity, the current efforts of the Catholic Church in America to provide an education that is both theologically and scientifically sound have failed. Whether these failures are unique to the United States is highly doubtful.

### **The Wisdom of the State as Primary Educator**

As Pope John XXIII established in *Pacem in Terris*, public authorities, that is, state authorities, derive their authority from God (a. 46), and must derive their obligatory force from the moral order (a. 47), so that its first appeal is

not the fear of punishment or promise of reward but to individual consciences (a. 48). Also, the primary concern of civil authorities is to insure that personal rights are acknowledged, respected, coordinated with other rights, defended and promoted (a. 60). Further, state authorities must promote both the material and the spiritual welfare of citizens (a. 57), and sometimes civil authorities must give more attention to the members of the community less able to defend their rights and assert their legitimate claims (a. 56).

In the light of the guidance provided by Pope John XXIII, the current hegemony of state authorities over education would appear to poise a severe danger to the publics they claim to serve. Certainly, the state has an interest in an educated citizenry. It has an interest in ensuring that the young establish the attitudes and habits necessary to live together in harmony. But does it have the right to answer the most central and critical questions in education, “What is most worth knowing?” and “What should a person strive to be and do with his life?”

It would appear that for state authorities to provide the answers to these most fundamental educational questions, and therefore, to shape and control the beliefs and worldviews of children, threatens the right to the free exercise of religion and the rights of parents to control the education of their children. The 20<sup>th</sup> Century witnessed two devastating examples of state control of education in Nazi Germany and Soviet Russia where schools became explicit instruments of state oppression to religion.

While these examples are extreme, the potential for tyrannical state control of education is a global reality. More subtle, and perhaps more dangerous because it is quietly imposed by state commissions and unaccountable bureaucrats, is the type new curricula imposed a few years ago in once staunchly Catholic Quebec. Since 2008, a new religious curriculum, entitled “Ethics and Religious Culture” must be taught in all schools, state-run, private and religious (Benson, 2011). The alleged purpose of the course is “to sensitize students to the tenets of Quebec’s rich array of religious beliefs – the major religions, plus native myths and even Wiccan beliefs – in order to facilitate the spiritual development of students so as to promote self-fulfillment”. (Kay, 2011)

Recently, in the U.S. State of California the Legislature overwhelmingly passed and the governor enthusiastically signed into law the FAIR Education Act (SB 48). The FAIR Education Act is the seventh sexual indoctrination law to teach the state’s children to regard homosexuality, transsexuality (sex-changes operations) and bisexuality as good and natural. Among the bill’s provisions are that textbooks and instructional materials

must positively promote “lesbian, gay, bisexual, and transgender Americans” as role models and that children as young as 6 will be taught to admire homosexuality, same-sex “marriages”, bisexuality, and transsexuality (Badash, 2011). These two state imposed curricula, courses from which in both cases neither student nor teachers are allowed to opt out, are examples of the growing confidence of state authorities to shape the education of the young. Schooling, then, is not only threatened by the dominancy of empiricism, as suggested seventy years ago by Maritain, but also by the current secular ideology of the state.

### Concluding Questions

This inquiry into the educational thought expressed in *Pacem in Terris* is intended to provoke two questions. First, will the Church provide leadership to Catholics and other religious peoples to reclaim parents’ primary authority and responsibility to oversee the education of their children? That is, will the Church work to limit the role of the State to facilitating the efforts of parents and their chosen delegates to educate the young?

Second, will the recent calls of Popes John Paul II and Benedict XVI for evangelization be undercut by the weakened state of Catholic education? Has the Church’s educational mission been so diminished, become so ineffective, and so degraded as to undermine the capacity of Catholics to respond to the papal call to spread the Good News of the Gospels? Will Catholic education adequately prepared the “troops” to fulfill this mission of evangelization?

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# FACEBOOK: A NEW INSTRUMENT FOR THE PROPAGATION OF PEACE IN THE WORLD?

■ LUIS ERNESTO DERBEZ-BAUTISTA

## Introduction

The Internet has reached a scale and level of impact that no business, industry, religious institution or government can ignore. Like any technological phenomenon with its scale and speed, it presents myriad opportunities, which consumers and enterprises have been quick and enthusiastic to grasp. However, some businesses, particularly small and medium enterprises (SMEs) – the labor engine of many economies – have been uneven in their uptake, but they are moving online in increasing numbers and with an increasingly intense commitment.

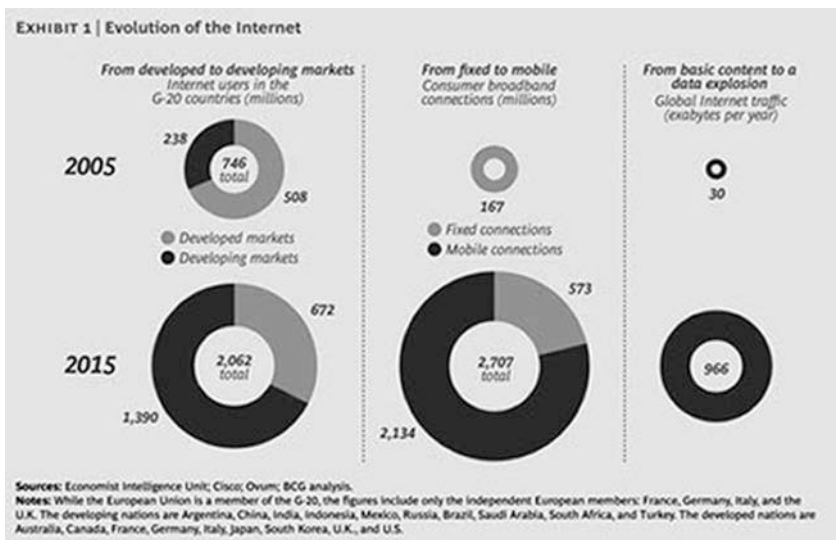
Since its beginning in 1985, the Internet has not stopped growing. A recent Ernst and Young study<sup>1</sup> found that, (a) the Internet economy is contributing up to 8 percent of GDP in some economies, powering growth, and creating jobs and (b) social networks reach about 80 percent of users in developed and developing economies alike. The estimate of this study is that by 2016 there will be 3 billion Internet users globally – almost half the world's population, and mobile devices – smartphones and tablets – will account for four out of five broadband connections. And technological progress in this area has long been characterized by exponential growth in processing speed, bandwidth, and data storage. An example should suffice to illustrate it: whilst the Intel 80386 microprocessor, introduced in 1985 held 275,000 transistors, today's Intel Core i7 Sandy Bridge-E processor holds 2.27 billion transistors, or nearly  $2^{13}$  times as many. As growth motors along, it is easy to lose track of just how large the exponential numbers get.

What has been changing even faster than technology in the Internet is the way it is used to establish social communication amongst people. As the advent of the so-called *social network sites*<sup>2</sup> strongly demonstrates, users have established new manners of interaction when using the web. As these changes

<sup>1</sup> Ernst&Young, *The Internet Economy in the G20*, March 19, 2012. Obtained via web at E&Y international page.

<sup>2</sup> This genre of Internet-based services includes blogs, wikis, podcasts, content-sharing sites (e.g., Flickr, YouTube), collaborative productions (e.g., Wikipedia, OhMyNews) and virtual worlds (e.g., Second Life).

in use of *social networks* take place at a dizzying speed, they have become increasingly difficult to understand either by those using them, as well as by large organizations (such as the Catholic Church) that seem unable to understand the use of the new technologies of information (TICs) in their everyday life. *Social network sites* such as Facebook, Twitter, or LinkedIn to use just a few examples, have ingrained in the daily life of the majority of the population, to the extent that most young users no longer think of them as anything new or special; *social networking* has become the new factor which defines their lives to the point where most of them believe that belonging to one of such networks is indispensable for their existence.



Many users however do not understand the threats imbedded in using these *social networks* – as is often the case with fast-paced change and complex issues – thus many governments and religious institutions are still trying to determine what their role in establishing rules for their use should be. Whatever decision each one takes, it has become clear that no one – individual, business, government or religious organization – can afford to ignore the ability of the *new social network sites* to deliver more value and wealth to more consumers and citizens than any technological transformation since the Industrial Revolution. It is because of this, that we must consider whether use of social networks such as Facebook, Twitter and the like, can help the Catholic Church pass along in a better way its message of *Pacem in Terris* to the world.

## Facebook as an instrument

A recent paper stated that “moral panic is a common reaction to new forms of communication. . . . The story with social network sites (SNS) such as Facebook and MySpace is not any different. Unsafe disclosure of information, cyberbullying, addiction, risky behavior and contacting dangerous communities are but a few of the concerns raised in the media about the use of online social networks”.<sup>3</sup>

All *social network sites* are simply that, an instrument to a purpose, instruments which can be positive or negative in their effects. However, the more one looks at the new *social network sites* and their behavior, the more one learns about the interaction between its users as *both producers and consumers of content*; a trend which is forcing our society to review the way information is presented to the general public when one wishes to promote a good, a service, a faith or any other product. One in particular, Facebook, merits our attention for the speed of its growth and the importance it has taken on in the lives of many young people around the world.

Facebook is a *social networking service* launched in February 2004, operated and privately owned by Facebook Inc. Its popularity has being extraordinary allowing it to count on more than 845 million active users as of February 2012. As can be verified in the ensuing table, the success of Facebook has allowed it to grow from a college *social network*, to the largest source of social communication in just an eight-year period.

**Facebook: Total active users**

Date	Users (in millions)	Days later	Monthly growth
August 26, 2008	100	1,665	178.38%
April 8, 2009	200	225	13.33%
September 15, 2009	300	160	9.38%
February 5, 2010	400	143	6.99%
July 21, 2010	500	166	4.52%
January 5, 2011	600	168	3.57%
May 30, 2011	700	145	3.45%
September 22, 2011	800	115	3.73%

Source: Wikipedia April 2012

<sup>3</sup> Sebastian Valenzuela, Nemsu Park and Kerk F. Kee, Lessons from Facebook: The Effect of Social Network Sites on College Students' Social Capital, Paper submitted to the Ninth International Symposium on Online Journalism, Austin, Tx., April 4-5, 2008.

Whereas Facebook and MySpace have become the favorite *social networks* for the young, older consumers see online networking as an occasional practice. This difference in approach has created an age divide which is becoming more and more important for businesses and other organizations in their quest for world-wide sales of their products.

Older participants in *social networks* are wary of providing personal information on the web, using the sites to fill a specific need, such as connecting with old classmates, posting resumes or networking with colleagues. On the other hand, younger users are generally willing to divulge personal information in order to receive targeted messaging – they typically have fewer privacy concerns than their older counterparts. Overall, there is a prevalent sense of resignation across age groups that personal information can be easily accessed via the web, and consumers typically accept advertising on *social networking sites* as a way to maintain free participation in the web.

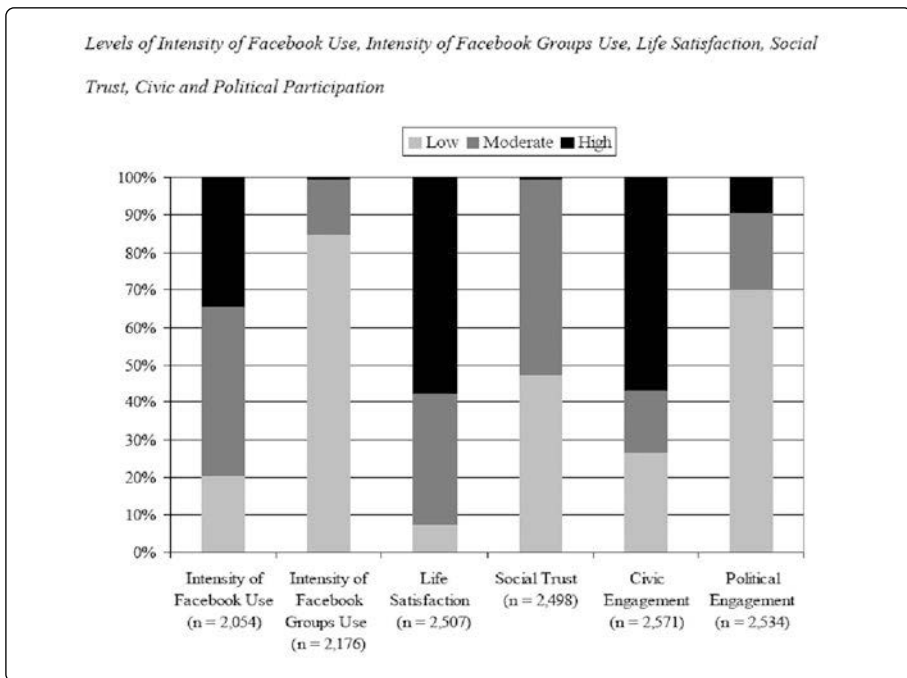
Like most *social network sites*, Facebook provides a formatted web page into which each user can enter personal information. After completing their profile, users are prompted to identify others with whom they have a relationship, either by searching for registered users of Facebook or by requesting their contacts to join Facebook (usually by e-mail). Once someone is accepted as a “friend”, not only the two users’ personal profiles but also their entire *social networks* are disclosed to each other. This allows each user to traverse networks by clicking through “friends” profiles, so that one’s *social network* snowballs rapidly across people and institutions.<sup>4</sup> This capability is the backbone of Facebook and other *social network sites* and is what attracts millions of users around the globe.

Facebook profiles also include two types of messaging services. A private system, which is very similar to a webmail service, and a public system called “The Wall”, where “friends” leave comments to the owner of the profile that can be viewed by other users. Usually, “The Wall” contains short messages that reflect sentiments, common activities between “friends”, or call attention to external websites or events. Among the most popular modules users can incorporate in their profiles is “Facebook Groups”, which allows users to create and join groups based around common interests and activities. The “Groups” application displays each individual’s groups as well as groups their “friends” have joined recently. Thus, an important share of the

<sup>4</sup> Walther, J.B., Van Der Heide, B., Kim, S.-Y., Westerman, D., & Tong, S.T., The role of friends’ appearance and behavior on evaluations of individuals on Facebook: Are we known by the company we keep? *Human Communication Research*, 34(1), 28–49, 2008.



civic and political impact of Facebook should occur within groups developed by users and organizations. This includes contacting officials, protesting, boycotting or buying products for political reasons and signing petitions. Obviously, participation in *social networking* mostly for entertainment can lead to a user's isolation, rather than a user's participation, in those social issues confronted by their living communities.<sup>5</sup> However such conclusion may be inaccurate as the evaluation of Valenzuela *et al.* seems to imply that contrary to common opinion, participation in Facebook encourages strong civil involvement in those users of the site.<sup>6</sup>



## Utilizing Facebook

As the Valenzuela *et al.* study suggests, new types of communities may be emerging based largely on interactions devoid of physical contact capable of encouraging people to participate in civic engagement in the societies they belong to physically. Furthermore, as events leading to the “Arab

<sup>5</sup> It is frequently said that Facebook isolates family members living together and integrates family members living apart.

<sup>6</sup> Valenzuela *et al.*, *op. cit.*

Spring” corroborate, use of the Internet and *social networks* to communicate events happening in a determinate place or situation can have tremendous real effects in the development of political and social changes. One can therefore think of using such instruments to create positive and/or negative trends in pushing change. Indeed as a paper by Piselli<sup>7</sup> illustrates, social networks can exist without traditional reciprocal recognition of identities, as in modern society this is just one of the many ways in which people interact today thanks to the Internet. As Piselli concludes, the new process of communication via the Internet enriches and expands, rather than replaces, the traditional social networks that were defined by geographical presence, redefining concepts of residence and friendship in a way that completely transform their functions, features, and symbolic meanings.

Thus, today’s *social networks* are key to many of the myriad flows within society that diffuse information and knowledge, processes that in turn influence people’s behavior and actions. A great deal of evidence has been generated lately to sustain this argument and show that who you talk to in your own *social network*, can be very influential on what you learn and what you do regardless of where you live. This new paradigm of social communication and its influence on individual and collective decisions is just getting attention from businesses and experts in marketing and communication all over the world.

The new paradigm challenges two traditional concepts: that of the geography of social networks – it was generally assumed that proximity was fundamental to network structures and operations as we are more likely to know near than distant neighbors, and more likely to interact with those who live close to our homes and whom we may encounter in a range of structured as well as unstructured arenas. Now thanks to Facebook and other similar sites the spatial concentration of *social networks* has changed, a fact which has substantial implications for the geography of attitudes and behavior. It also challenges the concept about the passive consumer. Whereas in the past sound marketing indicated you had to present an attractive proposal to entice consumer appetite for your product, today’s *social networks* are integrated by persons who enjoy *consuming and producing material simultaneously*. For the first time in our modern history, users of *social network sites* are fully interactive: who you are influences who you interact with; who you interact with influences what you learn and how you interpret the information and knowledge

<sup>7</sup> Piselli, F., Communities, places, and social networks, *American Behavioral Scientist*, 50: 867-78, 2007.

gained; and such local sources of “valued” information influence how you behave – all of which takes place in spatially-undefined contexts linked not by geography but by inputs, processes and outputs in the shared space of the *social network* you join.

Learning how to use and profit from this new paradigm is essential if the Catholic Church wishes to make its message acceptable to large numbers of young participants in this new phenomenon.

### **How the Catholic Church can learn to love Facebook**

Properly defined, group membership can encourage an open engagement of its members through a number of mechanisms. First, it can be an excellent vehicle to open channels for discussion of the Church’s message. As we know, we are finding more and more difficult to engage the young in an open discussion when using traditional methods. Use of the new Internet instruments such as Facebook could allow large groups of people discuss the message of the Church’s Encyclicals such as *Pacem in Terris*. Discussion is integral to learning and to encourage efficacy among believers and non-believers alike, leading to more informed decision-making and higher rates of participation in the general population.

By utilizing the instruments chosen by users themselves, this discussion process could encourage learning and understanding of the Catholic Church’s position amongst citizens by requesting the expression of their views, and forcing more thoughtful consideration of other prevailing viewpoints. Engaging in open debate is especially important in helping people develop skills that encourage a deeper understanding and subsequent engagement in religious affairs, highlighting the importance of diverse discussion groups to reach a consensus.

By breaking the traditional paradigm of discussing issues inside geographical close boundaries – that is, among like-minded people who largely resemble each other socially and religiously – the Catholic Church could respond to the new technological environments which today are more diverse when compared to personal interactions. People have more ability and desire to exercise a participative approach where they receive information but also provide information about the issues discussed. New, albeit intangible, venues unrestrained by geography will enable diversified discussion groups and a more engaged participant than otherwise would be. Facebook exists as an emporium of diverse and low-cost information where people can communicate freely, without the restriction of time and space.

Additionally, discussion that takes place online could engage people who otherwise would never participate in the Church’s message. Although Face-

book has an application for chatting and discussion, most dialogue takes place on message boards and over the course of a few days or months. A group member can post a comment on a message board and either never return to see if others have responded, or return several days later to continue the conversation. Either way, this type of discussion adds a new dimension to our traditional understanding of deliberation.

### **Conclusion?**

It is not easy to determine whether using Facebook or any like *social network* would enhance the passing and discussing of the Catholic Church's message to the world. As the jury now stands, we have many competing as well as consistent expectations of the influence of online group activity on religious engagement. Whereas for the business community it is becoming quite evident that they must engage Facebook in order to stay in the market with their products, evidence about the political and religious advantages of using such *social networks* has just recently begun to be studied. The experience of Internet messaging could be useful for an initial evaluation of the value of Facebook to propagate the message of the Catholic Church in today's technology-oriented society.

Whereas with the advent of Internet messaging early work quickly called into question the exchange of face-to-face interaction for online correspondence, later work identified areas in which the two forms were similar and even complementary. Thus, as we continue to move forward in understanding the effects of *social networking*, greater attention must be paid to the type of information being exchanged, specific venues being used, and the quality of opinions being expressed online. Nevertheless one conclusion cannot be avoided: given the explosive use of Facebook and other *social networks* the Catholic Church cannot remain passive and must enter the field if it wishes to remain present in the hearts of the young generations of this world.

# LA SCIENCE-TECHNIQUE ET LES NOUVELLES QUESTIONS ANTHROPOLOGIQUES

■ VITTORIO POSSENTI

*Avant-propos.* Le thème abordé était l'un des sujets énumérés dans le *call for papers* envoyé aux membres de la PASS en mai 2011.<sup>1</sup> La question anthropologique, bien évoquée dans le titre, est au cœur des sciences humaines qui par statut occupent notre Académie. En effet, le grand impact des sciences (naturelles et humaines) et des techniques sur les êtres humains est l'un des plus grands thèmes du monde contemporain. En utilisant le langage des “signes des temps”, adoptée par l'encyclique *Pacem in Terris* (PT) et depuis par le Vatican II, l'influence de la techno-science sur la personne, l'ordre social et la relation entre les peuples est un “signe des temps” de la plus haute importance, à qui est urgent d'accorder une attention adéquate. Un développement prometteur est situé dans le chapitre VI de *Caritas in veritate* (2009, CV), consacré à “Le développement des peuples et la technique”.

Si demain un document de la Doctrine sociale de l'Église devrait mettre à jour et développer le discours de PT, qui est concentré sur le concept de l'ordre dans ses divers aspects avant même que sur la question de la paix et de la guerre, on devrait donner un développement proportionné à la grande force de transformation et de déstabilisation de la techno-science sur la per-

<sup>1</sup> Je ne me suis pas adressé à la question fondamentale de la gouvernance globale ou de l'autorité politique mondiale, puisque ce thème avait été traité par moi en diverses séances plénières de l'Académie. Voir: *The Governance of Globalisation: Ethical and Philosophical Perspectives*, in AA.VV., *The Governance of Globalisation*, ed. by E. Malinvaud and L. Sabourin, Vatican City, 2004, pp. 219-228; *International Justice, International Law and World Peace*, in AA.VV., *Charity and Justice in the Relations among Peoples and Nations*, The proceedings of the 13<sup>th</sup> Plenary session of the Pontifical Academy of Social Sciences, 27 April-1 May 2007, Vatican City 2007, pp. 288-308; *The Governance of Globalization. Global Political Authority, Solidarity and Subsidiarity*, in AA.VV., *Crisis in Global Economy. Re-planning the Journey. The Proceedings of the 16<sup>th</sup> Plenary Session of the Pontifical Academy of Social Sciences*, Vatican City, 2011, ed. by J. Raga and M.A. Glendon, pp. 424-441, et enfin *Universalismo dei diritti e governance globale. Il cammino verso una società politica planetaria*, in AA.VV., *Governance globale e diritti dell'uomo*, Diabasis, Reggio Emilia 2007, pp. 27-47.

Je suis toujours convaincu que la partie IV de la PT sur le thème des pouvoirs publics à échelle mondiale a reçue une attention fragmentaire et inadéquate. Un fort rappel à son importance provient de CV (n. 67).

sonne humaine. Sur le sujet un changement extraordinaire s'est produite depuis l'époque de Jean XXIII: en rapport à la techno-science le thème central n'est plus constitué, comme ce fut dans PT, par les perspectives ouvertes par les conquêtes nucléaires et de l'espace (cf. PT, n. 156), mais par la biologie, la génétique, la biotechnologie, par les sciences du cerveau ou neurosciences. Donc, dans la recherche globale pour la tranquillité de l'ordre qui donne le titre à la Plénière, s'intègre de façon transparente la recherche sur *l'ordre interne de l'être humain* et la *paix* non seulement avec les autres et avec la nature, mais plus spécifiquement *avec la nature humaine*. Sur *ces questions*, je voudrais proposer une relecture et un aggiornamento de PT, qui se mesurent avec les changements historiques qui ont eu lieu.

Nous savons l'importance de *Rerum Novarum*, à qui ont été spécifiquement dédié deux encycliques (*Quadragesimo Anno* et *Centesimus Annus*, mais on peut aussi voir *Mater et Magistra*) et de *Populorum Progressio*, qui également a été évoquée deux fois avec *Sollicitudo Rei Socialis* et *Caritas in veritate*. Ne faudrait-il espérer que quelque chose de semblable se passait avec la PT? Bien que personnellement je souhaite ce résultat, il pourrait y avoir des obstacles, y compris la difficulté d'embrasser aujourd'hui avec un seul texte l'énorme problématique de PT à la lumière des développements impressionnants qui ont eu lieu depuis cinquante ans. Un autre élément à considérer pourrait être le nouveau contexte mondial qui n'a rien à voir avec celui des années '50 et '60.

Les sujets fondamentaux de PT regardent l'ordre entre les êtres humains, avec leurs droits et devoirs (chapitre I), la relation entre les humains et les pouvoirs publics au sein des communautés politiques individuelles (chapitre II), la relation entre les communautés politiques (chapitre III), celles des êtres humains et des communautés politiques avec la communauté mondiale, avec l'insuffisance de l'organisation politique actuelle par rapport à la paix et au bien commun global (chapitre IV). L'encyclique se termine avec le ch.VI et ses avertissements pastoraux. Les problèmes fondamentaux de la PT restent valables: la question de savoir si l'actuelle organisation internationale économique et politique est en mesure de procéder à la construction du bien commun mondial et la promotion des droits de l'homme, ou manifeste plutôt la nécessité de réformes radicales. Quel type d'ordre peut remplacer le présent désordre profondément dommageable pour les individus, les familles, les peuples? Sur quels principes et institutions doit se fonder le nouvel ordre mondial espéré? Dans le même temps, ces questions doivent être posées dans un contexte mondial radicalement changé sur le plan juridique, technoscientifique, économique et politique.

## Un diagnostic différentiel

L'ensemble de ces facteurs demande un diagnostic différentiel. Sur le plan politique l'évolution d'un système multilatéral à un système unilatéral ou unipolaire, qui était présente à la fin du siècle dernier, semble en stase; la course aux armements se poursuit, ont augmenté les désaccords religieux et culturels, attribuables à les relations précaires entre les civilisations, aux préjugés et au fanatisme. La mondialisation technologique et économique est avancée de façon exponentielle, entraîné par un financiarisation malheureuse de l'économie, fortement marquée par la spéculation. Le problème écologique et celui du développement marquent un temps d'arrêt.

L'optimisme historique du début des années '60 est diminué, tandis que la conscience d'une obligation envers les générations futures est augmentée, mais surtout ce qui a changé d'une manière étonnante, c'est l'impact de la science sur les êtres humains et sur l'autocompréhension qu'ils ont d'eux-mêmes, en particulier l'impact des biotechnologies, qui est le thème qui a connu le plus fort taux de changement. Nous sommes donc contraints par l'évolution même de la situation à étendre notre point de vue pour faire face à de nouvelles manifestations de la puissance: pas seulement la puissance des armes, mais la puissance sur la vie, le *biopower*.

Si l'on regarde la sensibilité culturelle prédominante dans les années de l'encyclique, on trouve un sentiment assez répandu de confiance dans le progrès scientifique et technique. Aujourd'hui la situation est différente, parce que l'omniprésence et le caractère invasif de la technologie ont fortement augmentés et nous n'avons pas encore appris à les gérer correctement. Témoignage clair de l'immense changement sont les quatre premières parties de la PT qui se terminent avec un paragraphe consacré aux signes des temps alors perçus: la montée de la classe ouvrière, le sentiment de la dignité humaine, l'importance des accords mondiaux. Dans ce cadre, les facteurs technico-scientifiques ne semblent présents. Comme mentionné précédemment, la CV a fourni une première mise à jour, en indiquant en particulier deux noyaux: "la question sociale est devenue radicalement question anthropologique" (n. 75); le levier technique et scientifique doit être examinée de toute urgence sur le plan moral et anthropologique. Cette prise de conscience s'est développée de plus en plus dans la culture chrétienne dès quinze ans par rapport à l'accélération irrésistible des nouvelles technologies.

Dans le cadre de mon thème, je ferai référence à trois problèmes fondamentaux de l'époque présente: 1) la prédominance culturelle de la science sur d'autres formes de savoir et de culture, 2) l'impact croissant de la science et de la technologie sur l'homme et la nature humaine, c'est à dire la "question anthropologique", qui apparaît maintenant comme urgente et inévita-

ble, et 3) l'influence très ambivalente de la technologie sur l'établissement de la paix, comme le montre la CV selon laquelle la déviation "de la mentalité technique de son sein humaniste est aujourd'hui évidente dans les phénomènes de la technicisation soit du développement soit de la paix" (n. 71).

Non seulement ces problèmes sont maintenant au centre beaucoup plus de cinquante ans auparavant, mais ils exercent une immense influence sur la question de la paix comme entendue par la PT, c'est à dire comme la tranquillité de l'ordre, fondée finalement sur le respect de la nature humaine. Les notions d'ordre et de la nature humaine sont à la base de l'encyclique: aucune paix sera possible si on est en guerre avec la personne humaine et on a recours à la violence contre elle.

Dans ce thème on trouve la plus grande nouveauté par rapport à 1963, car l'ordre interne de la nature humaine n'était pas alors très controversé, tandis que aujourd'hui il l'est à bien des égards. Cela signifie que la prémisse humaniste qui dans les années 60 était assez répandue, est en train de changer par l'impact des nouvelles tendances culturelles qui viennent de l'évolutionnisme, de l'animalisme et du naturalisme physicaliste, et qui favorisent la propagation d'une nouvelle anthropologie séculière, parfois questionnant la frontière entre l'homme et l'animal.

### **Prédominance culturelle de la science**

À l'époque de PT les idéologies politiques dominantes étaient principalement le communisme, mais sous des formes différentes et avec moins de virulence le libéralisme individualiste et le radicalisme. Aujourd'hui le communisme a disparu, mais idéologies diverses (économiques, laïques, fondamentalistes) restent debout, tandis que de plus en plus prennent vigueur une confiance démesurée pour les capacités salvifiques de la science et l'idéologie de la technique. C'est le même processus de mondialisation, qui tend à remplacer les idéologies sociales du passé avec la technologie, "devenue à son tour un pouvoir idéologique qui exposerait l'humanité au risque de se trouver enfermée dans un *a priori* d'où elle ne pourrait sortir pour rencontrer l'être et la vérité". (CV, n. 70). Le thème de la domination culturelle de la science doit être posé dans le contexte spirituel de l'époque, marquée – au moins en Occident – par une renaissance du matérialisme et du naturalisme évolutionniste promu principalement par des scientifiques et des philosophes néodarwiniens, qui ont l'objectif déclaré de rendre inutile l'hypothèse de l'existence de Dieu et d'un Créateur intelligent.

Le prestige qui entoure la science est exprimé de plusieurs manières, parmi lesquelles se distingue la thèse largement répandue selon laquelle seul la science connaît: aucune connaissance n'est acceptable à moins qu'elle soit dé-



terminée par la méthode scientifique. Cela semble un point fondamental sur lequel la réflexion n'est jamais suffisante. Il n'est pas en question l'importance de la science comme une forme primaire de connaissance, ni le dialogue fructueux évoquée dans de nombreux endroits entre la science et la foi, dans lequel les académies pontificales son engagées avec beaucoup de force, mais l'idée réduite de raison avancée par beaucoup de scientifiques et l'exclusion de la connaissance philosophique et métaphysique au bénéfice du mathématisme et de l'empirique.<sup>2</sup> L'idée que seulement la science connaît signifie aussi que toute foi, les croyances religieuses en particulier, n'ont pas de valeur cognitive, mais ils sont effusions du sentiment et souvent superstition.

La présomption que seulement la science connaît conduit à un scientisme myope. Le scientisme est un mouvement intellectuel, né en France dans la seconde moitié du XIX<sup>e</sup> siècle, qui fait valoir que les connaissances scientifiques doivent être placés à la base de toutes les connaissances dans n'importe quel domaine, même dans l'éthique et la politique. Le scientisme prétend que l'univers et les objets sont essentiellement connaissables par la méthode scientifique. Selon le Manifeste du Cercle de Vienne dans la conception scientifique du monde "précision et clarté sont poursuivies, les distances et sombres profondeurs insondables rejetées.... Tout est accessible à l'homme et l'homme est la mesure de toutes choses. En cela, il y a une affinité avec les sophistes, et non pas avec les platoniciens; avec les Épicuriens, non pas avec les pythagoriciens; avec tous les partisans du mondain et du terrestre". Rejetée toute forme de métaphysique traditionnelle, le positivisme nous laisse nus devant les problèmes moraux et humains.<sup>3</sup>

<sup>2</sup> Expression de cette attitude est le jugement sévère qui ouvre un récent livre de S. Hawking et L. Mlodinov: "La philosophie est morte, elle n'a pas su suivre le rythme des derniers développements de la science, en particulier de la physique" (*Il grande disegno. Perché non serve Dio per spiegare l'universo*, Mondadori 2010). Selon J.P. Changeux "comme déjà enseignaient Spinoza et Comte, le chercheur doit se débarrasser de tout recours à la métaphysique, ainsi que de tout anthropocentrisme, et adopter la mentalité des sciences expérimentales ... Dans cette lutte constante pour une plus grande rigueur intellectuelle et une majeure cohérence, invoquer une n'importe quel esprit, avec ou sans S capital, ne semble pas une hypothèse nécessaire! ... Quoi qu'il en soit, il semble difficile d'échapper à une conception matérialiste du monde, même si le terme choque ou ne plaît pas", *La natura e la regola*, Raffaello Cortina, Milan 1999, p. 169.

<sup>3</sup> Le manifeste se poursuit: "La conception scientifique du monde ne connaît pas énigmes insolubles. La clarification des problèmes philosophiques traditionnels conduit, en partie, à les démasquer en tant que pseudo problèmes; et en partie à les convertir en questions empiriques, sujettes, par conséquent, au jugement de la science expérimentale. Juste une telle clarification des questions et des assertions est la tâche de la philosophie,

Différent était l'enseignement de A. Einstein: "Il est certain que derrière tout travail scientifique un peu délicat on trouve la croyance, analogue au sentiment religieux, que le monde est fondée sur la raison et peut être compris. Notre époque est caractérisée par des découvertes extraordinaires de la science et par les applications techniques. Qui parmi nous n'est pas ravi à cause de ça? Mais n'oublions pas que les applications des connaissances et techniques ne conduisent pas l'humanité à une vie heureuse et digne. L'humanité a le droit de mettre les prophètes de la morale au-dessus des découvreurs de la réalité objective. Ce que l'humanité doit à Bouddha, Moïse et Jésus est beaucoup plus important que la recherche effectuée par les scientifiques". Selon Einstein, le point faible de la conception qui repose sur la connaissance c'est que la connaissance de ce qu'il *est* ne fait pas directement ouvrir la porte à la connaissance de ce qui *devrait être*: "Vous pouvez avoir la compréhension la plus claire et complète de ce qui est, et cependant vous n'êtes pas encore à mesure de déduire ce qui devrait être le but des aspirations de l'homme ... Les principes supérieurs qui sous-tendent nos aspirations et nos jugements sont indiqués par la tradition religieuse juive et chrétienne".<sup>4</sup>

Les pensées d'Einstein confirment que la vie bonne et la paix ne sont pas construites seulement par la science. Alors que la science est guidée par l'idéal de la connaissance et la technique par l'idéal de la transformation, la paix doit être guidée par l'idéal du bien humain et de la dignité. Il n'y a pas une harmonie a priori entre ces trois noyaux. Si, en fait l'accroissement des

qui, cependant, ne tend pas à établir des assertions spécifiquement 'philosophiques'. La méthode de cette clarification est celle de l'analyse logique", H. Hahn, L. Carnap, O. Neurath, *La concezione scientifica del mondo* (1929), édité par A. Pasquinelli, 1979 Bari, pp.7ss. Dans un texte de 1928 R. Carnap avait soutenu: "Avec l'aide de méthodes rigoureuses de la nouvelle logique, nous pouvons soumettre la science à un complet processus de décontamination. Toute assertion de la science doit être démontré doué de sens disponible à travers l'analyse logique. Si on trouve que l'assertion en question est une tautologie ou une contradiction, appartient à la logique, y compris les mathématiques. Contrairement si l'assertion a un contenu factuel, c'est-à-dire que n'est pas tautologique ou contradictoires, alors c'est un énoncé empirique. Il peut être réduit au donné, et donc il est en principe possible de trouver si il est vrai ou faux, les assertions de la science empirique ont ce caractère. Il n'y a pas, en principe, problèmes auxquels il ne pas possible de répondre. Il n'y a pas quelque chose comme une philosophie spéculative, un système d'assertions avec un objet spécial qui va de pair avec ceux de la science. Philosopher veut dire seulement clarifier les concepts et les propositions de la science par l'analyse logique". Enfin il ne faut pas oublier le jugement péremptoire dans le *Tractatus* de L. Wittgenstein: "La totalité des propositions vraies est la science naturelle toute (ou l'ensemble des sciences naturelles)", n. 4, 11.

<sup>4</sup> A. Einstein, *Come io vedo il mondo*, Cucchini, Milan, 1955, passim.

connaissances est intrinsèquement bon, donc il n'y a pas de connaissances interdites, il n'est pas également vrai que toutes les applications de connaissances en soi bonnes soient licites.<sup>5</sup>

### **La question anthropologique et les nouvelles questions soulevées par la science-technique**

Quelques décennies après PT a explosé la “question anthropologique”, auparavant moins averti bien que elle fût déjà en piste, de sorte que le terme de “problème anthropologique” est relativement récent et n'apparaît pas dans la PT. Question anthropologique signifie que c'est l'homme lui-même à être mis en question, et non pas tel ou tel aspect de celui-ci. A la grande idée sur la racine éthique de la vie civile, on doit maintenant ajouter la source anthropologique. Peut-être encore plus des valeurs morales c'est l'homme qui est remis en cause. Le XXe siècle a été caractérisé par une situation d'émergence anthropologique généralisée, et la même chose se passe dans le vingt et unième.

Déjà il y a quelques décennies, la situation réelle exigeait de pivoter autour sur l'anthropologie, bien que dans la haute culture, il y avait une mince conscience de ceci. C'était encore l'époque de l'éthique, l'attention à laquelle avait été de plus en plus croissante. On insistait en particulier sur l'envergure éthique des problèmes contemporains, sans se rendre compte que quelque chose de différent était nécessaire. La nouvelle situation montre que pour résoudre les problèmes de la vie civile et ceux posés par la com-

<sup>5</sup> A la prédominance culturelle de la science d'une certaine manière se rattache le mouvement du nouvel athéisme qui manifeste souvent une origine scientiste. Dans de nombreux cas cet athéisme est un antithéisme, qui exprime une opposition directe à la croyance en n'importe quelle divinité et qui considère dangereuses les religions. B. Russell exprime vivement cette position: “Je suis fermement convaincu que les religions de même que elles sont nuisibles, ainsi elles sont fausses. Le dommage causé par une religion est de deux sortes: l'un dépend de la nature générique de la foi, l'autre par la nature spécifique des dogmes reconnus”, *Perché non sono cristiano*, prefazione (1957). Les néo-athées diffèrent des athées car ils sont plus radicalement antireligieux: ils professent explicitement l'abandon du concept de la divinité et ils croient que le monde serait meilleur si elle était libre de la superstition et de la religion. Parmi les nouveaux athées voir: Richard Dawkins, *L'orologiaio cieco* (1989), Arnoldo Mondadori Editore 2003; Sam Harris, *La fine della fede* (2004), Nuovimondimedia 2006; Sam Harris, *Lettera a una nazione cristiana* (2006), Nuovi mondi 2008; Christopher Hitchens, *Dio non è grande*, Einaudi 2007; Daniel Dennett, *Rompere l'incantesimo* (2006), Raffaello Cortina Editore 2007; Richard Dawkins (2006), *L'illusione di Dio*, Arnoldo Mondadori Editore 2007; Michel Onfray, *Trattato di ateologia* (2005), Fazi Editore 2005.

plexe techno-science, il n'est plus simplement nécessaire une éthique publique capable d'exprimer le plus petit dénominateur commun qui permet de vivre avec, et pas seulement à vivre ensemble: il émerge que l'anthropologie est politiquement aussi importante que l'éthique. Il est impossible de trouver une conception de l'homme qui soit sans impact immédiat sur la vie civile dans tous ses aspects.

Les nouveaux problèmes posés par la science-technique ont besoin d'un consensus ou une convergence anthropologique, désormais difficile à atteindre parce que les neurosciences, l'évolutionnisme, les biotechnologies produisent instabilité et une haute pluralité des images de l'homme. L'effet est un étourdissement dans lequel on ne sait pas vers quoi se tourner, alors qu'il y a une nécessité de "stabilisation anthropologique" difficile en ce moment, et qui peut provenir d'une image religieuse et philosophique de l'homme. Nous avons besoin de la "vérité anthropologique", tirée de la recherche de la raison humaine et de la Révélation. Lorsque nous lisons la sous-titre de PT: "La paix entre toutes les nations fondée sur la vérité, la justice, l'amour, la liberté", la question abordée ici a plus à voir avec la vérité, en particulier avec la vérité sur l'homme.

PT se réfère dès l'incipit aux progrès de la science et aux inventions de la technique qui "témoignent comme dans les humains et les forces qui composent l'univers règne un ordre magnifique, et témoignent aussi de la grandeur de l'homme, qui découvre cet ordre et crée les outils aptes à mettre la main sur ces forces et à les mettre à son service" (n. 2). La phrase exprime son optimisme découlant d'une attitude positive et contemplative sur l'univers et son ordre. Quarante-cinq ans après CV mets à jour le problème en ajoutant un élément fondamental: "Le développement des peuples dégénère, si l'humanité croit pouvoir se recréer à travers les 'merveilles' de la technologie" (n. 68). *Caritas in veritate* observe que la plus haute expression de l'absolutisme de la technique se vérifie en matière des biotechnologies qui ont mis leurs mains à la racine de la vie (cf. n. 75). "Il s'agit d'un domaine délicat et critique, dans lequel émerge avec une force dramatique la question fondamentale si l'homme est produit par lui-même ou s'il dépend de Dieu" (n. 74). Dans la confrontation tous azimuts avec la Technique comme la puissance spécifique de notre époque il n'est pas suffisant d'avoir recours seulement à l'éthique. L'esprit de la technique n'est pas quelque chose de technique.

Le regard porté par CV n'est pas seulement contemplative, mais éthique et marqué par le discernement. En peu de temps, nous avons assisté à l'introduction de l'avortement légalisé, la planification de la population, la manipulation de l'équilibre entre les sexes (phénomène de *missing women*), le

clonage, la création artificielle d'embryons, l'ingénierie génétique, et à évolutions comparables de la science du cerveau/neurosciences, qui ouvrent de nouvelles possibilités pour le contrôle de l'individu et mettent en cause la liberté et la responsabilité personnelle. C'est la grande question biopolitique et biotechnologique qui pèse sur nous.

En tout cas nous sommes obligés à se tenir au courant des nouveaux développements et à reprendre le projet des droits de l'homme. Un aspect central de PT – et peut-être ce qui a causé le plus de résonance – c'est la reconnaissance substantielle de l'encyclique aux droits (et devoirs) humains. Le processus s'est poursuivi avec les positions du Concile, de Paul VI et Jean Paul II. Dans les dernières décennies s'est accru l'écart entre une lecture dignitaire et une libertaire des droits de l'homme, tandis que de nouveaux défis pour eux sont précisément venus des nouvelles technologies. Pensez à des questions telles que potentialisation, statut de l'embryon, manipulations génétiques, droit à un patrimoine génétique non manipulé, post humanisme. Il s'agit de comprendre comment dans les nouvelles questions anthropologiques s'accordent ou au contraire s'éloignent l'interprétation libertaire de la Déclaration universelle et les positions de l'Église catholique. La situation évolue rapidement avec des questions impérieuses telles que: le mélange de artificiel et de naturel est limité seulement par la faisabilité technique? Face aux technologies avons nous besoin de changer la nature et l'interprétation des droits de l'homme, ou bien de limiter l'application de technologies avec une lecture personnaliste de droits de l'homme?

Pour affronter dans la situation nouvelle la puissance de la technologie dans PT émergent les réalités de l'ordre – le concept central de l'encyclique dès l'incipit – de la nature humaine et du droit naturel. Étant donné que ces noyaux étaient alors contestés par les idéologies totalitaires et politiques, la réponse de l'encyclique se développe surtout dans le sens de l'éthique sociale universelle, inspirée par la tradition du droit naturel. Le fait est que les concepts de l'ordre naturel, de la nature humaine et du droit naturel ont longtemps été fortement contestés dans le domaine des sciences et de la philosophie.<sup>6</sup> Témoignage emblématique de cet aspect est le dialogue Ha-

<sup>6</sup> Sur la centralité du droit naturel Jean XXIII est explicite dans la PT: "L'encyclique a sur sa front la lumière de la révélation divine ... mais les normes de la doctrine ont aussi leur origine dans les besoins intimes de la nature humaine et sont surtout domaine du droit naturel" (Jean XXIII, 9 Avril 1963, discours à la secrétairerie d'Etat). Et: "Ces quatre principes [vérité, justice, amour, liberté] qui soutiennent toute la structure de PT, appartiennent au droit naturel qui est écrite dans les cœurs de tous. Nous avons donc adressé l'exhortation à toute l'humanité" (Discours à la réception du Prix Balzan).

bermas-Ratzinger (2004), dans lequel ce dernier a noté que le droit naturel, qui dans l'Église catholique a longtemps été le modèle de l'argumentation dans le dialogue avec la société laïque, est maintenant un "instrument épointé, malheureusement" à cause de l'évolutionnisme selon lequel la nature est comprise seulement comme nature physique non-rationnelle.<sup>7</sup>

D'où la question: quelle aide peut rendre l'idée de la nature humaine (et de loi naturelle) en face de la puissance de la technologie? La grande difficulté qui émane de cette question dépend de la tendance croissante à penser que la nature humaine, l'*humanitas*, ne soit pas un donné ontologique ou comme un présupposé à respecter, mais un produit de la praxis, en particulier de l'action des technologies qui influent plus profondément sur nous. Dans la considération de nombreux la biopolitique ne se limite pas à la traduction dans lois et règlements des principes de l'éthique médicale, mais elle indique la tentative moderne de la gestion intégrale de la vie biologique de la part du "pouvoir". Ce terme ne renvoie pas seulement à la puissance politique de la souveraineté ou de l'Etat, mais plutôt il indique toute procédure individuelle et collective soutenue par la technologie, qui ne se justifie pas en prenant comme principe sous-jacent l'objectivité de la nature humaine et son intrinsèque normativité. C'est la naissance du *Bio-power* moderne et de la *biocratie*, préconisée par Comte.<sup>8</sup>

Dans des versions différentes de la biopolitique contemporaine l'être humain n'est pas un donné, mais un *faciendum*, quelque chose à construire et à transformer, non pas un ordre essentiel – celui de la nature humaine –, mais une construction nouvelle et de grande taille (*nova et magna instauratio*). Le travail qui ouvre la voie à la biopolitique moderne est la *Nouvelle Atlantide* de Bacon (1627). D'une certaine manière cette ouvrage peut appartenir au genre de l'utopie, mais avec un changement décisif par rapport aux utopies du seizième siècle comme celles de Thomas More ou la *Cité du Soleil* de Campanella, car l'objet de la discussion de Bacon se concentre sur la science et les nouveaux pouvoirs qui seront donnés à l'homme. Se renouant au mythe séculaire d'Atlantide, Bacon expose sa propre idée du *regnum hominis* dans lequel se réalise la domination de la nature par l'avènement de la science et l'application de la nouvelle méthode scientifique. Selon l'auteur, c'est de la "Maison de Salomon" de la Science – une école établie pour l'étude de la nature et la création de grandes œuvres – qui sortiront les

<sup>7</sup> "I fondamenti morali e prepolitici dello Stato liberale", *Humanitas*, n. 2, 2004, p. 256. Sur la relance par Benoît XVI de la question de la loi morale naturelle, je ne m'arrête pas ici.

<sup>8</sup> Cf. V. Possenti, *L'uomo postmoderno. Tecnica religione politica*, Marietti, Milan 2009.

atouts majeurs pour l'homme. Fin de cette institution "est la connaissance des causes, des mouvements et des forces internes à la nature et l'étendue du pouvoir humain à tout son possible", ainsi que "la guérison de certaines maladies et le prolongement de la vie"<sup>9</sup>. Quelques décennies plus tard Hobbes mettra à la base de la 'nouvelle politique' le critère de l'auto-conservation d'eux-mêmes et de la vie, dont la science peut assurer le plus grand succès. Environ quatre siècles plus tard, nous pouvons évaluer dans quelle haute mesure le programme baconien et hobbesien a eu succès.

Nous pouvons nous rendre compte de cela en lisant l'annexe de la *Nouvelle Atlantide*, intitulé *Magnalia naturae*, dans lequel Bacon fait une liste très complète et détaillée des merveilles possibles qui découlent de la nouvelle science, que je transcris en partie: "prolonger la vie, retarder la vieillesse, guérir les maladies considérées comme incurables, soulager la douleur, transformer le tempérament, la taille, les caractéristiques physiques, renforcer et améliorer le développement intellectuel, la transformation d'un corps dans un autre, produire de nouvelles espèces, effectuer transplantations d'une espèce à une autre, créer nouvelles nourritures en recourant à des substances pas encore utilisées".

### **L'ordre de la nature humaine et la paix**

Un problème essentiel de la paix comme l'entend la PT – à savoir la tranquillité de l'ordre – est de rester en harmonie avec la nature humaine, ne cherchant pas à la manipuler, la violer, la transformer. Comme il y a une violence écologique, autant il y a une violence antihumaniste. C'est une

<sup>9</sup> F. Bacon, *Nuova Atlantide*, Silvio Berlusconi éditeur, 1996, p. 72. Aujourd'hui nous sommes bien au-delà du projet de Bacon selon lequel la science et la technologie étaient considérées comme une aide cruciale d'ordre réparateur et rédempteur: "Après le péché originel, l'homme est tombé de son état et de sa domination sur les choses créées. Mais les deux choses peuvent être récupérés, au moins en partie, dans cette vie. Le premier par la religion et la foi, le second à travers les techniques et les sciences" (Bacon, *Novum Organon*, L. II, § 52). Aujourd'hui, l'instrument de rédemption est devenu le maître, et la technique s'est émancipée de la religion. Dans la *Spe Salvi*, Benoît XVI capture avec finesse le changement opéré par Bacon: "Ainsi, l'espérance reçoit également chez Bacon une forme nouvelle. Elle s'appelle désormais foi dans le progrès. Pour Bacon en effet, il est clair que les découvertes et les inventions tout juste lancées sont seulement un début, que, grâce à la synergie des sciences et des pratiques, s'ensuivront des découvertes totalement nouvelles et qu'émergera un monde totalement nouveau, le règne de l'homme ... L'homme ne peut jamais être racheté simplement de l'extérieur. Francis Bacon et les adeptes du courant de pensée de l'ère moderne qu'il a inspiré, en considérant que l'homme serait racheté par la science, se trompaient. Par une telle attente, on demande trop à la science; cette sorte d'espérance est fallacieuse" (n. 17 et n. 25).

aspiration profonde de l'homme d'être en paix avec lui-même, en équilibre avec la nature, afin d'apaiser le désir. Il est donc nécessaire de faire la paix avec la nature physique et la nature humaine, si nous voulons construire une politique de paix. À ce stade, il semble que l'on peut tirer une première indication: il n'est pas suffisant que de traiter l'ordre qui doit régner entre les humains (comme requis par PT, n. 8), mais il est également nécessaire d'enquêter sur l'ordre qui doit être maintenu au sein de l'être humain et la nature humaine.

Cet ordre est à risque, car les différentes utilisations des biotechnologies concernent la possibilité d'intervenir à la fois à la frontière entre la vie et la mort, comme dans la conception. L'endroit où la biopolitique contemporaine est plus invasive et court le plus grand risque est peut-être le domaine du début de la vie, où nous trouvons une différence profonde entre la souveraineté "classique-moderne" de l'Etat et le *Biopower* contemporain: la souveraineté moderne était le pouvoir de donner la mort, tandis que le *Biopower* actuel est le pouvoir de donner la vie et la mort, d'intervenir à la source de la vie en la manipulant et en la modifiant. Dans ce contexte, apparaît comme centrale la question de l'embryon humain, de son statut personnel et son propre droit à la vie dès la conception.<sup>10</sup>

Il est naïf de penser que l'homme peut se construire et reconstruire sans limites. Mais cette idée semble avancer avec le projet d'un sujet post-humain qui – en se hybridant avec la technologie – ce n'est pas seulement homme-nature ni homme-artifice, mais une nouvelle espèce très indéterminée. Le terme "posthumain" est intrinsèquement inconsideré, parce qu'il renvoie à une transformation essentielle de la nature humaine qui ne peut pas se produire. Le sujet posthumain, en se croisant avec la technologie et en essayant de s'approprier d'une nouvelle forme, serait dénoté par caractéristiques et capacités que le sujet humain ne aurait pas, non par une amélioration de ce qui lui appartient. Dans le posthumanisme s'exprime une réserve et une critique de la conception traditionnelle de l'humanisme, jugée insuffisante ou considérée comme aristocratique, isolée en elle-même et loin du monde de la technologie.<sup>11</sup> Il faut plutôt préserver l'unicité de l'homme et bâtir un

<sup>10</sup> Sur ces questions, voir ma contribution à l'assemblée plénière 2011, "What is or should be the role of religiously informed moral viewpoints in public discourse (especially where hotly contested issues are concerned)?", AA.VV., *Universal Rights in a World of Diversity. The case of Religious Freedom*, ed. by M.A. Glendon and H.F. Zacher, Vatican City 2012, pp. 413-427.

<sup>11</sup> Si avec le terme "posthumain" nous entendons l'intention de surmonter la nature / essence humaine ou sa transformation en quelque chose de très différent, le philosophe



nouvel humanisme, plus respectueux de l'homme et de la nature, sans attribuer à la Bible la responsabilité de l'exploitation frénétique de la nature qui est en acte. Il y a des philosophes tels que H. Jonas et en partie J. Habermas, qui peuvent être des alliés utiles pour contrer l'attaque antihumaniste et pour sauvegarder le caractère exceptionnel de l'être humaine.

Dans le cas des neurosciences sont également en jeu les fondements moraux et personnalistes de l'être humain et de la vie sociale, qui ne peuvent exister si on refuse les concepts de liberté, de responsabilité et de sanction.

Même sans adhérer au posthumanisme, il est clair que les biotechnologies et la question de la potentialisation (*enhancing human life*) changent le paysage moral de nos sociétés: elles augmentent à un rythme alarmant l'auto-centrage de l'individu et le sentiment d'une moindre responsabilité envers autrui, de se sentir moins engagé dans une société qui devrait plutôt être entendue comme une entreprise coopérative.<sup>12</sup> La potentialisation dans ses diverses formes incite les individus à parier sur eux-mêmes, ce qui diminue la propension à se sentir concernés par d'autres personnes. En bref, les technologies changent l'auto-compréhension que nous avons de nous-mêmes, et leur utilisation inconsidérée met en cause l'égalité humaine et la démocratie. Il y a un fort rebond de la science-technique sur la politique, qui se montre de plus en plus en difficulté à gouverner les choix individuels et le respect des droits de l'homme dans ces domaines.

## Congé

Sur la question de la science-technologie et des problèmes anthropologiques j'ai essayé de développer une lecture actualisante de PT. Le résultat est que la question anthropologique est plus décisive que jamais, et que le complexe science-technique influe sur elle à un point pas encore rencontré. En effet une partie de la culture d'origine scientifique et évolutionniste

ne peut que constater que nous sommes ici devant un échec complet: la technique n'a pas le pouvoir de changer les essences. Mais il est évident que cette incapacité ne nous met pas à l'abri de graves dégâts qui peuvent provenir de cette tentative. Sur ce sujet voir *Il Principio-Persona*, Armando, Rome 2006.

<sup>12</sup> Voir M. Sandel, *The Case against Perfection. Ethics in the Age of Genetic Engineering*, M.J. Sandel 2007. Dans cette brochure Sandel examine divers cas réels, y compris celui de deux femmes, à la fois sourdes et lesbiennes, qui voulaient avoir un enfant, bien sûr avec l'intervention d'un gamète externe, mais un enfant sourd. Au-delà du problème concernant le droit présumé d'un couple de lesbiennes à avoir un fils, reste la question centrale de savoir si la conception d'un enfant sourd est un choix moralement licite ou insensée et injuste.

considère permis d'agir en profondeur sur la personne, en soutenant que l'être humain est un produit de la technologie, un *faciendum*.

C'est à ce tournant que le discours de PT vient à nous avec son idée de la paix comme ordre fondé sur l'exigences de la nature humaine, laquelle établit une instance téléologique et un ordre normatif qui lui est propre. Les notions d'ordre, de nature humaine et de droit naturel sont à nouveau au centre, et cela arrive précisément le moment où ils sont le plus fortement contestées et souvent remplacées par concepts à base empiriste et positiviste. Mais la bataille est en train de se développer et les jeux sont encore ouvertes et peuvent conduire à une majeure réflexivité.

# “SI VIS PACEM, PARA CIVITATEM”: THE ROLE OF GIFT AS GRATUITOUSNESS

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1. For some decades now, society has been undergoing continuous change at an increasing pace, both in developed and in emerging and developing countries. We have seen interrelations among people and nations multiply at a growing rate, changes in power balances between countries and blocs, new armed conflicts and terrorist threats, the intensification of migrations, a deep financial and economic recession, proposals to reappraise the State's role and suggestions for a new range of corporate social responsibilities, demands for new human rights, a growing awareness of the effects of poverty and economic inequality, new ways of conceiving leadership in our world.

All of this is changing our view of the sciences that we usually describe as social or human: economics, sociology, social psychology, history, law, political science, human geography, demography, philosophy... And this change is taking place at growing speed, due to the multiplication of events which overlap and interfere with each other, demanding rapid response by experts, politicians and social leaders. It is also a slow change, because social scientists continue to be influenced by the great ideas developed in the past, which in turn give strength to our respective disciplines' principles and methods. However, it also creates uncertainty and uneasiness, perhaps because those same principles and methods are not always able to adequately address the new challenges.

It is possible to view all this as justification for confrontation and disunion. However, it can also be seen as a challenge to take the best offered by the history of ideas, on the one hand, and to offer answers, perhaps tentative but well founded nevertheless, to the new problems, on the other. It is a work that must be done in a spirit of humility – there are no final answers in social science – but at the same time with ambition, open to all ideas and suggestions, without any arbitrary exclusions for ideological reasons of political correctness; interdisciplinary and intercultural; imaginative, creative, generous and without seeking any personal gain.

The emergence of a global economic order has come to represent the most characteristic feature of our age. Globalization entails many dimensions, but it is a fact that the creation of a global financial market constitutes the most relevant one. The increasing importance of the financial structure

with respect to the real side of the economy is posing a novel paradox. At a time when we would need more regulation, just because financial markets are intrinsically unstable, we have less, since international financial institutions are weaker, in relative terms, than domestic ones, or even non-existent. As we are reminded by Charles Kindleberger: "...If there is no authority to halt the disintermediation that comes with panics, with forced sales of commodities, securities, and other assets ... the fallacy of composition takes command. Each participant in the market, in trying to save himself, helps ruin all" (1996:146).

An important implication of the paradox noted above is revealed by the recent financial crisis which has shown a peculiar nature, reflecting one novel feature of international capital transactions. Although capital and goods markets are increasingly integrated, policymaking has largely remained a national matter. Most authors claim the relevance of institutions in the new global financial environment. The necessity to introduce a new global financial architecture can be seen as a first step in the direction of re-regulating the international monetary system.

Indeed, the conditions under which institutions such as the World Bank and the IMF were founded are no longer with us. There are structural flaws in the present-day system, which was conceived for the western world (and not for developing countries) to assist in adjustment of current account imbalances. Yet, there are too many different ideas on what institutions should be in place, what they should do and how. The frequency and magnitude of major disturbances such as international financial crises reflect the tremendous asymmetry existing between an increasingly sophisticated, yet unstable, international financial system, and the institutions that regulate it. The world lacks the types of institutions that financial globalization requires. The case for the provision of emergency lending by the international financial community, possibly by the International Monetary Fund (IMF), can be strongly made on theoretical grounds. More generally, a world in which large nations gear their macroeconomic policies to internal goals (and can afford to do so) and markets are integrated generates *externalities* for third countries, especially smaller developing economies. It is crucial that international economic organizations, international financial institutions in particular, play a leading role in internalizing the positive externalities and in mitigating the negative ones.

2. A pragmatic contradiction should be noted already at this stage. The proposals so far put forward for a new international financial architecture, while assigning to the G-8 a major role in the steering of the monetary sys-

tem, do not contemplate any form of policy coordination – not to mention cooperative behaviour – among the G-8 themselves. Yet, it cannot be denied that the international repercussions of the domestic policies of the eight largest countries are a major determinant of financial stability (Zamagni, 2011).

The increase in economic interdependence, associated with globalization, means that even large sections of a population can be negatively influenced by events that take place even in “distant” places. For example, side by side with the well-known “depression famines”, contemporary reality has also experienced “boom famines”. The expansion of the scope of the market – in itself a positive phenomenon – means that the capacity of a social group to gain access to food depends, often in an essential way, on what other social groups do. For example, the price of a primary commodity can also depend on what happens to the price of other products. The nation state, by adopting wrong economic policies, can undermine the capacity of certain sections of the population to gain access to food (the Soviet famine of the 1930s and that of Cambodia at the end of the 1970s are clear examples of this).

In essential terms, it should be recognized that today’s major social and economic problems are more a question connected to *institutional structures* than to resources and know-how. The institutions that are involved are not only economic institutions but also political and juridical institutions. To recognise this means to increase our responsibilities, since institutions are man-made.

History has shown that a new international order has always become established at the end of a war of hegemony. We can see the example of the Thirty Years War, the Napoleonic Wars, the Second World War. All these are events which, after destroying the old order, left behind *tabulae rasae*, on which the victorious powers were able to inscribe the rules of the new order. No such situation exists today. Firstly, there is no agreement on who actually won the Cold War (assuming that there was a winner). Secondly, there is no agreement on whether we are living in a unipolar or multipolar world, or on which countries should be counted among the great powers today. (Should military force or economic muscle be used as the yardstick for qualifying as a great power?).

Another major feature of this age is the number of *agents* that are seeking to play a major part in the process of building the foundations of a new international order. One might say that international affairs have become a “participatory democracy” issue, which helps to explain why it is becoming increasingly difficult to rapidly reach agreement. Bretton Woods and the Uruguay Round are a case in point. Bretton Woods was completed in a

few months by only two men (J.M. Keynes and H.D. White), while the Uruguay Round took ten years of bitter negotiations between a dozen major parties plus about 100 international governments in the background.

A third feature that is unambiguously typical of the present phase in our history is the radical change that has occurred in the international distribution of economic and military power. For over three centuries the international system had been dominated by the Western powers, with the centre of gravity in the North Atlantic. Even the Cold War was a struggle between two “visions” belonging to the same European civilization. Today, economic power has shifted towards the Pacific and East Asia areas that are now becoming the centre of gravity of world history, for better or for worse. This means that the emerging Asian powers will increasingly demand a part in designing the international institutions. But these (take the United Nations Security Council, the World Bank, the IMF etc.) are dominated by the ideas and the interests of the Western powers who are doing nothing to redress a situation that has now become untenable. As always occurs in international relations, where power and authority coincide, the emerging powers, dissatisfied with the status quo, are doing everything they can to change the situation (Zamagni, 2010 and 2011).

These considerations lead us to the vast issue of cultural relations in the global village. How are we to distinguish between cultural interaction and cultural imperialism? How can we organize cultural diversity to prevent a breakdown in communications and the development of potentially closed communities? The mismatch between centripetal globalization processes and centrifugal isolation processes, or between interaction and fragmentation, is certainly a danger and threatens to undermine the common destinies of the whole of humanity. It is not enough merely to condemn different forms of “fundamentalism” without asking how these have come about and without seeking to look at the dark side of our Western universalism.

3. So what is to be done? There are a variety of different ways of reacting to the challenges thrown down by globalization. There is the way that we might call “laissez-faire fundamentalism” that advocates a plan for technological transformation driven by self-regulated systems, with the abdication of politics and above all with the loss of scope for collective action. It is not difficult to see the risks of authoritarianism, resulting from the democratic deficit, that are inherent in such an approach.

A second way is the neo-statist approach, which postulates a strong demand for regulation at the level of national government. The idea here is to revive, albeit partially renewed and rationalized, the areas of public in-

tervention in the economy and in social spheres. But it is clear that this would not only produce undesirable effects but could even lead to disastrous consequences in the case of transition countries. For the implementation of new free-market policies would, under current conditions, damage the already low levels of prosperity in developing countries.

Lastly, there is the transnational civil society strategy, whose basic idea is to tackle globalization seriously both at the intellectual level and at the level of social action, entrusting its design to the "intermediate bodies" of civil society and relying on social consensus rather than automatic market and bureaucratic mechanisms. What are the distinctive features of this approach? I would identify five of them.

a) The economic calculus is compatible with the diversity of behavioural and institutional arrangements. It is therefore necessary to defend the less powerful varieties, to be set-aside for the purposes of learning, to be used in future. This means that the selection filter must certainly be present, but it should not be too subtle, precisely in order to make it possible for any solution that exceeds a certain efficiency threshold to survive. The global market must therefore become a place in which local varieties can be cross-fertilized, which means having to reject the determinist view, according to which there is only one way of operating on the global market.

It should not be forgotten that globalization inevitably levels down all the institutional varieties that exist in every country. There is nothing surprising about this, because the rules of free trade are unhappy with cultural variety and view institutional differences (for example: different welfare models, education systems, views of the family, the importance to be given to distributive justice, and so on) as a serious obstacle to their propagation. This is why it is essential to remain vigilant in order to ensure that the global market does not eventually constitute a serious threat to economic democracy.

b) The application of the principle of subsidiarity at the transnational level. This requires the organizations of civil society to be *recognized* and not *merely authorized* by the states. These organizations should perform more than a mere advocacy and denunciation function; they should play a fully-fledged role in monitoring the activities of the transnational corporations and the international institutions. What does this mean in practice? The organizations of civil society ought to play public roles and perform public functions. In particular, these organizations should bring pressure on the governments of the major countries to get them to subscribe an agreement which is capable of drastically curbing the benefits accruing to the sudden withdrawal of capital from the developing countries.

c) The nation states, particularly those belonging to the G8, must reach an agreement to modify the Constitutions and statutes of the international financial organizations, superseding the *Washington consensus*, which was created during the Eighties following the Latin American experience. What this basically entails is writing rules that translate the idea that efficiency is not only created by private ownership and free trade, but also by such policies as competition, transparency, technology transfer facility policies, and so on. Over-borrowing and domestic financial repression are the unfortunate consequences of the application by the IMF and the World Bank of this partial, distorted and one-sided view of things. It should be recalled that in a financially repressed economy inflationary pressure drives a wedge between domestic deposits and loan interest rates, with the result that national corporations are artificially induced to borrow abroad, while domestic savers are encouraged to deposit their funds abroad.

d) The Bretton Woods institutions, the UNDP and the other international agencies should be encouraged by the organizations of civil society to include among their human development parameters wealth distribution indicators as well as indicators that quantify compliance with local specificities. These indicators must be taken into consideration, and given adequate weight, both when drawing up international league tables and when drafting intervention and assistance plans. Pressure should be brought to bear in order to gain acceptance for the idea that development must be *equitable, democratic and sustainable* (Dasgupta *et al.*, 2012).

e) Finally, a rich fabric of non-utilitarian experiences should be created on which to base consumption models and, in more general terms, lifestyles that are capable of enabling a *culture of reciprocity* to take root. In order to be believed, values have to be practised and not only voiced. This makes it fundamentally important that those who agree to take the path towards a transnational civil society must undertake to create organizations whose *modus operandi* hinges around the principle of reciprocity.

It is a fact that reducing human experience to the “accounting” dimension of economic rationality is not only an act of intellectual arrogance, but first and foremost it is a mark of crass methodological naivety. The real issue is to broaden a sustainable definition of rationality to include knowledge of the social sense of behaviour, which cannot ignore its own specific spatial, temporal and cultural context. The underlying reason for this unsatisfactory state of affairs, in my view, is that economic theories have focused on a description of human behaviour centred almost entirely around acquisition-related ends. From an economic point of view, human behaviour is important to the extent that it enables individuals to obtain “things” (goods



or services) which they do not yet have, and which can substantially increase their prosperity. The rational man is therefore the man who knows how to "procure what he needs". Whether or not the notion of rationality can also include an *existential* significance, and whether this can enter into a more or less radical conflict (or even merely interact to a significant degree) with the acquisition-related dimension of behaviour seems therefore to be a difficult question that must be sensibly translated into economic terms, or even merely into appropriate economic terminology (Dasgupta, 2012).

4. The main message I want to convey is the following. It is by now a well recognized fact that market systems are consistent with many cultures, conceived as tractable patterns of behaviour or, more generally, as organized systems of values. In turn, the type and degree of congruence of market systems with cultures is not without effects on the overall efficiency of the systems themselves: in general, the final outcome of market-coordination will vary from culture to culture. Thus one should expect that a culture of extreme individualism will produce different results from a culture of reciprocity where individuals, although motivated also by self-interest, entertain a sense of solidarity. In the same way, a culture of peace and harmony will certainly produce different results, on the economic front, from a culture of positional competition (Bruni and Zamagni, 2007).

But cultures are not to be taken for granted. Cultures respond to the investment of resources in cultural patterns, and in many circumstances it may be socially beneficial to engage in cultural engineering. Indeed, how good the performance of an economic system is depends also on whether certain conceptions and ways of life have achieved dominance. Contrary to what many economists continue to believe, economic phenomena have a primary interpersonal dimension. Individual behaviours are embedded in a pre-existing network of social relations which cannot be thought as a mere constraint; rather, they are one of the driving factors that prompt individual goals and motivations. People's aspirations are deeply conditioned by the conventional wisdom about what makes life worth living.

What we need is a new anthropological orientation within economics, capable of enlarging the scope of economic research in order to make it more relevant for the analysis both of policy means and of policy ends. In fact, what is called for today is a theoretical set-up by means of which one can explain how cultural factors and economic choices interact and how this interaction feeds back on the ongoing social relations. The key notion in this respect is that of co-evolutionary dynamics: individual behaviours and social norms evolve jointly as micro and macro changes in the latter

prompt adjustments in the former and vice versa. This is clearly a very complex and far-reaching scientific endeavour, which the most recent economic literature has just begun to explore. The various attempts to demonstrate the self-sufficiency of the categories of economic discourse do not help to expand its grip on reality. As is well known, during the last century, mainstream economic theory argued for the divorce of economic judgement from moral and political philosophy. This divorce was supported by the fact that economics should only be concerned with means and not with ends, which has rendered the discipline of little use for the understanding of social processes and for the analysis of structural change.

The second message is to call attention to a most startling paradox characterizing the present phase in international financial relations: in spite of the apparent atomization of post-industrial economies, this epoch needs more, not less, collective decision processes; more, and not less, cooperative efforts. Indeed, as the new political economy has convincingly demonstrated, at the bottom of each market failure we find the market inability to produce cooperative results, which in turn are the effect of the presence within the economic system of significant and solid networks of trust. In a well-known essay, Arrow (1972) writes: "One can plausibly maintain that most of the world's backwardness can be explained by the lack of mutual trust" (p. 343). The reasoning underlying this proposition is simply that development demands high levels of cooperation and the latter, in turn, implies deep trust ties among economic agents. The strong connection between trust and development opportunities has been ascertained at the empirical level too. Suffice it here to mention Robert Putnam's accurate research as well as the important work by Partha Dasgupta and the conclusions reached by Knack and Keefer (1995), on behalf of the World Bank, on the connection between the degree of trust in personal relations and private investment. As expected, these authors find that most countries with an above-average level of trust also present higher levels of investments. One can safely say that the market is an institution resting essentially upon trust, which means that trust must already be in existence before a market economy can start its functioning. In all societies an informal network evolves to structure interpersonal relations. The fabric of this framework is essentially made up of relations of trust, which, in a sense, provides a sort of common language for encoding and interpreting information for the agents.

If so, the following question needs to be raised: which conditions should be met for an economic system to generate and improve trust relations? It is the case that civil society is the privileged locus where trust inclinations are fostered; not so much the market itself which is rather a "trust-con-

sumer", not a "trust-producer". Indeed, the two fundamental elements of trust – mutual acknowledgement of identities and engagement not to cheat nor betray even when it is feasible at no cost – cannot be generated via a reputational mechanism, since they must be offered initially as "free gifts" by the agents involved when the market process starts. If this were not so, people would never enter agreements that are not fully enforceable. It may be of interest to report the following passage from an interview to Peter Drucker: "Above all, we are learning very fast that the belief that the free market is all it takes to have a functioning society – or even a functioning economy – is pure delusion. Unless there's first a functioning civil society, the market can produce economic results for a very short time – maybe three or five years. For anything beyond these five years a functioning civil society – based on organizations like churches, independent universities, or peasant cooperatives – is needed for the market to function in its economic role, let alone its social role" (*Ottawa Citizen*, 31 December 1996).

This is why it is conceptually misleading and practically unproductive to reduce trust (which is a *relation* between agents) to reputation (which is an *asset*), since it would prevent economic research from inquiring about the strategies to be followed in order to reach that critical threshold of generalized trust among agents beyond which the market can subsequently act both as a reputation control and as a reputation enhancing device.

The specific nature of the "tragedy" of transition economies – think of the case of Russia for all – lies in the following disquieting paradox: in spite of the fact that it is in everybody's interest that transition to a market-type society is obtained, the cultural matrix prevailing in society and the nature of social dynamics of individual behaviours might be such that multiple equilibria exist that can take the economy in many directions, including decline. In view of this, we cannot but fully agree with D. North (1997): "If the institutional matrices of economies did not result in path dependence ... and if instrumental rationality characterized the way choices were made, then institutions would not matter, and overnight the policy maker could impose efficient rules upon an economy and overnight alter its directions to a productive economy. Such, in essence, are the problems of transition economies". There is no doubt that the fact that modern economics stubbornly continues to forget about the social acceptability (i.e. the justice dimension) of market outcomes bears a certain responsibility in the generation of those perverse results which we observe in many Third World or transition economies (Zamagni, 2002).

5. The great merit of *Caritas in Veritate* (2009) is to establish a strong link between peace and the construction of institutions of peace. How? By plac-

ing the principle of gift as gratuitousness at the centre of practical knowledge, Benedict XVI shows, persuasively, that in today's historical situation, interpreting the terms of the couples independence-affiliation, freedom-justice, efficiency-fairness, self-interest-solidarity as alternatives is wrong. In other words, it is wrong to think that any strengthening of the sense of belonging must be interpreted as a limitation of the independence of the individual; any progress in efficiency as a threat to fairness; any improvement of individual interest as a weakening of solidarity. That this is not a self-evident or insignificant cultural operation, we know from the fact that gratuitousness is attacked both by today's free marketeers and by neo-statalists, albeit with diametrically opposite intent. The former appeal to the maximum possible extension of the exercise of gift as donation to underpin the idea of "compassionate conservatism" in order to grant a minimum level of social services to the poorest groups of the population who, with the dismantling of the welfare state that these conservatives advocate, would otherwise be left with no assistance whatsoever. This is not, however, the proper sense of donation, as we can see when we consider that attention to the needy is not objectual but personal. The humiliation of being treated as an "object", even if the object of philanthropy or of compassionate attention, is the most severe limitation of the neo-free-market theory.

The attack by neo-statalist theory is not that different. Supposing that there is strong solidarity among the citizens to achieve their so-called citizenship rights, the State makes some types of behaviour compulsory. In so doing, however, it displaces the principle of gratuitousness, practically denying, within the *public* sphere, any scope for principles other than solidarity. Nonetheless a society which glorifies gratuitousness in words but then does not acknowledge its value in the most varied places of need is a society that sooner or later will fall into contradiction. If we admit that the gift has a prophetic function or, proverbially, that it "is more blessed to give than to receive", but do not allow this function to be manifest in the public sphere, because everyone and everything is taken care of by the State, it is clear that the civic virtue par excellence, the spirit of gift, will slowly atrophy.

Assistance which is exclusive to the State tends to produce subjects who are, indeed, assisted but who are not respected, as it cannot but fall into the trap of "reproduced dependency". It is most singular that people cannot see how neostatalism is similar to market fundamentalism in identifying the space in which to place gratuitousness. Both schools of thought, as a matter of fact, consign gratuitousness to the *private* sphere, expelling it from the public sphere: the market ideology by claiming that welfare can be achieved by means of contracts, incentives and clearly established (and enforced) rules

of the game alone; neostatalism by maintaining that solidarity can be realized by the Welfare State as such, which can, indeed, appeal to justice but certainly not to gratuitousness.

The challenge that *Caritas in Veritate* invites us to take up is to fight to bring the principle of gratuitousness back into the *public* sphere. Genuine gift, by asserting the primacy of relationship over its cancellation, of the intersubjective bond over the object given, of personal identity over utility, must be able to find a way to express itself everywhere, in every field of human action, including the economy. Above all in the economy, indeed, where it is of the utmost urgency to create and protect places where gratuitousness can be borne witness to, that is to say acted.

The most common keyword in *Caritas in Veritate* is “fraternity” (see chapter III of the encyclical), originally a watchword of the French Revolution, but which the post-revolutionary order later abandoned – for well-known reasons – so thoroughly that it was eventually erased from the vocabulary of politics and economics. It was the Franciscan school of thought that gave this term the sense it has kept over time: that of complementing and at the same time transcending the principle of solidarity. In fact, where solidarity is the social organizing principle that enables unequals to become equals, fraternity is the social organizing principle that enables equals to be diverse. Fraternity enables people who are equals in dignity and with the same fundamental rights to express freely their life plan or their charisma. The past centuries, the 19<sup>th</sup> and especially the 20<sup>th</sup>, were characterized by major cultural and political battles in the name of solidarity, and this was a good thing; think of the history of trade unions and of the civil rights movements. The point is that a good society cannot content itself with the horizon of solidarity, because a society that is based only on solidarity but is not also fraternal, would be a society from which anyone would want to escape. The fact is that while a fraternal society is also one of solidarity, the opposite does not necessarily hold.

Having forgotten that no human society is sustainable where the sense of fraternity is extinguished and where everything is reduced, on the one hand, to improving transactions based on the exchange of equivalents principle and, on the other, to increasing transfers by public welfare institutes explains why, in spite of the quality of the intellectual resources deployed we have not yet come to a credible solution of the great trade-off between efficiency and equity. The society in which the principle of fraternity is dissolved is not capable of a future; in other words, a society where there exists only “giving in order to get” or “giving out of duty” cannot progress. This is why neither the liberal-individualist vision of the world, where everything

(or nearly everything) is trade, nor the state-centred vision of society, where everything (or almost) is duty is a safe guide to lead us out of the shallows in which our societies are grounded today.

What is it that suggests that the project to restore the common good to the public sphere – and to the economic sphere in particular – is something more than just a consolatory utopia? The ever-growing dissatisfaction with the way the principle of freedom is interpreted. As everybody knows, freedom has three dimensions: autonomy, immunity and empowerment. Autonomy has to do with freedom of choice: you are not free if you are not in the position to make a choice. Immunity has to do with the absence of coercion on the part of an external agent. It is, in brief, the negative freedom (that is to say the “freedom from”) cited by Isaiah Berlin. Empowerment has to do with the capability to choose, that is to say to reach goals that are set, at least in part or to some extent, by the person himself. One is not free if he/she is never (at least partially) able to fulfil his/her own life plan. The liberal-free-market approach wants to secure the first and second dimensions of freedom at the expense of the third, while the state-centred approach, both in the version of the mixed economy and of market socialism, tends to value the second and third at the expense of the first dimension. Free-market liberalism is of course capable of spurring change, but not so capable of handling the negative consequences stemming from the marked time asymmetry between the distribution of the costs and the benefits. Costs are instant and they tend to fall on the weakest part of the population; benefits come later in time and they tend to go to the most talented. Schumpeter was among the first to recognize that the heart of the capitalist system is the mechanism of creative destruction – which destroys “the old” to create “the new” and creates “the new” to destroy “the old” but also its Achilles’ heel. On the other hand, market socialism – in its multiple versions – while it proposes the State as the subject in charge of coping with the time asymmetry, does not refute the logic of the capitalist market; it simply narrows its area of action and influence. The *proprium* of the paradigm of the common good is the effort to hold the three dimensions of freedom together: this is the reason why the principle of common good – as opposed to the principle of total good – is so worthwhile to explore.

6. Before concluding I would like to draw attention to a major challenge to the cause of peace, today. It has to do with the phenomenon of new migration. It is possible to outline it in terms of three questions (this paragraph is adapted from Zamagni [2004]). Having realized that our societies tend to become societies of immigration and emigration, how can we shape the re-

lation between multiculturalism and identity? That is to say, to what extent can and must a politics of identity go if we wish that the plurality of cultures present in a country turns out to be compatible with a social order that guarantees social peace and the reasons of liberty? Second, having recognized that the growing gap between the economic citizenship and socio-political citizenship of the immigrant has by now reached a level that is no longer able to guarantee the dignity of the human person, what can we do to reconcile the economic inclusion of the immigrant – the inclusion in the labour market and in the system of production of the host country – with his/her exclusion from social and political rights? Third, if specific reasons of principle, as well as practical reasons, advise against new editions, more or less brought up to date, a) of the assimilationist model of French design, that tends to make the diverse person one of us, b) of the model of pushing immigrants to the edge of society (i.e. of their *apartheid*), c) the model of self-government of minorities (i.e. the model of the Balkanization of society), then the only way left is the integration of the new comers in the host society. But what integration model do we intend to set up?

Needless to say until the thorny issue concerning the choice of integration model is resolved, it will never be possible to free a good many of our people from a serious cognitive dissonance: a dissonance according to which the immigrant is sought for and appreciated as long as he/she is in the workplace, where he/she contributes to the production of wealth; but he/she is kept at a distance, and humiliated, once he/she emerges from it. This is to say, the ideal many people cultivate is a socio-political order whereby the immigrants remain "visible" to the residents while they operate in the labour market, especially the black one, to disappear from sight, and no longer be worthy of any attention as far as citizenship goes, as soon as they enter into the other spheres of life. It is quite astonishing that not a few careful observers, and even expert scholars, are unable to perceive that a pragmatic contradiction of this kind is not only unsustainable, but it is also a major impediment to the cause of peace.

What basic principles does a model of integration that assumes the intercultural perspective have to satisfy, a perspective that rejects taking into consideration only the differences that separate the immigrants from the autochthonous, to arrive at more or less marked forms of Balkanization of society, and also rejects the existence of significant differences among immigrants and autochthonous, ending up with more or less explicit and forced assimilation? Put another way, what principles have to be the foundation of a position that wishes to guarantee the satisfaction of fundamental human rights for everyone, and at the same time guarantee a public space,

in which subjects who bring with them a different cultural identity from that of the host country, can compare their respective positions in a peaceful way, and above all can arrive at a consensual agreement about the limits within which they can hold on to them? I shall indicate five.

First, the primacy of the person both over the State and over the community. There is no need to lose time over the primacy of the person over the State; it is an acquired, firmly established principle, at least in our western societies. The other relation, between the person and the community, is worth pausing over. Sandel, a leading exponent of radical communitarianism, thinking of community identity as something that belongs to the self-realization of the subject, and not to his free choice, writes: “The community says not only what they have as citizens, but also what they are; not a relation they choose (as happens with voluntary associations), but an attachment they discover; not simply an attribute but a constitutive feature of their identity”. The community, and hence identity, comes “before” the person that chooses, and hence “before” the reason that guides the choice.

It does not take much to realize why people who identify themselves with the positions of personalist philosophy – expressed with such splendid authority in *Man and the State* by Jacques Maritain and in more recent times by Emmanuel Levinas – cannot accept a similar inversion of the connection between person and community. On the whole, it is the subjectivity of the person that is the foundation of the community relationship, which has to be built or re-invented starting from subjects who are able and free to choose and hence capable of assuming responsibility for their own destiny. It is of course true that the isolated individual is pure abstraction, and that as we shall shortly be saying, the individual identity cannot ignore the network of relationships that link individuals to their community. But the collective common denominator never manages to define fully the individual person, who is always a set of unique attributes. Concerning this, M. Novak recalls the famous diatribe between Thomas Aquinas and the Averroists about the negation by the latter of personal responsibility and the ability to choose, to indicate one of the great difficulties that Islamic philosophy has always come up against on trying to establish a philosophy of freedom. To sum up, freedom from need (the equivalent, in substance, of negative liberty in Isaiah Berlin’s sense) is not enough. This is nevertheless how the communitarians do think, because for them subjects are free to the extent to which they identify with (i.e. discover their own identity in) the community, given that it is the latter, in practice, that ensures freedom from need to the individual. But either communities act with respect towards human rights or else they decline into forms, more or less marked, of neo-tribalism, against which personalist thought can only fight.



At the same time, however, liberty – and this is the second principle – is not fully such if it does not go beyond mere self-determination, “doing what one likes”. This idea is too fragile to be compatible with the personalist statute. In fact the person, unlike the individual, is defined *also* by the culture in which he/she has grown up and in which he/she *chooses* to recognize him/her self. In truth, what is typical of the human person is the aspect of relationship, which postulates that the other person becomes a “you”. If my being in relation with the other finds its explanation only in considerations of convenience – to obtain consensus or be able to resolve conflicts – I will never be able to get out of that “unsociable sociableness” of which Kant speaks. Thus I shall be free in the sense of self-determination, but not in the much more robust sense of self-realization, since freedom as self-realization requires the relation with the other to be a value in itself. If it is true that, today, no one is disposed to dissolve his/her “I” into any kind of “us”, it is equally true that the alternative cannot be the social atom, so dear to individualistic thought, but an “I-person” who does not accept dissolving him/her self into any mechanism, not even into that of the market.

The full realization of personal identity cannot thus restrict itself to the simple respect of other people’s liberty, as the neo-liberal position claims, for which living in common is an option. We know perfectly well of course that for each one of us this is not the case. The choice is never between living in solitude or living in society, but between living in a society held together by one set of rules or another. For the more powerful notion of liberty it is too little to think of an individuality that ignores the relationship with the other person. This is why cultures deserve protection and recognition *also* at the level of the public sphere. If it is true that personal identity is born dialogically as a reply to our relationships with others, then a society authentically respectful of the rights of liberty cannot deny that the preservation of a secure cultural context, i.e. neither threatened nor denied, constitutes a primary good on which the basic interest of individuals turns. And if this has to be the case, then it is necessary to go as far as the public recognition of cultural particularities.

The third principle is that of the neutrality – not indifference, it must be stressed – of the State towards the cultures that are “carried” by those who live in it. Let us briefly clarify the issue. It is a well-known fact, though often removed from our consciousness, that modernity has eroded in the course of time the relational foundation of values, which have ended up by acquiring an increasingly private dimension, becoming almost an optional. By subjectivizing our values, or relegating them to the level of individual preferences or tastes, this vision has denied or diminished the social weight

that values always have. The relativistic vision of liberty typical of individualistic liberalism, by reducing liberty to mere private permissiveness, has encouraged the confusion between “secular State”, i.e. a State neutral towards the various cultures present within it, and “indifferent State”, a State that declares itself to be incapable of choosing between different cultures or establishing what the differences are. If neutrality speaks of the impartiality with which the State must treat the various identities, indifferentism speaks of the impossibility of fixing an order between different cultural demands or requirements, because there is no objective criterion of choice.

The concept of laity (secularity) is more demanding than multiculturalism, since the secular principle “does not restrict itself to neutralizing the claims of the various cultures and religions to incorrectly occupy or monopolize the terrain of the public sphere, nor does it restrict itself to affirming the principle of a benevolent tolerance, but positively demands a reciprocal bond on which to construct a political community that is based on solidarity, in that it faithfully recognizes itself in the principles, rules and institutions that exist independently of specific cultural roots”. (Rusconi, 2004). Unlike the principle of laity, indifferentism is the offspring of cultural relativism, i.e. of the now fashionable thesis that all cultures are equal, since each of them constructs for itself its own value system. In its turn, cultural relativism follows on both from cognitive relativism – certainties backed up by scientific objectivity do not exist – and from ethical relativism – we do not possess an “external” criterion with which to fix hierarchies of value. And yet, it is not difficult to see the aporias of a similar line of thought. In a recent essay, Boudon convincingly shows what the consequences stemming from certain principles or values confirming or invalidating those principles or values may be. And hence that the non-existence of absolute principles or values does not in any way legitimate the fall into relativism. When certain moral principles are shown to be capable, in reality, of generating results that are “positive” or superior to those results that derive from other principles, it becomes practically impossible to not recognize their objective pre-eminence. It is precisely the factual proof that decrees whether certain principles have more foundation than others and hence to sanction a sort of hierarchy among principles. This is an important application of the thesis of “enriched” consequentialism according to which, from the point of view of morality, consequences are evaluated not only in terms of satisfied preferences, but also in terms of satisfied human rights. It is in view of that that it makes sense to speak of “moral progress”, as Boudon calls it. The idea of the inviolability of human life, or the principle of universal equality, are eloquent examples of moral progress.

It is important to realize the difference between the relativity of cultures and cultural relativism. The latter, in the name of the mere plurality of cultures, denies the existence of objective values that inform or are behind the various cultures. Relativism thus leads straight to the impossibility of cultural dialogue. Why should subjects belonging to different cultures enter into a dialogue with one another, if no one believes in moral progress, in the possibility that through the honest, straightforward and respectful comparison of the positions at stake, one may arrive at an improvement of one's respective starting points? The thesis of cultural relativity, on the other hand, says that what is relative is the specific *translation* into the ways of a certain culture of values and principles that preserve an objective cogency. Lorenzetti clarifies the point well when he writes that the relative with respect to the absolute is one thing, quite another is the claim that nothing is absolute, as relativism would have it. It is for this that the Christian faith is properly transcultural, because while not identifying itself with any particular culture, so as to legitimate or validate it, it can be incarnate (i.e. translate itself) into all cultures as a critical-prophetic force.

The fourth principle states that the secular (i.e. neutral) State, in pursuing its objective of integrating the ethno-cultural minorities within a national common culture, adopts as a premise for the possibility of integration that the cultures present in the country all converge on a hard core of values that as such are valid for everyone, whatever specific culture people belong to. The values I am referring to cannot but be those of the universal rights of man which have been recently revived, in a masterly way, by John Rawls in his *Laws of the People* (1999). The question at once arises, since it is never acceptable to judge one culture using another as a unit of measurement, and since the universal rights of man are a (recent) acquisition of western culture, isn't there perhaps the risk that the fourth principle may lead to cultural imperialism? As Palazzani correctly observes, the fact that values such as human dignity and theories such as those of the rights of man use the language of western culture is not the mark of ethnocentric prejudice. It is rather the indication of the fact that the West arrived at an awareness of these values before other contexts, giving them a foundation on rational bases. And therefore, precisely because they are justified through reason, these values can be extended, in principle, to everyone. In other words, the notion of human rights is not linked to the West, even if the charters of rights were born here. The content of these rights is not specific to a particular culture, though it is true that today one cultural model of human rights is dominant, the western one, in fact.

As Amy Gutman points out, in order to respect a demand we do not need to share it; rather, we have to ascertain whether it mirrors a moral per-

spective, that while not coinciding with our own, not only does not contradict the fundamental human rights, but is a progressive way of translating them. The demands that can be shared, on the other hand, are those that fulfil a project of true cultural hybridization, or what was called recently by the Council of Europe “integration with interaction”. To give some clarifying examples: whereas one can tolerate, but certainly not respect, nor even less so share, the expression of religious ideas that discriminate against women, the praxis stemming from that expression cannot be tolerated at all. Again, whereas we can tolerate the position of those religious or cultural movements that would like to re-found the *demos* (the democratic principle) in the *logos* (religious truth), the demand of those who wish to bring back political forms to some kind of sacred foundation is certainly not to be respected or once again even less to be shared. Again, while we may share the demand to reshape a school curriculum (history and literature, for example) to give some recognition to the cultural contributions of the ethno-cultural minorities, we should be stopping at the level of respect for what concerns the revision of the ways of working, of the rules of dress, of the adaptation of workplaces, etc.

I very much wish to emphasize that the identification of these three levels of judgment (tolerability, respect and sharing) produces practical consequences of very great moment, offering a criterion on the basis of which we can proceed to the attribution of public resources to the various groups of ethno-cultural minorities present in the country. It could indeed be established that the demands deemed tolerable do not receive resources, either in money or in other ways, from the State and other public organizations. The demands judged to be worthy of respect receive recognition at the administrative level, i.e. they enter into the administrative arrangements of the State. The demands judged to be worth sharing become included in the legal order of the host country, with all that this means in terms of allocation of public resources.

Finally, what about those cultures that ask to participate in the intercultural project, but that do not accept transforming themselves in conformity with the statute of fundamental rights? The fifth principle gives the answer to this: the State, in the name of the citizenship rights (which unlike the rights of man, are not founded in natural law) will direct resources to groups who are carriers of those cultures to help them evolve towards positions enabling them to accept the fundamental human rights. This is the meaning of what I call the principle of “conditional tolerance”: I help you so that you can provide room, within your own cultural matrix and in ways that are part of your culture, for the acceptance of fundamental rights. It is well

known that cultures have a tendency to adapt themselves to the evolution of situations; they are not something static. Intercultural education must therefore allow all individuals to affirm their own cultural identity and to go beyond if they do not demonstrate they are able to grasp the universality of fundamental rights.

What is the sense of a principle of this kind? Is it something capable of leading to practical results or is it pure utopia? To be more specific, is there hope that also the strictly observing Moslem may modify over time his own position regarding the acceptance of that hard core of values we spoke of above? The importance of these questions lies in the fact that in the case of a negative answer, the fifth principle would be emptied of meaning, indeed vacuous. In seeking an answer, of great help is Francesco Viola's position according to which the rights of man are no longer defined independently of the differences (of gender, religion, race, or culture) but as actual rights of differences (Viola, 2000). The history of rights is moving towards their gradual contextualization, and the abstract universalism of a human self-uprooted from reference of some existential context no longer holds. If things stand like this, it must be agreed that, at least in principle, the project of fostering a path of convergence for all cultures is feasible; it may be a road of variable length, but at the end of it we should expect a convergence on a common basis of shared values.

This is why I consider the principle of "conditional tolerance" the most advanced point of equilibrium between, on the one hand, the need to bear in mind the difficulties of rapid adaptation to the new cultural context in which the immigrants find themselves, and, on the other, to make no compromises, with those who ask or intend to integrate into the host society, on central issues like those concerning the universal human rights (Glendon, 2000).

7. The approach here briefly sketched shows a marked integrationist purpose, since the groups of immigrants present in the host country are not encouraged to feel they are self-governing "separate nations", as we see with the Amish and with the Lubavic community (at Brooklyn) in the USA. Unlike what would happen with the acceptance of the communitarian position, an intercultural policy such as the one outlined here of course involves a revision of the terms of integration, but not a rejection in itself of integration into the host country, because such a policy does not accept treating the various cultures as "cognitive islands" that cannot communicate with each other. At the same time, intercultural politics is able to defuse the risk the supporters of the neo-liberal position are afraid of, the risk that the recognition of the ethno-cultural identity of the im-

migrants may lead to separatism and thus to the diluting of a national identity. This is not the case because as has been emphasized before, the recognition of which we are speaking occurs within the existing institutions common to all. So what changes are not the regulative principles of the institutions themselves, which remain unchanged, but the traditional ways of applying those principles, the ways dictated by a specific cultural tradition. Only those who cultivated a static and hence obsolete conception of national identity would be led to defend the purity of their own traditions from contagion by other traditions.

It is obvious to everyone that the search for an equilibrium between a common code of coexistence for living together satisfactorily and the demand for cultural multiplicity poses delicate problems of very great proportions. We should not hide from ourselves that questions concerning identity always provoke fear in those to whom they are addressed. Sometimes, these fears take the route of the annihilation or negation of the identity of the other; sometimes they lead to the adoption of paternalistic practices that humiliate the people they are directed at, because they destroy their self-esteem. The task I have tried to fulfil in this essay has been to place on the table the proposal for a route capable of avoiding the Scylla of cultural imperialism, leading to the assimilation of cultures different from the dominant one, and the Charybdis of cultural relativism, that leads to the Balkanization of society.

The model of intercultural integration I have set out here is founded on the idea of recognition of the degree of truth present in every vision of the world, an idea that allows us to make the principle of intercultural equality (applied to universal rights) coexist with the principle of cultural difference (applied to ways of translating those rights into legal practice). This approach of recognition of the truth is based on just one condition, the “civic reasonableness” of which W. Galston speaks: all those who ask to participate in the intercultural project have to be able to provide *reasons* for their political demands; no one is authorized to restrict himself/herself to stating what he/she prefers or, worse, to make threats. And these reasons must be of a public nature – in this lies the “civic quality” – in the sense that they must be justified through terms that people of different faith or culture can understand and accept as reasonable and hence tolerable, even if not fully respectable or able to be shared. Only in this way, I believe, can differences of identity be made immune to conflict and regression.

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# REFONDER L'ENGAGEMENT SOCIAL DANS UNE PERSPECTIVE D'INCLUSION SOCIALE, DE DÉMOCRATIE ET DE PAIX

## FOUNDING OF SOCIAL ENGAGEMENT IN A PERSPECTIVE OF SOCIAL INCLUSION, DEMOCRACY AND PEACE

■ CÉLINE SAINT-PIERRE

### Introduction

La problématique de ce colloque nous invite à réfléchir à la lumière de l'Encyclique *Pacem in Terris* (1962) aux enjeux qui affectent l'ordre global dans le monde actuellement. Elle nous invite aussi à identifier les acteurs, les nouvelles idées politiques et sociales ainsi que les institutions qui pourraient s'avérer fructueuses dans la recherche de solutions pouvant mener à une forme de gouvernance en mesure de répondre à la quête globale d'un "tranquillitas ordinis". On y rappelle l'intervention de Benoît XVI à l'Assemblée générale des Nations Unies (18 avril 2008) dans laquelle il affirme que la recherche d'un meilleur ordre international axé sur la paix "doit s'inspirer et être gouverné par le principe de subsidiarité et pouvoir répondre aux demandes de la famille humaine par des règles internationales contraignantes et par des structures en mesure d'harmoniser la vie des individus au jour le jour". Cela ne sera possible que s'il y a intervention de l'action humaine et de la créativité (...) et "la paix ne sera possible sans le recours au dialogue et au respect des droits de tous, à la réconciliation et au pardon" (traduction libre de la citation tirée du texte de présentation de la XVIII<sup>e</sup> Session plénière, p. 4). La seconde partie de son intervention nous a inspiré dans le choix de notre thématique sur le renouvellement des fondements de l'engagement social. Par ailleurs, au regard de la recherche d'un meilleur ordre international, nous pensons que l'élaboration d'orientations et de finalités d'un nouveau modèle de gouvernance à l'échelle internationale doit pouvoir se penser et se construire à partir d'acteurs au niveau local et national (approche "bottom up" plutôt que "top down"). Nous postulons qu'au-delà des États qui doivent se porter garants de cet ordre international, le renouvellement de ce modèle suppose de recourir à un processus qui fait appel aux individus en tant que membres de la société civile et aux institutions démocratiques des instances locales ou régionales et nationales. Ce postulat constitue le point de départ de l'analyse que nous comptons déve-



lopper pour soutenir notre hypothèse principale voulant que l'une des voies à privilégier pour faire progresser cette quête est de renouveler les formes et les finalités de l'engagement social pour qu'il fasse sens pour les individus et les collectivités au regard des enjeux actuels.

Nous développerons cette notion d'engagement tout au long de notre présentation et retenons simplement ici que la notion d'engagement social qui fait l'objet de cet essai désigne une facette de l'action humaine définie comme un "agir social", au sens de Max Weber. Le sociologue Bruno Maggi propose l'interprétation suivante du concept weberien: "l'agir renvoie à une attitude humaine *douée de sens* et il est *social* du fait qu'il est *dirigé vers d'autres sujets* selon le *sens intentionné* du sujet agissant".<sup>1</sup> Elle nous accompagnera tout au long de la construction de notre analyse.

Nos matériaux pour construire notre argumentaire sont puisés dans des études sociologiques récentes sur l'engagement et à même notre observation de la société québécoise et notre propre expérience traversée par diverses formes d'engagement. J'en dégagerai certaines considérations qui seront complétées par la présentation de pratiques innovatrices qui s'avèrent pertinentes à la recherche de pistes pour redéfinir l'engagement sur de nouvelles bases et qui pourraient s'avérer efficaces dans la prise en compte d'objectifs d'inclusion sociale, de démocratie et de paix.

### **1. Bref retour sur l'influence de la doctrine sociale de l'Église catholique**

La doctrine sociale de l'Église catholique a connu une influence importante à la fin du XIX<sup>e</sup> siècle et au cours du 20<sup>e</sup> siècle dans la définition des principes et des valeurs devant encadrer le développement de nouveaux rapports sociaux dans les sociétés en processus d'industrialisation. L'Encyclique *Rerum Novarum* de Léon XIII (1891) et surtout l'Encyclique *Quadragesimo Anno* de Pie XI (1931), ainsi que les enseignements de Pie X et de Benoît XV, ont orienté les décisions et les pratiques des principaux acteurs de la société civile, tant sur le plan politique que social. On y énonce les principes qui doivent régir l'organisation sociale des sociétés industrielles et on y propose un plan d'action pour la mise sur pied de nouvelles organisations appelées à jouer un rôle clé dans cet ordre nouveau à créer, tant au niveau local, que national et international. En proposant d'établir un système corporatiste chapeautant les rapports entre patrons et ouvriers, le pape Léon XIII propose que l'Église joue un rôle idéologique direct au sein de

<sup>1</sup> Sous la direction de Bruno Maggi, *Interpréter l'agir, un défi théorique*, collection Le travail humain, PUF, 2011, p. 70.

ce nouvel ordre industriel qui s'installe, soit celui de faire opposition à l'idéologie socialiste axée sur la lutte des classes. La mise sur pied des syndicats catholiques dans plusieurs pays, dont la Belgique, le Canada français,<sup>2</sup> la France et l'Italie, en est le marqueur le plus significatif. De son côté, Pie XI reconnaît à l'État le rôle de "gardien de l'ordre et du droit" qui, à cet égard, "doit protéger les travailleurs qui appartiennent à la classe des pauvres mais aussi protéger et faire fleurir naturellement la propriété tant publique que privée". De son côté, l'Encyclique *Singulari Quadam* de Pie X explicite le principe qui doit présider aux rapports entre l'Église et la société civile, à savoir que les normes qui régissent les nouvelles organisations de la société industrielle, ainsi que leurs actions, doivent faire référence aux fondements de la doctrine morale et religieuse.

C'est ce même principe qui devra régir les associations de tous types, les organisations ouvrières, professionnelles ou encore les associations de jeunes. Comme l'écrit Pie XI dans l'Encyclique *Quadragesimo Anno*, tout en s'appuyant sur la pensée de Léon XIII, "les associations ouvrières doivent former des ouvriers foncièrement chrétiens sachant allier harmonieusement l'exercice diligent de leur profession avec de solides principes religieux capables de défendre leurs droits et leurs intérêts temporels avec une fermeté qui n'exclut ni le respect de la justice, ni le désir sincère de collaborer avec les autres classes au renouvellement chrétien de la société". Des valeurs de justice sociale, d'équité dans la répartition des richesses (c'est l'époque de la crise économique de 1929), de charité et de corporatisme chrétien fondé sur des rapports de collaboration entre les classes sociales, encadrent les propositions de l'Église catholique sur le mode de gouvernance des sociétés industrielles. Les enseignements tirés de ces encycliques joueront un rôle idéologique de premier plan dans la dynamique des rapports sociaux qui présideront au développement fulgurant de l'industrialisation dans les pays occidentaux catholiques.

La doctrine sociale de l'Église catholique propose un cadre référentiel énonçant les principes fondamentaux qui donnent sens à l'action des acteurs, tant au niveau de l'individu, que des institutions de la société civile et de l'État. L'Église catholique comme institution s'est positionnée au cours du XX<sup>e</sup> siècle dans un rôle d'autorité centrale dont la légitimité reposait

<sup>2</sup> Céline Saint-Pierre, "Le développement de la société québécoise saisi à travers l'analyse des orientations et des pratiques du syndicalisme catholique et des unions internationales, la définition des idéologies dominantes et la mise à jour des contradictions fondamentales, (1929-1940)", Thèse de doctorat présentée à l'École des Hautes Études en sciences sociales, sous la direction du professeur Alain Touraine, Paris, 1973, 679 pages plus Annexes et bibliographie.

sur des principes métasociaux devant réguler l'ordre dans l'univers. Sous sa gouverne, l'engagement de l'individu dans chacune de ses actions doit contribuer à la réalisation du "renouveau chrétien de la société" qui se présente comme finalité première de l'action sociale dans la société.

L'ampleur des changements économiques et sociaux qui accompagnent l'industrialisation rendra peu à peu fort difficile pour l'Église catholique et son clergé d'assumer la responsabilité de couvrir tout le terrain de l'action sociale afin d'y assurer la présence de la perspective chrétienne. C'est ce qui préoccupe Pie XI et il en fait l'objet de son appel dans une lettre qu'il adresse au Cardinal Bertram, archevêque de Breslau en Allemagne: "En nos temps où l'intégrité de la foi et des mœurs est toujours plus gravement menacée, et où les prêtres, à cause de l'exiguïté de leur nombre, sont impuissants à répondre aux nécessités des âmes, il convient d'autant plus de recourir à l'action sociale grâce à laquelle le laïcat, en donnant de nombreux collaborateurs à l'Apostolat, vient aider le clergé et suppléer à son petit nombre".

L'Église catholique fait ici appel aux laïcs d'obédience catholique tout en conservant son rôle d'autorité première dans le choix des actions à mener sur le terrain, dans la définition des valeurs devant les encadrer et du sens à donner à l'engagement social, soit l'exercice de son devoir en tant que chrétien. La création d'organisations comme la JEC (jeunesse étudiante), la JAC (jeunesse agricole) et la JOC (jeunesse ouvrière) en est l'expression la plus manifeste. Ainsi au Québec, l'organisation de la Jeunesse étudiante catholique (JEC) a joué un rôle important dans la formation des futures élites intellectuelles au Québec au cours des années 40 et 50. Des associations catholiques ont ainsi pris forme dans tous les secteurs de la société civile.

Le contenu de l'Encyclique *Pacem in Terris* se situe dans le prolongement des enseignements des encycliques que nous venons d'évoquer, mais le contexte sociopolitique qui prévaut s'est profondément modifié au cours de la période qui a suivi la seconde guerre mondiale. Nous en retenons le constat d'ouverture qui porte sur *l'ordre entre les êtres humains*. Le pape Jean XXIII y écrit que "l'ordre si parfait de l'univers contraste douloureusement avec les désordres qui opposent entre eux les individus et les peuples, comme si la force seule pouvait régler leurs rapports mutuels" (article 4). Trois signes des temps caractérisent l'ordre de cette époque: a) la promotion économique et sociale des classes laborieuses; b) l'entrée de la femme dans la vie publique; et c) une organisation sociale et politique profondément transformée dans laquelle on y trouve *plus de peuples dominateurs et de peuples dominés*. Au regard des encycliques précédentes, on doit noter l'élargissement du registre des problèmes auxquels l'Église doit porter attention pour penser les rapports humains et l'ordre social. Ainsi, le 3<sup>e</sup> signe des temps qui est

identifié fait état d'une "organisation sociale et politique profondément transformée par rapport à un passé récent", soit celui de la croissance de "peuples dominateurs et de peuples dominés" dans le monde.

De cette encyclique, nous retiendrons les notions de bien commun, de réciprocité des droits et des devoirs, de solidarité et de participation des citoyens à la vie publique pour alimenter notre proposition sur la refondation de l'engagement social dans une perspective d'inclusion sociale, de démocratie et de paix. Cinquante ans plus tard, ces notions retrouvent une nouvelle pertinence, notamment dans des pays à dominante catholique ayant connu un processus rapide de laïcisation de l'État et de sécularisation de la société. C'est le cas de la société québécoise où l'Église catholique a maintenu jusqu'au début des années 60, son autorité idéologique et politique dans la gouvernance de l'ensemble de la société et auprès d'une population ayant un taux de pratique religieuse très élevé. En une décennie, la très grande majorité des catholiques ont peu à peu délaissé la fréquentation de l'Église et abandonné la pratique de ses rituels. Ce double processus de laïcisation et de sécularisation a été complété 40 ans plus tard, soit en l'an 2000, avec la déconfessionnalisation complète du système scolaire suite à une loi votée à l'Assemblée nationale du Québec décrétant le retrait obligatoire de l'enseignement religieux catholique ou protestant des programmes de formation à l'école publique au niveau élémentaire et secondaire.

Ce passage à un régime de laïcité a favorisé l'émergence de nouveaux acteurs au sein de la société civile et a déplacé les fondements symboliques de l'action sociale sur un terrain autre que religieux. Cependant, cela ne se traduit pas nécessairement par une absence totale de cet héritage dans la définition de valeurs qui président à la conception de la solidarité et de la responsabilité chez les individus et les organismes communautaires dans la période actuelle comme on le verra ultérieurement. Force est de constater, par ailleurs, que cet héritage est en voie de s'effacer dans la mémoire collective. Selon les chercheurs Meunier et Laflamme,<sup>3</sup> la religion catholique au Québec a été traversée par un processus d'"exculturation", un processus qui se produit lorsque la religion "se pense en retrait d'une culture dominante dont elle était partie prenante et qui soudainement ou progressivement lui apparaît sous un jour négatif".<sup>4</sup> Roy montre aussi "que cette

<sup>3</sup> Meunier, É.-Martin et Sarah Wilkins-Laflamme, "Sécularisation, catholicisme et transformation du régime de religiosité au Québec. Étude comparative avec le catholicisme au Canada (1968-2007)", dans *Recherches sociographiques*, volume LII,3,2011.

<sup>4</sup> Voir aussi à ce sujet, Olivier Roy, *La sainte ignorance – le temps de la religion sans culture*, Paris, Le Seuil, 2008.

exculturation du religieux fonctionne dans les deux sens: le religieux perd son ancrage culturel et la culture a oublié ses sources religieuses et tout savoir profane du religieux”.<sup>5</sup> L'étude de Meunier mentionne que cette “exculturation” s’est produite au Québec avec “l'étiollement du catholicisme comme religion culturelle des Québécois”.

Nous constatons que nous sommes au Québec, tout comme dans d'autres pays anciennement d'obédience catholique, à un point de non-retour vers une société qui redonnerait un rôle d'autorité à l'Église catholique dans la conduite des affaires politiques et qui rétablirait un “régime de religion culturelle”. Dès les années 60, s'observe au Québec, au Canada et en Amérique du Nord, un déplacement du leadership exercé par le clergé paroissial vers un leadership exercé par des citoyens qui s'engagent dans le développement et la prise en charge de toutes sortes d'associations volontaires dans diverses sphères de la société et qui formeront les élites locales. Leur dynamisme va varier au cours de cette période d'émergence selon que l'État est plus ou moins interventionniste et que la famille constitue un lieu plus ou moins fort d'appartenance. L'association formée sur une base de volontariat constitue un moyen par lequel l'individu fera l'apprentissage du fonctionnement des mécanismes sociaux complexes qui contrôlent la société et ses membres. Émile Durkheim avait constaté que le manque d'associations volontaires en France aurait des conséquences néfastes. Selon lui, “une nation peut être maintenue seulement si, entre l'État et l'individu, nous trouvons, intercalés, toute une série de groupes secondaires assez près des individus pour les attirer fortement dans leur sphère propre d'action et, de cette façon, les entraîner dans le torrent général de la vie sociale”.<sup>6</sup> Les associations volontaires ont été une façon pour les individus dans plusieurs pays occidentaux, et en particulier en Amérique du Nord, de faire face aux changements sociaux. Elles se sont substituées au rôle de l'Église et de la famille étendue dans la réponse à apporter aux besoins individuels de sécurité, de connaissance du monde extérieur et de recherche de lieux d'appartenance. Elles ont aussi été des mécanismes favorisant l'inscription de l'individu dans la société sous la forme d'un engagement sur une base volontaire et orienté vers la réalisation d'objectifs répondant à des intérêts collectifs plutôt qu'individuels et à des besoins d'agir au palier local et national. Cette forme d'engagement va prendre une ampleur importante dans les sociétés nord-américaines en particulier, et elle donnera naissance au cours

<sup>5</sup> Op. cit. p. 157.

<sup>6</sup> Durkheim, Émile, *De la division du travail social*, 1<sup>ère</sup> édition, Paris, Félix Alcan, 1893.

des années 60 et 70 à de nombreux organismes communautaires qui sont toujours présents dans les diverses sphères de ces sociétés.

Ces organisations sont des lieux d'engagements individuels et collectifs d'où émergeront des formes alternatives d'action sociale pouvant servir d'assises à un modèle renouvelé de prise en charge de besoins divers et à l'expression des acteurs de la société civile au regard de la conduite des affaires publiques. Nous examinerons maintenant l'évolution des formes et des finalités de l'engagement en prenant le Québec comme société de référence tout en retenant certaines caractéristiques qui sont aussi observées dans d'autres sociétés similaires.

## **2. Évolution des formes et des finalités de l'engagement dans une société en processus de sécularisation**

### **2.1 *De l'engagement social chrétien à l'engagement social citoyen (1960-2010)***

Durant les décennies 60 et 70, le militantisme et l'action bénévole dans diverses sphères de la société sont en plein essor. Le militantisme se présente sous une forme d'engagement tant social que politique dont la finalité est la transformation de la société et le mieux-être des populations provenant des classes sociales défavorisées. Il est guidé par l'idéologie marxiste de la lutte des classes qui remplacera peu à peu la doctrine sociale de l'Église catholique prônant la collaboration entre les classes. Cette période est aussi caractérisée par le passage d'une société fondée sur la prescription des droits et devoirs de l'individu à une société qui fait place à l'inscription de l'individu comme acteur social dans l'exercice de ses devoirs et de ses droits. Jusqu'au début des années 60, l'Église, l'État, la famille et l'école, ont exercé dans une relation harmonieuse et dans un rôle partagé, la fonction de fixer le cadre normatif et juridique devant régir les comportements des individus. Durant les années 60 et 70, ce modèle institutionnel va connaître un certain déclin et l'on assistera à l'émergence d'un modèle axé sur la conquête des droits par et pour les individus. Dans ce modèle, la revendication des droits individuels ne se fait pas en priorité sur le mode du "je", mais sur le mode du "nous", en référence à une collectivité donnée: femmes/hommes; personnes âgées/jeunes; autochtones, minorités; syndicats/patronat. Les devoirs basculent du côté des institutions, principalement de l'État, alors que les individus revendiquent la reconnaissance de leurs droits à travers des organisations spécifiques qui en font leur mission.

On observe cependant que plusieurs des organisations politiques et sociales de défense ou de promotion des droits individuels et collectifs fon-

tionnent surtout sur le mode de la prescription, voire sur un mode d'encadrement autoritaire des formes d'engagement de leurs membres. Elles commandent, en effet, un type d'engagement fondé sur l'obéissance et une adhésion inconditionnelles aux décisions qui sont prises au nom du groupe, de l'intérêt collectif, de la masse, du peuple. Le membre comme sujet/individu se sent nié et ignoré, considéré comme non-producteur de sens, un non-acteur dans ce processus d'élaboration d'un projet alternatif de société. Le "je" se fond dans le "nous" collectif, victimisé et opprimé. Dans ce mouvement de reconnaissance des droits collectifs, la réciprocité des devoirs devant les accompagner est passée sous silence ou peu évoquée, créant malaises ou fuites en avant, lorsque soulevée. Trop porté par les structures et écrasé par un "nous collectif" homogénéisant les individualités, l'individu ne se saisit plus comme sujet de l'histoire et ses rapports avec la société sont à rebâtir. Les mouvements sociaux qui ont caractérisé cette époque et les formes d'engagement qui leur étaient propres vont s'affaiblir et perdre peu à peu leur capacité de mobilisation au début de la décennie 80.

Un nouvel enjeu se dessine au cours des années 80 autour de la nécessité de résoudre cette tension entre le "je" et le "nous", entre les droits individuels et collectifs. Il oblige à repenser sur de nouvelles bases et dans d'autres perspectives, les principes qui président à la définition et à l'articulation des droits et des devoirs des citoyens. C'est dans ce contexte que la notion de responsabilisation sociale trouvera sa pertinence comme proposition normative fixant les balises de l'engagement sur la base du principe de réciprocité entre les droits et les devoirs. C'est une réponse au flottement qui persiste dans la manière de penser l'inscription de l'individu comme acteur signifiant et actif dans la mise en œuvre de la démocratie. Cette notion sera très présente dans le discours public et dans le discours de nombreux groupes communautaires et elle aura un certain impact idéologique. Cependant, son efficacité dans l'atteinte d'un meilleur équilibre des rapports entre les droits individuels et les droits collectifs aura été plutôt faible face à la montée de l'individualisme faisant apparaître la défense des droits collectifs comme une menace à la reconnaissance des droits individuels. La responsabilité sociale va donc se concevoir et se vivre d'abord et avant tout comme un engagement du "soi" à la recherche de réponses sur le "qui suis-je?". C'est le "moi" qui prime dans l'établissement du rapport à l'autre. La forme d'engagement qui mobilise se vit davantage au niveau micro-social (investir dans son projet de vie, vivre le moment présent) et dans la reconstitution de rapports sociaux signifiants au sein de la micro-société (vie de quartier, vie familiale, études, travail). Cet engagement de l'individu sous forme du "je" n'est pas purement égoïste. Il est porté par une conscience sociale qui se manifeste dans l'adhé-

sion à de grandes causes comme la protection de l'environnement, la paix dans le monde, la lutte contre la pauvreté, et par une implication ponctuelle et spontanée dans des activités de mobilisation sur ces enjeux. La responsabilité est envisagée comme un engagement individuel et le lien solidaire rejoint, par ailleurs, une communauté mondiale d'intérêts partagés autour d'un projet alternatif. On ne veut plus être manipulé par des structures écrasantes et l'on se méfie des élites politiques.

Ce déplacement des formes et des objectifs de l'engagement social qui s'opère au cours des années 80, trouve son explication dans ce grand mouvement de désenchantement dû à un enchaînement de plusieurs crises au niveau macro-économique et à l'échelle macro-sociale. Elles sont de divers ordres: d'ordre économique: crise économique reliée à la crise du pétrole; d'ordre social: affaiblissement de la force d'intégration et de socialisation de la famille nucléaire qui va connaître un éclatement en de multiples formes; déstructuration du marché du travail et sa réorganisation sur des bases de précarité; et enfin d'ordre politique: affaiblissement de l'État-providence et montée de l'État néolibéral; atteinte aux mécanismes démocratiques favorisant la participation des citoyens; effritement des mouvements sociaux portés par des organisations de gauche démantelées et des modes d'expression d'une conscience collective; mise au rancart des grandes idéologies chrétienne et marxiste.

C'est sur ce fond de crise que s'amorce la dernière décennie du XX<sup>e</sup> siècle et que s'ouvre le XXI<sup>e</sup> siècle. Nous retenons quatre principaux constats qui caractérisent les deux dernières décennies comme autant de facteurs de validation de notre proposition sur la pertinence de renouveler les fondements de l'engagement social dans une perspective d'inclusion sociale, de démocratie et de paix au regard des positionnements énoncés dans l'Encyclique *Pacem in Terris*.

Ces constats se posent comme autant de défis majeurs pour les sociétés démocratiques.<sup>7</sup> S'ils constituent pour certains des indices d'une crise sociale et politique, nous les considérons comme autant d'espaces de recomposition du social et du politique au niveau international, national et local:

1) *le désintérêt pour la chose publique* qui se manifeste par une perte de confiance des citoyens envers l'État et les institutions politiques de représentation démocratique. Ce désintérêt a des retombées sur la qualité de la

<sup>7</sup> Conseil supérieur de l'éducation, "Rapport annuel sur l'état et les besoins en éducation", publié sous le titre, *Éduquer à la citoyenneté*, Québec, 1998, p. 15-18. Ce rapport est disponible sur le site du CSE: [www.cse.gouv.qc.ca](http://www.cse.gouv.qc.ca)



participation politique et sociale des individus et sur les modes de coopération aux niveaux local, régional et national. Il se manifeste par un individualisme et un repli sur la défense d'intérêts et de droits individuels. S'y ajoute, l'idéologie néolibérale qui domine dans plusieurs États et se traduit par un désengagement financier, un affaiblissement des politiques publiques et un laisser-faire vis-à-vis des investisseurs privés et du capitalisme financier qui dominant au sein de l'économie capitaliste;

2) *la croissance des inégalités sociales et économiques* qui engendre une fracture sociale qui ne va qu'en s'aggravant entre les individus, les classes sociales et les pays. Ce clivage endommage le tissu social et porte atteinte de façon dramatique aux idéaux de justice, d'égalité et de liberté, fondements des sociétés démocratiques;

3) *le défi du vivre ensemble dans un contexte de pluralisme culturel et religieux* est caractérisé par une diversité de valeurs, de conceptions et de modes de vie, en même temps que de langues et de religions. Comment réconcilier la diversité culturelle et l'adhésion à des valeurs communes? Comment s'entendre sur les composantes d'une identité à partager tout en évitant la violence, la discrimination et la domination culturelle?;

4) *une sensibilité de plus en plus forte aux problèmes mondiaux* et à la perméabilité des nations qui rend impérative une citoyenneté dont les composantes renvoient à des principes universels. Comment concilier une interdépendance économique croissante des sociétés tout en protégeant l'autonomie des états nationaux? Comment contrer l'homogénéisation culturelle tout en étant ouvert sur le monde? Comment mettre fin aux guerres économiques, religieuses, aux occupations de territoire et développer des modes de coexistence pacifique?

Ces phénomènes observés à l'échelle macrosociale justifient la recherche d'un nouveau modèle de gouvernance qui remette à l'avant-plan la nécessité de se pencher sur le sens à donner aux notions de bien commun, de subsidiarité et de solidarité déjà présentes dans l'Encyclique *Pacem in Terris* ainsi qu'à celles de responsabilité sociale et d'engagement. Face au désengagement de l'État, la société civile est appelée à prendre le relais et à mettre sur pied des organisations et des mécanismes d'intervention en mode résolution de problèmes. La crise de confiance des citoyens envers l'État et les institutions politiques affectent la qualité de la vie démocratique et la recherche de nouveaux modes d'implication de l'individu dans la cité est envisagée comme approche susceptible de le réactiver comme sujet social dans la vie démocratique.<sup>8</sup> Par ailleurs, il est souhaitable et souhaité d'en venir à

<sup>8</sup> S. Mesure et A. Renaut, *Les paradoxes de l'identité démocratique*, Paris, Alto Aubier, 1999.

dégager une “autre intelligence de la politique qui permettrait d’en repenser aujourd’hui les représentations et les pratiques”.<sup>9</sup> Nous tenterons de proposer certaines pistes à cet égard dans la dernière partie de cet essai.

Depuis les années 60, les finalités et les formes de l’engagement social ont connu une évolution et une transformation dont nous venons de relever certains traits. Pour mieux en saisir le sens, nous aurons recours à certaines études sociologiques récentes qui avancent des propositions théoriques et des observations empiriques qui permettent de prendre une certaine distance de la narration descriptive que nous venons de formuler et d’en interpréter le sens.

## 2.2 *Formes et régimes d’engagement – analyses sociologiques*

La typologie des formes d’engagement élaborée par le sociologue Laurent Thévenot distingue trois types de régimes d’engagement. Comme il le mentionne, et nous sommes en accord avec lui, le terme “engagement” fonctionne probablement mieux en français qu’en anglais. Voici la nuance qui marque cette différence selon Thévenot: “The term ‘engagement’ (terme en français dans le texte) might work even better in French where it covers quite concrete material adjustments (e.g. a key entering a lock, a car in a street) as well as a wide range of moral or political commitments”.<sup>10</sup> Cette spécification nous est très utile pour légitimer l’usage du concept d’engagement qui fait l’objet de ce texte et qui renvoie précisément aux formes d’implications de type moral et politique.

Le concept de “régime pragmatique d’engagement” que Thévenot distingue du concept de régimes d’action sert à “caractériser la dynamique du rapport au monde”.<sup>11</sup> Sa typologie sert à découper les registres de l’engagement dont les différences “rendent compte d’une inégale mise en commun d’un rapport actif au monde” et leur “caractérisation [par rapport aux régimes d’action] met en évidence le façonnement conjoint de la personne et de son environnement, que requiert leur engagement”.<sup>12</sup> Thévenot pro-

<sup>9</sup> M. Revault d’Allonnes, *Le dépérissement de la politique-généalogie d’un lieu commun*, Paris, Alto Aubier, 2000.

<sup>10</sup> Thévenot, Laurent, “Pragmatic Regimes Governing the Engagement with the World”, p. 27, dans Knorr-Cetina, K., Schatzki, T., et Savigny, Erke v. (eds), *The Practice Turn in Contemporary Theory*, London, Routledge, 2001.

<sup>11</sup> Thévenot, Laurent, *L’action au pluriel. Sociologie des régimes d’engagement*, éditions La Découverte, Paris, 2006, p. 13. “Pragmatic regimes are social devices which govern our way of engaging with our environment, inasmuch as they articulate two notions: an orientation towards some kind of good; a mode of access to reality”. Thévenot, Pragmatic regimes, op. cit., p. 14 et 15.

<sup>12</sup> Idem, p. 14.

pose de distinguer trois régimes d'engagement dont nous résumons les caractéristiques principales pour les besoins de notre analyse:

a) le “régime d'engagement en familiarité” (regime of familiarity) renvoie au rapport intime avec l'environnement fait d'objets et de personnes; le sujet de l'action se décline au “je”; l'aire de l'action cible l'aménagement personnel de son environnement; individualisme et rationalité caractérisent les actions des agents;

b) le “régime d'engagement en plan” (regime of regular planned action), renvoie aux actions planifiées, fonctionnelles et organisées pour atteindre un but, une réalisation; cette forme d'engagement implique stratégie et rapport à autrui, mais aussi exercice d'une liberté, d'une autonomie et d'une responsabilité de l'individu à l'égard du plan à réaliser;

c) le “régime d'engagement justifiable” (regime of justification), dans lequel l'agent est “une personne qualifiée et non seulement un individu” renvoie à “l'action en public, à des conduites réfléchies, au sens où elle prend en compte leur reflet sur les autres en public [...] au sens de ce qui concerne et de ce qui rend solidaire dans un bien commun”. C'est dans leur livre *De la justification*<sup>13</sup> que Thévenot et Boltansky ont approfondi leur analyse et défini les caractéristiques de ce régime d'engagement. “La légitimité des ordres de grandeur (civique, industriel...) servant au jugement n'est pas arbitraire mais régie par une grammaire du bien commun qui exprime le sens ordinaire du juste et de l'injuste à propos d'inégalités de capacités ou de pouvoir”.

Le concept de “régimes pragmatiques d'engagement” est proposé par Thévenot comme outil analytique d'une sociologie pragmatique qui se préoccupe des conditions pouvant favoriser l'atteinte de buts politiques et moraux dans un monde fait d'humains. Comme l'écrit Thévenot, l'intérêt de cette proposition ne se résume pas à permettre de déceler les formes d'engagement et à dresser le portrait “d'hommes pluriels mais de traiter d'une question majeure en sciences sociales et politiques, soit l'inégale portée de la prise en compte des autres, dans le rapport de l'être humain au monde et à autrui”.<sup>14</sup> Sa proposition sur les régimes pragmatiques d'engagement trouve certaines assises empiriques dans l'analyse de Simone Pennec sur les formes d'engagement dont les catégories de classification, bien que différentes, permettent d'exemplifier la typologie de Thévenot. Les recherches de Pennec font ressortir les tensions qui existent entre les engage-

<sup>13</sup> Boltanski, L., Thévenot, L., *De la justification – Les économies de la grandeur*, Paris, Gallimard, 1991.

<sup>14</sup> Thévenot, L., *L'action au pluriel*, op. cit. p. 237.

ments d'ordre privé et les engagements collectifs. Ses études de terrain montrent bien comment les modes d'engagement varient au cours du temps (ici celui d'une trajectoire de vie) et selon le genre et les groupes sociaux.<sup>15</sup> À l'instar de Thévenot, ses travaux démontrent que le rapport à autrui est au cœur de toutes les formes d'engagement, qu'il s'agisse des engagements institutionnalisés ou des engagements de proximité, comme la relation d'aide ou de soins, ou encore les engagements sur la scène publique ou sur la scène privée. Par ailleurs, la construction du rapport à autrui se fait à partir d'une recherche de réconciliation entre plusieurs logiques d'action qui entraîne l'individu dans une démarche de réflexivité nécessaire à la construction de l'acteur comme sujet de l'action. L'individu, selon Pennec, est en constant dialogue avec ses multiples identités et les mondes dans lequel il vit et c'est dans ce cadre que se construit le rapport à l'autre.<sup>16</sup>

Les problématiques que nous venons d'évoquer ont été retenues pour leur pertinence à cadrer une compréhension de la notion d'engagement pour en saisir toutes les facettes, comme nous l'avons fait ressortir dans notre exposé de ses formes d'expression au cours des 50 dernières années dans la société québécoise en particulier, mais que nous retrouvons aussi dans des sociétés similaires en Europe ou aux USA. Les formes de l'engagement se configurent donc de manière différente selon les logiques d'action qui sont à l'œuvre et les espaces de ses manifestations diffèrent selon les époques. Les objectifs poursuivis s'entremêlent et l'on y trouve de multiples intentions qui vont de l'aide ponctuelle à un proche à la transformation de la société. Ainsi les recherches de Bernard Roudet montrent l'évolution de l'engagement associatif au cours des années 80 et 90. Cette évolution "témoigne d'un mode d'être dans la société marqué par un renforcement de l'individualisation et ne joue pas en faveur du rôle traditionnellement attribué aux associations, de responsabilisation et d'ouverture sur la société globale. Cette vie associative s'articule moins à des normes et à des valeurs qu'à la mise en œuvre d'une sociabilité et à la valorisation d'une subjectivité, ce qui entraîne de nouvelles modalités d'inscription dans l'espace public".<sup>17</sup>

<sup>15</sup> Pennec, Simone, "Les tensions entre engagements privés et engagements collectifs, des variations au cours du temps selon le genre et les groupes sociaux", dans la revue *Lien social et Politiques*, numéro 51, printemps 2004, p. 97-107.

<sup>16</sup> Voir à ce sujet les travaux de François Dubet, et en particulier, son article "Pour une conception dialogique de l'individu. L'individu comme machine à poser et à résoudre des problèmes sociologiques". Cet article est disponible en ligne: [www.espaces-temps.net/document1438.html](http://www.espaces-temps.net/document1438.html)

<sup>17</sup> Bernard Roudet, "Entre responsabilisation et individualisation: les évolutions de l'engagement associatif", in *Lien social et Politiques*, numéro 51, printemps 2004, p. 17-27.

La conception du bien commun est partie prenante de la définition des formes d'engagement et de ce qui les distingue. Il est plus juste de parler de plusieurs biens communs qui varient selon les sociétés et les époques historiques. La forme et les composantes du bien commun font l'objet de luttes de pouvoir à l'intérieur d'une société donnée mais aussi entre les sociétés au niveau international. Les biens communs identifiés dans les sociétés occidentales sont le bien marchand et le bien civique. Le bien marchand domine dans certaines sociétés, comme c'est le cas aux USA; le bien civique prend des formes différentes aux USA et dans les pays européens. Le bien civique étant au cœur de l'engagement politique et social<sup>18</sup> est celui qui nous intéresse en tant qu'enjeu dans le choix des finalités de l'engagement. La défense des droits civiques (USA), les revendications de l'égalité entre les hommes et les femmes (chartes des droits de la personne) et les luttes contre la pauvreté et l'exclusion (Québec: organismes communautaires) sont autant d'enjeux qui font l'objet de mobilisations au sein de la société civile pour établir ce qui compose le bien commun.

Ricardo Petrela constate que nos sociétés ont été vidées de ce qui les fait vivre, à savoir le bien commun. Selon lui, "nous sommes confrontés à la nécessité de (re)construire le bien commun", ce qui exigera des transformations considérables au plan politique, économique et social".<sup>19</sup> Cette proposition fait suite aux constats évoqués précédemment sur le désenchantement et la perte de confiance envers les institutions politiques et sociales propres aux institutions démocratiques, sur l'affaiblissement du Welfare State et son remplacement par un État néolibéral qui a fragilisé les composantes du bien commun/bien civique axées sur l'inclusion et la justice sociales. Cette décomposition du social a conduit à "un certain fatalisme local et planétaire qui a pris la place de la culture des projets, du volontarisme des années 50 et 60 (dans le bon sens), et des années 80 (dans le mauvais sens). Le sentiment de faire partie d'une communauté sociale concernée par le bien commun semble entré en hibernation".<sup>20</sup>

La société qui en a émergé fonctionne à l'exclusion dans plusieurs sphères de la société: économique, politique et sociale, mais aussi culturelle. On assiste à un affaiblissement du lien social à tous les niveaux de la société, du local au national, mais aussi entre les nations et à l'échelle mondiale. Le travail de reconstruction de la solidarité requiert donc de s'entendre à tous ces échelons sur ce qui compose le bien commun. La mise en œuvre de la proposition

<sup>18</sup> Thévenot, op. cit. p. 227.

<sup>19</sup> Petrela, Ricardo, *Le bien commun. Éloge de la solidarité*, Éditions Labor, 1996, 2e édition, p. 13.

<sup>20</sup> Idem, p. 64.

d'un "contrat social mondial" mise de l'avant par Petrela, à l'instar de plusieurs groupes et organismes de divers pays, dont le Groupe de Lisbonne et le mouvement altermondialiste, nécessite, à notre avis, pour en assurer la réalisation dans cet esprit, d'investir dans les communautés au niveau local, de miser sur le développement d'une nouvelle forme d'engagement que nous nommons "engagement citoyen responsable" et d'en définir les composantes et les modes de sa mise en œuvre. La société civile est en effervescence dans plusieurs pays pour pallier le retrait de l'État de plusieurs secteurs de la vie sociale où il était actif auparavant. On voit poindre toutes sortes d'associations volontaires et de formes de mobilisation qui, tout en portant des visions et des finalités qui sont du ressort de l'engagement collectif, s'expriment de manière différente comparativement aux mouvements des années 60 et 70. Ces formes d'engagement sont traversées par une nouvelle donne lorsque pensées dans le déroulement d'une vie individuelle. Comme l'écrivent les sociologues Quéniart et Guillaume: "À l'échelle d'une vie, les formes contemporaines de l'engagement seraient parcourues par les exigences identitaires et expressives nées de l'individualisation; il conviendrait tout à la fois d'éprouver des formes de convivialité et d'affinités électives et d'investir des espaces de participation qui permettent de préserver une distance salutaire à l'égard d'autrui. L'autre à qui l'action se destine doit donc être proche et distant, semblable et différent, car l'heure n'est plus au don total et désintéressé de soi".<sup>21</sup>

Plusieurs études sociologiques ont bien décrit les changements observés dans les formes et les finalités de l'engagement depuis une trentaine d'années, ainsi que la nature du déplacement des intentions du sujet/individu lorsqu'il se positionne dans un acte d'engagement. Notre proposition réfère à un acte de *re-fondation* – fonder sur de nouvelles bases l'engagement social. Elle trouve sa justification à la fois dans les constats émanant des résultats de recherche et de l'analyse de certains volets de la conjoncture des cinq dernières décennies que nous avons voulu mettre en évidence à cet égard. Ce sont les matériaux qui ont guidé le choix des pistes d'action qui feront l'objet de la dernière partie de cet essai. Nous les jugeons pertinentes à l'élaboration et à la mise en œuvre d'un "nouveau contrat social mondial"<sup>22</sup> prenant en compte l'échelle locale et nationale et les acteurs qui y œuvrent.

<sup>21</sup> Voir à ce sujet, le numéro de la revue *Lien social et Politiques*, "Engagement social et politique dans le parcours de vie", sous la direction de Jean-François Guillaume, Anne Quéniart et Claude Martin, Numéro 51, printemps 2004; et la "Présentation" du numéro par Quéniart et Guillaume, p. 14.

<sup>22</sup> Nous reprenons ici la proposition de Petrela dont nous avons fait état précédemment.

En cohérence avec notre posture de départ, nous réitérons certains principes qui doivent guider l'écriture de ce contrat social. Celui-ci doit couvrir tous les paliers de la vie en société, de l'échelle locale à l'échelle internationale, et les contenus doivent être élaborés à partir de la base, impliquant les citoyens directement dans ce travail et dans les choix de moyens à prendre pour en réaliser les finalités. Les recherches dont nous avons fait état dans cet essai et auxquelles s'ajoutent les analyses d'autres experts montrent que l'engagement social trouve actuellement ses assises davantage à travers des mobilisations locales et dans des actions de proximité, et que c'est à ce niveau qu'il fait sens pour la majorité des individus. On y observe aussi une tension qui persiste entre l'intérêt individuel et l'intérêt collectif en termes de primauté de l'un par rapport à l'autre. Des questions se posent qui doivent trouver réponse, car elles s'avèrent cruciales pour assurer un vivre ensemble harmonieux dans une société qui favorise l'inclusion du plus grand nombre. Comment rétablir la confiance de chacun dans la démocratie et ses institutions et susciter un nouvel intérêt pour la chose publique? Comment réduire la fracture sociale qui ne va qu'en s'aggravant entre les individus, les classes sociales et les pays? Comment développer chez chacun le sens de l'appartenance à une collectivité et le goût de participer à son développement? Comment développer une nouvelle citoyenneté responsable et soucieuse du bien commun? Comment débattre sans se battre et comment concilier des intérêts contradictoires sans recourir à la guerre?

Sans pouvoir répondre de manière tout à fait satisfaisante à ces questions, nous formulons certaines pistes d'action concrètes qui, à notre avis, font figure des pratiques prometteuses susceptibles de dénouer certaines des impasses qui ont été identifiées. Nous les tirons d'expériences de la société québécoise qui répercutent aussi des pratiques présentes dans d'autres pays.

### **3. Citoyenneté éclairée, empowerment des communautés et gouvernance partenariale – pistes pour refonder l'engagement social dans une perspective d'inclusion sociale, de démocratie et de paix**

#### **3.1 Un premier niveau d'engagement collectif: éduquer autrement pour un monde complexe et pluraliste**

Le projet éducatif d'une société est le premier lieu à investir pour développer les outils de formation et transmettre les connaissances nécessaires pour permettre à chaque individu de développer son plein potentiel et de participer au monde dans lequel il vit. Compte tenu de la complexité du monde actuel liée à la mondialisation et à la globalisation, les sociétés occidentales misent sur l'école comme institution fondamentale pour préparer les élèves qui la fréquentent à faire face aux défis qui accompagnent ces mu-

tations. “Cette tâche de former des citoyens est au cœur de l’extension de l’école obligatoire tout au long du XIXe siècle et elle fonde l’idéologie de l’école démocratique”.<sup>23</sup> Mais aujourd’hui lorsqu’on parle de citoyenneté, on parle de “pleine citoyenneté” ou de “nouvelle citoyenneté”. La crise de citoyenneté qui préoccupe actuellement est celle de la citoyenneté active et responsable et du vivre ensemble et une nouvelle conception de la citoyenneté pourrait s’avérer une voie fructueuse pour la résoudre. À cet égard, cette nouvelle citoyenneté devrait se concevoir comme la base d’un fonctionnement démocratique prenant en compte de nouvelles exigences de participation et de responsabilité en soutien à la reconstruction du lien social.

Au cours de la dernière décennie, le Québec a revu ses programmes d’enseignement à cet égard et introduit des cours d’éducation à la citoyenneté dans la formation des élèves de niveau secondaire (de la 7<sup>e</sup> année à la 11<sup>e</sup> année de scolarisation). La finalité de ce programme répond à des objectifs de nature sociopolitique faisant référence à la réactivation du sujet social dans la vie démocratique. Ainsi “la recherche d’une autre intelligence de la politique se traduit en Europe, en Amérique du Nord et au Québec à la fin des années 90, par la recherche de l’expression d’une nouvelle citoyenneté comme fondement de l’inscription de l’individu en tant que sujet social et politique”.<sup>24</sup> Cette problématique de la nouvelle citoyenneté que l’on retrouve dans les énoncés des grands organismes internationaux, dont le Conseil de l’Europe, et dans certains courants idéologiques et politiques, intègre des dimensions d’ordre social, politique et culturel. Tel qu’envisagée, cette proposition se présente comme réponse à la nécessité ressentie d’aller au-delà de la conception moderne de la citoyenneté construite autour de la reconnaissance juridique des droits et des devoirs du citoyen. La mise en œuvre d’une pleine citoyenneté conduit à la création d’un nouvel espace d’appartenance et de reconfiguration de l’identité de chaque individu, où celui-ci apparaît en tant qu’acteur social de ce nouvel espace. Le champ de la participation sociale est ici redécoupé et élargi et il se déploie dans la communauté locale, régionale ainsi que nationale et internationale. Ainsi, des valeurs de coopération et de solidarité internationales structurent la conscience citoyenne faisant opposition à la compétitivité internationale et à la globalisation des marchés.

<sup>23</sup> Dominique Schnapper, *La communauté des citoyens. Sur l’idée moderne de nation*, Paris, Gallimard, p. 94.

<sup>24</sup> Saint-Pierre, Céline “Éduquer autrement pour un monde complexe et pluraliste”, dans *Une société- monde? Les dynamiques sociales de la mondialisation*, sous la direction de Daniel Mercure, Les Presses de l’Université Laval et De Boeck Université, 2001, p. 278. L’argumentaire sur la nouvelle citoyenneté présenté ici renvoie à ce texte.



L'approche de l'éducation à la citoyenneté qui a été retenue dans les programmes scolaires de plusieurs pays propose un apprentissage de la citoyenneté qui va au-delà de l'instruction, bien que des cours spécifiques y soient consacrés, et elle déborde la mission de socialisation. On y privilégie un apprentissage de la citoyenneté qui rende l'individu apte à entrer en relation "avec les autres, à diverses échelles, celle de la classe, de l'école, du quartier, de la ville, des associations, de la nation ou d'entités plus globales".<sup>25</sup> Au Québec, le Conseil supérieur de l'éducation (organisme adviseur au Gouvernement du Québec) a élaboré un projet d'éducation à la citoyenneté<sup>26</sup> qui intègre l'apprentissage et la transmission de valeurs et d'attitudes et l'acquisition de connaissances. Ce projet d'éducation à la citoyenneté exige de l'école d'assurer une transmission de savoirs et de valeurs qui soient propres à ce qui est entendu par cette nouvelle citoyenneté (qui remplace le civisme tel qu'enseigné auparavant). Il requiert aussi de l'école d'adopter un nouveau modèle pédagogique et d'organisation scolaire qui favorise l'interaction, la participation, l'entraide, le respect de la diversité des points de vue et des capacités de chacun. Dans cet esprit, on encourage la mise sur pied des conseils d'élèves, la réalisation de projets communautaires et d'activités de coopération internationale, de même que l'acquisition de capacités à résoudre des problèmes et des conflits par la délibération et la collégialité, plutôt que par la violence. Ainsi pensé ce projet d'éducation à la citoyenneté contribue à développer le sens de l'engagement des élèves dans leur milieu de vie et à former des futurs citoyens porteurs d'une conscience sociale et d'un agir responsable au regard du bien commun. La proposition de Merriau et Guiraud sur les finalités de formation montre bien son importance stratégique au regard de la préparation à la vie citoyenne: "Notre monde a besoin d'individus capables de comprendre la complexité, d'imaginer des solutions nouvelles, de soumettre les progrès technologiques à des principes sociaux, éthiques, moraux, juridiques et légaux. Notre monde a un besoin vital d'individus qui s'inscrivent dans une humanité dont ils connaissent le passé, qui maîtrisent les compétences nécessaires pour participer dans le présent à la vie collective et qui savent inventer et contrôler leur futur".<sup>27</sup> Comme le titre de leur livre l'indique, le meilleur moyen de combattre la guerre et la violence est l'éducation, une éducation qui forme une personne complète, un sujet éclairé porteur de valeurs humanistes et d'un projet d'en-

<sup>25</sup> C. Crémieux, *La citoyenneté à l'école*, Paris, Syros, 1998, p. 120.

<sup>26</sup> Conseil supérieur de l'éducation, *Éduquer à la citoyenneté*, op. cit.

<sup>27</sup> P. Merriau et M. Guiraud, *L'école ou la guerre civile*, Paris, Plon, 1997, p. 155.

gagement envers le bien commun redéfini à partir de principes de solidarité sociale.

L'école est l'institution qui joue le rôle central dans la construction du lien social entre les individus et entre les groupes sociaux et en tant qu'institution structurante de la cohésion sociale souhaitée dans les sociétés modernes. Ce rôle s'amplifie avec la croissance du pluralisme culturel social, religieux et linguistique et des inégalités socioéconomiques qui caractérise les populations qui la fréquentent. Elle est appelée à répondre à une double demande de besoins individuels et de besoins collectifs et c'est dans le type de réponse qu'elle apporte à cette double demande que se trouve son rôle premier. Cette réponse se trouve dans sa capacité à transmettre une "culture commune" faite de savoirs et de valeurs qui puisse unir les personnes qui la fréquentent et donner sens à l'action individuelle tout en fondant l'appartenance à une collectivité, une culture qui dynamise le lien social et la solidarité en son sein. La culture commune transmise par l'école est le socle d'une éducation inclusive, elle-même garante de l'inclusion de l'individu dans la société et de la qualité de sa participation. En ce sens, elle doit pouvoir stimuler l'exercice d'un rôle actif de citoyen ou citoyenne en mesure de contribuer à son évolution, voire à sa transformation, avec lucidité et responsabilité. Dans cette approche, il s'agit d'éduquer à la démocratie et au pluralisme. Il s'agit aussi d'éduquer à l'engagement collectif, "par une sensibilisation aux valeurs humanistes, telles que l'équité, la solidarité, le partage et la responsabilité, développer l'esprit critique, transcender les aléances groupales et les particularismes culturels, construire et partager un espace civique commun sur la base d'un patrimoine culturel commun, partager un projet collectif, vivre et construire ensemble".<sup>28</sup>

Ce nouveau projet éducatif se révélera-t-il efficace pour contrer les pressions qui pèsent sur l'école en tant qu'institution, des pressions suscitées par la logique marchande qui sous-tend la globalisation d'une part, et par la domination culturelle, d'autre part, menant à l'homogénéisation des cultures dans le cadre de la mondialisation? La réponse à cette question et aux diverses tensions qui traversent l'institution scolaire incite à solliciter l'établissement d'un nouveau contrat social entre l'école, la société civile et l'État. Ce contrat devrait prendre en compte les particularismes locaux et régionaux tout en s'appuyant sur des valeurs universelles intégrant les objectifs formulés par Petrela dans sa proposition de contrat social mondial.<sup>29</sup>

<sup>28</sup> Conseil supérieur de l'Éducation, *Éduquer à la citoyenneté*, op. cit. p. 36.

<sup>29</sup> Petrela, Ricardo, op. cit.

### 3.1.1 *Le socle de ce premier niveau d'engagement collectif – l'éducation de base pour tous*

Cependant, l'exercice d'une "pleine citoyenneté" au sens où nous l'avons défini ne sera possible que dans le cadre du respect d'un principe premier qui est le droit à l'éducation pour tous. L'éducation pour tous réfère à l'éducation de base, une éducation, il faut en être conscient, qui n'est pas encore disponible ou accessible pour tous les citoyens et citoyennes dans le monde, dans les pays en développement bien sûr, mais aussi dans les pays dits développés. Est-il besoin de rappeler que le taux d'analphabétisme, fort élevé dans les pays en développement, y demeure encore très élevé dans les pays développés et que tout n'est pas mis en œuvre pour le combattre, loin de là. L'analphabétisme<sup>30</sup> dans le monde et la réalité de 785 millions d'adultes âgés de plus de 15 ans dont les 2/3 se concentrent dans huit pays. Les 2/3 de la population globale d'analphabètes sont des femmes.

L'analphabétisme ne se définit plus uniquement par l'absence de capacités en lecture et en écriture de niveau 1. Pour comprendre et fonctionner selon les exigences du monde actuel, il faut pouvoir amener chaque individu à un niveau 3 et 4 de littéracie, ce qui inclut la numéracie et des compétences pour utiliser les technologies de l'information. Pour donner un ordre de grandeur du problème, rappelons qu'à l'échelle d'un pays développé comme le Canada, on estimait, en 2008, que le gouvernement canadien devrait investir 6.4 milliards de dollars sur 10 ans, pour régler le faible niveau de littéracie des Canadiens, et les amener au niveau 3. Actuellement, près de 42% des adultes canadiens éprouvent des difficultés en lecture et en écriture et l'on évalue que 54% de la population du Québec, (l'une des provinces canadiennes majoritairement francophone) se situe aux niveaux 1 et 2 de littéracie. C'est un indicateur majeur auquel il faut se référer comme cause de l'exclusion et pour identifier les populations qui en sont les victimes. La littéracie est donc l'un des principaux outils d'intégration sociale de la personne dans la société, au-delà de son insertion sur le marché du travail. Un organisme canadien, le Collège Frontière/Frontier College,<sup>31</sup> fondé il y a 110 ans, en a fait l'objet de sa mission et fait appel pour la réaliser à l'engagement citoyen, sur une base volontaire, de centaines d'étudiants universitaires à travers le pays. C'est une approche de partenariat communautaire assez unique en ce sens qu'elle mobilise des jeunes ayant un niveau élevé de scolarisation dans un engagement social volontaire d'alpha-

<sup>30</sup> L'analphabétisme de niveau 1 se définit par l'incapacité de lire et d'écrire.

<sup>31</sup> Collège Frontière/Frontier College, [www.collegefrontiere.ca](http://www.collegefrontiere.ca)

bétisation dans les milieux de vie ou les milieux de travail des personnes les plus vulnérables de notre société. Ce partenariat dans sa mise en œuvre est une action exemplaire en ce sens qu'il permet de développer la responsabilisation sociale chez les jeunes universitaires qui sont les futures élites de la société et qu'il favorise l'inclusion sociale des individus des couches sociales défavorisées.

Nous faisons de l'éducation de base et du projet éducatif fondé sur la préparation à une citoyenneté responsable et solidaire le premier niveau de l'engagement collectif.

### ***3.2 Un second niveau d'engagement collectif: favoriser le dialogue social en soutenant la participation citoyenne***

Pour contrer l'individualisme, le désintérêt pour la chose publique et le cynisme envers la politique, et ramener les citoyens à s'impliquer dans la défense d'intérêts collectifs, il s'avère nécessaire de leur redonner la parole et de les écouter. L'exercice de cette "nouvelle citoyenneté" nécessite de développer et de rendre disponible aux citoyens des connaissances et des outils de formation axés sur l'acquisition de capacités de délibération et de dialogue sur le développement d'une pensée éclairée et critique en mesure de cibler les enjeux sociétaux et les actions à mettre en œuvre pour les résoudre.

On note un besoin grandissant exprimé par un grand nombre de citoyens à cet égard auquel tentent de répondre des organismes favorisant la participation citoyenne active. À titre d'exemple, l'Institut du Nouveau Monde au Québec fondé en 2004 par des intellectuels et des professionnels œuvrant dans divers domaines du secteur privé et public s'est donné cette mission.<sup>32</sup> Cet organisme se définit comme "une organisation non partisane dont la mission est d'encourager la participation citoyenne et de renouveler les idées au Québec dans une perspective de justice et d'inclusion sociale, dans le respect des valeurs démocratiques et dans un esprit d'ouverture et d'innovation". Pour répondre à ces objectifs, cet Institut organise des rendez-vous citoyens (2000 citoyens et experts y ont participé entre 2005 et 2007) sur des enjeux stratégiques (en économie, santé et culture ou sur des questions d'actualité politique) dont la démarche pédagogique se décline en trois actions: "informer, débattre, proposer". Les citoyens sont appelés à délibérer et à faire des recommandations pour l'action à partir de connais-

<sup>32</sup> Institut du Nouveau Monde, [www.inm.qc.ca](http://www.inm.qc.ca) En plus du site web, des publications sur les résultats des différentes activités citoyennes sont aussi disponibles.

sances apportées par les experts et de bilans de pratiques présentés par des intervenants dans le domaine concerné. Ces “Rendez-vous stratégiques” visent ainsi “à contribuer au développement de compétences civiques, au renforcement du lien social et à la valorisation des institutions démocratiques”. Des écoles d’été axées sur la formation citoyenne et le dialogue entre des jeunes et des acteurs sociaux et politiques occupant des postes-clés dans la société québécoise, sont organisées sur une base annuelle pour les 16-34 ans (3,000 participants depuis 2004).

L’Institut du Nouveau Monde est l’hôte depuis quelques années du congrès mondial de l’organisme Civicus qui intervient à l’échelle internationale pour encourager la mobilisation des acteurs de la société civile. “World Alliance for Citizen Participation is an international alliance of members and partners which constitutes an influential network of organisations at the local, national, regional and international levels, and spans the spectrum of the civil society”.<sup>33</sup> “Civicus has a vision of a global community of active, engaged citizens committed to the creation of a more just and equitable world. It acts as an advocate for citizen participation as an essential component of governance and democracy worldwide”. L’Assemblée mondiale 2012 de Civicus qui se tiendra à Montréal (5 au 7 septembre), aura pour thème: “Defining a new social contract-making the future together”. L’objectif est de rassembler des représentants d’organisations et de grandes alliances du Nord et du Sud pour élaborer un nouveau contrat social inclusif centré sur le citoyen (citizen-centred social contract). La problématique met en relief que le temps est venu de renégocier ce contrat entre l’État, la société civile et les institutions du pouvoir et de le faire à partir des membres de la société civile plutôt qu’à l’initiative des institutions du pouvoir.

Ces organisations sont le lieu d’expression d’une nouvelle conscience citoyenne qui délaisse le terrain de la défense d’intérêts individuels pour celui de la défense des intérêts de collectivités. Des mouvements comme “Occupy Wall Street” et “Indignados” en Espagne qui se sont étendus dans un nombre significatif des grandes villes à travers le monde sont une autre forme d’expression d’une nouvelle conscience citoyenne qui prend forme autour d’enjeux qui ont des répercussions locales, nationales et mondiales.

<sup>33</sup> “Civicus includes the following in its definition of civil society: civil society networks and organisations; trade unions; faith-based networks; professional associations; NGO capacity development organisations; philanthropic foundations and other funding bodies”. <http://civicus.org>

### 3.3 Un troisième niveau d'engagement: bâtir des "communautés d'entraide inclusives" pour lutter contre la pauvreté et l'exclusion sociale dans une perspective de solidarité renouvelée

Un organisme connu sous le nom de *Centraide du Grand Montréal* (United Way au Canada anglais et aux USA),<sup>34</sup> fondé en 1975, s'est positionné comme un organisme philanthropique de premier ordre dont la vision et les façons d'exercer sa mission ont transformé les approches traditionnelles du don et des rapports entre les donateurs et avec les bénéficiaires, mais aussi la manière d'exercer la philanthropie. Pour réaliser sa mission de lutte à la pauvreté et à l'exclusion, l'organisme doit rassembler annuellement des millions de dollars, en faisant appel à des milliers de bénévoles qui recueillent des dons dans divers milieux de travail de la région du Grand Montréal.<sup>35</sup> Les sommes ainsi recueillies sont destinées au financement d'organismes communautaires avec lesquels Centraide travaille en partenariat "pour promouvoir l'entraide, l'engagement social et la prise en charge, comme autant de moyens efficaces pour améliorer la qualité de vie de la collectivité montréalaise et de ses membres les plus vulnérables". L'une de ses particularités se retrouve dans sa conception du don défini comme "don solidaire", une conception fort différente de celle qui prévaut à Centraide-Canada et à United Way, où le don est dédié, c'est-à-dire que son affectation répond à la volonté exprimée par le donateur. À Centraide du Grand Montréal, "le don solidaire est un don libre de toute attache (non dédié) et repose sur la volonté des donateurs de faire ensemble une plus grande différence en soutenant un vaste réseau de 360 organismes". Le fonctionnement de cette organisation a aussi d'autres particularités. Il repose essentiellement sur l'engagement bénévole de centaines de citoyens et citoyennes. En effet, cet organisme se veut un lieu où l'on stimule, concrétise et entretient l'engagement bénévole des personnes dans une perspective de service à leur communauté. Ainsi, à titre d'exemple, l'allocation des fonds aux organismes se fait à partir d'un processus rigoureux auquel contribue une soixantaine de bénévoles pour évaluer les organismes et statuer sur l'octroi des fonds. Les citoyens impliqués

<sup>34</sup> Aujourd'hui, Centraide Canada – United Way of Canada fait partie du petit nombre d'organismes communautaires cadres à exister en Amérique du Nord. Cet organisme national représente un mouvement de 117 Centraide – United Way locaux répartis d'un bout à l'autre du Canada.

<sup>35</sup> En 2011, 23,000 bénévoles ont organisé 1,600 campagnes en milieu de travail. La campagne de financement a recueilli 58,7 millions de dollars. Plus de 73,000 personnes sont bénévoles pour Centraide du Grand Montréal: 23,000 dans les activités de campagne et 50,000 au sein du réseau des organismes soutenus. Il soutient 360 organismes qui aident plus de 500,000 personnes vulnérables. Site de Centraide: [www.centraide-mtl.org](http://www.centraide-mtl.org)

dans l'organisme sont responsables du processus décisionnel. Par ailleurs, les organismes communautaires qui reçoivent un financement de Centraide doivent appliquer le même principe organisationnel, soit celui de faire appel au bénévolat des citoyens dans la réalisation de leur mission et de consacrer la grande partie des ressources financières dont ils sont bénéficiaires aux programmes de lutte à la pauvreté dont ils ont la responsabilité.

La mission de cet organisme déborde largement l'action de cueillette et de transfert de fonds des donateurs aux organismes bénéficiaires. Centraide veut faire une différence par sa contribution au dynamisme des communautés locales et régionales du Grand Montréal dans le but d'accroître son impact sur la mise en œuvre de solutions pour aider les personnes qui vivent une situation de pauvreté et d'exclusion sociale. Pour cet organisme, le sens même de l'action communautaire et de ce qui en fait son but ultime, consiste à ce que "les personnes et les groupes puissent développer les capacités d'agir sur leur vie par un meilleur accès à des réseaux d'entraide et à des ressources et qu'elles puissent participer pleinement à la société".

Pour répondre à cet objectif, l'organisme Centraide a élaboré une stratégie de lutte contre la pauvreté et l'exclusion sociale<sup>36</sup> pour les années 2010-2015 qui fait figure de pratique exemplaire pour reconstruire la solidarité sociale sur de nouvelles bases et l'exercice du pouvoir sur d'autres principes. Les concepts-clés de cette stratégie de lutte contre l'exclusion sont ceux de "communautés d'entraide" guidées par les principes de "solidarité sociale", "d'empowerment individuel et collectif"; le concept de "leadership rassembleur"<sup>37</sup> est le concept fondateur d'un programme de formation qui permet à "des leaders communautaires engagés dans leur collectivité de développer leurs compétences professionnelles au service des collectivités du Grand Montréal"; et finalement, le concept d'"interculturalisme"<sup>38</sup> est au cœur de l'approche adoptée pour favoriser l'inclusion des

<sup>36</sup> "La stratégie 2010-2015 de Centraide du Grand Montréal pour lutter contre la pauvreté et l'exclusion sociale", Centraide du Grand Montréal, mars 2010.

<sup>37</sup> "Leadership rassembleur" est une marque de commerce enregistrée propriété de Centraide du Grand Montréal, employée sous licence exclusive par l'organisme partenaire Dynamo, 2011, tous droits réservés.

<sup>38</sup> Pour mieux saisir le sens donné à cette notion dans la société québécoise se référer au Rapport de la Commission consultative sur les pratiques d'accommodement reliées aux différences culturelles, Québec 2008, sous la responsabilité de Charles Taylor et Gérard Bouchard. Consultez aussi les "Actes du Symposium sur l'interculturalisme – Dialogue Québec Europe", Montréal 2011. La version électronique est disponible sur: [www.symposium-interculturalisme.com](http://www.symposium-interculturalisme.com)

personnes issues des communautés ethnoculturelles à la société québécoise, afin de faire face à la croissance rapide de la diversité au sein de la population du Grand Montréal et dont un grand nombre se retrouvent en situation de pauvreté et de solitude.

Tant les approches que les concepts qui guident l'action de Centraide ont été ici rapportés à titre d'exemples de pratiques novatrices de mobilisation de la société civile faisant appel à l'engagement collectif et individuel au sein des communautés. On les incite à se transformer en "communautés d'entraide" pour lutter contre la pauvreté par des actions visant l'inclusion sociale dans une perspective de justice sociale et d'équité dans la redistribution des richesses à l'échelle locale.

### ***3.4 Un quatrième niveau d'engagement: repenser les modèles de gouvernance en lien avec l'engagement citoyen responsable***

Au tout début de notre présentation, nous avons fait état de l'importance d'adopter une approche allant "du bas vers le haut/bottom up" dans l'élaboration d'orientations et de finalités d'un nouveau modèle de gouvernance à l'échelle internationale. Notre réflexion nous a amené à développer un argumentaire autour de la nécessité de refonder l'engagement sur de nouvelles bases et nous avons fait ressortir certaines avenues à cet égard. Nous avons identifié des niveaux d'engagement collectif qui reposent sur l'activation de certains acteurs au sein de la société civile. Pour être pleinement efficace, cette activation doit déborder les actions des individus et des collectivités locales tout en reconnaissant leur place dans la dynamique de cette nouvelle forme de gouvernance. Il devient nécessaire de repenser la gouvernance sur de nouvelles bases, une gouvernance qui resitue l'État dans un rapport nouveau avec les acteurs de la société civile. Selon le chercheur Benoît Lévesque, "la nouvelle gouvernance cherche à dépasser à la fois les limites de la hiérarchie et celle du marché en faisant appel à une pluralité d'acteurs publics et privés, y compris ceux de la société civile dont la mobilisation se fait à partir de la réciprocité et de la solidarité".<sup>39</sup> Selon ce chercheur, la voie la plus satisfaisante qui se présente pour réconcilier les intérêts individuels, les intérêts collectifs et l'intérêt général est celle "d'une démocratie délibérative qui serait habilitante" (*Empowered Deliberative Democracy*).

<sup>39</sup> Lévesque, Benoît, "Une gouvernance partagée et un partenariat institutionnalisé pour la prise en charge des services d'intérêt général", Collection Études Théoriques, no. ET0701, 2007, page 9, publié par le CRISES (Centre de recherche sur les innovations sociales, UQAM).



Sa mise en œuvre requiert “un contexte institutionnel favorable, tels que les principes de subsidiarité, de reconnaissance des parties prenantes (dont les acteurs de la société civile qui sont de plus en plus nombreux et fragmentés) et une décentralisation de certains pouvoirs avec les moyens correspondants”.<sup>40</sup>

Lévesque formule plusieurs questions sur la mise en œuvre d’une “nouvelle gouvernance partagée” (État partenaire, État subsidiaire, État facilitateur) qui s’avèrent pertinentes à notre réflexion sur l’engagement collectif et que nous ne pourrions aborder dans le cadre de cet essai. Cette gouvernance partenariale serait-elle susceptible de contribuer au renforcement de la solidarité et de l’inclusion sociale et de redonner confiance dans les processus propres à l’exercice de la démocratie? Pour Lévesque, “autant la gouvernance concurrentielle dépend d’un État minimal pour s’élargir, autant la gouvernance partenariale suppose un État stratège ouvert à la participation citoyenne pour s’épanouir”.<sup>41</sup> À l’heure actuelle au Québec, nous trouvons la forme la plus poussée de l’exercice de ce rapport partenarial entre l’État et la société civile au sein de processus de co-construction de la législation dans certaines sphères des politiques publiques où il est fait appel à la participation des usagers.

### **Conclusion – quelques questions et observations**

Nous avons identifié des niveaux d’engagement collectif dont certains permettent de réfléchir plus précisément aux rapports entre l’État et les citoyens. S’ils sont autant de signes de pratiques innovatrices pour améliorer l’exercice de la démocratie par la reconnaissance de nouvelles formes de participation citoyenne orientées vers l’engagement responsable envers la défense d’intérêts collectifs orientés par l’intérêt général, il ne faudrait pas que cette réorganisation donne lieu à une application pernicieuse du principe de subsidiarité encourageant le laisser-faire de l’État. Nous avons, par ailleurs, présenté des pratiques novatrices qui suggèrent certaines pistes et balises pour repenser ou préciser les conditions d’exercice du principe de subsidiarité. Faut-il y voir les signes d’une nouvelle approche de l’application de ce principe selon laquelle les citoyens et les organismes de la société devraient exercer un rôle accru dans le découpage des responsabilités entre les gouvernements et les organismes de la société civile et dans l’application des principes devant régir leurs rapports?

<sup>40</sup> Lévesque, Benoît, *idem*, p. 11.

<sup>41</sup> Lévesque, Benoît, *idem*, p. 14.

Le principe de subsidiarité est ainsi défini à l'Article 5 du Traité sur l'Union européenne: "Ce principe assure une prise de décision la plus proche possible du citoyen en vérifiant que l'action à entreprendre au niveau de l'Union est justifiée par rapport aux possibilités offertes à l'échelon national, régional ou local".<sup>42</sup> Dans l'application de ce principe, il est dit clairement que l'Union n'agit "que lorsque son action est plus efficace qu'une action entreprise au niveau national, régional ou local". Par ailleurs, la doctrine sociale de l'Église catholique propose de comprendre ce principe "dans un sens positif, comme une aide économique, institutionnelle, législative, offerte aux entités sociales plus petites". Dans l'Encyclique *Pacem in Terris*, le pape Jean XXIII définit la subsidiarité comme étant "le principe qui, à l'intérieur de chaque pays, devrait régir et équilibrer les rapports des pouvoirs publics avec les citoyens, les familles et les corps intermédiaires, ainsi que les rapports de l'autorité universelle avec les gouvernements des États". (Article 140). Benoît XVI affirme que la "quête d'un meilleur ordre international devrait être inspiré et gouverné par le principe de subsidiarité..." (notre traduction).<sup>43</sup> Les revendications portées par les mouvements citoyens récents montrent plutôt une exaspération face au déséquilibre dans les rapports de pouvoir entre les parties et face au mode de prise en charge des grands intérêts collectifs par les États néolibéraux. La référence au principe de subsidiarité pourrait-elle servir de légitimation au désengagement des gouvernements et des États face à leurs responsabilités politiques et sociales au niveau international et national? Pourrait-on y voir ici la face cachée ou perverse d'un principe qui viendrait valider le laisser-faire des États néolibéraux et le "tout au marché" tout en misant sur l'individualisme égocentrique pour renvoyer aux collectivités locales et aux individus la pleine responsabilité de résoudre les problèmes sociaux et économiques? Une vigilance s'impose dans l'application de ce principe au regard de la répartition des responsabilités dans la défense du bien commun.

Par ailleurs, un constat persiste à travers plusieurs études et analyses à l'effet que certaines formes d'engagement au quotidien et au sein des communautés locales, comme l'entraide, le bénévolat et le militantisme, trouveraient de moins en moins d'adeptes parmi la population et ce, dans plusieurs sociétés occidentales. Les exemples que nous avons présentés à titre de pratiques exemplaires veulent faire contrepoids à cette assertion mais

<sup>42</sup> Synthèses de la législation de l'UE: [http://europa.eu/legislation\\_summaries/glossary/subsidiarity\\_fr.htm](http://europa.eu/legislation_summaries/glossary/subsidiarity_fr.htm)

<sup>43</sup> "Address to U.N. General Assembly", 18 April 2008.

ne résisteraient peut-être pas à l'épreuve des faits. Cela nous suggère une question qui demande à être débattue. En effet, comment expliquer le paradoxe qui se manifeste de plus en plus clairement entre la revendication d'un idéal de démocratie portée par les multiples manifestations dénonçant le capitalisme et ses excès conduisant à l'exclusion de couches sociales de plus en plus nombreuses et l'expression d'un individualisme et d'un non-engagement social qui semblent persister au quotidien de la vie des individus et au sein des communautés locales? Les mouvements sociaux spontanés des deux dernières années seraient-ils le signe que nous sommes sur une voie de reconstruction d'une société solidaire d'un nouveau type mettant fin à ce paradoxe?

L'ordre global dans le monde auquel il est fait référence dans l'Encyclique *Pacem in Terris* est traversé par de nouveaux enjeux en ce début de XXI<sup>e</sup> siècle qui révèlent d'autres types de tensions entre les individus et les collectivités au niveau local, national et international. Leur résolution pourrait passer entre autres par la refondation de l'engagement social au niveau des collectivités locales et nationales assurant les bases d'un nouveau contrat social mondial axé sur la paix, la justice sociale et le renouvellement de la démocratie à l'échelle mondiale.

# ***PACEM IN TERRIS* AND THE PRINCIPLE OF SUBSIDIARITY: BEYOND THE MISUNDERSTANDINGS**

■ PIERPAOLO DONATI

## **1. The issue: is the functionalist interpretation of the principle correct?**

Before writing *Pacem in Terris*, Pope John XXIII addressed the topic of subsidiarity in his encyclical *Mater et Magistra* (promulgated May 15, 1961, n. 117), where he wrote: “State and public ownership of property is very much on the increase today. This is explained by the exigencies of the common good, which demand that public authority broaden its sphere of activity. But here, too, the ‘principle of subsidiary function’ must be observed. The State and other agencies of public law must not extend their ownership beyond what is clearly required by considerations of the common good properly understood, and even then there must be safeguards. Otherwise private ownership could be reduced beyond measure, or, even worse, completely destroyed”.

No doubt that John XXIII is following here the traditional doctrine of the Church started with Leo XIII and developed by Pius XI. The principle of subsidiarity is defined as a “function” to protect civil society against the perils of collectivism (state socialism). At a first glance, it seems to be a principle enounced to enforce a functional division of labour, according to which one part of society should not interfere with another, so to allow the latter to perform its own tasks. In the end, the principle could be read as one which serves a good task allocation, as it was in fact interpreted by the EU in art. 3/B of the Maastricht Treaty many years later.

But one could ask: is a functionalist reading of this principle appropriate?<sup>1</sup>

Seemingly yes. And more so if one looks at what John XXIII writes two years later, in the encyclical *Pacem in Terris* (promulgated April 11, 1963, n. 74):

The same principle of subsidiarity which governs the relations between public authorities and individuals, families and intermediate societies in a single State, must also apply to the relations between the public authority of the world community and the public author-

<sup>1</sup> By functionalist reading of the principle I mean a reading which: i) adopts only (or mainly) a hierarchical (vertical) interpretation of how this principle should be applied; ii) presupposes a specialized division of labour (tasks); iii) ignores the interrelations with other fundamental principles, above all the principle of social solidarity.

ities of each political community. The special function of this universal authority must be to evaluate and find a solution to economic, social, political and cultural problems which affect the universal common good. These are problems which, because of their extreme gravity, vastness and urgency, must be considered too difficult for the rulers of individual States to solve with any degree of success. But it is no part of the duty of universal authority to limit the sphere of action of the public authority of individual States, or to arrogate any of their functions to itself. On the contrary, its essential purpose is to create world conditions in which the public authorities of each nation, its citizens and intermediate groups, can carry out their tasks, fulfill their duties and claim their rights with greater security.

It is apparent that a somewhat functional interpretation of the principle was extended to international relations worldwide. Anyway, a problem of interpretation arises, since at that time there was (and there still is) no world-State and therefore no peril of worldwide collectivism or any form of political authority that governs the nation-States in the same (or parallel) way as the nation-State governs what is subject to its legitimate powers. So, pushing the principle of subsidiarity from the level of the nation-State to the international arena, what was – in John XXIII’s mind – the peril to be avoided?

This query is intriguing. And more so if we consider that the topic of globalization was still quite far from his thoughts. Not to mention the theories of an incoming “world system” put forward by more recent political and social sciences (Niklas Luhmann and other scholars). The ideas of globalization and world system were only in the embryo stage.

Looking back at *Pacem in Terris* today, it may be instructive to ask ourselves what John XIII meant by evoking the principle of subsidiarity at the international level. Who should “*create the world conditions*” hoped by John XXIII in order to promote subsidiary relations amongst the nation-States? Was John XXIII advocating an international *polity* endowed with a “global public authority”, as some commentators have claimed, also with reference to the documents by subsequent Popes, in particular Paul VI and Benedict XVI?

This is the issue I wish to address. As a matter of fact, many documents from the Holy See talk about the need for some form of international “public” (“political”?) power capable of enforcing the subsidiarity principle. The recent document by the Pontifical Council for Justice and Peace, *Towards Reforming the International Financial and Monetary Systems in the Context of Global Public Authority* (2011) indirectly raises this issue when it refers to “global standards”:

Consistent with the spirit of subsidiarity, which is a central principle of Catholic teaching, *global standards* would be *implemented* and *sup-*

*plemented* by the norms and experience of individual national and local governments and agencies and *shaped by the realities of economic and political life* (italics mine).

The issue of global governance has been dealt with by Pope Benedict XVI in his encyclical *Caritas in Veritate* (2009) where he writes:

In order not to produce a dangerous universal power of a tyrannical nature, *the governance of globalization must be marked by subsidiarity*, articulated into several layers and involving different levels that can work together. Globalization certainly requires authority, insofar as it poses the problem of a global common good that needs to be pursued. This authority, however, must be organized in a subsidiary and stratified way, if it is not to infringe upon freedom and if it is to yield effective results in practice (n. 57).

The text goes on by saying:

*The principle of subsidiarity must remain closely linked to the principle of solidarity and vice versa*, since the former without the latter gives way to social privatism, while the latter without the former gives way to paternalist social assistance that is demeaning to those in need. This general rule must also be taken broadly into consideration when addressing issues concerning *international development aid*. Such aid, whatever the donors' intentions, can sometimes lock people into a state of dependence and even foster situations of localized oppression and exploitation in the receiving country. Economic aid, in order to be true to its purpose, must not pursue secondary objectives. It must be distributed with the involvement not only of the governments of receiving countries, but also local economic agents and the bearers of culture within civil society, including local Churches. Aid programs must increasingly acquire the characteristics of participation and completion from the grass roots. Indeed, the most valuable resources in countries receiving development aid are human resources: herein lies the real capital that needs to accumulate in order to guarantee a truly autonomous future for the poorest countries. It should also be remembered that, in the economic sphere, the principal form of assistance needed by developing countries is that of allowing and encouraging the gradual penetration of their products into international markets, thus making it possible for these countries to participate fully in international economic life. Too often in the past, aid has served to create only fringe markets for the products of these donor countries. This was often due to a lack of genuine demand for the products in question: it is therefore necessary to help such countries improve

their products and adapt them more effectively to existing demand. Furthermore, there are those who fear the effects of competition through the importation of products – normally agricultural products – from economically poor countries. Nevertheless, it should be remembered that for such countries, the possibility of marketing their products is very often what guarantees their survival in both the short and long term. Just and equitable international trade in agricultural goods can be beneficial to everyone, both to suppliers and to customers. For this reason, not only is commercial orientation needed for production of this kind, but also the establishment of international trade regulations to support it and stronger financing for development in order to increase the productivity of these economies (n. 58).

To my mind, these statements are perfectly in line with what John XXIII meant by subsidiarity principle. Benedict XVI is simply asserting that every society, including global society, needs a corresponding authority to ensure the common good. But “authority” does not mean a super-State or a global, world political system.

My argument is that any functionalist interpretation of the subsidiarity principle would be partial, reductive and ultimately misplaced. I wish to clarify that the principle of subsidiarity should be read and interpreted in a *supra*-functional way, which to me means in a relational way, well beyond the functionalist views. “Suprafunctional” means, first and foremost, that the principle does not have one or a limited number of functions, but a potentially indefinite number of functions, since it represents the way by which new emergent social effects (common goods as relational goods) can be produced.

The extension of the subsidiarity principle from the national to the international level – both in John XXIII’s and Benedict’s teaching – should not be interpreted by conflating *global governance* with *world government*. The latter connotes a powerful, centralized political structure while the former allows for a subsidiary, open and multi-tiered approach to coordinating the world geo-political actors/stakeholders. John XXII (like Benedict XVI) endorsed this second approach. The suprafunctional interpretation of the principle is particularly pressing now, when we look at the issues of international conflict resolution and global economic development (Williams 2010).

As Gunther Teubner (2012) has clearly remarked, what is at stake is the issue of how to get a “civil constitutional process” beyond the (old, and no longer functional) political constitutions set up for/by the modern nation-states. A globalized world needs a globalized “constitutional law” which can legitimate and enforce basic human rights across nations, through transnational civil constitutions, against a number of new scandals: the violations of human

rights perpetrated by multinational companies, controversial decisions by the WTO (especially when it endangers the eco-system, public health and other common goods), abuses on the Internet, and above all disaster risks on the global financial markets (Mattli, Woods eds. 2009). My argument is that the principle of subsidiarity could and should be a basic pillar, together with the principles of solidarity and the common good, in avoiding all these evils.

In order to substantiate my thesis, I argue that the social doctrine of the Church has developed gradually well beyond a narrow functionalist view in so far as it has realized that: (i) subsidiarity is a principle which should be referred to social relations, not merely to functions; (ii) as such, it can and should be articulated in many different ways (i.e. subsidiary relations can be not only vertical – within hierarchies – but also horizontal, lateral and circular within markets and networks); (iii) it aims not only at “defending” the smaller communities from the bigger ones (non interference principle), but also at promoting the constitution of innovative relational networks through which the communities involved can realize the emergence of a new national and international civil society (interference principle).

As a principle, “subsidiarity” has negative as well as positive implications. The aspect of non-interference gives it a negative implication. It requires the state and the other social entities to refrain from anything that would substitute or restrict the existential space of the smaller essential cells of society, that is their initiative, imagination, freedom and responsibility. The duty of non-interference comes from the conviction that each authority in general, and the state in particular, should not interfere in the activities of the individual and the social groups, who are free and able to act and to attain their self-fulfilment.

At first sight, these two aspects of the principle of subsidiarity, non-interference and interference, may be seen as contradictory elements. But in closer observation they reveal themselves as complementary. This is as true as we move from a hierarchical vision of society, having the state as its vertex, to a networking vision of society, both at the national and (especially) at the international level. After all, this is what globalization means. When the respect to freedom of action is legitimately balanced, we can see no contradiction, but only complementarities and constant equilibrium among the aspects of interference and non-interference.

Through non-interference, subsidiarity rightly respects the autonomy and freedom of intermediary groups. Through interference, it empowers them to perform their responsibilities, and at the same time provides a guarantee for the common good. The opponents of the subsidiary concepts are, on the one hand, absolute freedom which does not consider the common



good, and, on the other hand, the collectivism of the all-powerful state, which does not consider the autonomy of the other social subjects. Therefore, on the one hand, autonomy does not mean the complete separation from social ties, and on the other, the help given to the *lower* or *lateral* units to actualize their rights and responsibilities is not in the form of a “substitution”, but rather in the form of empowerment. In that way, the higher authority promotes the intermediary communities, and the matters which can be performed by their initiatives are handed over to them; however, the higher authorities keep themselves vigilant to help these intermediary bodies to accomplish their ends in view of the common good. Autonomy and freedom to act do not exclude intervention and help whenever it is necessary on the part of concerned social institutions.

All that prevents us from interpreting the subsidiarity principle in terms of specialized roles within a functional division of labour.

## **2. Subsidiarity should be understood in relation to the other basic principles**

Subsidiarity is a slippery, multifaceted and polysemic concept. As is well known, the term “subsidiarity” derives from the Latin verb *subsidiō*. In the Latin vocabulary the word *subsidium* initially meant something in reserve or, more specifically, reserve troops: troops used in the case of necessity. The expression *subsidium ferre* means to stay behind and be prepared to help those who find themselves in trouble on the frontline.

The term implied some form of social solidarity, although it was not equal to the latter. That is why in Latin countries such as Italy, the idea of subsidiarity is still very close to the idea of solidarity, rather than to the idea of liberty or equality.

In principle, it has always maintained the meaning of bringing assistance or aid to other people. But, at the beginning of the modern era, it came to be used as a principle of autonomy in social organization. It was referred to the distribution of power and authority in society, in contrast to the monopoly of the Leviathan State. From the 16<sup>th</sup> century subsidiarity developed in opposition to sovereignty. In practice, it served as a key word to claim an articulated and plural distribution of powers *vis à vis* the political system.

Starting around the mid-20<sup>th</sup> century, it was launched again by the Catholic Church to refer not only to the internal order of a nation-state, but also as a principle for coordinating the powers and competences in interstate relationships. In 1992 it was adopted by the European Union as a basic criterion of its polity and policies (article 3/B of the Maastricht Treaty). Since then, the definition of the idea of subsidiarity as the legal principle of the EU

has proved quite controversial. It is not clear whether this principle is an integrationist or anti-integrationist principle of EU policy. As a matter of fact, the concept of subsidiarity wavers between two meanings: on the one hand it means bringing assistance to somebody, on the other it means preserving and even improving his autonomy. There are evidences that, due to this ambivalence, it can raise conflicts and contradictions.

Such an ambivalence is rooted in the whole modern history of Western world. As I have recalled above, in the old times it meant “assistance”, while in modern times it has come to mean just the opposite, i.e. “leaving people to act as freely as they like and keep the political power off”, or, as we say today, “leaving the governance of social initiatives at the lower level” or something similar, as it is intended by most people today, namely in the Anglo-Saxon world, and in the EU Treaties.

The historical reasons for these changes are well known. Most scholars would observe that the latter meaning appeared with Abraham Lincoln,<sup>2</sup> and other thinkers such as John Stuart Mill and Jean-Pierre Proudhon, as a fruit of the emerging liberalism of the 19<sup>th</sup> century, in its many different versions. On the same line, today, Hubert Haenel’s 2007 Report to the European Affairs Committee states that:

Member States and their citizens need to unite to become stronger and more efficient together. They do not need a nanny state supervising every aspect of their lives. As Abraham Lincoln stressed in a declaration to the United States Congress: *You cannot help men permanently by doing for them what they could do for themselves.*<sup>3</sup>

In recent years, an abundant literature has clarified the different historical roots of the different definitions of subsidiarity. That has been done especially with reference to the project of a Constitutional Treaty for the European Union.<sup>4</sup>

<sup>2</sup> In commenting upon the American Constitution, Abraham Lincoln defined subsidiarity as a principle of non-interference: “The legitimate object of government is to do for a community of people whatever they need to have done but cannot do for themselves in their separate and individual capacities. In all that people can individually do as well for themselves, government ought not to interfere” (see “Subsidiarity” in Karl Rahner (ed.), *Sacramentum Mundi: An Encyclopedia of Theology*, Herder and Herder, New York, 1970, vol. VI, p. 115).

<sup>3</sup> Cf. Hubert Haenel, *Dialogue with the European Commission on subsidiarity*, Report n° 88 (2007-2008), European Affairs Committee, November 2007.

<sup>4</sup> The text of the Treaty Establishing a Constitution for Europe (2005), which was abandoned after France and the Netherlands did not approve of it, defined subsidiarity as follows: “The Union is established reflecting the will of the citizens and States of Europe to build a common future. For this purpose the Member States confer competences

In the EU, the principle of subsidiarity regulates the exercise of authority within a political order, placing the burden of argument with attempts to centralize authority. It has come to recent political prominence through its inclusion in the Maastricht treaty on European Union, intended to quell fears of centralization. However, the principle increases and shapes such tensions due to disagreement about formulations and possible institutional roles. Andreas Føllesdal<sup>5</sup> rightly pinpoints that alternative accounts have strikingly different institutional implications regarding the objectives of the polity, the domain and role of sub-units, and the allocation of authority to apply the principle of subsidiarity itself. He presents and assesses five alternative normative justifications of conceptions of subsidiarity illustrated by reference to the European Union. According to him, few of the arguments constitute full theories addressing all issues of interpretation and application. Two arguments from liberty – Althusius and Confederalism – are addressed, one argument from efficiency (fiscal or economic federalism), and two arguments from justice: a Catholic argument based on Personalism and liberal contractualism. The order of analysis used by Føllesdal roughly reflects the decreasing autonomy of sub-units granted by each argument.

This paper is not intended to intervene in this historical and political debate. I do not wish either to enter into the history of the concept (although I will refer, of course, to historical deeds) or to elaborate a taxonomy from the political science viewpoint. What I wish to do is to discuss the semantics of the concept of subsidiarity from the viewpoint of its socio-anthropological implications, which should be the backdrop of its implementation in international as well as national relations. The rationale

on the European Union. The Union shall coordinate the common policy” (Title I. Article 1.1).

“The limits of Union competences are governed by the principle of conferral. The use of Union competences is governed by the principle of subsidiarity and proportionality” (Title III. Article 9.1).

“Under the principle of subsidiarity, in areas which do not fall within its exclusive competence the Union shall act only if and insofar as the objectives of the intended action cannot be sufficiently achieved by the Member States, either at central level or at regional and local level, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level” (Title III. Article 9.3).

“The Union’s institutions shall apply the principle of subsidiarity as laid down in the Protocol. The Protocol emphasised the necessity of the cooperation between the Commission and the national Parliaments. The Parliaments of the Member States could decide the compliance of the Commission’s decision with the principle of subsidiarity”.

<sup>5</sup> Cf. Andreas Føllesdal, *Subsidiarity* (paper online: folk.uio.no/andreasf/ms/subsid.rtf).

for this purpose is the following. The evidences of contrasting – and even contradictory – meanings of the word “subsidiarity” remind us that, in order to understand this principle, we must, first of all, clarify the socio-anthropological foundations which support the different semantics of the term. This is a task to be accomplished as a premise for the justification of the way we use this principle in our theory and practice, and why we resort to that semantics instead of another.

The basic issue is, therefore, to explain why and how the concept of subsidiarity can be distinguished from, and at the same time integrated with, similar – but not identical – concepts like freedom, autonomy, devolution, social pluralism, solidarity, grassroots, and so and so forth. I will deal with this issue by referring primarily to the Catholic social teaching, and then comparing this teaching to the other doctrines.

Summing up the whole social doctrine, we read in the *Compendium* (CDS 2004) that the Catholic social teaching is based upon four key-principles: *the dignity of the human person, the common good, subsidiarity and solidarity*. These are principles of a general and fundamental character, since they concern the reality of society in its entirety: from close and immediate relationships to those mediated by politics, economics and law; from relationships among communities and groups to relations between peoples and nations. Because of their permanence in time and their universality of meaning, the Church presents them as the primary and fundamental parameters of reference for interpreting and evaluating social phenomena, which is the necessary source for working out the criteria for the discernment and orientation of social interactions in every area.<sup>6</sup>

<sup>6</sup> The *Compendium* goes on by clarifying that: “*The principles of the Church’s social doctrine must be appreciated in their unity, interrelatedness and articulation*. This requirement is rooted in the meaning that the Church herself attributes to her social doctrine, as a unified doctrinal corpus that interprets modern social realities in a systematic manner. Examining each of these principles individually must not lead to using them only in part or in an erroneous manner, which would be the case if they were to be invoked in a disjointed and unconnected way with respect to each of the others. A deep theoretical understanding and the actual application of even just one of these social principles clearly shows the reciprocity, complementarities and interconnectedness that is part of their structure. These fundamental principles of the Church’s social doctrine, moreover, represent much more than a permanent legacy of reflection, which is also an essential part of the Christian message, since they indicate the paths possible for building a good, authentic and renewed social life. *The principles of the social doctrine, in their entirety, constitute that primary articulation of the truth of society by which every conscience is challenged and invited to interact with every other conscience in truth, in responsibility shared fully with all people and*

As we observe real social phenomena in contemporary societies, we see that these principles are largely unapplied and even misunderstood. Quite often they are interpreted in ways which are very far from the meaning and intentions proper to the social doctrine of the Catholic Church. As a matter of fact, reductionist and biased interpretations prevail almost everywhere. For instance: the common good is identified with mere material goods, like water, a healthy environment, or similar things; solidarity is identified with feelings of love, or philanthropy, or public charity; subsidiarity is defined as leaving decisions to the lower levels of the political system (see art. 3/B of the EU Maastricht Treaty).

These interpretations lead to serious consequences. Take, for example, the case of the family: the common good of the family is identified with its assets, family *solidarity* with sentiments of love, *subsidiarity* with leaving each actor to define the family as he/she likes. At the macro level of the national state, *solidarity* is defined in terms of political control over resources, or the pursuit of equal opportunities, or redistribution via the welfare state (labour or *lab* side); and *subsidiarity* is identified with devolution or privatization (liberal or *lib* side). These examples are only a few of the general misunderstandings surrounding the key-concepts of common good, solidarity and subsidiarity in respect to the Catholic social teaching.

That is why we must ask ourselves whether the Catholic understanding of subsidiarity has any real sense and any real chance to be meaningful for our times beyond its functionalist interpretation. In order to cope with this task, we have to pass through three main steps:

- (i) First, it is necessary to examine in depth the current uses of these concepts in order to clarify their correct meaning; such a clarification

*also regarding all people.* In fact, man cannot avoid the *question of freedom and of the meaning of life in society*, since society is a reality that is neither external nor foreign to his being. *These principles have a profoundly moral significance because they refer to the ultimate and organizational foundations of life in society.* To understand them completely it is necessary to act in accordance with them, following the path of development that they indicate for a life worthy of man. The ethical requirement inherent in these pre-eminent social principles concerns both the personal behaviour of individuals – in that they are the first and indispensable responsible subjects of social life at every level – and at the same time institutions represented by laws, customary norms and civil constructs, because of their capacity to influence and condition the choices of many people over a long period of time. In fact, these principles remind us that the origins of a society existing in history are found in the interconnectedness of the freedoms of all the persons who interact within it, contributing by means of their choices either to build it up or to impoverish it” (CDS § 162-163).

should be undertaken with reference both to the historical aspects of the concepts and to the way they are put into practice today;

- (ii) Second, it is particularly important to try to look at social reality and see if there are both theoretical developments and practical exemplars of the correct use of these principles, showing how subsidiarity and solidarity can work together in order to produce the common good in an effective way;
- (iii) Third, if the two above aims are achieved, we can expect that new ideas and practical orientations will be put at our disposal in order to think of a new configuration of society, one that leaves behind the Hobbesian and Hegelian heritages which still impinge upon contemporary societies and impede an overcoming of their socio-anthropological visions of society.

In seeking to accomplish these aims, special attention will be given to the issue of the interdependence between the principle of subsidiarity and the other basic principles of solidarity, common good and human dignity, to which it should be linked if we want to understand it adequately. We must examine how these principles can and should work together. As a matter of fact, *solidarity* and *subsidiarity* are mutually reinforcing and necessary to realise the *common good*. Ideally, this is the case. Indeed, it being the case is what makes for a robust civil society – one serving the common good and respecting the dignity of each and every person. However, the relationship between *solidarity* and *subsidiarity* is far from clear and easily understandable. Social circumstances have changed so radically that by the third millennium the desired relationship between *solidarity* and *subsidiarity* is badly out of alignment. Therefore, what we have to examine in this conference are the possibilities for aligning these two features of society in a newly transformed social context in which the common good has become more and more problematic.

- (a) Firstly, it is necessary to acknowledge that the relationship between *solidarity* and *subsidiarity* can never be taken for granted because their relations are not symmetrical. It is possible for *solidarity* to be high and for *subsidiarity* to be low. This was the case during early Modernity. Throughout Europe the *solidarity* of the Working Class *community* was at its peak. Yet, early capitalism was precisely where Market control was at its (unrestrained) highest and commodification reduced the value of working people to the wage form. Certainly, a thrust towards *subsidiarity* developed in the attempt to found Trade Unions, but it was deflected into wage bargaining and away from control over the work process, working conditions, and work relations, let alone production and pro-

ductivity. In short, Unions were incorporated into market relations and into the government of the liberal state.

- (b) Equally, *subsidiarity* cannot work without *solidarity*. If such a combination is tried, then the organs of *subsidiarity* distance themselves still further from *solidarity*. These agencies are either commandeered from below, by parties claiming to speak for their “community”, and/or they are invaded from above, by the commanding powers of the state bureaucracy. For example, the relative autonomy of the Academy in Europe has seen both autonomy and collegiality reduced by the imposition of government performance indicators and accountability. Subsidiarity has been forfeited largely because there has been insufficient solidarity between academics to defend it.
- (c) The conjunction between these two social forms – *solidarity* and *subsidiarity* – and thus their contribution to achieving the common good is therefore contingent and not axiomatic. This is the case despite their mutual reinforcement *when* they do happen to co-exist. Moreover, it also seems indubitable that much contemporary social change militates against their co-existence. Specifically, what has changed that makes the conjunction between *solidarity* and *subsidiarity* ever more problematic?
- (d) There is a diminishing supply of community-based *solidarity*, of shared values and, thus, of social cement. Everywhere, a variety of changes undermine the stable, geo-local and face-to-face community. Certainly, *elective* communities (and virtual communities and imagined communities) are on the increase, but without making any significant contribution to the overall *social solidarity* necessary to sustain *subsidiarity*, since, at best, it remains extremely restricted in kind (e.g. football and FIFA).
- (e) Conversely, the invasion of everyday life by market forces (advertising, commodification of welfare, and money as the sole currency) and by bureaucratic regulations (national and trans-national) have jointly accentuated increased materialism within an enlarged iron cage of bureaucracy.

Can this infelicitous cycle be broken? Here we have to consider the role of reciprocity as the social norm which contains and links together subsidiarity and solidarity. Reciprocity is here understood as the generalized medium of interchange proper to the social networks of civil society (non profit organizations of many different kinds), not as a utilitarian principle (*do ut des*).

### 3. Subsidiarity and the pursuit of relational goods

In ordinary language, as well as in most empirical sciences, the common good generally refers to a “something”, an entity belonging to everyone by

virtue of their being part of a community. The community can be big or small, from a family, a local or national community, to the whole of humankind. In any case, the common good is seen and treated as an *asset* or an opportunity to be preserved and enhanced, if possible, for the benefit of the individuals involved.

That “something”, which the common good consists of, generally refers to a tangible reality, but it may also be an intangible good. Tangible goods are, for instance, the natural resources that must be at everyone’s disposal (such as air and water), spaces usable by everyone (such as streets and squares, though today we would include the web and the Internet as well), and artistic monuments that must be maintained without being commercialized. Examples of intangible goods include peace, social cohesion, international solidarity along with the appropriate institutions for safeguarding and promoting them.

Modern thought has increasingly identified the common good with a collective, materialistic and utilitarian good, which must be available to all members of the community. The notions of affluence, development and progress conform to the above when they are considered “common goods”. Thus, modern thought is always in danger of reducing the sense and value of the common good to a possession (literally, a property), whose holders are conceived of as shareholders or stakeholders.

Hence the supremacy and prevalence today of economic and/or political conceptions, which reduce the common good to a sum of individual goods. This is true also at the international level, where the “individuals” are nation-States.

Most current economic theories define the common good as “*the greatest possible good for the greatest possible number of individuals*”. This definition of the common good presents it as an entity that is convertible or reducible, to the sum total of all the private (particular) interests of the individual members of a given society (including the world society) and interchangeable with them.

In the prevailing definitions given by the social, economic and political sciences, the common good is *an allocation of resources such that everyone derives advantage from it*. Of course, that means that such an allocation can also be unequal and even unfair. Hence, the common good is cut off from justice. Instead, what is relevant is that everyone may derive some benefit from the allocation of the resources.

Difficulties are not considered to relate so much to the definition of common good as to the rules for its implementation. Such implementation may take place on the basis of one of four criteria, ranging from the consent



to the use of force: a) the first criterion is *familiarity* (within the family, the allocation of resources consists in giving something to each member and the distribution is accepted by *consent*); b) the second is *merit* or *credit*, as dictated by individual moral conscience (each accepts the allocation received because he/she believes he/she deserves it; c) the third is mutual benefit (the allocation is accepted because it is based on the expectation of *cooperation that leaves everyone better off*; if some do not cooperate in creating a common good, they will be punished by exclusion from future cooperation because the principle of reciprocity is invoked); d) in case any of the former criteria do not work, the common good is produced by a fourth criterion, namely *enforcement* (the use of force by a third party, generally the State). Economists hold that the common good is produced only if there are sanctions against those who shirk their responsibilities. Such sanctions are different in the above four cases: a) the family takes one's consent for granted; b) individuals who did not deserve the benefits they received from the common good will experience inner guilt; c) in the third case, the possibility of future cooperation is forfeited (someone can no longer draw upon common goods); d) in the fourth case, sanctions take the form of external penalties (fines, sanctions of different kinds, as in the case of tax evasion).

From the point of view of political studies, the common good is defined as the central and essential aim of the State. Beyond the latter, the notion of the common good becomes vague if we apply the political symbolic code to it. The general idea is that the common good consists in granting fundamental rights to those entering society, especially the rights of all to have the opportunity to freely shape their own lives through acting responsibly and in accordance with the moral law. In that case, the common good is defined as the sum total of the conditions of social life that enable people and social actors more easily and readily to act freely within a predefined structure. The object of State sovereignty is to provide the means for creating these conditions. Others, in particular John Rawls, make the distinction between the Good, which actively creates a better world (however that may be defined) and the Just, which creates a fair, liberal social infrastructure – one that allows the pursuit of virtue, without prescribing what the common good actually is.

Such ideas of the common good are institutionalized in contemporary *lib-lab* political structures, i.e. in those social, economic and political systems based on two complementary principles: on the one hand, the individuals' freedom in the market (the *lib* side), on the other hand, the equality of individual opportunities brought about by the political power (the *lab* side). *Lib-lab* structures are compromises between liberalism and socialism, which can take many different forms.

Such structures appear to be limited and misleading as regards a deeper and more inclusive notion of the common good because, from the moral point of view, they obscure both the social conditions transforming an object into something common and also into a good. If the good is a *common* object, it is because the individuals who share it also have certain relations among them. If it is a *good* (in a moral sense), this is because people relate *in a certain way* – i.e. in a virtuous manner – to such an object and also to one another.

In short: a good is a common good because *only together* can it be recognized and acted upon (generated and regenerated) as such, by all those who have a *concern* about it. At the same time, it must be produced and enjoyed together by all those who have a stake in it. For this reason, *the good resides within the relations that connect the subjects*. Ultimately, it is from such relations that the common good is generated (Donati and Solci 2011). The single fruits that every single subject may obtain derive from each being in such a relationship.

The relational definition of the common good highlights those fundamental qualities that are obscured by proprietary definitions, previously mentioned.

To understand such qualities, let us start from a basic consideration. If we state that the common good is an asset belonging to the whole community, we must also admit that the good we are talking about is such because those belonging to that community recognize it as something both preceding and outlasting them. It is a good of which they cannot freely dispose. They can and must use it, but only under particular conditions, ones excluding its divisibility and commodification. Should they divide or commodify it, they themselves would not be able to enjoy its fruits.

What makes the common good indivisible and non-commodifiable? Is it perhaps an inner quality or power of that object (be it tangible as is water or intangible as are social cohesion and peace)?

In general, the answer is negative. The object in itself is always *potentially* divisible and marketable. For instance, both water and social peace, although common goods, are susceptible of being divided and marketed.<sup>7</sup> (Wikipedia is no exception). The reason why the common good cannot and must not be divided and marketed lies in the fact that, if it is divided or commodified,

<sup>7</sup> It may seem strange to think of “marketing peace”, but this is precisely what occurs when “good industrial relations” are advanced as a reason for the location of a factory or a “safe and secure environment” is given as the reason for higher house prices.

the relations among the members of that community would become estranged or even broken. The common good is, before and above anything else, the guarantee of their social link.

The quality making an entity a common good lies neither in that thing as an indivisible and inalienable “whole” in itself, nor in the will of the members of a community. It does not depend on their opinions, tastes, preferences, individual and aggregate choices. People generate and regenerate it, but the good has its own (emergent) reality that does not depend on people desiring or benefitting from it. They contribute towards generating it, but they do not create it by themselves. Rather, they can destroy it by themselves. If they do so, they break the social links connecting them to the other people in question.

We realize that the common good has its own inalienable nature, resting upon the relations existing among those sharing it, because it preserves the foundations of the social bond. But the *sharing* must be, and is, indeed, voluntary. It has not, and cannot have, a character reliant upon force. Precisely because the common good has a relational character, it resides in the mutual actions of those who contribute to generating and regenerating it.

Should the social link break, there would be a collapse of the qualities of the people sharing it, since human qualities depend on the link itself. Only if we see the common good as a relational good, can we understand its inner connection with the human person.<sup>8</sup>

As a matter of fact, a socio-anthropological foundation of the principle of subsidiarity needs to refer to a concept of the common good that is quite different from the pure economic and political versions of it. A vision of the common good is outlined, according to which:

- (a) The common good is the social link joining people together, on which both the material and non-material goods of individuals depend. *The human person cannot find fulfilment in himself, that is, apart from the fact that he exists “with” others and “for” others.* This truth does not simply require that he live with others at various levels of social life, but that he seek unceasingly – in actual practice and not merely at the level of ideas – the good, that is, the meaning and truth, found in existing forms of social life. No expression of social life – from the family to intermediate social groups, associations, enterprises of an economic nature, cities, regions, States, up to the community of peoples and nations – can escape

<sup>8</sup> On the topic of “relational goods”, their definition and measurement: see Donati and Solci (2011).

- the issue of its own common good, in that this is a constitutive element of its significance and the authentic reason for its very existence;
- (b) The common good does not consist either in a state of things, or in a sum of single goods, or in a prearranged reality, but it is «the whole *conditions* of social life that allow groups, as well as the single members, to completely and quickly reach their own perfection» (*Gaudium et Spes*, 26); in particular, it consists in the conditions and exercise of natural liberties, which are essential for the full development of the human potential of people (e.g. the right to act according to the promptings of one's conscience, the right to the freedom of religion, etc.);
- (c) In brief: the common good represents the social and community dimension of the moral good; the common good is the moral good of any social or community relations. The common good does not consist in the simple sum of the particular goods of each subject of a social entity. Belonging to everyone and to each person, it is and remains “common”, because it is indivisible and because only together is it possible to attain it, increase it and safeguard its effectiveness, with regard to the future. Just as the moral actions of an individual are accomplished in doing what is good, so too do the actions of a society attain their full stature when they bring about the common good. The common good, in fact, can be understood as the social and community dimension of the moral good.

Therefore, a socio-anthropological vision must be necessarily critical towards any materialist, positivist, utilitarian and ultimately functionalist objectifications (reifications) of the common good. A humanistic picture of the common good must oppose any “proprietary and utilitarian” conception of it. It should appeal to reasons based on the fundamental sociability of human beings and their rights.

From this sociability, it draws conclusions that mean the common good cannot be confused with concepts whose similarity is only apparent, such as concepts of the *collective* good, of *aggregate* good, the good of the totality, vested interests, *general interest* and so forth. Only such a vision can preserve a potential for critique and for the advancement of human emancipation that modern and postmodern thought seem to have lost or relegated to the fringe of society.

Nonetheless, the concrete application of this humanistic perspective does not yet appear to be living up to its potential.

In fact, the concept of the common good – rather than being developed in a relational way – is often, in practice, traced back to an organic and vertically stratified picture of the society. This image is based on two mainstays:

(a) the assertion of the primacy of politics as “synthesis” of the common good («Each human community possesses a common good which permits it to be recognized as such; it is in the *political community* that its most complete realization is found». CCC 2005, n. 1910), and (b) the consequent granting to the State of the privileged role of being the apex of society, which protects, rules and creates its civil society («It is the role of the state to defend and promote the common good of civil society, its citizens and intermediate bodies». CCC 2005, n. 1910). It would be misleading to think of the “global public authority” in these terms.

In presenting this paper, I wish to argue that the social doctrine under discussion can and must enlarge its horizons on the common good through an adequate *widening of its relational vision*. That is, it can develop its potential for illuminating and supporting new politics and social practices, only in so far as it widens and deepens the relational basis of the common good and derives the necessary consequences from it in terms of applications and operative principles in the new context of globalization.

In fact, this context underlines certain problems that can no longer be bound by the political configuration to which the social doctrine still refers when it claims: “*The responsibility for attaining the common good, besides falling to individual persons, belongs also to the State, since the common good is the reason that political authority exists.* The State, in fact, must guarantee the coherency, unity and organization of the civil society of which it is its expression, in order that the common good may be attained with the contribution of every citizen. The individual person, the family or intermediate groups are not able to achieve their full development by themselves for living a truly human life. Hence the necessity of political institutions, the purpose of which is to make available to persons the necessary material, cultural, moral and spiritual goods”. (CDS § 168). Certainly, this is true, but the State is not the exclusive bearer of such a task. The task of ensuring participation, social inclusion, security and justice is certainly what justifies the existence and the action of the State, but the State must accomplish those tasks in a subsidiary way as regards the civil society, local, national and international, and in any case it is not the one and only and supremely responsible body involved. This is what I mean when I say that we need to go beyond a functionalist reading of the subsidiarity principle.

A development of the social doctrine is required that takes into account globalized society’s great differentiation into spheres, which are more and more distinct and articulated among themselves, both at an infra-state and at a supra-state level. The common good becomes a responsibility not only of individuals and of the State, but also – in a completely new way – of the

intermediate social bodies (which I prefer to call “*civil societarian networks*”)<sup>9</sup> now playing a fundamental role in mediating the processes by which the common good is created. These are no longer solely *bottom-up* (realization of the common good through movements that come from below) and *top-down* (the creation of the common good by the State and then spreading downwards to the grassroots), but are also horizontal and lateral processes that depend neither upon the State nor upon the Market.

Since the common good is not the result or the sum of the individuals’ actions, we need a conceptual framework in order to understand properly the very fact that it is a reality exceeding individuals and their products. On the other hand, it is not an “already given whole”, possessing inner properties and powers, making it indivisible and not commodifiable. It has an ontological status by virtue of its fruits because, without the common good, those fruits could not exist. But people can always make it divisible and commodifiable. When they do so, they destroy the common good and consequently the community ceases to exist.

<sup>9</sup> I must point out that a social body or a social network, *per se*, is not necessarily civil and relational. In the relational approach (see Donati 2011), networks are always intended to be networks of relations (and not networks of material objects or simply “nodes”) and, therefore, since a social relation implies a reciprocal action, what I call networks are to be understood as “relational networks” (for instance, from the sociological point of view, “a gift” must be understood not as “a (material or non-material) thing” freely given to somebody which links two or more persons, but as a social relation inscribed within a network of free giving-receiving-reciprocating actions which relate a complex chain of actors to each other). That’s what distinguishes my critical (and relational) realism from others (viz. Dave Elder-Vass 2007), to whom social relations are understood as “real” structures (as in the relation between two atoms of hydrogen and one of oxygen in a molecule of water). Social reality is ontologically different from material (physical, chemical, biological) reality. And therefore relations are made up of a different stuff (which implies a different concept of “structure”). The term “civil societarian” can be explained in the following way. A *Civil Societarian* strongly supports the institutions of civil society. These include families, corporations, religious groups, private schools, charities, trade associations, and the other peaceful, voluntary collective organizations that promote our individual and collective well-being in so far as they are relational networks. These are the civil societarian networks to which I am referring. The stereotypical libertarian might cite Ayn Rand and exalt the independent individual. Instead, a civil societarian would cite Alexis de Tocqueville, and his observation that democracy is based upon people who, whatever their age, social conditions, and personal beliefs, constantly form associations. These voluntary associations are what a civil societarian sees as the key to civilization. Government may contribute to civil society, but it also intrudes on it. The means of avoiding colonization is precisely to appeal to the principle of subsidiarity. Jean-Jacques Rousseau’s theory of the General Will serves as a good contrast to the civil societarian’s view.

The common good belongs to that reality which is relational in character: “life in its true sense ... is a relationship”.<sup>10</sup>

Social dynamics continuously both create and destroy common goods. Within modernity, those processes which have become detached from social relations have made the destructive forces more powerful than the creative ones. But, at the end of Western modernity, in what I call an *after*-modern society or “relational society”<sup>11</sup> (which is a critical view of what some scholars call “reflexive modernization”,<sup>12</sup> and is synergic to what Archer calls “morphogenetic society”),<sup>13</sup> the opposite may occur: society can make inalienable what was actually divisible and marketable, namely it can generate a new and novel common good.

Empirical processes are always reversible, at least in principle if not as a matter of fact (this is what sociology means when it says that society is becoming more and more complex along with higher-order cybernetic processes). In any case and in concrete terms (i.e. ones not restricted to a metaphysical notion of common good), it can be seen that in human society there are a variety of common goods: there are non-negotiable common goods and others that, under some circumstances, may be subject to considerations of utility or convenience.

How is it possible to trace these distinctions?

To trace the distinction between the common goods which can be made negotiable (e.g. some natural resources) and those which are not negotiable in any way (e.g. human dignity and peace) is the task of a relational vision of the common good.

Let us make this claim clearer by introducing a basic argument. The first common good is the dignity of the human person, which is – at the same time – also the basis of any further common good. In this apparent circularity lies the solution of self-paradoxes of the postmodern thought (for instance, J. Derrida, N. Luhmann),<sup>14</sup> according to which the common good is a paradox based on unsolvable paradoxes. It is a fact that the human dignity of a single person cannot be violated without all the surrounding community suffering because of this. To violate human dignity means to wound the possibility of pursuing the common good from the start.

<sup>10</sup> Cf. Benedict XVI, Encyclical *Spe Salvi*, n. 27.

<sup>11</sup> I introduced the term “relational society” since 1986 (Donati 1986).

<sup>12</sup> See U. Beck, A. Giddens, S. Lash (1994).

<sup>13</sup> See M.S. Archer (1995, 2012).

<sup>14</sup> See G. Teubner (2001).

But what is human dignity? What can or cannot be negotiated within it?

Human dignity is not a quality that individuals may individually own and upon which they can individually decide. On the other hand, neither is it the sum (the aggregate) of a quality pertaining to all members of a community. It is something coming before them and going beyond them. It is something that they enjoy without being able either to divide or to alienate it.

The dignity of the human person, if considered as a common good, shows us that such a quality is not an individual one, but it is connected and inherent in the relations of the person with the whole creation.

Prior to all else, the good is common thanks to its dignity. And dignity is a quality that cannot be circumscribed and limited to a single individual (qua isolated monad), but spreads to the relations in which the individual expresses him/herself, where it is preserved and where it flourishes. The family, for instance, is a common good if and because it is seen as a specific relation realizing the dignity of the human person.

So we come to see the moral dimensions of the common good, ones which trespass beyond its concretely expressible dimensions (material and non-material).

The moral dimensions signal that the common good is a relational good, which is legitimated by the foundational criterion of human dignity.

In brief: the common good is neither a “collective heritage” that may be expressed concretely in an entity separate from the human person, nor an aggregate of individual goods (in that case, we call it the collective good or the good of the totality). It is something that belongs, at the same time, *to all the members of a community and to each of them, as it resides in the quality of relations amongst them.*

This is the basic principle upon which new “civil constitutions” can be built up at both the national and supranational level, according to the networking and polycontextural character of a globalized society.<sup>15</sup>

As regards the social sciences, it is here that the principles of subsidiarity and solidarity come into their own. In fact, only a relational theory can represent the common good as an emergent consequence of the combined actions of subsidiarity and solidarity. By working together, they can lead to the recognition and enforcement of the human rights which are to be constitutionalized in the civil constitutions. From such a relational vision it is possible to differentiate the negotiable from the non-negotiable common goods. The task of discovering and understanding the relational character

<sup>15</sup> See Teubner (2005).



of the common good has just started and must be further and more thoroughly analyzed in the future.

#### **4. A relational definition of subsidiarity and solidarity.**

In current debates, a variety of definitions of subsidiarity, as well as of solidarity, are used. The list is very long and there is no need to itemise it fully now.

For example, subsidiarity has been defined as follows: as entailing proximity to the subjects concerned or, according to the organizational dimension, as devolution, privatization, articulation of citizenship rights, multilevel governance, and so forth. Many different types of subsidiarity have also been delineated: vertical and horizontal, defensive and promotional, relational and reflexive subsidiarity, circular and strengthened subsidiarity, and so on. Solidarity, in its turn, has been conceived of as: redistribution, beneficence, charity, social welfare benefit, social interdependency, etc.

What I want to point out here is that to conceptualize these two terms (subsidiarity and solidarity) properly, we need not only to employ them together, but also to *define them in relation to one another*. That is exactly what the relational approach does. It claims that, considered in their social phenomenology, *common goods are the products of those action systems that have human dignity as their value model (referring not only to the individual as such, but also to his or her social relations) and which operate through social forms that are both solidary and subsidiary among the subjects concerned*.

The relational definition of the common good leads to a relational vision of the principles of subsidiarity and solidarity, meaning that subsidiarity and solidarity are seen as two ways of relating to others, both of which acknowledge the dignity of the Other (as a person).

Solidarity is a relation of Ego with Alter, in which both do what they can in relation to the responsibility that everyone has towards the common good. Solidarity means that all play their own part, according to their capabilities. Subsidiarity means to relate to the Other in a manner that assists the Other to do what he or she should, according to a relational guidance system of action.<sup>16</sup>

<sup>16</sup> A relational guidance system of action is needed in order to avoid the fallacy that subsidiarity presupposes a “normative approach” governing the giving of assistance. When I say that subsidiarity means that Ego helps the Other to do what s/he has to (or must) do as a *suum munus*, I do not imply that Ego dictates the norms of conduct to Alter, by providing him or her with a sort of Decalogue. In that case Alter’s internal and external

These two principles should generally operate *together* (co-operate) because, if they do not, no common good will be generated. At the same time, it is clear how one is defined in terms of its relationship with the other. If Ego wants to help Alter without oppressing him or her, then *subsidiary and solidary* must co-exist between them. Subsidiarity (the very fact that Ego wishes to help Alter to do what Alter has to do) requires an act of solidarity. In this case, solidarity is neither (unilateral) beneficence nor charity, but the assumption and practice of the joint responsibility that both Ego and Alter must have towards the common good (this is also the meaning of solidarity as interdependence, which is still valid when one party cannot give anything material to the other party).

The common good is therefore the fruit (the emergent effect) of *reciprocity between solidarity and subsidiarity*, as implemented by Ego and Alter in their mutual interaction.

At this point, one can now appreciate the importance of the claim that the common good is the fruit of reciprocity understood as the rule of action, which stems from the spirit of free giving. Reciprocity exists in society as an irreducible phenomenon, since it is neither a sharing of utilities (*do ut des*: such a form is appropriate to contracts and the sharing of equivalents, as Alvin Gouldner has claimed),<sup>17</sup> nor an exchange of gifts to end up a circle of vendettas (as Mark Anspach argues),<sup>18</sup> in a mimetic and sacrificial way, ultimately serving to underline the sense of belonging to a common tribal entity. *Instead, reciprocity is mutual help, performed in a certain way. In other words, reciprocity is help concretely given by Ego to Alter in a context of solidarity (that is, one of shared responsibility and recognized interdependency), i.e. such that Ego is aware (recognizes) that Alter would do the same when required (namely, Alter would assume his/her responsibility within the limits he or she can afford) when Ego needs it.*

Reciprocity is upheld and is effective as long as it is firmly grounded upon a recognition of the dignity of the Other. The common good takes root in the human person precisely because it exists and derives its meaning from serving the other person in his/her dignity.

reflexivity would be impeded (Donati 2011, ch. 6). On the contrary, relational guidance means that Ego acts as a stimulus to the internal and external reflexivity of the Alter, since all the needs, desires, and projects of Alter should be met by supporting him or her to develop their own capabilities, aspirations, concerns, etc. through an evolving relational setting in which Ego is charged with the task of ensuring that the goals selected are ethically good and that the means chosen are adequate to the pursuit of these goals.

<sup>17</sup> See Gouldner (1960).

<sup>18</sup> See Anspach (2002).

Upon these premises, we can understand the specific configuration of the action system generating a common good. The relation between the human person and the common good is the referential axis, which is needed to link that which has an inalienable dignity in itself with the situated (i.e. particular) relational good in a given context. To become operative, an action system oriented towards the common good also needs means and rules, which must complement the value of human dignity. Only such an action system can avoid both holism and individualism. What enables the action system for the *situated* common good (namely a concrete common good that must be produced here and now, context after context, situation after situation) to work in this way are the two principles of subsidiarity and solidarity. They have the task of specifying the means and rules of the acting “system”. Without them, the common good could not actually be generated.

Thus, it may be stated that *the common good is the emergent effect of an action system operating under the “combined provisions” of subsidiarity and solidarity to increase the value of the dignity of the human person.*

The principle of subsidiarity is an operating instrument. It is not to be confused with the principle of competence attribution (the distribution of *munera*). The distribution of tasks lies on the axis that connects the dignity of the human person to the common good.

Subsidiarity is a way to supply the means, it is a way to move resources to support and help the Other without making him/her passive. Subsidiarity allows the Other to accomplish his/her tasks, namely to do what he/she should do, what is up to him/her and not to others (*munus proprium*). Instead, solidarity is a sharing of responsibility, operating according to the rule of reciprocity.

In fact, providing means, resources, aid and benefits to Alter could have the consequence of making him dependent on Ego, or of exploiting him for some other purpose. That is why subsidiarity cannot work without the principle of solidarity. Through it, Ego recognizes that, when helping Alter, there is a responsibility (shared with Alter), that is, Ego and Alter are linked by their interdependence on one another – and interdependency is viewed as a moral category according to the encyclical *Centesimus Annus*.

The above framework serves to explain why the common good does not coincide with justice.

Certainly, the common good is a “just” good. Justice is a means to reach the common good (being its aim). However, by itself, justice runs the risk of being purely legal. What makes it “substantial” (or rather “fully adequate”) is that its constitutive criterion (*suum cuique tribuere*) works through the connection between subsidiarity and solidarity. For instance, the person com-

mitting a crime must be sanctioned because he/she has violated the common responsibility (solidarity), but the sanction must not have a merely punitive or revengeful aim. Its objective should be to assist the guilty person to do what he/she has to, namely, to re-establish the circuit of reciprocity.

If an act of solidarity towards those who commit a crime is not subsidiary to them (in order to have them re-enter the circuits of social reciprocity) it would not be a right action. Solidarity by itself does not produce the common good: quite often, it becomes pure charity or the kind of egalitarianism that does not take real differences and diversities into account, not to speak of cases where solidarity can lead to real “bads” or evils.

On the other hand, neither does subsidiarity alone produce the common good. In itself, subsidiarity may easily be interpreted in a reductive way as *devolution*, as a system of balancing powers (*check-power-check*) or, at worst, as *laissez-faire*.

Justice generates the common good only if it works through an active complementarity between solidarity and subsidiarity. We must remember that, in keeping with the social nature of man, the good of each individual is necessarily related to the common good, which in turn can be defined only in reference to the human person. This is the reflexive imperative inherent to human life: “Do not live entirely isolated, having retreated into yourselves, as if you were already justified, but gather instead to seek the common good together” (Epistle of Barnabas).

In short: the common good is that relational good stemming from the fact that Ego freely recognizes the dignity of what is human in Alter and he/she moves through actions which jointly invoke solidarity and subsidiarity towards Alter. The common good of a plurality of subjects is generated on the assumption of the equal moral dignity of persons as an emergent effect of actions combining reciprocity (incident to the principle of solidarity) with the empowerment of the Other (incident to the principle of subsidiarity).

Important consequences follow from all that for the configuration of society.

## **5. Implications for the relationships between world public authorities and an international civil society**

The relational understanding of common good leads to various implications for society’s organization, beyond the *lib-lab* configuration typical of the 20<sup>th</sup> century.

(I) Firstly we see that *the common good coincides neither with the modern nation-State, nor with the State-Market compromise, but it is the product of*

a system of social action, involving a plurality of subjects orientating themselves one another on the basis of reciprocal solidarity and subsidiarity. This plurality includes international actors outside the State (world public authorities like UNO, WTO, FIFA, etc.) and civil organizations inside it. It is precisely this new network structure of the nation-State that changes its modern constitution and makes the identification of the common good with the State different from the past.

(II) Secondly we see that *subsidiarity does not concern only the vertical relations* existing in a society, conceived of as a pyramid sloping downwards from the supranational (world public authorities, supranational communities linking in many different ways a set of nation-States such as the EU or Mercosur) to the national level (State, regions, municipalities), to the family and to the human person. Such a version of subsidiarity is quite limited and is fit only for the hierarchic relations of the political-administrative system (that is why it is called “*vertical subsidiarity*”).

When we affirm that subsidiarity means that responsibility is taken closer to the citizens (*subsidiarity means having responsibility at the actual level of actions*), we generally refer to that kind of (strict, defensive, vertical) subsidiarity defined by Pius XI in *Quadragesimo Anno* n. 80. All instances are not of this kind because the idea of closeness to citizens implies other ways in which subsidiarity may operate:

- (a) There is a principle of subsidiarity between State and organizations of civil society (for instance municipalities and voluntary organizations) termed “*horizontal subsidiarity*”, since public authorities and third sector (no profit) organizations must cooperate on a symmetrical basis; and
- (b) There is a principle of subsidiarity among the subjects of civil society (for instance, family and school; between an enterprise and the employees’ and clients’ families, etc.) which may be called “*lateral subsidiarity*”, since it is implemented only by civil entities.

Only by having a generalized idea of subsidiarity is it possible to differentiate its different modalities (vertical, horizontal and lateral). This general concept is that of *relational subsidiarity*, which consists in helping the Other to do what he/she should. Such a generalized concept is then developed vertically, horizontally and laterally, according to the nature of problems and subjects at issue.

(III) Thirdly, as was the case with subsidiarity, solidarity too can take various shapes. There is solidarity that is generated through redistribution, but also through free giving, through solidarity contracts or through reciprocity. Solidarity as a sharing of responsibility within interdependency is its more generalized meaning, namely, one always effective as a value model, but defined in different ways according to subjects and circumstances.

In brief, the relational approach leads to an understanding of what is meant by saying that global society can and must *extend* and *enlarge* the concepts of subsidiarity and solidarity, making them work relationally.

To extend those two principles of social action means to be able to generalize and differentiate them at the same time, though always treating them in combination.

Hence, for instance, to extend subsidiarity means having a generalized concept (relational subsidiarity) structured in its different modalities (vertical, horizontal and lateral) and applied at different times and places, according to the performative exigencies of the various social spheres involved and of their actors. Exactly the same goes for solidarity. Thus, we can conceptualize a generalized system for the creation of common good through the extension of the solidary-subsidiary relationship.<sup>19</sup>

The norm of reciprocity nourishes recourse to the subsidiary-solidary relation (complementarity between subsidiarity and solidarity) among distinct, varied and differentiated spheres, such as: (i) at the international level, the networks among nation-States, NGOs, UNO; (ii) at the national level, enterprises and trade unions, local political-administrative institutions, volunteers' organizations and other third sector organizations.

Nonetheless, reciprocity needs a reason to be activated (who gives first?). In fact, the "structural coupling" of the various spheres being distant and different from one another, and probably scarcely disposed to create subsidiary-solidary relations with each other (i.e. a local government and an organization for mutual aid, an enterprise and the employees' families, etc.), means that there is a need for a free act of recognition (a "gift") to kick-start the mobilization of solidarity and to direct it towards subsidiarity. A symbolic, though rare, case is that of an enterprise not only activating *family friendly* services for employees, but conceiving more widely of professional work as being subsidiary to the family rather than the contrary (it is called "corporate family responsibility").

An international society that, because of its organization, is inspired by the common good must extend its subsidiary-solidary relations throughout all spheres of life – inside them and between them.

<sup>19</sup> The four dimensions of subsidiarity (situated goals, means, norms, values) must, and in fact do interact and work together if we want to get out of the Modern System which is now producing a deficit, instead of an increase, of common goods (as relational goods) in education (for an empirical investigation see: P. Donati, I. Colozzi (eds.) (2006), health care and many kinds of social services, particularly family services (Donati, Prandini eds. 2006).

It is clear how such a configuration differs from all those theorized in the modern age, starting from T. Hobbes to F. Hegel, K. Marx and the great theorists of the welfare state of the 20<sup>th</sup> century, to the current *lib-lab* structures. The *lib-lab* welfare systems do not take their inspiration from the model of systems oriented towards the production of common good through the principle of subsidiarity combined with that of solidarity. Instead, they are based on the compromise between Market and State (profit & political power), i.e. they stand on two legs: the one, individual liberties to compete in the market, the other, state interventions to ensure equality of opportunities for all. This applies to the national as well as international scale.

It should be underlined that the relational model of common good is necessary today not only to solve the failures of the “State + Market” combination. It is not a model simply understandable in terms of better evolutionary adaptation. It stems from a new “relational anthropology of civil society”, that is from a new way to practise human reflexivity in civil relations (those which are not “political” because they *do not* refer to the political-administrative system, though not excluding it, but even less are they reacting against it).

After these considerations, we may be in a better position to point out the implications of the relational theory of the common good for configuring the relations between public authorities and civil society in a new way at the national as well as international level.

The discontinuity with the past does not imply any need to revise the key-concepts (person, subsidiarity, solidarity, and the common good). Instead, the discontinuity affects the interpretation and implementation of such concepts, which is *no longer functionalist in kind*.

In the context of the functionalist approach, the common good is a state of affairs that, other things being equal, improves the position of at least one participant. It does not require solidarity, not to mention reciprocity. It says nothing about human dignity. Subsidiarity is used to refer to a kind of *smooth functioning*. Solidarity is understood as resulting from social compensation (redistribution, charity), necessary in order to make the system work.

In the context of the relational interpretation, the common good is *a quality of relations* on which the concrete *goods* (in the plural) of the participants in a given situation depend, that is, the goods of everyone and of all those belonging to a community, according to their different needs.

In short: the political system, from the supranational to the local one, has four ways to relate to the civil society:

- A vertical modality, maintaining solidarity through re-distributional measures;

- A horizontal modality, supporting the organizations of civil society through a type of relational contract, called “contracts of social solidarity”, not dependent upon political command and not oriented to mere profit, but operating on the basis of mutual subsidiarity;
- A lateral modality, generating subsidiarity among subjects of civil society, without any intervention (or only a residual one) by the state, so that the basic social norm followed by actors is reciprocity (reciprocal subsidiarity) instead of (political, legal) command or monetary equivalence (for profit);
- A generalized relational modality simply recognizing the dignity of the Other and giving him/her the gift of such recognition, thus establishing the free credit that sets reciprocity in motion.

Such a configuration seems to be able to produce common goods far beyond that of current configurations, where public authorities relate to civil society as an absolute power (Hobbes’ Leviathan), or as an ethical State (F. Hegel), or as an expression of the hegemonic forces of civil society (A. Gramsci), or as the political representation of the Market (R. Dahl).

In such a “relational” configuration, the Third sector (non profit organizations) and the Fourth sector (constituted by informal primary networks and families, let us think for example of the international adoption of children) play a central role, precisely because they are moved by free giving and reciprocity. These two sectors are put in a position from which to express their potentialities (namely to develop their own *munera*) precisely because they are not treated as residual subjects, as if they needed only aid, rules and control by the complex of the State + Market.

Third sector organizations and voluntary associations become social actors with their own powers, independent from State and Market. Concrete instances are: the international federation of the *community foundations* widespread in many Countries, the COFACE at the EU level, many international NGOs and cooperative networks.

## 6. A new subsidiary order suited to a globalized society

Is it possible that these new actors, generating common good through the conjoint work of subsidiarity and solidarity, can indicate a generalized model of action for the governance of globalizing society?

On the whole, this seems to be the case. In fact, in the 21<sup>st</sup> century, society is no longer pyramidal or hierarchical, but reticular and self-poietic in its structures and in its morphogenetic processes. Given such structures and processes, common goods are produced more effectively, efficiently and fairly through modalities based on networking through subsidiarity and solidarity, rather



than all outcomes depending upon the primacy of command and/or profit (as in *lib-lab* systems). Concrete instances are: fair trade, NGOs for health assistance in developing Countries, and the novel “epistemic communities”, transferring knowledge and learning outside commercial circuits.

The main problem is represented by the political system, which is now incapable of representing and governing civil society at both the national and international levels. The latter enhances its developmental potentials far beyond the ruling and controlling abilities of political systems, be they local, national or supranational ones. In some cases, in fact, political systems are seen to be perverting civil society, because they introduce ideological and interest divisions characteristic of the political parties, rather than directing civil actors towards the promotion of the common good.

So far, the principles of the common good, subsidiarity and solidarity have been expressed in the context of the *political constitutions* of nation States, with supranational political systems – such as the EU – on the horizon. But the age dominated by the political constitutions of nation States is disappearing (it survives only in those areas which have yet to pass through it, such as the former Yugoslavia, the Balkans, and some geopolitical areas of Africa and Asia). Nation States cannot govern the global social context. Nor we can think of the UNO as a supranational State. To cope with globalization, new political configurations are necessary on a supranational and infra-national level, and it can be useful to draw on the principles of subsidiarity and solidarity in order to envisage them. These principles must be interpreted from a new perspective – no longer that of nation States, but rather of an emergent global civil society, which is not limited or bound to the frontiers of the nation States any longer.

The idea is growing that these principles can form the basis of action systems capable of generating common goods and elaborating and promoting the rights/duties of persons through the networks of civil society, which are now emerging from the processes summarized as globalization. This is the theme of *civil constitutions*. It has to do with *charters* or *statutes* drawn up by civil bodies, rather than by the political apparatuses of nation States, ones which regulate the actions of the civil subjects who operate in a certain sector of activity. These activities may be economic, social, and cultural ones including the mass media. Some examples are found in the statutes of the ILO and WTO, internationally proscribing child labour, or in the Charters of international organizations approved by journalists, forbidding the exploitation of children in TV advertising.

Civil constitutions are normatively binding and have the following features: i) They are “constitutional” because they concern the fundamental

rights of the human person (e.g. bioethics, labour and consumption); ii) They are civil because the social subjects, to whom these constitutions are addressed in order to define a complex of rights and duties, have a civil, rather than a political character (they are not the expression of political parties or political coalitions, but of the associational world in the economy and in the non-profit sectors, e.g. WTO, NGOs, etc.); iii) They give shape to deliberative, rather than representative, forms of democracy, since the social subjects to whom civil constitutions are addressed (and applied) are, at the same time, the subjects that have to promote them through forms of social (“societarian”) *governance* (based upon open co-ordination), rather than political *government* (based upon power directivity). In other words, the subjects of such constitutions are at the same time the bearers (*träger*) of rights and duties and the actors responsible for their implementation.

These civil constitutions are quite independent from territorial boundaries because they are elaborated and implemented by global networks, often international ones, made up of civil subjects. Thus, they place themselves alongside (not against) the classical political relation of citizenship (namely the relation between the individual citizen and the nation State), by assuming certain functions, particularly those concerning the advocacy and empowerment of the rights/duties of persons and of social bodies.

This is the new scenario that renders obsolete the old *lib-lab* configuration of society. Social sciences have coined several terms to capture this new reality. They talk of “connectivity”, of a “society of networks” or “network society” (Manuel Castells), of “project-cities” (Luc Boltansky and Eve Chiapello), of “atopia” (that which exists anywhere geo-locally), instead of utopia (that which exists nowhere) (Helmut Willke). We talk of a “relational society”.

All those expressions point to the advent of a society that is a plural whole made up of different spheres, which are now all de-territorialized, where different criteria of justice (and ultimately of justification) are valid.

The “pluralization of spheres of justice” spreads without solving the problem of how to put the more and more differentiated spheres of justice in relation with one another (a problem actually left unsolved by Michael Walzer).<sup>20</sup> To confront that problem requires a “relational reason”<sup>21</sup> that is capable of exercising “meta-reflexivity”.<sup>22</sup>

<sup>20</sup> See M. Walzer (1983).

<sup>21</sup> On the concept of “relational reason” see P. Donati (2009).

<sup>22</sup> On the concept of “meta-reflexivity” see M.S. Archer (2007).

From that point of view, the principles of the social doctrine that would configure a social system, capable of generating the common good, appear to be exactly what is needed in order to meet the new demands of a society that is “relational” in new ways.

The mix of subsidiarity and solidarity may lead to building up social practices that, on the one hand, are sensitive to basic human rights and, on the other, are able to generate those common goods that neither political command, nor the economic profit motive can realize.

There are many examples of social practices reflecting, or acting as pointers to such a new spirit of the new millennium: Lets (local exchange trading systems), the *économie solidaire*, the economy of communion, the local Alliances for the family born in Germany and now widespread in the European Union member states, the Food Bank, Peer-to-Peer & other forms of electronic giving and sharing, NGOs like Médecins sans Frontières, microcredit run by non-profit entrepreneurs, ethical banks, time banks, and so forth.

It is essential to initiate a new process of reflection to examine whether, how far and in what ways those initiatives are sensitive to human rights and foster the emergence of new common goods through the conjoint operation of solidarity and subsidiarity – each of these operating within its proper “sphere of justice”.

The task remains of analyzing the concrete examples, mentioned above, in the light of the theory summarized here. Such an analysis should show under which conditions these instances of seemingly “good practice” actually do produce new common goods or not. At the moment, it seems that good practices need a more precise and shared theoretical-practical framework that underlines how subsidiarity and solidarity cannot currently produce common goods if they do not operate as forms of recognition of the dignity and rights–duties (*munera*) of the human person, in the respective social spheres in which they work.

To pursue the common good in a generalized way, we need to widen the scope of reason, namely human thinking has to be able to embrace and to handle the properties of those action systems generating the common good.

In such systems, the subsidiarity–solidarity relation certainly has to play a central role. Nonetheless, there is no doubt that the most delicate and critical dimension concerns the recognition of the human rights, because there is the ever-present risk of ideological or reductive distortions of human dignity.

Contemporary Western culture urgently needs to elaborate a theory of the recognition of human rights, one that does not lose, forfeit or sacrifice the peculiar quality of the human being. Certainly, modernity expressed

strong ethical tensions when elaborating the different forms of recognition based on love (friendship), rights (legal relations) and solidarity (community normativity). Nevertheless, current exemplifications of de-humanization go far beyond the expectations of modernity. There is talk of the coming of a post-human, trans-human, in-human, cyber-human era. There is also talk of the hybridization and metamorphosis of humankind. Those phenomena present such radical challenges as to need a new vision: we have to re-configure human rights from the point of view of the common good, that is, to *conceive of human rights as common goods*.

A society wanting to pursue the common good in a progressive rather than a regressive (not to say ideological) way must reformulate the criteria of what is human through good practices, i.e. practices which can be called “good” insofar as they combine four elements: *the gift of dignity conferred upon the human person, interdependency among people, acting so as to empower the Other, and caring for the relations among persons as goods in themselves* (the common good as a relational good). These elements are relational in themselves and relational to one another.

Each element is a relation endowed with its own “value”<sup>23</sup> and, at the same time, has to realize itself in relations with others. Each has value in relation to the others, not according to a sequence of “dialectic overcoming” between a thesis and an antithesis that should “unite them while preserving their inner truth without any contradiction with each other” in a utopian “synthesis” (as *Aufhebung*). The common good is not like this. Rather, it is constituted by and constitutes relations (reciprocal actions!) combining to generate the common good in the various social spheres – which now endorse more and more differentiated and plural criteria of justice and worth.

## 7. Prospects: a new frontier for the subsidiarity principle

Our globalizing societies need pointing to some process whose workings amplify *solidarity* and *subsidiarity* simultaneously, thus enabling the common good to be augmented. I suggest finding the key linking the two in the concept and practice of *reciprocity*.

*Reciprocity* comes into its own as a “starting mechanism”. In so doing, it solves a problem encountered in studies of participation in voluntary associations. It is regularly found that membership of them increases trust, of fellow members and in general, and trust is the common denominator of

<sup>23</sup> Value here means its own criterion of assessment according to its own directive distinction, which is contained in the latency dimension of the social relation.

*solidarity*. Yet, where does the impetus come from to develop voluntary associations in the first place?

The role of *reciprocity* as a “starter motor” has long been recognised. Cicero wrote that “There is no duty more indispensable than that of returning a kindness”, and added that “all men distrust one forgetful of a benefit”. However, *homo reciprocus* has often been and often is subject to a one-sided accentuation (actually a distortion) of his contributions and their consequences.

For example, Marcel Mauss saw reciprocal gifts as underwriting exchange relationships and, thus, inexorably leading to the Market and its *ahuman* principles. Conversely, Alvin Gouldner viewed *reciprocity* as a generalised social norm, stabilised by a “mutuality of gratifications” (a *do ut des* relationship) and socially stabilising in its turn. However, such “mutuality” was always at the mercy of force which, in turn, undermined *reciprocity* and replaced it by relations of coercion. Note that neither view can sustain an active view of *justice* (law working for the common good), for in the two cases Law would serve respectively to reinforce market relations and power relations.

Some notions, seemingly cognate to or substituting for *reciprocity*, actually break away in the same two directions – towards market relations or towards power relations. Thus, many reductionists’ interpretation of “social capital” (mostly economic and political theories) tend to assume that even the most *Gemeinschaft*-like groups are based upon “interest”, whose advancement (or defence) involves exchanges with other forms of capital and thus entails a commodification of persons which is antithetic to *solidarity* and *subsidiarity* alike. Conversely, strict Communitarianism, as its liberal critics suggest, seeks to combine the virtues of fraternity with the vices of intolerance.

Reciprocity is linked to free-giving. *Reciprocity* can only be the key link between *solidarity* and *subsidiarity* provided that it retains its own linkage to free-giving – based upon affect, concern and involvement in the lives and well-being of others.

There appears to be sufficient impetus towards free-giving in our populations (for example, organ donors or blood donors) that fuels *reciprocity* as a process that is independent of a norm and expansionary rather than degenerative. Crucially, for our times, the free-giving, without the search for material benefit or control, evidenced on the Internet – a neutral medium, also exploited for both other purposes – is a practical exemplification of (virtual) *solidarity* and effective *subsidiarity* that works *because of reciprocity* and could not work without it.

It is *reciprocity* that also results in an upward spiral, which reinforces *solidarity* because more and more of the human person, rather than just their labour power and intellectual skills is invested in such agencies as voluntary

associations – rendering their contributions ones that cannot be commodified or commandeered (e.g. dedicated child care, care of the aged, or living in an eco-friendly manner). It is an upward spiral because: (a) there is a development of mutual obligations and practices of mutual support; (b) there is an extension of “friendship” (in the Aristotelian sense); (c) there is tendency for social identity increasingly to be invested in such associations.

Hence, the seeming paradox of the third millennium that *Gemeinschaft* can develop from *Gesellschaft* – as the solution to many problems that modernity could never solve, since they can be dealt with only through a combination of subsidiarity and solidarity (Donati 2011, ch. 7).

Justice should promote the common good. *Subsidiarity* requires both legal protection and mechanisms for just correction. Otherwise and regardless of being buttressed by internal *solidarity* it can be taken over by other forms of control and guiding principles or fragment through the crystallisation of sectional interests.

Thus, on the one hand, there is a need for protection by a form of justice differentiated for different spheres of society, according to criteria appropriate to them. Most obviously, the “Third Sector” requires protection from incursions from the states, beyond those measures ensuring probity in the conduct of their affairs.

On the other hand, *subsidiarity* entails allocation, but of itself neither the “third (non-profit) sector” nor classical definitions of justice give sufficient guidance about what is due to each social subject or human group. Without the articulation of such a theory, grievances can accumulate and hierarchies with distinct material interests become dominant, such that no common good can really be achieved.

How can we build up societal “structures” (and correlated institutions) which can enforce the principle of subsidiarity together with the principle of solidarity? Everybody asks this question, since it is evident that, if we want peace, we need peaceful institutions favoured by appropriate structures. The question becomes: what societal conditions are necessary to pursue this goal, and how can these conditions emerge?

My answer is that: i) there are constraints impeding everywhere to put into practice the principles of subsidiarity and solidarity; ii) these constraints are represented by the *lib-lab* structures, i.e. compromises between market liberalism and state socialism. Many Catholics comply with these compromises, in one way or another. Too often Catholics see no alternative to putting themselves in one field or the other, trying to reach a compromise with the other side, and so the social doctrine of the Church cannot be implemented and produce its effects.

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► TOWARD A CATHOLIC UNDERSTANDING OF GLOBAL ORDER FOR THE  
21<sup>st</sup> CENTURY: PRINCIPLES AND PRACTICE



# HARMONY BETWEEN MAN AND MAN, AND MAN AND NATURE

■ JOSEPH E. STIGLITZ\*

In this brief paper, I take up some of the critical ethical issues in the context of economic behavior posed by the necessity of creating harmony between man and man, and man and nature, focusing in particular on several issues raised by *Pacem in Terris* which are of central concern to economic life today.

The world is still suffering from the aftershocks of the financial crisis of 2008. Much has been written about the excesses of the financial sector – such as excessive leverage and excessive risk taking – which imposed such high costs on the rest of society. But there are two aspects of this crisis which have not drawn sufficient attention.

The first is the moral turpitude that many in the financial sector demonstrated. By now, there is ample evidence of many in the financial sector targeting and exploiting the least educated and the least financially sophisticated, in the attempt to maximize profits. In the end, the banks were hoisted on their own petard – but then government came into rescue the banks, letting those who had been exploited to fend for themselves. Those in the financial sector were supposed to have the expertise to manage risk and to design financial products appropriate to those at the bottom of the pyramid, helping them to manage the risks that they faced. They abused the trust that was put in them.

The second is that the rewards of those in the financial sector were totally incommensurate with their contributions to society, or even to the firm on whose behalf they were supposed to be working. This was demonstrated most forcefully in the period immediately after the crisis, in which many firms continued to pay “performance” bonuses, while profits had become demonstrably negative – so negative that the government had to step in to rescue the firms – and workers were being laid off. An economic system where some do extraordinarily well – unrelated to societal contribu-

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tions but rather to their ability to extract “rents” out of the system, whether it is a result of deficiencies in corporate governance (a legalized version of corporate theft) or of the effective enforcement of competition policy (the exploitation that arises from monopolization) – is not a just economic system. This is all the truer if the gains at the top are the result of the exploitation of those at the bottom.

Not long after the financial crisis showed how one part of our economy and society could impose enormous costs on others, the American economy experienced another example: the BP disaster in the Gulf of Mexico. In shortsighted attempts to save money, BP had gambled, putting at risk the lives of its workers, the livelihoods of thousands in the Gulf region, and the environment. Though BP has been forced to pay a high price, the price is still far smaller than the damage that it has inflicted.

Both the BP disaster and the financial crisis are examples of externalities. In our integrated society, actions by one individual or firm have consequences for others. If we are to live in “harmony” then we have to take these consequences into account. Ideally, it would be part of our moral fiber, our ethics, that we do so – just as it would be part of our moral fiber not to exploit those who are disadvantaged. But it should be evident that we cannot rely on morals alone, though a central part of public policy should be to raise awareness of externalities and of the ethics of exploitation. And that means that systems of regulation and accountability (with those imposing costs on others, or on the environment) being forced to bear the consequences. The position taken by some corporate managers along the following lines is unconscionable: that (a) they should maximize the profits of their corporations – that is their fiduciary responsibility; (b) that they should not bear the full consequences of their actions (e.g. by means of limited liability, in general, or limiting liability in specific circumstances, such as in the case of nuclear or shipping disasters); and (c) there should not be regulations restricting their ability to impose harm on others.

### **Today’s economic order and *Pacem in Terris***

A perusal of *Pacem in Terris* shows the extent to which the current global economic order is inconsistent with Pope John XXIII’s Encyclical. I cite a few examples:

11. [Man] *has the right to the means necessary for the proper development of life, particularly food, clothing, shelter, medical care, rest, and, finally, the necessary social services.*

And yet, even in the United States, the richest country of the world,

the right to access to health care is not recognized, and one out of seven Americans face food insecurity.

18. *...a man has the inherent right...to be given the opportunity to work.*

And yet, in the advanced industrial countries, millions who would like a job can't get work, let alone *decent work*: almost one out of six Americans who would like full time employment can't get it. Fifty percent of the youth in Spain and Greece cannot find work, as hard as they try. Our economic system has failed to meet the most basic of aspirations.

In the almost fifty years since the Encyclical, there has been progress in many of the areas outlined by the Encyclical. But the progress has made the remaining gaps even more glaring. The Encyclical announces that:

19. *The conditions in which a man works...must not...militate against the proper development of adolescents to manhood.*

On the positive side, there has been progress in restricting child labor, including international conventions. On the negative side, child labor remains a reality, and even the United States, for example, has failed to ratify the Convention on the Rights of the Child.

20. *...The amount a worker receives must be sufficient, in proportion to available funds, to allow him and his family a standard of living consistent with human dignity.*

But many firms do not pay a livable wage, and there has actually been a deterioration in the minimum wages in the United States.

30. *...one man's natural right gives rise to a corresponding duty in other men.*

56. *....it is in the nature of the common good that every single citizen has the right to share in it....*

To provide for the basic dignity and rights outlined in the Encyclical, governments need to provide assistance to the disadvantaged, and this requires a combination of voluntary contributions and taxation. And yet many among the wealthy do not make adequate voluntary contributions, and openly oppose the imposition of the imposition of progressive taxation that is necessary for the State to provide even the most basic services.

53. *Men...must harmonize their own interests with the needs of others...*

The objective of regulations is to avoid the imposition of externalities by one individual or group of individuals (corporations) on others. And

yet, there is extensive opposition, especially in some parts of the business community, to the imposition of the regulations so necessary to “harmonize” the interests of different members of society.

### General principles

The examples given in the first section of the paper are only two of many that illustrate the challenges – and failures – in creating harmony between man and man in nature in the modern economy. There are many poor. Trade policies of the advanced industrial countries serve to further impoverish the poorest in the poor countries. Natural resource companies often exploit the resources of the poorest countries, destroying the environment and health of those countries, and providing those countries inadequate compensation. There is a common refrain of the Occupy Wall Street movement, the *Indignados* of Spain, and the young protestors around the world: the economic and political system has failed. A world in which there are simultaneously huge unmet needs and underutilized resources – homeless people and empty homes, workers wanting to contribute to society and work hard who cannot find a job – is obviously inefficient. But our economic and political system is also unjust and unfair, a view shared by an increasingly large part of the citizenry. In some dimensions, there has been progress. At the time of the Encyclical, there was, in the United States, massive racial and gender discrimination. Extensive discrimination still exists, but matters now are far better than they were then.

But in one dimension, matters have become worse: in the United States, and many other countries, not only is there more inequality, there is less equality of opportunity. The extremes of inequality attained in the United States (with the upper 1 percent garnering some 20% of the nation’s income and holding some 40% of the nation’s wealth) have been of particular concern, especially since much of the wealth at the top is associated with rent-seeking rather than genuine (societal) wealth creation. Of perhaps even greater concern is the fact that one’s destiny increasingly depends on the economic and education background of one’s parents.

In this, the final section of this brief paper, I want to generalize the examples, by articulating a few general principles, some of which can be seen as reframing precepts articulated by *Pacem in Terris*.

*The economy as a means to and end rather than an end in itself; man does not exist to serve the economy – it is the other way around*

As obvious as these precepts seem, in practice they are often ignored. Governments seek to maximize Gross Domestic Product (GDP) rather than societal well-being. But GDP is not a good indicator of societal well-being,

as emphasized by the work of the *Commission on the Measurement of Economic Performance and Social Progress*. GDP per capita can be going up, even though most citizens can be becoming worse off (as has been the case in the US now for more than a decade). GDP can be going up, but individuals can be faced with more anxiety, and more insecurity. GDP can be going up, but individuals can become more alienated from each other – social distance can be increasing, conflict and violence (and concomitant metrics on incarceration) can be increasing. GDP can be going up, but the current generation may be living in such a way as to deprive future generations of an equal chance of success. Growth may not be sustainable, either economically, socially, politically, or environmentally.

The controversies posed by globalization highlight the issues at play. Globalization was sold as leading to increased economic performance. In some countries, it unambiguously did that – even if globalization was not “fair” and was far from well managed. But in other countries, the consequences are more debatable. Meaningful increased economic performance should be reflected in higher income for most individuals. Yet in some advanced industrial economies (such as the US) most households are worse off today than they were a decade and a half ago. And some advocates of globalization have simultaneously argued for cutbacks in social expenditures, saying that it undermines the country’s ability to compete. If this were done, the plight of those in the bottom and middle would be even worse.

The financial sector – which before the crisis in the United States and United Kingdom garnered some 40% of all corporate profits – also illustrates an economy out of harmony. Just as the economy and economic policies (like globalization) are supposed to enhance the well-being of *most* citizens, so too the financial sector is not an end in itself, but is supposed to enhance the performance of the economy. But the evidence is to the contrary: it is supposed to allocate capital, manage risk, run an efficient means of payment, and provide credit to new and growing businesses, especially small and medium-sized enterprises. The crisis showed that the financial sector had misallocated capital, and created risk. It has become the major impediment to the creation of an efficient electronic payment mechanism reflecting the technology of the 21<sup>st</sup> century. And small and medium-sized enterprises have been starved for capital, as the financial sector focuses its attentions on highly profitable, non-transparent, speculative activities.

### **Adam Smith and the invisible hand**

No idea has had more influence in economics than Adam Smith’s notion of the invisible hand – that the pursuit of self-interest (profits) leads, as if by an

invisible hand, to the well-being of society. That notion has been part of the justification for the claim that firms should maximize their profits, and that government should not interfere with this by the imposition of regulations.

In the aftermath of the financial crisis, few would argue that the banks' pursuit of their self-interest led to the well-being of the economy or our society. But the flaws in the "Smithian view" are deeper, and have been the object of research in economics for the past fifty years – well before Thatcher–Reagan market fundamentalist ideas became current. We know that so long as information is imperfect and asymmetric, so long as markets are incomplete (that is there do not exist, for instance, insurance markets for all contingencies), so long as markets are not perfectly competitive the pursuit of self-interest does *not* lead to economic efficiency. And because information is always imperfect and asymmetric, because markets are always incomplete and because markets are never perfectly competitive the pursuit of self-interest essential *never* leads to economic efficiency. What is interesting is that even the welfare of stakeholders of the firm (say different groups of shareholders) is not in general maximized by the firm's pursuit of profit (or market value) maximization.

It would, in some sense, be nice if Adam Smith had been right. (Though I should emphasize that Smith himself was not a Smithian: he understood the limitations of markets. The problem lay with the latter day advocates of unfettered markets). For if the invisible hand theorem were true, it would mean that the only "immoral" act would be to be not sufficiently selfish, for it would only be as a result of not pursuing one's self-interest that efficiency could possibly be destroyed.

Since the pursuit of self-interest does not lead to general well-being, it means that individuals ought to think about the consequences of their actions for others. *Ethics matters*. But as I suggested earlier, we cannot rely on individuals' ethical conduct alone.

There is a need for government policies to "correct" these market failures. While governments are never perfect, and therefore never "perfectly" correct these market failures, every successful economy and society has entailed some role for government correcting market failures.

*Government action is essential if there is to be harmony between man and man and man and nature.*

The government action can take on a number of different forms – government spending, government regulation – and in general both are required.

### **Fairness and a just distribution of income**

Most advocates of Smithian economics recognize that even if the pursuit of self-interest leads to an efficient economy, it does not necessarily result



in a desirable or even acceptable distribution of income. (To be sure, some argue for trickle-down economics, that if those at the top do well, everyone will benefit. While there never was theory or evidence in support of this hypothesis, what has happened in the US in recent years provides strong evidence to the contrary).

The question of what might be meant by a “just” or “fair” distribution of income has long been debated, and I cannot address the issue in this short paper. I make only a few comments: first, if there are inequalities, they have to be justified, e.g. as a result of differences in societal contributions and/or as necessary to elicit efforts from which *everyone* benefits (the Rawlsian perspective). But as the recent crisis so forcefully demonstrated, there was little relationship between the compensation of top executives and their social contributions. Indeed, the design of performance pay in the US and most other countries shows that pay is not meant to reflect managers’ marginal contribution. To put the matter in another way, those who have made the most significant societal contribution – those who have made, for instance, contributions to the intellectual breakthroughs that led to the computer, the transistor, or the laser – have earned but a pittance compared to the financial sector CEOs that brought the world to the brink of ruin.

Secondly, not only is it hard (impossible) to justify the disparities between those at the top and the bottom, not only is it hard to justify the extremes at the top, it is hard to justify not doing more for those at the bottom. Earlier, we quoted *Pacem in Terris* as arguing for what is called in modern parlance “a livable wage” (... *The amount a worker receives must be sufficient, in proportion to available funds, to allow him and his family a standard of living consistent with human dignity*). This does not necessarily imply a high minimum wage. The livable wage may be achieved through a combination of a minimum wage and an “earned income tax credit”. But what it does imply is that firms not exploit their workers, by taking advantage of asymmetries in bargaining power – asymmetries to which globalization has contributed. (It seems particularly unjust when firms say that they cannot *afford* to pay their workers a livable wage, and at the same time pay their CEOs and other executives large sums not justified, nor justifiable, in terms of their contributions to society, or even to the firm).

## Exploitation

There is a more general point: inequalities that arise out of exploitation are, by their nature, *unjust*. But that, of course, just pushes the question back a little further: how do we define exploitation?

We have an intuitive sense of what exploitation is – we know it when we see it – and I don’t have much to add beyond those intuitions. Surely,

taking advantage of information asymmetries (as Goldman Sachs and Citibank did with the buyers of some of their securities, constructing securities *designed to fail*, and not informing the buyers that they had done so, thus violating basic fraud statutes) is clearly an example of exploitation. So is the abuse of monopoly power (evidenced in the many cases brought against Microsoft).

But the most egregious are the examples of exploitation of the poor, the hallmark of the financial sector, not only in its subprime lending, but in its other predatory and usurious lending and abusive credit card practices.

### Externalities

Exploitation not only gives rise to inequalities, but also to inefficiencies, again so manifest during the crisis. But in this and the next subsection, I want to focus on market failures more narrowly defined, i.e. those associated with inefficiencies, where private rewards and social returns are not in alignment. The most obvious examples are those associated with externalities, exemplified by the BP spill discussed in the first section.

As I suggested earlier, regulating externalities is necessary if there is to be harmony between man and man, and man and nature. And no environmental externality is of more importance than that associated with carbon emissions leading to global warming. Our planet is being put in peril.

But we can also view this through the perspective of *justice*. The rich countries of the North are largely responsible for the increased concentration of greenhouse gases in the atmosphere – the burning of fossil fuels has been at the center of their economic success – but the consequences are disproportionately felt by those in tropical regions, predominantly countries that are much, much poorer. As the rich drive their gas guzzling SUVs, they *should* be aware that the benefits of doing so are more than offset by the costs imposed on the poor, for example in increasingly drought-prone regions of India and Africa. As they consume more meat, a sign of their higher standard of living, they drive up the price of basic food grains. As farmers respond by using more water and fertilizer, ground water levels fall and soils may become exhausted. And yet, just as the executives pay little attention to the social consequences of the inequality to which their compensation schemes have given rise, the rich in the developed countries have paid little attention to the social and economic consequences of their consumption decisions – including those mediated through the environment. So long as they pay the market price, they can sleep in good conscience.

## Concluding comments

Our subservience to the ideology of the market should not absolve us of our responsibility to strive to achieve a better harmony between man and man, and man and nature. For market prices do not adequately reflect the costs we impose on others. And this is especially the case when it comes to the environment. For the scarcest of resources – our air and our water – are generally not priced, and even when priced, are not adequately priced. And that means our price system is grossly distorted.

But there are other aspects of what enables us to work together as a society that are also not priced. Scholars like Sir Partha Dasgupta, Kenneth Arrow, and Avner Greif have emphasized the importance of trust and social capital in making our society function. These can be fragile, and once destroyed, hard to re-establish. Some of our banks and other financial institutions, and some other corporations, have worked hard to destroy that trust, with adverse effects on others who behaved well, or would have liked to behave well. While there are some idealized conditions in which competition leads to the well-being of society, there are other conditions in which competition can lead to a race to the bottom. Unfortunately, that aspect of competition has been all too evident in recent years.

It is only by freeing ourselves from a market fundamentalist ideology, by focusing on the distinction between ends and means, by realizing that the pursuit of self-interest does not suffice to achieve societal well-being, that we will be able to achieve a better harmony between man and man, and man and nature. Strong and effective regulation is necessary. But even more important is inculcating a stronger moral compass and corresponding corporate ethics.

# APROXIMACIÓN GEOPOLÍTICA A LA JUSTICIA EN UN MUNDO GLOBALIZADO

■ OSCAR ANDRÉS CARDENAL RODRÍGUEZ MARADIAGA, S.D.B.

## Introducción

Quiero expresar mi agradecimiento por la invitación a esta importante Asamblea. El pensamiento es uno de los déficits de esta sociedad atrapada por la llamada Globalización, y esta Academia Pontificia es una fuente valiosa de pensamiento.

La globalización es un proceso sumamente complejo. Afecta a todos los niveles de construcción de lo social: nivel económico, socio-político y cultural. No se trata de niveles autónomos e independientes, sino que todos ellos se hallan interconectados y se refuerzan mutuamente dentro del sistema global en el que nacen, al que sirven y que conforman: el capitalismo neoliberal. La globalización actual, aun cuando sus raíces históricas son ya largas (nace con la expansión de la Europa colonial en el siglo XV), se incubó con el desarrollo de las nuevas tecnologías y toma cuerpo con la liberalización del capital transnacional producido a raíz de la desaparición del socialismo de los países del este europeo al comienzo de la década de los noventa.

La *tranquillitas ordinis* de San Agustín y de la *Pacem in Terris*, leyendo los actuales Signos de los Tiempos, parece ser todo lo contrario. Malestar en la sociedad, protestas en las calles con disturbios violentos, miedo y terrorismo y nada de orden. Si vemos la situación de la economía nos encontramos con la Globalización de la crisis. Me pregunto entonces:

## Podemos hablar de una “globalización de la justicia”?

En cierto sentido sí. Se ve como un fenómeno que se difunde. Impulsada por razones diferentes, se viene desarrollando en áreas tan diversas como el derecho penal o la responsabilidad civil. En el primer caso, la razón parece ser la denegatoria de justicia que se produce en jurisdicciones nacionales, la cual impulsa a los agraviados por determinados crímenes a buscar sanciones en tribunales foráneos donde tales presiones no existen. Así fue, por ejemplo, el caso contra el general Augusto Pinochet. Protegido por el poder militar en Chile, los perjudicados por presuntos actos ocurridos bajo su gobierno se creían en la imposibilidad de reclamar en la jurisdicción chilena, razón por la cual, han debido recurrir a otro juez dispuesto a investigar y asumir jurisdicción en el caso. La diferencia notable con los más recientes

antecedentes de justicia penal internacional reside en que no se trata de cortes multinacionales, como fue en Núremberg o el reciente tribunal para juzgar las matanzas étnicas en la antigua Yugoslavia. Tampoco se ha tratado de la justicia del vencedor, como fue el caso de Estados Unidos contra el general Noriega de Panamá. Lo notable de este proceso es que el sujeto activo no es un estado, sino ciudadanos representados individual o colectivamente (en el caso de Pinochet el demandante fue Amnesty International por la llamada doctrina de los intereses difusos) y no autoridades estatales. Estos individuos recurrieron no al juez natural de la causa ni tampoco a las reglas tradicionales del derecho internacional para resolver el conflicto de leyes y jurisdicciones, sino hicieron con toda seguridad un detallado examen para encontrar al juez dispuesto a conocer la causa. Es verdad que ese proceso de selección no parece ser ajeno a consideraciones ideológicas o políticas, pero no es menos cierto que, al escoger la jurisdicción en qué demandar, los interesados han realizado un cálculo de costo-beneficio complejo dirigido a valorar subjetivamente el mejor lugar para intentar sacar adelante sus pretensiones.

Por lo demás, las propias consideraciones políticas son parte de los valores subjetivos que toda persona toma en cuenta al momento de hacer el cálculo económico correspondiente para adoptar una decisión, máxime en este caso en que se busca satisfacer expectativas que no son puramente monetarias sin bastante más complejas como la desaparición de un ser querido o la violación de sus derechos humanos.

Una cosa análoga parece estar ocurriendo en la responsabilidad civil, especialmente la relativa a productos defectuosos o defectuosa información. Conforme los mercados han ido desarrollándose, y haciéndose más compleja la interacción de los individuos, ha comenzado a ocurrir que los afectados por este tipo de problemas tienden a recurrir a tribunales diferentes de los propios en busca de una reparación por los daños producidos, en caso de existir una gran disparidad entre las indemnizaciones previsibles comparando los tribunales naturales con otros. Áreas especialmente sensibles han sido los daños ecológicos, la salud y los accidentes. En líneas generales lo que parece suceder en estos casos es que en los países en vía de desarrollo el tratamiento legislativo o es más favorable al responsable o éste tiene una capacidad de cabildeo o soborno mayor que la que tendría en su país de origen, fomentándose de una u otra forma la posibilidad de que los presuntos agraviados puedan conseguir una mejor sentencia resarcitoria para sus intereses. Ello los conduce hacia jurisdicciones foráneas que les permitan sustraer el pleito del ambiente regulatorio o institucional inconveniente para sus intereses y trasladarlo a otro donde sea posible, por lo menos, reducir

y aun minimizar tales inconvenientes. Lo que sí parece novedoso en este caso es que no sólo son los individuos los que han aprendido a utilizar las diferencias comparativas entre las jurisdicciones, sino también los estados. Tal es el caso de los diferentes gobiernos latinoamericanos que, cautivados por los acuerdos llevados a cabo hace un tiempo por ciertos estados de la unión americana, han empezado a demandar a las empresas tabacaleras en tribunales norteamericanos en búsqueda de compensaciones que les devuelvan los impuestos que ellos debieron gastar para prevenir o curar a los enfermos de un cáncer producido por el tabaquismo. Los casos anteriores conocidos eran de afectados indirectamente por ciertos daños. Por ejemplo, en materia ecológica, donde individuos perjudicados formularon un reclamo en una jurisdicción diferente de la propia. Lo mismo, en un caso de supuesto daño a la salud como el de Dow Corning por los implantes de sílicona en senos femeninos, en que la empresa inclusive ha debido buscar la protección del Capítulo 11 a fin de contrarrestar los juicios por responsabilidad en que había sido emplazada. (Cfr. Enrique Ghersi, *Globalización de la Justicia*, Lima, Perú).

Pero si consideramos la Justicia Social, el panorama cambia radicalmente. Contemplando globalmente nuestro mundo, no puede dejar de llamarnos la atención la falta de cambios realmente importantes para la humanidad.

Continuamos viviendo en un mundo lleno de desigualdades flagrantes y, a pesar de la producción y la riqueza, ésta se encuentra cada vez más concentrada en menos manos. Se está creando, en realidad, un mundo donde la codicia de unos pocos deja a la mayoría a margen de la historia. Unas sociedades que mientras viven un progreso tecnológico y unas posibilidades nunca vistas, fabrican y reproducen la exclusión. En este sentido, pues, la tan vitoreada globalización se nos presenta más como un mito que como una realidad.

Más que en un mundo global, estamos en un mundo que continúa fuertemente dividido entre aquellos que pueden gozar de las oportunidades que aporta la globalización y aquellos otros que se quedan al margen.

Un mundo en el cual se desea abrir todas las fronteras a las mercancías y se ponen infinidad de trabas al movimiento libre de personas de los países del Sur hacia los del Norte, como por desgracia podemos constatar con el blindaje de fronteras que los países ricos se imponen. Incluso se escuchan voces que desean volver atrás en el tratado de Schengen.

Podríamos decir que tan sólo los ricos están globalizados: la tecnología los protege al tiempo que los distancia de los pobres, que se mantienen sometidos y trabajando para ellos. La injusticia y la desigualdad son signos distintivos del mundo actual. No estamos caminando hacia un sistema más justo, aunque el marketing del pensamiento único así nos lo presente. La

globalización es profundamente selectiva. No ha habido cambios sustanciales en la estructura social.

Las ventajas de la globalización no hacen otra cosa que beneficiar a los de siempre y el reparto de la riqueza también. El mundo se está globalizando al ritmo y al modo querido por los grandes poderes económicos. Y en parte está retornando un capitalismo salvaje que la historia ya se había encargado de juzgar con dureza, considerando las condiciones a las que había sometido al proletariado en los siglos XVIII-XIX.

Se van desmantelando así los éxitos históricos del Estado del bienestar, y aumentando en consecuencia las diferencias entre ricos y pobres.

En definitiva, propiamente sólo se han globalizado las lógicas de los mercados financieros. Y el absolutismo de este capital hace estragos.

Pero la aproximación a nuestro tema tiene que ver con la Geopolítica. Entonces podemos preguntarnos.

### **Qué es la geopolítica?**

La Geopolítica es el estudio de las correlaciones entre el espacio – en todas las vertientes del termino – y la política, notablemente la exterior. Este concepto plantea dos cuestiones fundamentales: ¿en qué medida su posición espacial afecta a la política de los Estados? y ¿cómo la autoridad política se acomoda a este espacio? Así se procede a analizar su influencia en el devenir sociopolítico del sistema internacional.

Asimismo es interesante resaltar la relación directa – y desconocida por el gran público – entre las teorías geopolíticas y los máximos acontecimientos históricos que tuvieron lugar nuestro mundo durante el pasado siglo. Entre otros se pueden nombrar el Tratado de Paz de Versalles (1918). La geopolítica entra en el ámbito de responsabilidades de la ONU, de la OEA, etc.

No hay que perder de vista que la geopolítica es un campo de estudio un poco olvidado en nuestros días pero que, tras la caída del orden bipolar, ha empezado a salir de la hibernación.

Pero, si contemplamos globalmente nuestro mundo, no puede dejar de llamarnos la atención la falta de cambios realmente importantes para la humanidad. En el ámbito mundial está emergiendo un nuevo orden político, que hace necesario refundar las bases en que se sustenta el orden político mundial en clave más universalista y menos excluyente. Necesitamos afrontar este Nuevo Orden Mundial que, quizás nunca como ahora, es un Nuevo Desorden Mundial, en primer lugar con el Derecho Internacional, este derecho de los pueblos que ha ido surgiendo a lo largo de la historia de la humanidad como una de las conquistas más preciadas. Necesitamos reconstruir la democracia desde una lógica nueva: la lógica del Bien Común. Y la

construcción del Bien Común no debe caer en la trampa de configurar un nuevo Estado Imperial Mundial, pues esto es nefasto; ha sido nefasto en la historia y no es bueno repetirlo.

El nuevo orden mundial que se nos presenta proviene de la unificación de mercados para facilitar la circulación de dinero y mercancías.

Y si en el siglo XX los estados ganaron protagonismo en el terreno económico, hoy en cambio, su fuerza es cada vez menor. Desde diversas instancias se nos está recordando la necesidad de poner fin a este escándalo y de dar pasos hacia un modelo sostenible, humanizando la globalización y convirtiéndola en una promesa y un proyecto auténticamente universales.

Es necesario hacer frente a las consecuencias de haber convertido el mundo en un enorme mercado y por esto hay que construir un nuevo mundo; un mundo donde haya lugar para todos los mundos.

Se podría decir que son tres los pilares sobre los que se asienta la globalización: el desarrollo tecnológico, el sistema económico neoliberal como único proyecto global y la expansión de un “pensamiento único”.

Veamos ahora algo de sus manifestaciones.

Vivimos una época de transformaciones sin precedentes. Los avances tecnológicos se producen, como nunca, a una velocidad vertiginosa. Lo que considerábamos un valor hace tan solo unos pocos años, ahora nos parece inservible.

Ciertamente, lo que conocemos como globalización comporta riesgos y oportunidades. Por un lado, vivimos una situación excepcional, privilegiada. Nunca como en nuestros días hemos podido ser tan conscientes de la interrelación entre pueblos y culturas diferentes, gracias a tecnologías como Internet, capaces de conectarnos en segundos con el otro extremo del planeta. Si este fenómeno afecta al mundo entero, en las personas, produce diversos impactos y se interioriza de forma diferente según personas, grupos, situaciones.

A algunos este proceso les resulta apasionante y viven con optimismo el presente, tratando de situarse en el nuevo orden y de hacer rentables todas las oportunidades que les ofrece.

Otros se encuentran desubicados y desconcertados ante un cambio tan rápido y contemplan con recelo este presente que parece revolverlo todo.

Finalmente, hay quien mira con miedo el presente y el futuro y busca seguridades, intentando volver a un pasado que ya no existe, con el peligro constante que esto implica, de derivar hacia posiciones fundamentalistas.

## **La antropología de la globalización**

Me parece que este tema no ha sido muy estudiado. Se enfatiza el choque de civilizaciones, la guerra de las culturas, la globalización liberal. Estas grandes



palabras que definen nuestro tiempo muchas veces son sinónimo de confrontación, de fin del mundo, en definitiva, pocas perspectivas de futuro.

En un viaje de exploración de las diversas culturas, se debería buscar las claves intelectuales y espirituales susceptibles de apertura de las puertas de una civilización fundada mucho más sobre el diálogo entre las culturas y en una civilización del amor y no sobre la búsqueda de la ganancia, la técnica y el poder. Necesitamos volver a creer en el ser humano como tal, y en su capacidad de actuar en los valores más nobles que lleva dentro de si en forma altruista, generosa y solidaria. La injusticia hunde sus raíces en un problema que es espiritual. Por eso su solución requiere una conversión espiritual del corazón de cada uno y una conversión cultural de toda la sociedad mundial. No alcanzamos a conocer sus causas si nos quedamos en las estructuras económicas o políticas, sin ir al núcleo de la vida personal y a las entrañas de lo social. No pueden existir normas de ningún tipo, ni económicas, ni comerciales, ni políticas, ni étnicas. Ninguna norma, ninguna ley está por encima del respeto a la persona humana. Si no somos capaces de globalizar, es decir, de extender a todos y por todas partes el firme empeño de superar las diferencias y las guerras a través del diálogo y el respeto, no habremos podido aprovechar las oportunidades que nos da un mundo con mayores medios de comunicación pero irónicamente con menos comunión.

Pero quiero que nos entendamos bien. Cuando hablo de centralidad de la persona y de respeto por la vida no lo hago desde una mera perspectiva de solidaridad humana sino inspirado en Jesucristo Buen Pastor que sufre con los más desposeídos y que nos dice: “dadle vosotros de comer” (Mc 6,37).

La lucha a favor de los derechos humanos que se ha visto muy favorecida con la facilidad de las comunicaciones es una tarea que parece siempre inacabada.

La justicia social cristiana se apoya en Jesucristo liberador que ha roto las ataduras de los que estaban oprimidos por el pecado. Somos continuadores de esta obra de redención desde los ambientes en donde Dios nos ha colocado. No se trata de una respuesta altruista ante el sufrimiento ajeno, se trata de un deber de hermanos.

Es innegable entonces que el segundo elemento a globalizar en nuestro mundo es *la fraternidad*. Fraternidad no entendida simplemente en los parámetros de la revolución francesa que aún y cuando emancipaba de un poder establecido no hacía sino alzar nuevos amos, nuevos dominios.

La fraternidad entre los pueblos, más aún entre las personas, es el camino de la globalización de la solidaridad. Nunca como en nuestra época compartimos los mismos destinos. La recesión económica mundial que acompañó y en algunos lugares precedió al ataque terrorista del 11 de septiembre

en Nueva York, la pandemia del SIDA, las guerras civiles en los países más pobres del mundo que reclaman una respuesta de los más poderosos, los efectos de los fenómenos climatológicos, las secuelas de la devastación ecológica en diversas zonas del mundo que nos afectan a todos, etc., nos están indicando que es preciso que unamos esfuerzos, esfuerzos de hermanos, para enfrentar juntos las dificultades.

Fraternidad frente a la violencia del mundo para quien existe sólo el enemigo, el adversario. Tanta violencia y dolor sólo pueden tener una respuesta positiva en la medida en que seamos capaces de llevar al mundo una solidaridad que no se queda ni en palabras ni en papeles, sino en acciones concretas.

Tenemos que globalizar el diálogo. No el diálogo entre sordos, o el diálogo que provoca el asentimiento sometido de los más débiles. Los países y las instituciones financieras internacionales deben mejorar su capacidad de escucha.

En el número 55 de la Exhortación Apostólica *Ecclesia in America*, el Beato Juan Pablo II nos decía que “Con su doctrina social, la Iglesia ofrece una valiosa contribución a la problemática que presenta la actual economía globalizada. Su visión moral en esta materia ‘se apoya en las tres piedras angulares fundamentales de la dignidad humana, la solidaridad y la subsidiariedad’” (*Ecclesia in America*, 55).

### **El déficit de la ética**

Los problemas de la Economía actual no se pueden resolver considerando solamente el Producto Interno Bruto, el déficit fiscal o cualquier otro indicador macroeconómico. Hemos visto con claridad que el mayor déficit es el déficit de la Ética. La ética configura a la persona y no puede ser excluida de la Globalización.

El nuevo Orden Mundial no podrá construirse al margen de la ética y reducirse a un mero orden económico. En la evolución del cosmos, la aparición del ser humano coincide con el origen de la moralidad. El nacimiento del ser humano va a la par con la moral.

En otras palabras, son los valores y normativas éticas los que deben garantizar que la vida del hombre se haga humana. El fin de toda ética es configurar su humanidad. Cuando falten el respeto a la vida, la justicia, la libertad, la igualdad de desarrollo humano, decimos que la vida del hombre se torna inhumana. Las exigencias éticas, expresadas en los derechos del hombre y en los valores morales, hacen posible que el ser humano se realice en dignidad.

Es común decir que la humanización permite al ser humano ser persona. Quiere decir que “ser persona” expresa el nivel moral del hombre. No se trata de una visión individualista del ser humano; ser persona significa desarrollar la singularidad de uno mismo como sujeto libre y responsable, es-

tablecer relaciones intersubjetivas, que sean respetuosas, justas y amorosas y constituir solidariamente la sociedad buscando el bien común. En la persona están las dimensiones de la singularidad, la alteridad y la sociabilidad.

No se trata de una persona sola, sino de todas las personas. Tampoco es suficiente atender a alguna dimensión de la persona, sino a la persona entera. El Papa Pablo VI define el desarrollo auténtico como la promoción de todos los hombres y de todo el hombre.<sup>1</sup>

Para la teología moral católica, es además indispensable entender el ser persona desde la antropología cristiana, fuente primordial de nuestra reflexión ética. Es muy rica la reflexión teológica sobre la persona, categoría aplicada en primer lugar a la Santísima Trinidad para explicar las relaciones entre el Padre, el Hijo y el Espíritu Santo.<sup>2</sup> El hombre puede aprender de Dios a ser persona. Reconocemos en la fe que la persona humana ha sido creada por Dios a su imagen y semejanza, amada y redimida por Jesucristo y llamada a participar en la comunión de los santos. Son razones por las cuales el hombre posee una dignidad que le es intrínseca, inherente en su ser, la que debe ser destacada y respetada y que por ninguna razón debe ser violada, ni por el mismo hombre, ni por los demás.<sup>3</sup>

Podemos concluir que la moral debe garantizar el ser persona humana, ya sea cuando actúa como sujeto, ya sea cuando es objeto de la acción de los demás. Dicho de otro modo: la razón de toda ética debe ser reconocer, construir y dignificar a la persona humana.

Y esta es una conclusión muy evangélica; ya hemos observado que los encuentros de Jesús con la gente querían destacar el valor personal de cada uno, cualquiera que fuera su condición. Y es esto también lo que quiere expresar Juan Pablo II en la encíclica *Veritatis Splendor* cuando dice: “En efecto, los diversos mandamientos del decálogo no son más que la refracción del único mandamiento que se refiere al bien de la persona, como compendio de los múltiples bienes que connotan su identidad de ser espiritual y corpóreo, en relación con Dios, con el prójimo y con el mundo material”.<sup>4</sup>

<sup>1</sup> Pablo VI, *Populorum Progressio*. 1967. 14.

<sup>2</sup> Cfr. Pontificio Consejo “Justicia y Paz”, *Compendio de la Doctrina social de la Iglesia*. Santiago, 2005. Ed. San Pablo, números 34-48.

<sup>3</sup> Cfr. Leonardo van Marrewijk A., *Moral fundamental; Para dar frutos en la caridad*. Santiago, 2006. Ed. UCSH, pág. 23-37.

<sup>4</sup> Juan Pablo II, *Veritatis Splendor*. 1993. 13.

## Conclusión

Hoy día se impone además la convicción de que las personas no son los únicos sujetos de derechos y obligaciones: también lo son los pueblos. Esto exige llevar a cabo una relectura de los derechos fundamentales para adaptarlos a la naturaleza específica de los pueblos. En esta línea quiero sugerir, a manera de conclusión unas pistas de reflexión:

- 1) Globalizar la solidaridad en el respeto de la autodeterminación de los pueblos.
- 2) Globalizar la solidaridad para que el uso de los bienes universales sea equitativo.
- 3) Globalizar la solidaridad para hacer efectiva la opción preferencial por los pobres.
- 4) Globalizar la solidaridad para el bien común.

La persona, reconociendo que solo Dios puede salvar, pasa de la esclavitud generada por los reclamos del bienestar material al ejercicio de un señorío libre sobre las cosas que le permite disfrutar con agradecimiento de ellas, sabiendo que se encuentran a nuestro servicio... Entonces se hace posible adoptar por solidaridad y no por masoquismo el criterio de la moderación ante el consumo como actitud necesaria para la construcción de una fraternidad universal que llegue a ser operativa en el campo económico. En una feliz y conocida fórmula: “vivir más sencillamente para que otros puedan sencillamente vivir”.

El cambio de mentalidad que hace posible la fe, genera también una actitud de la persona ante la naturaleza, en la que la contemplación asombrada de las maravillas de la creación y su cuidado reemplazan a la orientación esquilmodora predominante en la actualidad. Estamos llamados a ser jardineros del mundo, no sus saqueadores.

Nadie dice que este cambio de actitudes sea fácil en nuestro contexto cultural. Requerirá, como es lógico, un largo proceso o itinerario personal. Y entonces surge la pregunta:

¿Hay posibilidad de salir de este sistema? Entre todas las contribuciones de la ciencia ecológica, hay un teorema particularmente importante que deberán meditar los beneficiarios de la globalización: cuanto más se unifica un sistema, más frágil se vuelve. Cuanto mayor es la diversidad de un sistema, ese sistema es más estable. Dicho de otra manera: la globalización unificante a la cual ha conducido la globalización lleva en ella misma sus fracturas y sus crisis.

Por eso, frente a cualquier tipo de derrotismos, creemos que es posible la superación de estas amenazas, y que esa posibilidad está en nosotros, en la responsabilidad libre de todos los seres humanos. El mundo no está resuelto en ninguna parte y, por eso, la posibilidad de lograr mayores niveles

de humanización está siempre abierta. Todo depende de nosotros. Ante esta globalización neoliberal que nos atenaza, no queremos ni debemos ser fatalistas ni resignados y por eso pensamos en otro tipo de globalización, lo que algunos llaman macro-solidaridad, incorpora múltiples y plurales micro-solidaridades, procedentes de diversas tradiciones, una de las cuales es la tradición cristiana, tradición en la que me sitúo.

Frente a la situación que acabo de describir, nadie puede quedarse indiferente, pues todos, de una u otra manera, estamos implicados y afectados por ella. Es necesario que todos, individuos e instituciones, apelemos a nuestra responsabilidad y veamos qué podemos hacer.

La indiferencia y la inactividad son manifestaciones de complicidad con la situación de injusticia e inhumanidad reinante en el mundo.

En tres frentes complementarios podemos concretizar nuestros esfuerzos:

**a. El universo cultural valorativo.** Reconociendo las aportaciones que en el campo ético trajo consigo la modernidad, no podemos ocultar que la trilogía “libertad, igualdad, fraternidad” necesita ser profundizada y universalizada si queremos que deje de ser un bello slogan utilizado interesadamente por los más fuertes y se convierta en un proyecto de auténtica humanización para todos.

Nosotros sugerimos dos valores – la solidaridad y la gratuidad – que sería necesario incorporar a la dinámica personal y social, como modo habitual de comportamiento, y que representarían la base de una nueva macroética que haga posible y sea expresión de un mundo más humano.

**b. El campo de la acción sociopolítica.** Es en este campo donde verdaderamente se juega el futuro de los pobres y excluidos y donde se verifican de manera más clara los valores anteriormente señalados. Por el momento, no parece que sea la pobreza y la desigualdad el tema que más preocupa a los grandes estamentos de poder económico y político (centros financieros, empresas multinacionales y gobiernos de los distintos países), pero sí que va emergiendo una fuerte preocupación por estos problemas en muchos organismos internacionales y, sobre todo, en multitud de colectivos y asociaciones. Desde estas plataformas habrá que trabajar para extender esta sensibilidad solidaria a toda la población y, así, poder forzar a los organismos de poder para que transformen sus actuales mecanismos de explotación en nuevos sistemas que favorezcan el desarrollo humano de todos y sean menos depredadores del medio ambiente.

**c. El campo de lo microsocia y la acción solidaria personal.** Es éste también un aspecto muy importante a través del cual canalizar nuestra acción frente a la exclusión. Lo microsocia es el espacio donde se desarrolla o

se malogra la identidad de un grupo, su protagonismo en la vida social. Si partimos de que la exclusión no es sólo carecer de determinados bienes económicos sino también quedar apartado de los espacios de participación, luchar contra la exclusión exige ver las posibilidades de las personas que padecen esa situación y recrear con ellas y desde ellas (desde sus demandas) contextos organizativos, educativos, culturales y vitales de participación solidaria.

La acción solidaria personal, llevada a cabo desde la proximidad y el acompañamiento, es imprescindible para ayudar a recuperar la autoestima y la identidad perdida en los procesos de empobrecimiento y exclusión. Cuando la pobreza adquiere rasgos de marginación, sólo la cercanía capaz de crear un clima cálido y acogedor puede rehacer las últimas significaciones, sólo esa presencia golpea la frivolidad ambiental, la mezquina insolidaridad, el consumismo salvaje, el fundamentalismo del dinero. La lógica del don debe ser reivindicada para sanar esa zona del alma que la marginación destruye y fragiliza: es la zona donde se celebran significaciones, se elaboran simbologías, se reciclan energías. Sólo la proximidad, la comunicación y la personalización se muestran como vehículos adecuados. El escenario del don exige el reconocimiento del otro en su diferencia, que de este modo asegura la existencia de la comunidad. La lucha contra la exclusión necesita recrear y reivindicar el espacio del don caracterizado por la proximidad, la comunicación y la personalización, aquel espacio que se estructura como alianza, se sostiene sobre estrategias cooperativas y tiene su base moral en la gratuidad.

Queridas amigas y amigos: Ha despuntado el alba de la globalización, con varias guerras, que sin duda han traído mayor pobreza. Tenemos que seguir insistiendo en la verdad de la paz.

Ahora, por voluntad de algunas personas, ha llegado la muerte. Nada más lamentable. No debe molestarnos sin embargo, la globalización de la economía, la globalización de la política. No deberían molestarnos si antes procedemos con claridad y con valor a poner en vigencia un pre-requisito que cambia el signo de las cosas. Ese pre-requisito es la “globalización de la solidaridad”.

Si esta globalización no tiene lugar, todas las demás facetas de la globalización nos van a destruir. Globalización económica sin globalización de la solidaridad es el suicidio de los pobres, y por lo tanto el de la mayoría de la humanidad.

Todavía recuerdo cuando en el Sínodo de América, el Santo Padre perfiló esta idea. Fue clarividente, tenía la capacidad de ver más allá de la historia. Tiene la capacidad de mirar más allá de la historia, cuando esta le ha demostrado a todos que la globalización sin valores es una globalización sin valor.

No podemos continuar con la ceguera. Estamos marchando no sólo a la globalización de los mercados, lo que significa la concentración de la riqueza, sino a la globalización de la pobreza lo que significa aceptar que, para los pobres, la esperanza fue ajusticiada.

Lo que es moralmente falso no puede ser económicamente correcto. La actual situación del mundo nos llevará a tomar la decisión de destruimos a nosotros mismos o de recuperar las huellas de las esperanzas ciertas. Esas que crecen al ritmo del Evangelio y van selladas por él. El Evangelio sigue vigente y lleno de desafíos. Nos dice que es preciso renacer en las aguas del Espíritu, vivir el amor al Señor Jesucristo globalizando la solidaridad y mirar en los ojos del prójimo al Señor que dirá al final en el juicio definitivo “todo lo que hicisteis a uno de estos pobres a mí me lo hicisteis”.

# **“WHICH EUROPE, WHAT UNION?”**

## ***PACEM IN TERRIS* AND THE FUTURE OF EUROPEAN UNIFICATION**

■ A. JAMES MCADAMS

In his encyclical *Pacem in Terris*, Pope John XXIII presents us with three core features of an international moral order: a set of principles to guide the relations among states; a novel prescription to govern these relations; and an ongoing challenge. The body of principles establishes a natural unity between the laws that apply to the interactions of both individual persons and individual states. The Pope asserts that states, just like persons, are the “subjects of reciprocal rights and duties” (80). Those who rule them are obliged to recognize that they are bound by the same moral standards as leaders as they are as separate individuals (81–82). For this reason, he argues, their authority should be exclusively “exercised for the promotion of the common good” (83–84).

By themselves, the value of these principles is self-evident. What makes *Pacem in Terris* novel is that the Pope not only takes them as a given but recognizes the importance of providing an institutional solution to a problem that faces them all. As individual nation-states, he advises, they are not equal to the task of keeping pace with the moral obligations of their growing interdependence. They still need to recognize, as he puts it, that the “prosperity and progress [of each of them] ... is in part consequence, and in part cause, of the prosperity and progress of [all of them]” (131). The Pope’s response to this dilemma is to propose the creation of “a public authority with the power, organization and means co-extensive with these problems” to ensure the realization of the common good” (136–137).

Finally, John XXIII challenges us to wrestle with the task of organizing this public authority in such a way that it will simultaneously serve the legitimate interests of each member and the mutual needs of all. He opposes any solution that would result in the tyranny of the authority over the functions of individual states. After all, he emphasizes, this body’s essential purpose is to create the conditions in which “each nation, its citizens and intermediate groups, can carry out their tasks, fulfill their duties, and claim their rights with greater security” (141). At the same time, he stresses that its leaders’ additional responsibility is to ensure that these states do not use this principle as an excuse to pursue what is in fact their narrow self-interest.



These are lofty aspirations. In this paper, I propose simply to use them as a framework for conceptualizing a contemporary, international challenge that could not be more concrete: the European Union's response to the sovereign debt crisis. Meeting in Maastricht in 1992, the twelve members of the newly-renamed EU agreed to undertake a bold experiment in monetary policy that would lead to the adoption of a common currency, the euro, among all of their qualifying states. In its capacity as a public authority, the EU's goal was not simply to enrich the economies of each participating state but more importantly to take a major step forward in the pursuit of a common good, European unification. Today, however, as several of these countries' economies are on the verge of collapse, the realization of this dream seems more distant than ever. Making the situation even more difficult, the stronger "euro union" members that might provide the means to resolve this crisis are increasingly inclined to find ways of drawing a thick line of demarcation between their national prerogatives and their public responsibility to serve "the whole".<sup>1</sup>

If this matter were limited to the fortunes of the euro, it would be grave enough. But as we shall see, it is a manifestation of rival conceptions of European identity that have accompanied debates about the purpose and implications of the unification process since the EU's inception. One conception is exemplified by the strict convergence criteria of the euro. This perspective envisages a "narrow Europe" that is likely to be dominated by those states which have the political and economic resources to engage at the highest levels of competition. In contrast, the other conception does not limit its standards of membership to economic performance alone. Rather, it is oriented toward a broader and more inclusive version of European identity.<sup>2</sup> I believe that the handling of the current euro crisis will have a major impact on which of these visions of Europe eventually prevails.

To make my argument, I shall draw upon a single case – the Federal Republic of Germany's response to the Greek debt crisis – to demonstrate why the exacting criteria of membership in the Eurozone have until recently been an attractive way of thinking about Europe's future. Then, by

<sup>1</sup> See Horst Koehler, "The Whole is at Stake", lecture at the University of Notre Dame, September 28, 2012.

<sup>2</sup> Reinhard Cardinal Marx seems to have this second conception in mind when he writes in his paper: "Die Europäische Union wird tiefer in den Herzen der Menschen ankommen, wenn sich Europa als Beitrag zu einer besseren Welt erweist und nicht nur ein auf die eigenen wirtschaftlichen Interessen konzentrierter Kontinent bleibt".

exploring the benefits which Germany itself has received from its association with the European project, I shall contend that Berlin's current policy represents a shift away from the broader standards of European identity that it has embraced in the past. Finally, I will conclude on a measured note of optimism by outlining a few hypothetical circumstances in which Germany's leaders might be persuaded to change course and play a key role in infusing the EU with the broader moral authority required by the natural principles of *Pacem in Terris*.

### **The Seductive Logic of the Euro**

"No euro, no Europe". When German chancellor Angela Merkel used these words in October 2011 to call attention to the gravity of the sovereign debt crisis, she captured the centrality of the euro for her government's understanding of the European project. It made sense that she would choose this particular ordering of terms – "euro" first and "Europe" second. The common European currency has been the subject of so many attacks and gloomy prophecies over the past two years that it is easy to forget what an audacious, even revolutionary step it represented for the states that originally adopted it. In one gutsy move, their leaders chose to exchange the security they enjoyed with their own currencies for the promise of even greater benefits from an untested experiment. For Germany in particular, the risks of giving up the deutschmark could not have been greater. No country's identity was more heavily invested in the stability of its currency.

Despite the uncertainty, however, the case for a common currency was based upon an extremely seductive logic. If this radical undertaking succeeded, it would eliminate the classic impediments to trade among them: exchange rate fluctuations, expensive transaction costs, price instability, competitive devaluations of national currencies, and a host of other obstacles. A successful euro could even provide their governments with the leverage needed to sell their citizens on further economic reforms. Concurrently, this venture was carefully designed to overcome the doubts of even the EU's most risk-averse members, above all in Germany. To ensure a level playing field, those who adopted the currency agreed to bind themselves to four tightly-defined convergence criteria. Even before entering the Eurozone, each was required to stabilize its exchange rates so that none could begin with an unfair advantage. Thereafter, all would adhere to explicit limits on inflation, government spending, and long-term interest rates. Assuming that each state stuck with these rules, everyone stood to gain.

When we look back on these heady days, it is clear the siren song of the euro was biased for success. The signatories of the Maastricht Treaty were

so confident that their standards would be observed that they made no provision for opting out of the currency, save for leaving the EU entirely. Equally telling, despite the importance of the convergence criteria, they said very little about what should be done if a state failed to follow these rules. Indeed, when one reads the relevant sections of the treaty, it is striking, though perhaps not wholly surprising, that the accord's references to corrective action focus primarily on writing and responding to reports and putting up with the reprimands of other members.<sup>3</sup> What we now see in the collapse of Greece's economy, however, is that the benefits of mutual interdependence have made it extremely difficult for the Eurozone's members to contend with the reality of failure.

From our vantage point today, it is all too easy to declare that Greece should never have been included in the Eurozone, or at least not as early as it was. Athens has run large public sector deficits since the fall of the military dictatorship in 1974. Its major industries, shipping and tourism, are precariously dependent on the shifting fortunes of the international market. Factories are inefficient, and labor markets are highly inflexible. In the olden days, when the Greeks had the drachma, they could at least muddle their way through economic downturns. Interest rates could be adjusted to stimulate domestic demand; exports could be boosted by lowering exchange rates; and, in the event that political challenges became especially dicey, one could simply print more money to appease disgruntled constituencies.

For these reasons, it may seem hard to understand why the euro's advocates, or at least those without strong vested financial interests, would have regarded Greece as a safe bet for currency union. At the time, however, the euro was a powerful way of demonstrating that monetary unification would not lead to the erection of a wall – a “euro wall” – between have- and have-not states. The new currency was to serve all Europeans, both rich and poor, north and south. At least until recently, this is why the expansion of the Eurozone to many more countries, as well as EU membership generally, has been presented as a naturally evolving process. There is, however, no mystery to why both the Greek government and Greek consumers responded as enthusiastically as they did to the new economic order. With a sudden influx of cheap credit availed by the euro, they borrowed heavily and spent themselves into many of their current problems.

As we know, the nature of interdependence is such that it affects everyone. In their olden days, German leaders would have looked on with concern at

<sup>3</sup> For example, Article 104c.

their fellow Europeans' trials, but there was little to force them to do anything more. Thanks to the entangling features of the euro, however, Greece's problems have suddenly become Germany's problems as well. For good reason, bankers worry about how they will get any return on their investments; politicians negotiate furiously over the terms of future loans; and constitutional lawyers wring their hands over the implications of bailouts for the Basic Law.

These are undeniably serious issues. To put them into perspective, however, it is helpful to remember that the Federal Republic has reaped major benefits from the euro. Over the past decade, German banks have made sizeable profits by providing low-cost loans to their southern partners. In return, Greek consumers have boosted the Federal Republic's export-driven economy by using these funds to purchase its products rather than stimulating their own economy. These factors, and not simply budgetary cuts, are among the main reasons Germany has been able to escape much of the hardship of the world recession. But even without these gains, the most profound benefit of the euro has derived from its linkage with the restoration of Germany unity. It was only when French president François Mitterrand told Helmut Kohl in 1990 that his country's support for reunification was conditional on its acceptance of a single currency that German politicians reluctantly acquiesced to giving up the deutschmark.

Not surprisingly, these facts have not been nearly strong enough to overcome the fears of many ordinary Germans that their country is on the verge of becoming the biggest loser in the euro crisis. The assurance of monetary stability has been the mantra of every German government in the post-WWII era. Now that this stability is in question, the all-too-human reaction of the average taxpayer is to look askance at the prospect that the Federal Republic should suffer any hardship to compensate for what newspapers like the *Bildzeitung* describe as the profligate behavior of his welfare-state dependent, vacation-loving Greek cousins. This is not to say that there are no welfare-state dependent, vacation-loving people in the Federal Republic! It is just that he and a growing number of his compatriots feel that Greece alone should bear the burdens and, if necessary, the pain of realigning its policies with the strictures of the euro.

Chancellor Merkel would undoubtedly offer a more sophisticated diagnosis of Greece's troubles. Still, it is telling that her policies have meshed almost seamlessly with this way of thinking. In the process, they have also made her more popular than ever with the German electorate. On the one hand, Berlin has presented itself as willing to play its part in supporting the EU's efforts to deal with Greek debt. Over the past two years, Merkel's government has been an active partner in all of the major efforts to resuscitate the Greek economy,

including massive bailouts by the EU and the IMF and the so-called "Greek haircut" (credit swap). On the other hand, in all of these cases, the chancellor's characterization of Germany's responsibility for Greece's woes has been shaped by the commandments of Maastricht. First, Merkel has emphasized that currency union has nothing to do with saving Greece or any other Eurozone state from its mistakes. In her view, the Federal Republic should not be in the business of making transfer payments. Second, when she has taken part in such measures, almost always grudgingly, Merkel has insisted on making aid to Athens conditional on the implementation of stringent austerity measures. In recent months, she has pushed especially hard for the creation of a centralized European authority to make sure that Greece or any other non-compliant members live up to this expectation.

In his perceptive paper for this conference, Pierpaolo Donati provides us with valuable insight into this way of thinking. Merkel's approach seems to be based upon a conception of the common good in which the interactions among states, as well as human beings, are built around the allocation of resources. When a state's behavior is judged according to rigorous performance standards, such as those applied to the euro, its behavior is deemed meritorious if it leaves everyone better off. Conversely, when it fails to live up to these standards, it violates the common good by hurting everyone. Accordingly, such a state should either be forced back into compliance with the existing order or denied any further benefits of cooperation.<sup>4</sup>

To their credit, Greece's leaders have sought to live up to these demands – sometimes, even heroically – at a domestic cost that is scarcely conceivable to their northern European partners: severe cuts in social spending; higher taxes; lower wages; massive unemployment; and sustained violent civil protest. One government has already fallen under these pressures. Its successor could be replaced soon. Nonetheless, the core economic problems remain. It is already clear that the reliance on fiscal austerity will not come close to reducing Greece's debt to manageable levels and preventing an eventual default. Athens needs two things if it is to extract itself from recession. It requires a careful combination of structural reforms and strategic investments; and even more important, it requires time and patience. Both cost money, and the Merkel government is not in the mood to give it.

In this context, the German debate about what to do with Greece seems to revolve around two extremes: "do less" and "do more". I mention

<sup>4</sup> Pierpaolo Donati, "*Pacem in Terris* and the Principle of Subsidiarity: Beyond the Misunderstandings", PASS Plenary Session, 2012, pp. 436–471 of this book.

“less” first because there is a rising sentiment among both policymakers and the general public that Greece should pay the ultimate price for its malfeasance. Merkel does not personally support this approach, but it is consistent with her narrow conception of the European good. Greece should declare bankruptcy, resign from the euro club, and return to its former currency, the drachma. One hears from the advocates of this position that both Greece and Europe will benefit from this option. Supposedly, the Greeks will get the time they need to implement austerity measures and build a political consensus behind thoroughgoing reforms. Then, once their economy is restored to good health, they will be welcome to rejoin the group. However, this is the kind of thinking that demands that all solutions be simple. Let us be frank about what a return to the drachma would mean. It would likely mean the collapse of Greece’s banking system. The country’s GDP would be cut in half over the first year of withdrawal, and its bond ratings would plummet. Cheaper Greek goods would lead to protectionist measures throughout Europe. Finally, Greece’s membership in the EU would be called into question. Since there is no provision for going backward in the organization’s history, Athens would minimally end up in an institutional limbo.

In contrast, the option to “do more” is based upon patchwork solutions. Of these, the most popular at the current moment is the creation of so-called Eurobonds to buy up Greek debt. No one believes that this approach would present a long-term solution to the debt crisis. But it would constitute a quite significant transformation in the European Central Bank from being an institution with only one mandate – preventing inflation – into one with an added function: becoming a lender of last resort. For Merkel and her advisors, this position is utter anathema. In their eyes, it would compromise the bank’s independence by subjecting it to political pressures. Furthermore, given the strength of its economy, the Federal Republic would effectively become the guarantor of the new Eurobond debt, once again potentially making the German taxpayer responsible for another state’s actions.

I am not in the position to predict whether either of these eventualities will come to pass. Nor do I have the expertise to make an authoritative pronouncement about whether either approach would be healthy for the European economy. But I prefer the moral thrust of the second approach. Because of its broader implications, the importance of saving the Greek economy vastly outweighs any benefits that would come from running away from the problem. If this solution means that the German taxpayer will have to make significant sacrifices for another country, then so be it.

Of course, it's not what I think that matters. The real question is what one can do, hypothetically speaking, to persuade Merkel and other German leaders that a narrowly-focused approach to the euro crisis is the wrong way of going about strengthening Europe. In my view, the best approach is to demonstrate that the same issues and values are at stake in the Greek crisis that made it possible for Germany to be brought back within the European fold after WWII. Thus, for Berlin to demonstrate that it is truly committed to acting in Europe's interest, and not merely asserting its national power, its politicians should apply the values consistently to any challenge they encounter. Indeed, I not only think that Merkel should support this view. I believe that Germany should play a leading role in ensuring that the principle of the common good is observed by the entire European community. As John XXIII might say were he alive today, "some nations may have attained to a superior degree of scientific, cultural and economic development ... [This] means that they have to make a greater contribution to the common cause of social progress" (88).

### **Germany as Leader?**

One can imagine that my appeal for German leadership at this juncture would seem outrageous to many Greeks. Over the past year, their popular media have been full of scare stories about a looming threat from Berlin. Merkel is routinely portrayed as a Nazi storm trooper, and pundits opine about Greece's inclusion in a "Fourth Reich". Yet as anyone familiar with postwar German history would attest, the last thing that politicians like Merkel desire is a return to imperial glory, or any glory at all. The earmark of German foreign policy since 1949 has been Bonn's and now Berlin's studied determination to avoid even the appearance of wanting to lead. This is the reason why the idea of belonging to "Europe" has been so attractive. It has allowed successive generations of Germans to profile themselves as participants in a collective enterprise first and only secondarily as members of a national group. Of even greater salience for my argument, post-war Germany's "return to civilization" has been justified in terms that are consistent with the principles outlined in *Pacem in Terris*.

When the Federal Republic was founded 1949, its leaders signaled their renunciation of fascism by embracing a quintessentially European form of democracy. From an American perspective, this type of democracy is distinctive in extending beyond the adherence to formal electoral rules and institutions to include conceptions of the common good and a commitment to the well-being of each member of society that have their historical roots in the Church's teachings. It is no coincidence that Article I of Germany's Basic

Law proclaims that “human dignity is inviolable” and that all state authority is obliged to respect and protect this standard. In the Federal Republic’s formative years, politicians on both the left and the right had sharply different conceptions about how this good was to be realized, whether on the basis of a paternalistic welfare state or the bonds of social solidarity. Yet they set the tone for all subsequent governments by making a demonstrable commitment to policies designed to maximize human well-being – decent health care, free public education, full employment, and generous pensions.

Germany’s leaders have also embraced a concept of European membership that is not reserved to specific states, let alone divided into first and second-class tiers (as exemplified by the Third Reich). In the official view, membership is continually evolving as the community’s members search for a common culture and set of shared values. Indeed, what state could have benefitted more from this inclusionary spirit than the Federal Republic? Unlike in the aftermath of WWI when Germany was treated as an outcast, its enemies in the Second World War immediately sought to integrate it under the European roof. Robert Schuman had this purpose in mind in May 1950, when he envisioned the formation of the European Coal and Steel Community. The pooling of coal and steel production in France and Germany, he declared, would provide one of the foundations for the economic reconstruction of Europe. But more importantly, its inclusionary focus would establish a precedent under which “any war between France and Germany [would become] not only unthinkable but materially impossible”.<sup>5</sup>

Finally, Germany’s leaders were easily persuaded to accept the proposition that political and economic conflicts with their neighbors could only be resolved through peaceful means. Much like the Pope’s views in *Pacem in Terris*, the existence of “Europe” and other supranational organizations did not preclude individual states from energetically acting on their interests beyond their national borders. But the institutions of this general authority were crucial components of the new order because they provided channels through which these initiatives were to be pursued. Additionally, the European idea allowed its adherents to express themselves with a nobility of purpose that would, at least potentially, have more credibility than the proclamations of separate and self-interested nation states. Thus, when the EU’s leaders met in Berlin a few years ago, on March 25, 2007, to celebrate their organization’s 50<sup>th</sup> anniversary, they portrayed themselves as fellow passengers on a global mission: “We are committed to the peaceful resolu-

<sup>5</sup> Schuman Declaration of May 9, 1950, at [www.schuman.info/9May1950.htm](http://www.schuman.info/9May1950.htm)



tion of conflicts in the world and to ensuring that people do not become victims of war, terrorism, and violence. [We want] to promote freedom and development in the world. We want to drive back poverty, hunger and disease. We want to continue to take a leading role in that fight".<sup>6</sup>

For these reasons, I believe Merkel and her colleagues are obliged to take their own good fortune into account when they are dealing with Greece or any of the other European states that are wrestling with economic misfortune. The social model of European democracy is a case in point. Just like Germany's postwar leaders, Athens has made very significant commitments to providing a decent quality of life to all of its citizens. It, too, had good reasons for shouldering this responsibility. The fledgling democratic regime that succeeded the military junta in 1974 inherited a deeply-divided citizenry that was hostile to all types of political authority. As a consequence, it was immediately beset in this formative period by intense pressure to meet the demands of all segments of society: organized labor, powerful corporations, anarchists, and on the margins, an enfeebled middle class. This circumstance, more than any other, has been the source of the political impotence, nepotism, and rampant corruption that confounds the government's efforts to reform the economy today. These historical burdens will not go away quickly.

I call attention to these factors because they help us to understand why Merkel's demands that Greek politicians exercise more fiscal discipline have not been understood by the country's citizens for what she thinks them to be – sound economic policy. Instead, they are viewed as unwarranted attacks on a deeply-engrained social model. The newly unemployed longshoreman does not care that his job has been made redundant. He directs his anger at both his government and meddling outsiders for violating a social right that he has always taken for granted. Similarly, a recent university graduate throws a brick through a store window in exasperation that she may never be able to use the education that was supposed to usher her up the social ladder. As a result, Greece's leaders are caught in an impossible bind. They cannot move fast enough to satisfy the German chancellor, but even those citizens who understand the necessity of austerity perceive their government to be acting with excessive haste.

Suspicious about Germany's intentions are by no means confined to Greece. The citizens of countries as diverse as Spain, Italy, and Portugal all see hidden motivations at work when politicians, bond traders, and other

<sup>6</sup> Berlin Declaration at <http://news.bbc.co.uk/2/hi/europe/6491487.stm>

critics insist that their leaders implement the same austerity measures as the Greeks. It makes no difference that the issue of sovereign debt is not the primary source of their troubles.<sup>7</sup> Mere facts have not prevented credit rating agencies from downgrading their bond ratings. Worse still has been the inclination of headline-hunting journalists to lob all of these countries together, along with Ireland, under the pejorative heading “PIIGS” (Portugal, Ireland, Italy, Greece, and Spain).

The Merkel government needs to keep in mind a second area of concern. The way it treats Greece has ramifications for the perceptions of those EU members who are slated to enter the Eurozone down the road. This point is particularly salient for that part of the continent, East-Central Europe, where Germany has deep historical interests. On the one hand, we can hardly be surprised that the governments of countries like Poland, Hungary, and the Czech Republic are suddenly less eager to part ways with their zloty, forints, and korunas. Far from stimulating growth, the adoption of the euro under current conditions would make their car factories and agricultural products less competitive with other Eurozone economies.

On the other hand, we should be concerned about a growing perception in the region that the western members of the zone, including Germany, regard these states as potential future Greeces whose governments will be unable to meet the rigorous standards of the euro. In the eyes of many skeptical Poles, for example, it will not matter that their country has one of the most vibrant economies on the continent. Nor will the citizens of Latvia believe that they will be given due credit for their records of fiscal discipline. For them, the emphasis on the euro raises the question of whether they are not yet considered fit, by western standards, for Europe. Can the croupiers at the roulette tables of Monaco or the 826-strong citizens of Vatican City, all of whom use the euro, somehow be superior representatives of Europeanness than the millions of east Europeans who broke with communism in 1989?

Admittedly, even if eastern European political elites wanted to push for deeper integration into Europe at the moment, it would be difficult for them to do so. Their electorates are polarized over the issue of national sovereignty. Populist sentiment is on the rise due, in part, to the perception that EU politicians, like Merkel, are more interested in protecting their own states' interests, and especially their banks, than in acknowledging the damage that their policies (e.g., irresponsible lending practices) have had on

<sup>7</sup> See Robert Fishman, “Portugal’s Unnecessary Bailout”, *New York Times*, April 12, 2011.

their economies. Recently, in March 2012, Hungary's Prime Minister, Viktor Orbán, engaged in a bitter war of words with his EU partners when the union's finance ministers suspended a 495 million euro aid package to the country, citing the government's failure to make sufficient reductions in its budget deficit. Orbán spoke for many East Europeans when he defiantly stated that his government would not allow his people to be made "second-class citizens of Europe".<sup>8</sup>

Naturally, these quarrels do not mean that the region's formerly communist countries have any intention of opting out of the euro. Quite the contrary, even politicians who oppose the single currency assume that the euro will eventually come their way. Still, German policymakers need to recognize that the ambiguous relationship between the "euro union" and the broader European project in policymakers' minds has a special significance for the non-EU states on the European periphery. A good example is Ukraine, a state which aspires to European status but may never enjoy the benefits of a common currency. Since the election of Viktor Yanukovich as president in 2010, Berlin has consistently expressed concern about the steady deterioration of Ukrainian democracy. The rule of law is under threat, press freedoms have been constricted, and the regime has even imprisoned Yanukovich's principal rival and former prime minister, Yulia Tymoshenko. Nonetheless, the more the Merkel government allows the narrow logic of the euro to set its priorities, the harder it will become for Berlin to justify further attempts to influence the country's democratic prospects. This prospect of being walled out of Europe, by a currency no less, is no small matter for the Ukrainian citizens who courageously took part in 2004 Orange Revolution. If "Europe" is perceived to be stepping back from their country, the likelihood grows that Ukraine will slide even further into a Russian sphere of influence.

### **Germany and the Common Good**

At this point in my presentation, I hope that my reasons for Germany's assumption of a more self-consciously European leadership role will be convincing. This engagement must begin with Greece, but its implications extend far beyond a single country to the well-being of Europe as a whole. As a political scientist, however, I am required to ask whether there are any grounds for thinking that the leaders of a generally risk-averse Germany will decide to take on this role in ways that serve a broad conception of

<sup>8</sup> *New York Times*, March 15, 2012.

European interests. Because this is the most tenuous part of my argument, I shall briefly suggest three scenarios in which Merkel and her colleagues might be persuaded that a limited focus on the union of states possessing the euro is not only bound to fail. It will make it even harder to realize a conception of European identity that serves *Pacem in Terris*' conception of an international moral order.

The first scenario, and the one most likely to occur, is that it proves impossible to contain the collapse of the Greek economy. In her continuing defense of Greece's inclusion in the Eurozone, this outcome seems to be what Merkel fears the most. Should the Greek economy go into default, it is hard to imagine that investors would retain their confidence in the ability of other struggling economies, such as those of Portugal, Ireland, and especially Spain, to repay their debts. The value of their bonds would fall and their current budgetary travails would grow even worse. Unless Merkel wants to risk the possibility of this contagion spreading all the way to the world's eighth largest economy, Italy, her government would presumably have no other choice but to invest more of its financial resources in preventing this cascade from beginning.

The second scenario is one in which the populist politics that is currently on the rise in East-Central Europe would threaten to spread into Germany itself. This eventuality is not inconceivable. Populist sentiments can easily spread beyond national boundaries. Anti-German sentiments in one country could take the form of anti-immigrant hysteria in another and then be transformed into economic protests in yet a third country. Under these circumstances, Merkel might rethink the way her government has allowed issues, such as sustained austerity measures, to dominate the discourse about European identity.

A final scenario is one in which Germany's emphasis on narrowing the criteria of European belongingness acquires geopolitical significance. The most prominent case in which this issue could arise involves the, admittedly faint, chance that Germany's fellow NATO member, Turkey, would reassess its identification with Europe. No aspirant to membership in the EU has had more cause for frustration than Ankara. For years, Turkey has tried and failed to meet the admissions criteria to Europe. When Merkel met with Prime Minister Recep Erdogan in 2010, all that she was willing to offer was the designation of a "privileged partnership". Yet two circumstances have changed in the interim. First, Turkey has assumed an increasingly important mediating role in the Middle East, thanks both to the Arab Spring and the uprising in Syria. Second, Turkey's long-strained relationship with Russia has noticeably improved. Conceivably, a marked shift in Turkish poli-

cies toward these regions could cause Berlin to reconsider its long-standing ambivalence about Ankara's relationship with the EU.

In sketching these scenarios, I do not mean to suggest that it will be easy to prod Germany into playing a more active leadership role in Europe. In fact, it is fascinating to see how intent European politicians have suddenly become about acting on this issue. In a remarkable statement in Berlin last November, Poland's foreign minister Radosław Sikorski declared that Germany had become Europe's "indispensable member" without taking on commensurate responsibilities. "I fear German power less", Sikorski announced, "than I am beginning to fear German inactivity". He had not come to praise the Germans, the foreign minister emphasized. Germany's leaders were hardly innocent victims of the debt crisis. Still, Sikorski stressed that Europe's future was in Berlin's hands. "You may not fail to lead", he underscored, "not dominate, but lead in reform. Provided you include us in decision-making, Poland will support you".<sup>9</sup>

How amazing it is to hear a Polish leader utter these words! We should not lose sight of the historical significance of such a claim. The driving factor behind the creation of the European community after WWII was the necessity of finding a solution to the problem of German power. Is it not possible that in Federal Republic's reluctance to lead, we have now found the answer to the age-old question about Germany's compatibility with Europe? Should Germany assume the right kind of leadership role, one that is mindful of the good of the whole and prepared for join others in sacrifice, this will be a refreshingly positive outcome of a situation that is otherwise filled with peril.

In fact, in many of the cases that I have mentioned, the leadership I have in mind is not specifically financial. Rather, it is about the impressions one conveys about national priorities and the words one chooses to characterize difficult situations. For this reason, the first thing I would request from Chancellor Merkel as she reflects upon her country's obligations is that she reformulate the quotation that I brought up earlier in this paper. In the spirit of *Pacem in Terris*, she should not have said "No euro, no Europe". Instead, it is more appropriate for the future of all nations if she puts first things first. She should say "No Europe, no euro".

<sup>9</sup> "Poland and the Future of the European Union", November 28, 2011.

# COMO FORTALECER LAS NUEVAS DEMOCRACIAS

■ ALAN GARCÍA

He estudiado con mucho interés los documentos y reflexiones que han sido presentados a esta sesión por sus excelencias, profesores e intelectuales y coincido con sus planteamientos en cuanto a la continuidad creadora de la doctrina social de la iglesia que nos debe guiar a los católicos, especialmente a quienes asumimos responsabilidades en la dirección de los asuntos políticos de nuestros pueblos. Como hombre político y con toda humildad, aprovechando de las reflexiones aquí expuestas me corresponde proponer algunas acciones para fortalecer la presencia de los políticos católicos en la vida social, dentro de las grandes orientaciones de la verdad, la solidaridad y el amor como nor señaladas para la acción temporal del cristiano.

## 1. El triunfo de *Pacem in Terris*

Pero mis primeras palabras serán para destacar el acierto y la clarividencia de la encíclica *Pacem in Terris* cuyos cincuenta años conmemoramos. Su orientación central y sus conceptos han triunfado sobre las alternativas que en el momento de su publicación todavía se ofrecían a nuestros pueblos. Ha desaparecido el imperio del materialismo elevado al nivel de programa social y económico, que intentó reducir las relaciones de los individuos con la comunidad política a supuestas leyes naturales. Ha sucumbido por el peso de su ineficiencia y también por el afán de libertad de los pueblos y su derecho a venerar a Dios. Ha sido derrotado el colectivismo idolátrico que pretendió sustituir a la persona natural dotada de inteligencia y de libre albedrío como centro de los derechos humanos por el Estado ideológico. Y como menciona la profesora Glendon la religión aparece como destructora de las dictaduras y arquitecta de la democracia. Ya Pablo había señalado que allí donde está el espíritu de Dios allí está la libertad.

De otro lado el humanismo mercantil o liberalismo que se proponía como respuesta, aun cuando ahora se presenta como triunfador en la contienda bipolar, también es criticado y revisado en su estructura moral y enriquecido por la perspectiva espiritual de solidaridad y justicia. Ahora se le exige con las palabras de *Pacem in Terris* aceptar que el progreso científico demuestra la grandeza infinita de Dios y no debe llevar al hombre a la soberbia tecnológica.

Hoy es un buen momento para la evangelización y el relanzamiento espiritual, ahora que la bipolaridad y la amenaza nuclear inmediata han que-

dado atrás. Pero es un buen momento porque los pueblos coloniales han alcanzado su independencia y en todas partes se reconoce el rol del mundo laboral, el papel de la mujer y el derecho a la participación política que entonces, hace cincuenta años, aun se rechazaban en muchos lugares del planeta y que la encíclica de Juan XXIII reclamó. Y la inmensa mayoría ya acepta que el camino es la Evolución como crecimiento paulatino de todas las cosas y no la Revolución como señaló *Pacem in Terris* repitiendo las palabras de Pio XII.

## 2. Es un buen momento

Pero es un buen momento porque ahora se abre un grande y nuevo capítulo social y productivo. La economía de las ideas ha superado a la economía de las cosas y la información parece constituirse en la nueva energía que motoriza la producción, el consumo y las decisiones. No queda sitio para el pesimismo en ningún cristiano. No podemos ser pesimistas sino ver con más esperanza las condiciones que se ofrecen y que estoy seguro facilitarán el espíritu de evangelización y con la libertad y la tolerancia impulsaran un nuevo triunfo del cristianismo en la humanidad. Vivimos un nuevo capítulo que nos da más y mejores instrumentos para el Bien Común como conjunto de condiciones que permitan a los hombres desarrollar su propia perfección.

Es la Globalización a la que Lord Alton se refiere y a la que vemos con esperanza, porque, repitiendo a Juan Pablo la Globalización, a priori, no es buena ni mala, sino que será lo que los hombres hagamos de ella. Porque este gran impulso de velocidad, de progreso científico, de producción y de comunicación entre los hombres creará nuevas fuerzas para convertir la mera globalización de las cosas y el dinero en una vocación de Universalidad que derrote las tendencias al relativismo moral. De la misma manera que en la ciencia y las decisiones económicas tenemos un “cerebro colectivo”, plural y comunicado que llega a descubrimientos con más velocidad, también la búsqueda de la verdad, la solidaridad y el amor se multiplicará.

## 3. Un nuevo sistema

¿Y por qué esta mayor esperanza? Basta comparar la situación de hace cincuenta años con la actual. Ahora vivimos un sistema económico y político abierto. Estamos terminando la pretensión de vivir bajo un solo centro conductor o bajo dos o tres influencias políticas. El poder tiende a diseminarse y desconcentrarse. Es un sistema con grandes capacidades de autoregulación y de equilibrio; un sistema mundial en el que, la idea antes audaz de una autoridad mundial en los aspectos económicos y los conflictos se está construyendo día a día. Y avanza, alimentado por la información. Los

últimos cincuenta años son en si mismos un triunfo del ser humano que, como el fin privilegiado de la creación y de la dignidad ve que su número aumenta extraordinariamente sobre el planeta. En 1963 éramos aproximadamente dos mil quinientos millones pero hoy somos siete mil millones de hijos de Dios, además la proporción de la pobreza en relación al total ha disminuido y el derecho a la vida y su extensión en años se ha ampliado a pesar de hechos monstruosos como el aborto. Pero la vida humana triunfa sobre esas amenazas.

Jamás la humanidad ha tenido tal capacidad de producción, de consumo. Jamás la humanidad ha tenido una capacidad tan grande de producción o de descubrimiento y de consumo, jamás ha tenido un mercado que actúe desde los individuos con mayor libertad y donde el capital parece buscar al trabajador y no al contrario como sugería *Pacem in Terris*. Jamás se ha contado con tantos recursos en dinero o en reservas y tal velocidad de intercambio y de adopción de las decisiones al lado de los cuales los problemas son más pequeños que antes. Y como mencionó Steven Pinker, citado aquí por B. Betancur, en el largo plazo la tasa de criminalidad histórica baja y se reduce la violencia. Además, los desequilibrios de los países europeos o de China que vivimos y que parecían amenazar la seguridad económica, resultan ser problemas en los elementos o partes del sistema, pero no en el conjunto; el sistema continuará, al menos por un mediano tiempo creciendo gracias a las nuevas tecnologías. Y ya se ven los signos de equilibrio y de recuperación.

Y dentro del sistema mundial interdependiente, los países emergentes tanto en Asia como en América Latina resultan ser los más beneficiados acortando poco a poco las distancias que los separaban del llamado Primer Mundo y mejorando sus cifras sociales. El Perú es un caso en el cual la pobreza se redujo en siete años del 58% al 30%, y con ello disminuyeron la mortalidad materna e infantil y la desnutrición pero al mismo tiempo creció el empleo y el ingreso familiar. Así, las condiciones para una vida digna que *Pacem in Terris* reclamó se van logrando, aunque algunos sectores tardan aun en beneficiarse. Sin embargo, si ahora no parecen existir expectativas de un aumento de la miseria o la penuria, el problema actual es de orden espiritual. Porque en medio de esta esperanza subsisten peligros que los políticos cristianos debemos evitar, entre ellos el caer en el panteísmo tecnológico que conduce a la soberbia y también la jerarquización social por el éxito económico que solo lleva a la ostentación y a la vanidad ajenas al espíritu cristiano. Los políticos debemos afirmar permanentemente que el crecimiento económico no es un fin en si mismo sino que debe ser, como lo expreso el Papa Juan, un conjunto de condiciones que permitan la perfección de los seres humanos.



Es un gran momento para llamar al mundo y a sus gobernantes a plantear muchos temas que aprovechen para el bien común los nuevos recursos y capacidades tecnológicas. Actuar por el bien y la verdad sin condicionar la acción a su éxito. Actuar por la verdad en si misma. Esa es la responsabilidad de los líderes que se dicen cristianos para tener coherencia entre la fe y la conducta como lo exigió *Pacem in Terris*, demostrando así que gobernar no es mandar sino consiste en actuar de acuerdo a la recta razón. De lo contrario la política seria un nuevo fariseísmo de proclamar y de no hacer.

#### **4. El “Plan África”**

Por eso debemos unir la solución a la crisis de nuestra producción con la solidaridad por los que más sufren y por los que menos tienen. Si hoy el mundo busca caminos para relanzar su producción y su empleo, tal vez encontrará equilibrios momentáneos para los déficits o el endeudamiento europeo y norteamericano, pero no hallará una vía de largo crecimiento si es que no une ese esfuerzo con la solución a los problemas en los lugares donde existe mayor miseria. La solución no está dentro del grupo de países más articulado económicamente sino en su exterior. He propuesto por ejemplo que un Plan África impulsado por los organismos internacionales oriente al África Subsahariana muchos de los recursos financieros ahora inútiles que serían destinados por las instituciones que rigen el mundo para hacer obras de infraestructura, canales de riego, hospitales, carreteras que eleven el nivel de vida del sector más pobre de la tierra, den trabajo y otorguen el derecho a producir de su población. Porque al mismo tiempo tal trabajo dará un nuevo impulso y creará un nuevo mercado para la industria y los recursos técnicos de los países ya avanzados que caen en la recesión. Así, la solidaridad y la caridad tendrán un contenido y un efecto positivo en la economía mundial. Paulus Zulu nos explica que falta una “voz unitaria” en los países africanos. Creo que el Plan África es una voz unitaria desde el exterior del África.

Esa es una forma activa y concreta de acción política desde la perspectiva de la comunidad mundial, y un ejemplo de la governance que el profesor Hans Tietmeyer nos ha explicado. Y devuelve carácter espiritual a la sociedad humana trabajando en su propio beneficio y para mil millones de personas que en el África no tienen las mínimas condiciones de servicios o de instrucción con los que alcanzar su perfección.

#### **5. Reducción del armamentismo**

En segundo lugar, nuestra iglesia que es bandera de la paz mundial contra el temor de los pueblos, debe hacer a través de nosotros un llamado urgente y reiterado por la reducción de los gastos militares y de la compra de armas.

Ahora que no existe la amenazante bipolaridad nuclear y los conflictos y guerras están más localizados y sectorizados eso podría liberar cientos de billones anuales para mejorar las condiciones de vida que permitan la perfección. Menos armas significa menos temor, más tolerancia. Y eso aun en el nivel de las armas convencionales y los revólveres cuyo conjunto también es un arma masiva. Atormenta ver que existen 870 millones de armas de puño que cada año ocasionan setecientas mil víctimas en todos los rincones del mundo. Los organismos financieros internacionales que ahora condicionan sus créditos al respeto del Medio Ambiente, deberían también establecer cláusulas de reducción del gasto en armas para el otorgamiento de sus créditos y calificaciones. Esa es una propuesta que los cristianos deberíamos impulsar ante esas instituciones.

Su santidad tiene una voz respetada y esperada. Una reunión mundial con los líderes políticos por la reducción de los gastos será escuchada y el establecimiento de esa cláusula para los créditos afirmara la línea trazada por *Pacem in Terris*. Además, hacer Jornadas nacionales y de grupos de países vecinos elevará la conciencia sobre este problema y contribuirá a la paz espiritual de los pueblos a los que los mercaderes de armas y de la muerte mantienen en el temor y en muchos casos en el odio. La Paz, lo ha dicho nuestra Iglesia no es la mera ausencia de guerra.

## **6. La defensa de los migrantes**

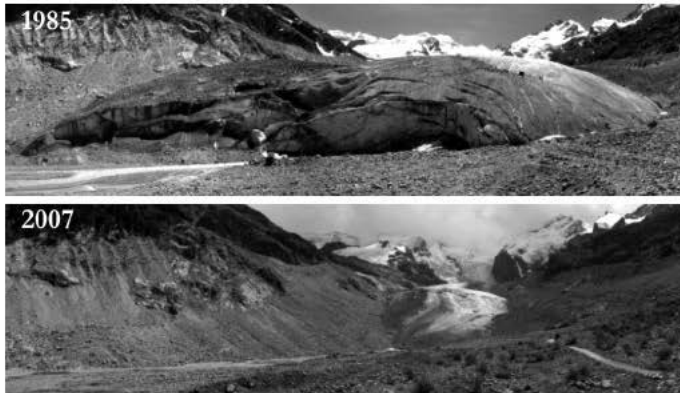
Un tercer y trascendental tema fue formulado en *Pacem in Terris*. Es el derecho de residencia y de emigración. Y pareciera que el Papa Juan se adelantó con clarividencia a la globalización de hoy que ha globalizado los capitales y los productos pero mantiene cerradas las puertas a las personas. Y cuando estas trasponen esas fronteras se les mantiene en situación subordinada e inferiorizante o son explotados sistemáticamente en las sociedades a las que llegan. Excelencias, la globalización debe ser superada por la universalidad del mensaje cristiano. Luchemos por la universalidad del Hombre. Como menciona el profesor Ladaria citando a Mateo, la nueva familia es la comunidad con Jesús.

Confío en que la comunicación multiplicada y acelerada que hoy permiten las nuevas tecnologías abrirá las puertas a la igualdad y a la tolerancia de los seres humanos, abrirá nuevas oportunidades de participación y de educación y por consiguiente ofrecerá mayores perspectivas a la espiritualidad en la que el cristianismo avanzará. Ya el Mahatma Gandhi decía, reconociendo la superioridad moral del mensaje cristiano: “si todos los cristianos cumplieran con la palabra de Cristo no sería necesaria otra religión”. Nos toca demostrarlo para hacer coherentes la fe y la conducta. El mensaje de Cristo fortalecerá nuestras democracias.

# CLIMATE CHANGE AND PROTECTION OF THE HABITAT THAT SUSTAIN US: WHAT CAN BE ACCOMPLISHED?

■ VEERABHADRAN RAMANATHAN

I will begin with a report by the working group on *The Fate of Mountain Glaciers in the Anthropocene* commissioned by the Pontifical Academy of Sciences. The report was published on May 11, 2011 and was based on a workshop held at the Vatican from April 2 to 4, 2011. The report began with a declaration, reproduced in full below:



Morteratsch glacier (Alps). Courtesy of J. Alean, SwissEduc

## DECLARATION BY THE WORKING GROUP

WE CALL ON ALL PEOPLE AND NATIONS to recognise the serious and potentially irreversible impacts of global warming caused by the anthropogenic emissions of greenhouse gases and other pollutants, and by changes in forests, wetlands, grasslands, and other land uses. We appeal to all nations to develop and implement, without delay, effective and fair policies to reduce the causes and impacts of climate change on communities and ecosystems, including mountain glaciers and their watersheds, aware that we all live in the same home. By acting now, in the spirit of common but differentiated responsibility, we accept our duty to one another and to the stewardship of a planet blessed with the gift of life.

We are committed to ensuring that all inhabitants of this planet receive their daily bread, fresh air to breathe and clean water to drink as we are aware that, if we want justice and peace, we must protect the habitat that sustains us. The believers among us ask God to grant us this wish.

The declaration, unlike any that has been published on the topic of climate change, is extraordinary because the working group consisted of natural scientists with expertise in climate sciences, glaciology, physics and chemistry, including several non-believers. Why did this group sign such a declaration? Is it an act of desperation by scientists in despair due to lack of any meaningful actions to mitigate disastrous climate change? I certainly cannot answer this question, but I will attempt an explanation of why, as one of three Co-Chairs of this working group, I actively and enthusiastically helped in formulating this declaration. I must begin with a brief background of the nature of human influence on past and future climate change. I then will introduce a new development in climate mitigation that offers great promise for a way out of the current gridlock in climate negotiations.

The Greenhouse Blanket: Any substance we burn, be it fossil fuels or trees, turns into carbon dioxide gas. The chemical symbol is  $\text{CO}_2$ . Once let into the atmosphere, about 50% stays for a century or longer and about 20% for thousand years or more. As a result  $\text{CO}_2$  accumulates in the air for centuries or more and covers the planet like a blanket. Since the time James Watt invented the steam engine in the eighteenth century, the accumulated  $\text{CO}_2$  blanket in the air weighs a staggering one trillion tons today. Why should we worry about this massive blanket? Basic quantum mechanical data show that  $\text{CO}_2$  is very effective in trapping the heat (as infra red energy) given off by the planet... heat which would have otherwise escaped to space. Just like a blanket which keeps us warm by trapping body heat, the addition of the manmade  $\text{CO}_2$  blanket warms the planet. This in short is the theory that links the added greenhouse effect to global warming. The fact that added  $\text{CO}_2$  can lead to a large global warming was calculated 116 years ago by the Swedish Nobelist Svante Arrhenius.

Global Warming: How large and how soon? We have already added enough greenhouse gases to warm the planet by about  $2.50^\circ\text{C}$  compared to the pre-industrial temperatures. The planet has already warmed by about  $0.750^\circ\text{C}$  during the twentieth century and according to my prediction (made in 2010) the cumulative warming is likely to reach  $20^\circ\text{C}$  by 2050. If indeed the warming exceeds  $20^\circ\text{C}$  in the coming decades, the planet would be much warmer than any temperature it has experienced in the last few million years. This is because the planet's climate oscillates between glacial periods (when it is colder) and inter-glacial periods (when it is warmer). The temperature during the inter-glacial is warmer than the glacial by about  $30^\circ\text{C}$  to  $50^\circ\text{C}$ . We are currently in an inter-glacial period, called the Holocene, and have enjoyed the relatively stable and warm climate of the Holocene for the last 5000 years or more.

Unmanageable Habitat Destruction: Heating the planet another 20°C beyond the warm Holocene, would push the planet including the glaciers, sea level and the complex eco systems beyond any thresholds or extremes these systems may have experienced in the last few million years. Also because of the long lifetime of carbon dioxide, the changes, once triggered, could last for thousand years or more. The warmer climate would make the air significantly more humid which would intensify heat waves, storms and precipitation, wipe out low lying coastal area and small island nations, threaten the water and food security of the vulnerable 3 billion who live on less than few dollars a day. It is due to such likely unmanageable changes that the world leaders, including all of the leaders from the industrialized nations and all of the leaders from developing and emerging economies, signed an accord in 2009 at Copenhagen that declared:

We underline that climate change is one of the greatest challenges of our time” in its opening paragraph, followed by the second paragraph which begins with “We agree that deep cuts in global emissions are required according to science, and as documented by the IPCC Fourth Assessment Report with a view to reduce global emissions so as to hold the increase in global temperature below 2 degrees Celsius, and take action to meet this objective consistent with science and on the basis of equity.

Why have we not taken any mitigation actions on carbon dioxide? The carbon dioxide problem is hard to fix, however, because it comes mainly from the burning of fossil fuels, which is so essential to modern life and commerce. It will take decades and trillions of dollars (about \$45 trillions from now until 2050, according to the International Energy Agency) to convert all the world’s fossil-fuel-based energy systems to cleaner systems like solar, geo-thermal and wind power. Diplomats have struggled to slow global warming for more than two decades. Two major treaties have been negotiated to achieve that goal, the 1992 UN Framework Convention on Climate Change and the 1997 Kyoto Protocol. These treaties have expired and in the meantime fossil fuel consumption, emissions of carbon dioxide and the thickness of the CO<sub>2</sub> blanket in the air have continued to increase at alarming rates. And last year, at the UN Climate Change Conference in Durban, diplomats have agreed to start talking about yet another treaty. It is not clear how long these negotiations will continue and we begin to actually reduce consumption of fossil fuels and switch to renewable fuels. The record heat in March 2012, which broke more than 15,000 records in the US, gives this issue a sense of urgency. But we don’t have to wait. We can put a fast-track action in the meantime.

A practical and proven action plan to slow down global warming: There is a practical and proven way to slow down global warming during our life-

time. It could cut warming in the coming decades by almost half and slow down the melting of glaciers and snow packs worldwide. We can also delay sea level rise and give several island nations such as the Maldives and Sri Lanka few more decades to adapt. This new solution is called mitigation of short-lived climate pollutants, or, SLCPs. In fact this is the first time mitigation of air pollution has emerged as a viable way to mitigate climate change. *The NY Times* (Feb 17, 2012) referred to it as “the Second front in our war against climate change”.

So far this solution was buried in the literature in hundreds of scientific papers. The first study which set the stage for this solution was published in 1975 (Ramanathan, *Science*, 1975). Two months ago on Feb 16, 2012, Secretary of State of Clinton, along with the UN and six other governments, formed a coalition to take this solution forward. Three weeks ago President Obama included this solution in a declaration of North American heads of state. Last week at the Stockholm+40 meeting attended by the prime ministers of China, Sweden and other countries, a declaration was announced of action plans for environmental sustainability that included SLCPs as a valuable example of sustainability actions.

Let me describe what this solution is: Until now policy makers have focused primarily on cutting down carbon dioxide emissions. It turns out at least 40% (and likely 50%) of the current global warming is caused by four other pollutants: The four pollutants are: 1) methane gas that leaks from our landfills, gas pipes and agriculture fields. Cattles are also another important source; 2) black carbon particles in dark soot from diesel trucks and from cook stoves burning fire-wood and solid coal; 3) Ozone produced in smog by noxious gases from tail pipes and biomass burning; and 4) hydrofluorocarbons (HFCs) used in refrigerators and spray cans. A huge bonus of actions to reduce these pollutants is a payoff perceptible within a matter of months to a decade. We know how to reduce them drastically. For example, California has reduced its diesel black carbon emissions by 50% in twenty years.

Saving climate also saves our lives! A major source of black carbon and ozone is cooking with solid biomass such as dung and firewood. Inhalation of the smoke kills millions of women and children every year (Slide 3). Cleaner cook stoves are now available which has been shown to drastically cut down the climate warming pollutants ([www.projectsurya.org](http://www.projectsurya.org)). If scaled up to the 2.7 billion who depend on these biomass fuels, it can save about 4 million lives every year.

In this new second front in our fight against climate change, all we are asking people and leaders to do is: *Please clean up the air*. In so doing, we will protect the beautiful natural icons of this planet such as blue skies, the

glaciers in the Himalayan-Tibetan and Alps mountain ranges. In addition to saving lives, we can save 100 million tons of crops every year.

Our optimism derives from the fact that it does not require global treaties or protocols that require signatures from hundred or more nations. The case can persuasively be made to the developed and developing countries that it is clearly in their own interest to adopt practical and affordable measures, because of the huge benefits to health, food and water security. It does require bottom-up efforts from networks of local decision makers, engineers, air pollution experts that translate scientific knowledge into actions in the field. Civil societies can exploit social networks and play a large role in such knowledge to action networks. There is no advocacy group out there devoted to the cause of poor health, nor any pro-pollution lobby. Thus we feel that what we propose would find nearly universal support. But success would require the embrace of the United States, India, China and European Union.

The Vatican Declaration: I will return to the question I posed in the opening paragraph. Scientists often struggle wondering if it is their place to tell the public what it should be doing to stop global warming. The declaration and the debate among the working group members that preceded it, opened my eyes to the vital role that spiritual/religious leaders can play in this war against climate change. For it is the spiritual leaders who have the moral authority to exhort citizens and their leaders to be better stewards of the planet and remind them of their universal responsibility to protect the planet's environment. Spiritual leaders can exert their moral authority to also effect action among their followers. The Vatican, for one, has been a great leader in this arena, convening the working group to address the plight of Mountain Glaciers including the Alps and the Himalayas... issues in which environment, human well being and universal responsibility converge. Society can score a victory against this global threat. Perhaps the short-lived climate pollutant actions proposed here will be the wedge that lets us come back to the original problem that has so divided us: what to do about carbon dioxide emissions from fossil fuels. Meaningful reductions in CO<sub>2</sub> emissions must begin now to win the war against climate change.

# WAYS TO IMPROVE THE ORDER AND GOVERNANCE IN GLOBALISING ECONOMIC AND FINANCIAL MARKETS

■ HANS TIETMEYER

## I. Introduction

Over the past decades, we have witnessed an increasing integration of economies around the world, in particular through trade and financial flows. Globalisation has affected all sectors of the economy, but it has been particularly dynamic in the financial sector as the increased variety of financial innovations, the growing number of market participants and the transformed nature of financial market activities illustrate. The ever closer integration of economies in general and financial markets in particular can, for the last decades, primarily be attributed to human innovation and technological progress affecting both communication channels and decision-making processes. Thanks to modern information technologies, decisions can today be made everywhere in the world and be transmitted (nearly) instantly to almost any other place around the globe. Technological advances have thus made it easier, quicker and cheaper to complete international transactions. As a result, economic activities that were previously conducted at the national level have rapidly extended beyond national borders.

In addition to technological advancements, political developments and economic policy choices gave further impetus to globalisation. The gradual removal of barriers to international trade, such as tariffs, import quotas and export fees have resulted in open markets that offer greater opportunities for people and companies alike to gain access to more and larger markets around the world. By means of competition these larger markets foster economic growth in both developed and developing countries and allow them to benefit from specialisation and produce at a more efficient scale. Increased global trade not only allows economies to benefit from increased productivity, but also supports the spread of knowledge and new technologies and provides consumers with a greater range of choice. Although I will not address the issue of distribution in my further remarks, we should bear in mind that market forces alone cannot ensure an even or “fair” distribution of the benefits from globalisation between countries or individuals.

In the financial sector, globalisation has been even more progressive than in the industrial sector. De-regulation, i.e. the progressive easing of national



restrictions for financial markets in many industrial countries, but also in emerging economies, over the last decades together with the rapid spread of new information and communication technologies have resulted in today's financial markets operating globally without time lags. Accordingly, the international financial system has not only grown in size, but also in complexity. Due to the evolution of new financial products and procedures, a growing number of market participants and technological advancements, the financial system and its players have become increasingly interlinked. As a result, risks and returns are not only distributed worldwide, but also on a more and more anonymous basis, which leads to increased uncertainty in the markets. Greater interdependencies between financial institutions in different countries are also intensifying vulnerabilities and fuelling contagion risk. Globalisation thus not only implies greater risks and opportunities for and closer integration of economies, but also an erosion of national borders and rules. As the latest financial crisis has painfully demonstrated, a financial institution conducting business in global financial markets cannot effectively be regulated and controlled by national rules and regulations that do not apply beyond national borders or that are inconsistent or not coordinated with foreign rules and regulations.

Globalisation is by no means a new phenomenon, but can be traced back to the mid-19<sup>th</sup> century. Accordingly, many bodies – including the Catholic Church – have repeatedly dealt with this issue. And our Academy has also discussed this issue in a number of sessions during the last decade. The main outcomes of the discussions in the PASS were summarised and published by Juan José Llach in *Summary on Globalisation* in 2008. Globalisation has also repeatedly been the subject of pontifical encyclicals. Pope Benedict XVI, too, addressed the issue in his most recent encyclical *Caritas in Veritate (CiV)* in 2009. Concerning the assessment of globalisation per se, he refers to his predecessor, Pope John Paul II: “Globalisation, *a priori*, is neither good nor bad. It will be what people make of it”. (John Paul II, *Address to the PASS*, 27 April 2007).

## II. Implications of globalisation for global governance

The wave of globalisation that started after World War II has been of an increasingly dynamic nature that challenges global governance. First, it necessitates the further development of individual ethical requirements that have to be fulfilled by policymakers because freedom in the markets imposes an obligation of individual responsibility for public welfare on all market participants in the context of an increasingly globalised world. Owners and managers who take key entrepreneurial decisions have to be aware of their

responsibility for maintaining the ongoing functional viability of the system and its fair operation. In closely integrated and interconnected markets, market participants' decisions and actions affect others profoundly. Second, no market can function properly without appropriate rules; and global markets therefore require global rules. Hence, global governance should ensure the development of a framework of appropriate common rules and their application.

The present financial crisis that started in 2007 and has still not been overcome has highlighted serious gaps in global governance with respect to both efficiency and legitimacy. First of all, the governance framework proved to be inadequate in preventing dangerous regional and global contagion effects. Second, it did not really guard against critical crisis situations. Third, even the global common good had been put at risk, as the crisis spread from the banking and financial sector to the real economy. Both the causes of the crisis and its course are significantly linked to the progressive globalisation of financial markets. Economic globalisation implies that actions in one country have intended and unintended effects on others. While the benefits of both financial innovation and globalisation have in the past often been appraised by economists and policymakers, associated negative externalities have been widely neglected. Overall, the global financial crisis has shattered previously held convictions that “keeping one’s house in order” is sufficient to ensure global welfare.

Despite several weaknesses of and gaps in the governance framework, numerous and often unprecedented actions by industrialised countries – which often were particularly vulnerable – have to date prevented the crisis from turning into a worldwide depression. The continuing and in some cases surprisingly good economic development in developing and emerging economies has also helped to contain negative effects of the crisis. After some initial hesitation, governments broadly implemented policies that were coordinated either at the regional level – like in the EU – or the global level under the aegis of the G20. Central banks succeeded in containing the escalating financial crisis by undertaking swift, decisive, coordinated and often unprecedented actions. However, both governmental and central banks' actions were often undertaken on an ad-hoc basis. Despite having achieved a degree of crisis containment so far, there is no room for complacency because the crisis is far from over. Rather, it has gradually shifted, especially in the euro area, from the financial sector – where problems originated in the US mortgage market – to the sovereign level – where a number of countries continue to face severe difficulties in managing sovereign debt. These difficulties cannot in all cases be attributed primarily to the financial crisis, but also to the pursuit of unsound economic and budgetary

policies over quite some time. Irrespective of the underlying reasons, however, these risks could easily and suddenly feed back to the global financial sector at any time.

We therefore still have a long way to go in improving global governance. History tells us that the political support which is vital in maintaining momentum in pushing reforms forward is typically strong during and shortly after crises, but is likely to fade rather quickly once the system appears to have stabilised. A robust global governance framework would ensure that necessary reforms of global rules – e.g. due to economic developments – are pushed forward irrespective of the occurrence of crises and their associated political momentum.

### **III. Challenges of global governance**

Just like the phenomenon of globalisation, neither the concept nor the difficulty of global governance is new. It comprises both the elaboration of common rules and their implementation in individual jurisdictions.

In the aftermath of World War II, allied delegations gathered to set up new international institutions and organisations. The United Nations as well as the Bretton Woods institutions – the International Monetary Fund and the World Bank – and as a predecessor to the World Trade Organisation (WTO), the General Agreement on Tariffs and Trade (GATT), emerged from those negotiations. The prevailing global governance model consisted of a few economically strong countries which dominated the respective institutions and invited other jurisdictions to participate without ceding much control. This system worked relatively well for some decades, but did not keep up with the shifts of power in the world economy. The distribution of voting rights and influence did not adequately capture economic realities. International institutions and fora, however, can only play their intended roles effectively if they are perceived to act in the interest of the world community as a whole.

Today's global governance rests on two pillars. The first consists of international institutions and organisations; the second pillar encompasses more informal groupings like the G8 or G20. All these groupings that try to develop or coordinate policy issues that may also affect jurisdictions that are not represented in the respective bodies face legitimacy issues. In a complex, global and interconnected world, well-designed global rules and regulations that have global acceptance are, however, indispensable. Reforms in recent years in various international bodies – in particular of membership circles and voting rights – are tackling the problem of inadequate legitimacy and will lead to a more balanced representation, specifically of emerging

market economies. Although it might be sensible to further broaden the circle of countries over time, for reasons of efficiency I caution against trying to include all countries of the world in the development of global financial sector rules – at least at this point in time. The crisis has made very clear how urgently reforms in financial regulation are needed. For the sake of workability and practicability, I therefore consider it justifiable to focus on the most systemically important countries (i.e. G20). In addition, experience at the global level – e.g. with United Nations procedures – are not encouraging in terms of effective decision-making.

A fundamental problem that global governance faces concerns national interests of sovereign states, as these are often contradictory to the need of addressing global problems at a supra-national level. Besides the UN's relatively unsuccessful attempts to reduce the risks for further climate change, the member states of the European Monetary Union are giving us a practical example in the form of the creation of a "fiscal union". Apparently, most member states are not (yet) willing to cede further national fiscal policy sovereignty to the European level. In general, the protection of national interests makes national governments reluctant to allow international authorities to play a greater role in governance. Again, the financial sector is a prime example in this respect, as no truly global organisation has to date been mandated with financial sector regulation – despite the global nature of financial markets. Examples in other policy areas – even where global institutions exist – also show how hesitant national jurisdictions are to transfer supervisory and control rights to a superior level. Often, international agreements are therefore reduced to mere lip service. The breach of agreements by individual countries often has no genuine consequences because effective sanctioning mechanisms are lacking. I will limit myself to mentioning only environmental policy with the Kyoto Protocol and fiscal policy with the Maastricht Treaty as well-known examples.

Global governance today is made up of various highly specialised organisations and bodies that often are not efficiently coordinated. Interactions among authorities should ideally reflect interconnections among the problems of finance, poverty, health, energy and security. In reality, however, coordination is insufficient not only across, but also within policy areas. In finance, global economic integration has outpaced the development of appropriate political institutions and arrangements for the governance of the global financial system.

Given the challenges that globalisation poses for global governance and under the influence of the most recent crisis, Pope Benedict XVI expressed the need for a world political authority in his encyclical *Caritas in Veritate*

(2009), in the spirit of *Pacem in Terris* (1963, Blessed John XXIII). In contrast to his predecessor, Benedict is somewhat more specific about what he envisages under this term and is the first to lay out some practical means. Instead of a single, overweening international government, Benedict envisages a coordinated, stratified authority I greatly appreciate him stressing the importance of the central principle of subsidiarity: the “higher” authority is only responsible when and if “lower” authorities cannot or do not want to fulfil a specific task. Although Benedict’s description of his vision of a world political authority is, on the whole, more specific than the statements of his predecessors, I believe it is still too vague and impractical to be realised any time soon. This applies, in my view, even more to the call for a “central world bank” voiced by the Pontifical Council for Justice and Peace in late October 2011 as a first step towards a global public authority. Not least, I have doubts about this proposal for objective reasons as well. We are not living in one economic and financial world with one currency.

#### **IV. Present governance of the global financial system**

In the financial sector, there have been for quite some time numerous attempts to develop national and international rules and regulations by means of international cooperation. However, these attempts have not led to a global organisation that is responsible for financial sector regulation and supervision, that sets common rules and sanctions those who do not comply with them, and that would be comparable to the WTO in international trade. The lack of an assertive global organisation is not unique to finance, however. Environmental and labour policy, for instance, are facing similar problems.

In finance, various international groupings, institutions and organisations deal with different aspects of supervision and surveillance. I would like to give a brief overview of the large variety of groupings and their most important tasks.

- The International Monetary Fund (IMF) is responsible for surveillance of its member countries and monitors developments in the global economy and financial markets;
- The World Bank assists developing countries in the design and implementation of reforms to strengthen financial systems;
- The Bank for International Settlements (BIS) provides analytical, statistical, and organisational support to many groupings working to strengthen the global financial system.
- The Organisation for Economic Cooperation and Development (OECD) participates in macroeconomic and financial surveillance and develops guidelines for improving the framework for corporate governance.

In addition, various sector-specific groupings of regulators and supervisors exist at the international level:

- The Basel Committee on Banking Supervision (BCBS) as a rule-setting body in banking supervision;
- The International Organisation of Securities Commissions (IOSCO) to promote integrity of securities markets worldwide;
- The International Association of Insurance Supervisors (IAIS) as a standard-setting body in the field of insurance supervision.

These groupings, which also have different memberships, apparently did not work together very effectively, as the most recent financial crisis was not prevented. The agreed rules were often not appropriate and not fully applied. In addition, effective sanctioning mechanisms are lacking if a member opts not to implement agreed rules, e.g. to protect national financial centres.

To illustrate this problem, let me take the Basel Committee on Banking Supervision as an example. National supervisors of the G10 started to informally cooperate in the Committee back in 1974, with the aim of countering regulatory arbitrage and strengthening the international banking system by developing common standards. Named after the location of the headquarters of the BIS where negotiations took place, the first Basel Accord was established in 1988. Subsequent developments of the Basel Accord followed in 1989 and 2010. Over time, the membership circle of the Committee has been broadened, which has strengthened the legitimacy of the Committee and has enhanced acceptance of the Accords. However, the overall success has been limited – not least because of persisting divergent viewpoints of national regulators. Although the BCBS elaborated and endorsed some common rules and guidelines, it did not systematically review their application in individual jurisdictions. As a result, implementation was often inconsistent and despite the previous commitment to full implementation, some jurisdictions opted to implement the Accords only partially, or belatedly.

Moreover, as the Basel Committee convened national authorities that were tasked with micro-prudential supervision, it focused on rules for individual institutions without paying sufficient attention to the overall stability of the financial system. At the same time, the need for monitoring systemic risks became all the more important due to increasingly globalised markets, the growing importance of large, systemically important financial institutions, market participants' increasingly uniform behaviour (herd behaviour), and increasingly complex financial innovations. Overall, these developments in financial markets necessitated a broad, system-wide perspective to complement the traditional micro-prudential supervision.

In spite of the efforts by the Basel Committee and other groupings, financial regulation largely remained national while financial players became increasingly global. As effective international coordination in financial regulation and rigorous implementation monitoring were lacking, the transition of internationally agreed rules into national laws and regulations was fragmented and at times inconsistent. Accordingly, financial institutions had strong incentives to engage in regulatory arbitrage.

To overcome the shortcomings in financial sector surveillance and supervision – in particular the absence of cooperation arrangements and of implementation monitoring and the lack of a system-wide financial stability perspective – I recommended to G7 Finance Ministers and Central Bank Governors the establishment of a Financial Stability Forum (FSF) back in 1999. The FSF should fulfil a threefold task, namely

1. To help identify incipient vulnerabilities in national and international financial systems;
2. To ensure that international rules and standards of best practice are developed and implemented and that gaps in such standards are effectively identified and filled; and
3. To improve arrangements necessary to ensure that consistent international rules and arrangements apply across all types of significant financial institutions.

To fulfil its mandate, the FSF should bring together

- National authorities responsible for financial stability in significant international financial centres, namely treasuries, central banks and supervisory agencies;
- Sector-specific international groupings of regulators and supervisors engaged in developing standards and codes of good practice;
- International financial institutions charged with the surveillance of domestic and international financial systems and monitoring and fostering implementation of standards; and
- Committees of central bank experts concerned with market infrastructure and functioning.

Contrary to my recommendation, the FSF was, through the influence of the US Treasury, initially limited to G7 jurisdictions; nor did it aim at developing specific proposals to solve identified problems, but restricted itself to drawing up general guidelines.

However, as one of its earliest tasks, the FSF together with international standard-setting bodies drew up a compendium of standards that lists the various economic and financial standards that are internationally accepted as being important for sound, stable and well-functioning financial systems.

For the sake of clarity, standards that warrant priority implementation in twelve policy areas were highlighted as “key standards”. The compendium is continuously being updated and provides a one-stop reference for the international community, and so contributes to greater transparency in the financial sector.

In the course of the most recent financial crisis, the G20 have come to play a leading role in the governance of the international financial system, replacing the G8 because of the greater importance of emerging market economies in the global economy. At their London summit in April 2009, G20 leaders agreed to establish a new Financial Stability Board (FSB) with a strengthened mandate to succeed the FSF. The membership circle was broadened to include all former FSF members, G20 countries, Spain and the European Commission. The integration of important emerging market economies in the FSB reflected their increased importance in international finance and strengthened the FSB’s legitimacy. The FSB has been explicitly charged with the task of strengthening the international financial architecture and safeguarding global financial stability. Overall, both the expansion of the membership and the broadened mandate come close to the ideas I had originally envisioned for the FSF.

In recent years, the FSB has become the central body coordinating the international financial sector reform agenda. Besides the IMF, it is now one of the most important international bodies for the further development of national and international rules for the financial sector. Taking into account that the FSB has existed in its current form for only about three years, its achievements in coordinating and pushing forward the reform agenda that was developed in response to the financial crisis are all the more admirable. The international financial sector reform agenda aims at building a more resilient and less procyclical financial system. To achieve this goal, it consists of several complementary components. Important cornerstones have in the meantime been put in place.

As a primary example of what has already been achieved, I would cite the new global regulatory standard for bank capital adequacy and liquidity, Basel III, which was published in December 2010. The new Accord was elaborated and agreed upon by all members of the Basel Committee on Banking Supervision in a very short space of time (roughly two years). By contrast, the development of the former Basel II Accord took approximately six years and national implementation of these rules is still far from complete. Basel III has to be translated into national rules and legislation by the end of this year and will gradually come into force from January 2013 on. In the EU, Basel III will be implemented by a combination of the further development of the



Capital Requirements Directive (CRD IV) and a Capital Requirements Regulation (CRR). Although concrete legislative proposals have not yet been developed, the US has repeatedly given assurances of its sincere intention to fully translate Basel III into national law. Both the translation into national law and application at individual institutions will be subject to rigorous and intensive monitoring and assessment by the Basel Committee on Banking Supervision. The BCBS will report to the FSB on progress made and potential impediments to implementation in member countries.

Another milestone that has been set addresses systemically important financial institutions (SIFIs). SIFIs are either particularly large, complex or interconnected, or they perform specific functions that cannot be readily assumed by other market participants. Therefore, their insolvency is regarded as virtually intolerable because it would endanger the stability of the financial system as a whole. The FSB has developed a comprehensive policy framework for dealing with SIFIs that was endorsed by G20 leaders in Cannes in November 2011. SIFIs will be required to hold additional capital in excess of the Basel III minimum standards to enhance their loss absorbency capacity. In addition, the FSB has developed a new regulatory standard for resolution regimes (Key Attributes of Effective Resolution Regimes) which serves as a point of reference for the overhaul of national resolution regimes.<sup>1</sup> The Key Attributes set out elements needed for enabling an orderly resolution of financial institutions, irrespective of their size or importance. They have now to be put into effect across jurisdictions, which will require substantial efforts by both national authorities and financial institutions.

Moreover, the FSB recently delivered proposals on how to extend the FSB framework, which initially focused on global SIFIs, to include banks that are systemically important at national rather than international level. In the medium term, the framework will possibly be broadened to include other financial market players such as insurers, financial market infrastructures and non-bank financial institutions.

Since 2009, the FSB has also been working on extending the regulatory perimeter to include entities, markets and infrastructures which, prior to the crisis, were not subject to – or only to rather lax – regulation. Examples include over-the-counter (OTC) derivatives markets, hedge funds and credit rating agencies. As the reform agenda aims at improving overall fi-

<sup>1</sup> FSB, Key Attributes for Effective Resolution Regimes for Financial Institutions, October 2011, available at: [www.financialstabilityboard.org/publications/r\\_111104cc.pdf](http://www.financialstabilityboard.org/publications/r_111104cc.pdf)

financial stability, it is important to counteract incentives of market participants to move business from the regulated into less or (as yet) unregulated parts of the financial sector. Accordingly, the FSB is continuing work on how the so-called shadow banking system can be monitored and regulated. Detailed proposals on these issues are expected to be presented to G20 leaders at their forthcoming summit in Mexico.

One, if not the central, lesson that regulators have learned from the financial crisis is that ensuring the soundness of individual institutions is not enough to safeguard financial stability. Regulation needs to take into account the close interconnectedness of market participants and financial markets around the globe. Through the ever-closer integration of national economies and financial markets, the international financial system has become more complex and more vulnerable to shocks. Risks that are to be contained at the individual financial institutions level can in aggregate and under certain circumstances destabilise the entire financial system. That may be the case, for instance, if market participants take similar risk positions and simultaneously unwind their respective positions, leading to greater volatility in market prices than had been anticipated. Accordingly, micro-prudential supervision which focuses on the health of individual institutions needs to be complemented by a system-wide, i.e. macro-prudential perspective. To date, the development of macro-prudential frameworks is still pretty much in its infancy, but it is progressing rapidly. Taking the European Union as an example, the new European Systemic Risk Board began work in January 2011 and is responsible for macro-prudential oversight of the financial system in the European Union. It published recommendations on macro-prudential mandates for national authorities in January 2012. Further details on national mandates are expected in the course of this year.

## **V. Ways to improve global governance**

Finally, I would like to outline some of my thoughts on how global governance and the application of common rules in finance could be improved. From my experience, I regard my proposals to be implementable from a practical viewpoint. Indeed, parts of what I envisage are actually being discussed in international institutions and groupings. I favour gradually improving and further developing existing institutions, organisations or groupings over establishing new authorities.

My ideas are based on the following assumptions. First, if globalised markets are to function properly, a global set of rules is indispensable. Second, for internationally agreed rules to be effective, their consistent implementation in national laws and rules in individual jurisdictions must be safeguarded by

rigorous implementation monitoring and surveillance mechanisms. The elaboration of rules and the monitoring of their implementation go hand in hand. To fulfil both tasks, we need various groupings and institutions at the international level with adequate legitimacy. Global governance must therefore encompass all governmental levels – local, national, regional and international – and operate at the various levels at the same time. I am convinced that the global governance framework needs to be elaborated on an ongoing basis to take due account of the dynamic nature of globalisation. In the end, this process might result in what some observers – including Pope Benedict XVI – call a “world political authority”. However, I cannot imagine such an extraordinary development happening in the near or foreseeable future. Therefore, the demand for the establishment of a world political authority at this point in time seems to me to be somewhat unrealistic.

The transition of the FSF to the FSB was an important step towards improving global governance in the financial sector. During the crisis, the FSB has gained a track record in the development of rules for the financial sector that is globally recognised. It was a major step in increasing substantially the FSB’s legitimacy by broadening its membership circle. With the establishment of six regional consultative groups, the FSB further expanded and formalised its outreach beyond its membership.<sup>2</sup> The regional consultative groups bring together financial authorities from FSB member and non-member countries to exchange views on vulnerabilities affecting financial systems and on initiatives to promote financial stability. In addition, FSB documents are shared for consultation with non-members in regional groups. In this way, transparency with regard to procedures and ongoing work is being improved, which enhances the FSB’s legitimacy further.

The re-establishment of the FSF as the FSB also brought with it an enhanced organisational structure and heightened transparency because the objectives and mandate of the FSB as well as the commitments of its members are laid down in a Charter. According to that Charter, “the objective of the FSB is to coordinate at the international level the work of national financial authorities and international standard setting bodies in order to develop and promote the implementation of effective regulatory, supervisory and other financial sector policies” (para 1).<sup>3</sup> Moreover, together with

<sup>2</sup> Regional consultative groups were established for the following regions: Americas, Asia, Commonwealth of Independent States, Europe, Middle East and North Africa, and Sub-Saharan Africa.

<sup>3</sup> Cf. Financial Stability Board Charter, available at: [www.financialstabilityboard.org/publications/r\\_090925d.pdf](http://www.financialstabilityboard.org/publications/r_090925d.pdf)

international institutions, the FSB has to address vulnerabilities affecting financial systems in the interest of global financial stability. All members have committed to pursue the maintenance of financial stability, maintain the openness of the financial sector, implement international financial standards and undergo periodic peer reviews as well as IMF/World Bank Financial Sector Assessment Programs (FSAPs). Members regularly convene in sessions of the Plenary, which is the decision-making body; operational guidance between meetings is provided by a Steering Committee. To support the FSB's mission, the Plenary can establish Standing Committees and working groups. For the time being, there are three Standing Committees (i) on the Assessment of Vulnerabilities, (ii) for Supervisory and Regulatory Coordination and (iii) for Standards Implementation.

G20 leaders, at their summit in Cannes in November 2011, recognised the growing role of the FSB in the development and implementation of financial sector regulation. For the FSB to keep pace with its more important role and to be able to satisfy future requirements and tasks set by G20 leaders, they called upon the FSB to further strengthen its capacity, resources and governance. A high-level working group will present proposals to G20 leaders in Mexico for putting the FSB on an enduring organisational footing with institutional standing, establishing an appropriate legal personality and achieving financial autonomy. I welcome the further institutionalisation of the FSB as it will considerably strengthen global governance.

Besides the development of international rules and regulation, the FSB has to ensure that agreed rules are subsequently implemented in its member countries. I appreciate the FSB Peer Review exercise in this respect and recommend continuing these reviews. Peer pressure emanating from the evaluation of practices in other countries by such reviews should not be underestimated. In fact, I am convinced that transparency and peer pressure are no less powerful tools for fostering implementation than enforcement mechanisms that rely on compulsion. Furthermore, peer reviews are likely to foster discussions among national authorities and will thereby help identify best practices and provide an opportunity to learn from experiences in other jurisdictions. Not least, they afford the general public transparency about implementation progress in individual countries.

To complement peer reviews, I suggest conducting regular and objective monitoring exercises at the global level to ensure international consistency. I consider the International Monetary Fund to be the most adequate body to fulfil this task. First of all, membership in the IMF is broader than in the FSB and close to universal. Second, the IMF is already conducting annual surveillance exercises in all of its member countries and therefore has valu-

able expertise. The regular annual Article IV consultations could, in my view, easily be complemented by financial sector issues. Indeed, discussions at the Fund are continuing on how certain elements of the Fund's Financial Sector Assessment Programs (FSAPs) that are conducted every five years in systemically important member countries could be better integrated into annual surveillance. I would very much welcome a closer integration of the two programs. In addition, I recommend mandatorily disclosing the results of these surveillance exercises to generate implementation pressure.

A milestone with respect to implementation monitoring at the international level was set by G20 leaders in Cannes with their endorsement of a Coordination Framework for Monitoring the Implementation of Agreed Financial Sector Reforms (CFIM) that the FSB developed together with international standard-setting bodies.<sup>4</sup> The framework acknowledges the importance of consistent and timely implementation of agreed financial sector reforms in its member jurisdictions. It addresses the questions of what to monitor, how to monitor, who should monitor, and to whom the information should be reported and disseminated. Areas in which consistent and comprehensive implementation of reforms is most critical for global financial stability are designated as deserving priority implementation. These areas will undergo more intensive monitoring and detailed reporting, including implementation progress on a country-by-country basis. The selection of priority areas is updated annually and initially encompasses the Basel III framework, over-the-counter derivatives market reforms, compensation practices, policy measures for global systemically important financial institutions, resolution frameworks and shadow banking. Progress reports on each area will be published at least once a year, with the first ones being done at the forthcoming summit of G20 leaders. The CFIM will improve financial sector transparency considerably. As implementation progress reports are regularly published, public pressure will incentivise jurisdictions to fulfil their commitment to translate internationally agreed rules into national laws and regulations.

Overall, the financial crisis had the positive side-effect of finally pushing forward the development of global governance in the financial sector. Ongoing efforts to strengthen the governance of the Financial Stability Board, to better integrate financial sector issues in the IMF's surveillance and a

<sup>4</sup> 4 FSB, A Coordination Framework for Monitoring Implementation of Agreed G20/FSB Financial Reforms, 18 October 2011, available at: [www.financialstability-board.org/publications/r\\_111017.pdf](http://www.financialstability-board.org/publications/r_111017.pdf)

comprehensive implementation monitoring at the international level will considerably strengthen financial stability and the global governance framework. Although I am fully aware that enhanced transparency that builds up pressure on jurisdictions to implement internationally agreed reforms is no panacea, I am convinced that it is the best instrument available in the world today to enforce agreed rules – and more effective than compulsory enforcements by a supra-national institution.

## **VI. Concluding remarks**

Globalisation is an irreversible process that is likely to progress further, not least because of advances in information technology. This implies the challenge of how to adequately adapt global governance to new economic realities. In my view, there is no silver bullet in the sense of creating a kind of a global government or a global regulatory authority because jurisdictions are not (yet) willing to cede a bigger part of their sovereignty to a supra-national level. Rather, a sensible and feasible approach would be to move forward gradually and create a global governance arrangement that relies on (i) broadly legitimised international bodies to set common rules and (ii) rigorous implementation monitoring mechanisms to safeguard national implementation by transparency and public or peer pressure. Such an arrangement would not be unique to the financial sector but applicable to other policy areas as well.

► THE COMMON GOOD ‘IN TERRIS’ – OR ONLY ‘IN EXCELSIS’?





# THE COMMON GOOD ‘IN TERRIS’ – OR ONLY ‘IN EXCELSIS’?

## THE CORNERSTONE OF SOCIAL BUILDING DETHRONED ON THE WAY TO GLOBAL ECONOMY

■ LUBOMÍR MLČOCH

*“No era will ever succeed in destroying the unity of the human family, for it consists of men who are all equal by virtue of their natural dignity. Hence there will always be an imperative need ... to promote in sufficient measure the universal common good, that is, of the whole human family”.*

*John XXIII: Pacem in terris (132)*

*“Once profit becomes the exclusive goal, if it is produced by improper means and without the common good as its ultimate end, it risks destroying wealth and creating poverty”.*  
*“Globalization certainly requires authority, insofar it poses the problem of a global common good that needs to be pursued”.*

*Benedict XVI: Caritas in veritate (21, 57)*

*“The special function of this universal authority must be to evaluate and find a solution to economic, social, political and cultural problems which affect the universal common good”.*

*John XXIII: Pacem in terris quoted in Compendium 95*

### 1. A few preliminary remarks and one great apology

Excellences, dear colleagues, dear guests, I know that my topic of common good was chosen as a central theme of the Plenary Session of the PASS only recently (2008); nevertheless I believe that the approaching anniversary of *Pacem in terris* justifies my decision to return to this point. I also realize that speaking about a global dimension of common good should be based on a wider experience than that of one small country.

Nevertheless, our experience, and that of other Central and East European countries, of two totalitarian systems, that both tried to establish a *sui generis* common good through terror – this historical experience forms a specific ground to re-thinking the concept of common good in an open developed society and within global space. Because a risk of the terror of the social determination of goals by one group as the alternative to competition in advanced societies is still present in our time (see also Koslowski 1996, p. 51). Both idolatries of the “common good” – that of Nazism based

on the ideology of the natural superiority of one race, and that of Marxist communism arguing the historical predestination of one social class – resulted in a collective invocation of terror. Gaston Fessard, writing on both idolatries of common good (“de la nature race” and “de l’histoire de classe” – see Fessard 1944), clearly recognized the danger of a historical substitution of the former by the latter at the time of the collapse of the Nazi regime in Paris (January 1945). My generation celebrated the fall of the second totalitarianism in Prague in 1989, more than 40 years later, nevertheless we still learned about the Nazi terror from the stories told by our parents...

The Czech “velvet revolution” opened the door to the transition from “really existent socialism” to capitalism, and euphoria prevailed in the West. Professor Peter Koslowski was one of very few who wrote in November 1990: “This development is no reason for triumph, but for a re-thinking of the foundations of capitalism. The question of the ethics of capitalism gains new urgency” (Koslowski, o.c., p. 6). An additional satisfaction for Peter Koslowski came from an observation of Benedict XVI in *Caritas in veritate* (article 23) that after the collapse of communism “a complete reexamination of development was needed ... also in the West ...” and a regret that “this has been achieved only in part”.

In 1963 I began my studies of the Marxist political economy in Prague; at that time other schools of economic thought were not officially permitted to be taught. My knowledge of “Western” economics is still more a result of self-education than of regular university studies. Moreover, Catholic social teaching is rather a “hobby” for me as I have no formal education in moral theology. All this is enough to be silent... Nevertheless I take my courage to go further.

The fall of communism in my country had been closely associated with the name of Václav Havel who died several months ago. His “velvet revolution” signified a revolution “in pacem”. To better explain what this historical task of the time meant, I would like to mention my teacher from Prague Economic University, Luděk Rychetník – a well known expert in mathematical economics in years preceding the Prague Spring of 1968 – who after decades is still my teacher and friend. I am grateful to Luděk for many things, including a second reading of my English. One of Luděk’s thoughts, illuminating our Czech situation after decades of wandering through both totalitarians regimes, is his concept of “disrupted order” (Rychetník 2003). In the same monographic number of *Finance & Common Good* I gave the title (Mlčoch 2003 b) to my ideas about our institutional transformation as a way from an institutionalized irresponsibility of real socialism to the “institutionalized responsibility” of a “standard capitalism”.

One and two decades later we have to remember that we Czechs provided the international vocabulary not only with the notion of “velvet revolution”, but also of “tunneling” as a synonym for “stripping assets” and other fraudulent practices eroding the common good. Nevertheless “tunneling” does not seem to be limited to the Czech Republic and symptoms of “disrupted order” are visible even in the most developed and, till recently, entirely “standard” capitalist countries. “The institutionalization of responsibility” in my country has not been too successful till now. What is worse, I am afraid that a growing irresponsibility “latet et floret”. It appears to be an illness of our time of falling morality and weakened authority also in various countries, some of them seemingly well ordered till recently. (“The Europe of Benedict of Nursia is in a cultural crisis”, Joseph Ratzinger).

These are reasons for worries but also obligation to act for the best – to prevent further advance in “disrupted order”. Common good is an enormous ambition not only “in terris”, but in our cities as well. It is the ideal of common good that has given me the courage to express my thoughts in spite of my full understanding that I “non sum dignus”. I apologize to everybody who might consider my paper as an act of daring. Please do believe that my effort is perhaps too ambitious but sincere. I use my heavily tested country as an unintended and involuntary social laboratory, and as a source of understanding more universal problems of common good. Czechs are dominantly secularized and inclined to put the abstract and rather utopian concept of common good into the heavens, which we do not believe in.

## 2. Common Good – 50 years ago the first time in a global sense

Approaching the 50<sup>th</sup> anniversary of the publication of the Encyclical letter *Pacem in terris*, we remember, that here, for the first time in the history of modern catholic social teaching, the old principle of the “common good” was used in its “universal” dimension. This first principle of modern social doctrine of the church – having been used to be used within the frontiers of a political community of one state or one nation from the very beginning – is now understood in a global context, as a common good for the whole human family, “bonum commune in terris”. As the first, the universal church discovered the signs of times, that a global era had arrived upon humankind, and as a consequence – on us all – our generation – we urgently needed new thinking in new dimensions. If “Opus iustitiae pax” (Pius XII) and “Opus solidaritatis pax” (John Paul II), then for a “pax in terris” we are called to think, study and work for “iustitiam et solidaritatem in terris”.

At the level of the Magisterium of the Church, this challenge of our times has been taken very seriously, and a sequence of principal documents

have followed: *Mater et Magistra* by the same author as *Pacem in terris*, John XXIII, *Gaudium et spes* (Second Vatican Council), *Populorum progressio* (Paul VI), *Sollicitudo rei socialis* (John Paul II, twenty years later), and *Caritas in veritate* (Benedict XVI, another twenty-two years later). This fundamental line and the evolution of thinking underlines the global dimension of the social question and the thesis of Paul VI that “development is the new name for peace”. Finally, as a last word of Magisterium in this sense, Benedict XVI confirms that only “integral development – in charity and truth – is the way to the universal common good and peace for the whole humankind”.

Professor and catholic priest Patrick de Laubier in his last excellent book about the evolution of modern catholic social thought (de Laubier 2011) stressed this new dimension of the old concept of the common good in the special chapter under the sub-title “Jean XXIII et la concorde dans le monde”. According to de Laubier *Pacem in terris* has its axis around three closely tied points, i.e. human rights, political authority and global common good (“le Bien commun mondial”) – all these points “au niveau universel”. It would need a special analysis to compare this chapter of Patrick de Laubier with the paper of Professor Hittinger about the coherence of four basic principles of the catholic social doctrine (see Hittinger 2008).

“La pensée sociale de l’église catholique” is based on an “ideal orientation from Leo XIII to Benedict XVI”, and presents the deep line of catholic social thought. The cornerstone of common good remains a ground for modern social building: Patrick de Laubier argues convincingly that Leo XIII had already formulated a Christian vision for the new society, in an ideal but sufficiently pragmatic way – no “chiméras”. Also the common good for the industrial era was not a reproduction of the medieval model and no nostalgia for “régime ancien”. De Laubier found a Christian inspiration in *Rerum novarum*, that is the idea of fraternity leading from Leo XIII to Benedict XVI’s *Caritas in veritate*, receiving just a new global dimension (mondialisation) from *Pacem of terris*. If history has its sense (de Laubier 2009), then Patrick de Laubier discovered this sense in a time long preparation of the “civilisation de l’amour”.

The Pontifical Academy of Social Sciences has focused on the phenomenon of globalization several times. Professor Juan José Llach formulated the main outcomes from several plenary sessions and workshops in his *Summary on Globalization* (Llach 2008). Both topics – the cornerstone of common good and globalization – were considered together at the PASS Plenary Session of the same year, just before the start of the financial and, later, economic crisis with global consequences (*Pursuing the common good:*

*How Solidarity and Subsidiarity Can Work Together*, Archer, M.S., Donati, P. eds., PASS, Acta 14, Vatican City 2008).

Nevertheless, in the time between *Pacem in terris* and *Caritas in veritate*, another series of pastoral documents was published – at the level of national bishops' conferences in different countries and continents. This line of more pragmatic, more country- and time-specific thought was still based – quite naturally – on the old concept of common good in the original sense, i.e. common good of the political community within the frontiers of individual states. For example “Economic Justice for All” is meant as justice first of all for US citizens, or “L’avenir ensemble” surely means the future of the Swiss citizens. To be fair, it is necessary to add in both cases that these documents also include special chapters about “international relations” – which is esp. important due to the exceptional role of the US and Switzerland in global financial markets. The fact that the concept of common good is still felt as a “cornerstone of social building”, and that bishops still understand their role as “guardians” of this principal goal of every community, is clear just from the titles of some documents: “Common Wealth for the Common Good” (Australia 1992), “Common Good” (Anglia and Wales 1996). In the Czech case – Peace and Good (2000) – “Peace” means “Pax Christi” and “Good” then the common good for the Czech national community. Finally, the Polish Bishops' Conference published the first document of this kind only recently, and the title also includes “dobro wspólné” – the common good (Warszawa 2012).

The lower level of abstraction in these pastoral social letters, and their application character, closely tied to the national political community and its interests, as a consequence involve the danger of achieving only partial truths biased by an ideology of national or even group “vested interests”. It is nothing new. Christian Watrin who was first interested in the role of organized (and un-organized) interest groups in the German social market economy noticed that the “common good argument” was frequently used in reasoning about controversial questions of economic policy. Another example from the Swiss social letter “L’avenir ensemble” touches the problem of “monolateralism” (“les Etats les plus puissants continuent d’imposer leurs propres intérêts”, o.c., p. 82). The letter “Common Good” entered the public debate before the general elections in Great Britain (1996) and the media speculated that the arguments about an erosion of social cohesion and undermined common good in the country helped the victory of the Labour Party. In the Czech case, the pastoral social letter “Peace and Good” opened the public debate about the moral aspects of the Czech way of privatization and transition in general, and possibly encouraged critical views among the public in the country. And it

was – and still is – the very concept of “common good” that evoked strong reactions. (The Czech Bishops’ Conference published after two years, in 2002, a new letter, “Harvest” of the public debate about “Peace and Good” in Czech, and also in the German translation).

In spite of the danger of getting involved in ideological disputes, the experience with pastoral social letters is convincing in the sense that the old concept of the common good is still alive and fecund not only within churches, but also in the public sphere. On the other hand, the “common good” is suspect and or even rejected by two different groups of “heretics”: by economic theorists – and by some thinkers from inside the church itself. How did it happen that some of the “last guarantors” of the cornerstone church principle merged with the “guardians of economic rationality”? Is common good really in conflict with modern economics, as a “religion of our times”? We will deal with two sources of scepticism with regard to the concept of common good separately in two subchapters. In both cases I find the inspiration in the public debate about the letter “Peace and Good” in the Czech Republic. Surprisingly – the common good is perceived – esp. for those without personal totalitarian experience – also as a threat, a new danger to the new form of totalitarianism. In this sense, I use the Czech case as a social laboratory to the test both economic theory, and catholic social teaching in the very heart of these disciplines.

### **3. The Divine Common Good rejected by secular economists**

The ideology of a return from “real socialism” to the market economy in the Czech Republic – i.e. a restoration of capitalism – was grounded upon the authority of great economists. We returned to the very beginning of modern political economy: Adam Smith provided his famous “invisible hand” and his idea of “self-interest” for the culture of self. From Friedrich von Hayek two kinds of order (COSMOS and TAXIS) had been borrowed; a swing of the pendulum in public opinion caused the spontaneous order to be accepted as a self-evident good, and “social engineering” as an example of social evil! Ronald Coase served by his “theorem” and his world with zero transaction costs justified unscrupulous privatization. Within such “paradigm” the room for the “common good” is relatively limited. It is not accidental in this context that Czech catholic thinker Professor Tomáš Halik called this “philosophy of transition” a “Marxism upside down”, the prominent Czech sociologist Miloslav Petrussek spoke about the “Marxist vulgarization of Friedrich Hayek”, and finally one of Czech dissident leaders, Jan Sokol (defeated by Václav Klaus in the presidential elections) even went so far as to use the brutal accusation that we are faced with a form of “gang-

ster's liberalism" (see Mlčoch 1998). From the Catholic social understanding it might be clear that a success of wild privatization is paid at the price of disrupting social cohesion, social capital and mutual trust. Nevertheless, the proponents of this ideology are still ready to argue that every private distribution of wealth – no matter how "spontaneous" or even how "wild" – is the straight way that liberates the engine of self-interest, and this self-interest itself is a guarantor of market efficiency. "Upside down" Marxist historical materialism is only a different "school" of a materialistic economic philosophy with no room for the greater, more divine, perfect and noble common good as compared to individual goods (Aristotle). Professor P.H. Dembinski in his recent paper does not even hesitate to make parallels between two "utopias", that of Marxist communism, and its "upside down" form – "a liberal utopia" (see Dembinski 2012).

We can leave a rather primitive world of vulgarization with the help of "three great economists" at this point. The facility of this vulgarization was perhaps not accidental, the nature of the mainstream economic theory itself made it possible. P.A. Samuelson once said that the strength and weakness of every theory is best recognized in its vulgarization. This proposition, pronounced on the occasion of the 100 anniversary of the publication of Karl Marx's *Capital*, that is in 1964, just one year after *Pacem in terris*, seems to be valid not only for Marxism whose weakness for vulgarization I had the chance to experience personally. "A test of vulgarization" is possibly applicable even on the very core of mainstream economics, that is the mathematical theory of competitive equilibrium.

Economic theory after WWII – during the pre-globalization period – received an important underpinning on behalf of mathematics. I remember Dorfman-Samuelson-Solow's "Linear programming and economic analysis" that I met at the end of my studies thanks to Luděk Rychetník: my astonishment at and my admiration of the Fundamental theorem of welfare economics were sincere. Nevertheless, the beauty of mathematical formulation and proofs of the existence of a competitive equilibrium also had an adverse side of the coin: a temptation to understand economics as a value-free theory with ambitions to become like a "physics among social sciences". Peter Koslowski – arguing for the need of business ethics – refuses an automatism of competition (in the case of William Baumol's world of "merciless market") as a case of fallacy of the mechanistic model, and supports his criticism even with the help of Kenneth Arrow who accepts that "moral codes can lower transaction costs and thus leave everyone better off" (Koslowski, o.c., pp. 39-41).

No matter how restricted sets of heroic assumptions are needed for the mathematical formulation of the market equilibrium – and no matter that

the famous author of this formulation himself clearly recognizes a relative validity of this mathematical model – an illusion was born: in the hard science of economics, there is no room for “good” and “bad”, and “new mathematical economics” could definitely leave a child’s shoes of moral philosophy. Writing about P.A. Samuelson – and among theorists of this group also about Kenneth Arrow and Gerard Debreu – de Soto says “using mathematical language ... he made a number of simplifying assumptions that excluded from his models most of the richness and complexity of real market processes. In this way, bit by bit, the medium of analysis (mathematical formalism) was confused with the message, and syntactic clarity was achieved at the expense of the semantic content of the different economic analyses, even to the point that the scientific status of the most realistic theories and of literary economics was denied” (De Soto – referring to Boettke – 2008, p. 95).

The old concept of common good seems to be useless: the competitive market is a common good in itself: thanks to its Pareto efficiency, the market itself looks like a guarantor of the common good and a safeguard of the maximum welfare. Or, in other words, in this abstract model, just self-interest of individual market participants seems to be enough to reach the “common good”. In my book *The Economics of Trust and Common Good* (in Czech *Ekonomie důvěry a společného dobra*, Mlčoch 2006) I list a number of simplifying assumptions of the Fundamental theorem of welfare economics like the original distribution of assets, pure and perfect competition, homogeneity of assets, zero transaction costs, no specific role of money, no organizations, no “visible hand” of the state, no business courts and so on. The “Arrow-Debreu world” is not financialized at all, so no financial crisis is possible there by definition. As soon as we turn these assumptions into game and into amore comprehensive economic analysis, good and bad is here again, and an illusion of “economics-physics” remains just in appearances. (Kenneth Arrow’s abovementioned argument of in favour of moral codes that lower transaction costs is just one example: in the Arrow-Debreu world with zero transaction costs – as in Ronald Coase’s “theorem” – all moral codes are irrelevant and useless).

Jesús Huerta de Soto (o.c.) is criticizing this line of “mathematical economics” contrasting it to the Austrian school, namely to the economics of Friedrich von Hayek, and his criticism seems justified. Hayek’s concept of market-COSMOS is open to the global space and also includes corporations-organizations in an organic way. The latter, like the “coagulations” within the global market, represent a different type of order-TAXIS. Nevertheless, also in this world of Hayek, there are problems with the accept-



ance of the “common good” (in this context I refer first of all to Hayek’s “Law, Legislation and Liberty”). On the one hand, other than common good which of Hayek’s general abstract rules are accepted and enforced in an open society; in this sense, Hayek’s deep analysis is compatible with the notion of common good in Leo XIII or in *Gaudium et spes*. On the other hand, Hayek strictly rejected “social justice” – he accepts only commutative justice; distributive justice is only a “fata morgana” for him. What is interesting, agnostic Hayek never – as far as I know – openly criticized catholic social doctrine in spite of the fact, that esp. in this context of justice it is hardly compatible with his view. I find one explanation: Hayek understands social justice as a quasi-religious superstition, nevertheless he is willing to respect this kind of faith in social justice as long as the moral and religious convictions of the most venerable leaders – sometimes even “saintly persons” – as Hayek with evident irony says – do not lead to coercion of people. And this condition of Hayek is fulfilled in the case of the catholic social doctrine-coercion, far less terrorising are our means to achieve common good (Hayek 1973, esp. chapter IX).

In spite of many deep differences between “Austrians”, and “mathematical formalists”, one important similarity is striking: both the “subjectivism” of a “creative entrepreneur” in the Austrian school, and a stereotype of “objectivist” methodological individualism in the neoclassical school, leave no room for the respect of the “common good”. The theory of entrepreneurial “human action”, and the theory of an economic man as a “decision maker” are self-centred, and both actors are led by self-interest. Economic freedom and the concept of competition are central for a belief in the competitive forces of rivalry or competition. Economics in both streams is based on individualism, utilitarianism and consequentiality.

The global dimension and interdependence of the world recognized in *Pacem in terris* only strengthened this “teleology” of entrepreneurial human action, and broadened the “feasible region” for “decision makers”. David Hollenbach tried to adapt Aristotle’s language to this completely new situation of “global common good”, saying that “to secure the good for an interdependent world is a nobler and more divine task than doing so for a single neighbourhood, city or nation-state” (Hollenbach 2002, p. 220). He is also convinced that “The idea of the common good is an idea whose time has once again come”. Nevertheless, as a precondition “we need both a renewed understanding of the common good and a revitalized social commitment to it” (Hollenbach, o.c., p. 243).

Almost sixty years before Hollenbach this belief in the principle of common good was expressed by the French theologian Gaston Fessard: “Long-

temps ... la notion de Bien commun apparut comme la clef de voute de tout édifice social. Puis, lorsque le citoyen eut pris conscience des drops qui sont l'apanage de la nature humaine, elle fut détrônée et rentra dans l'ombre. Aujourd'hui elle commence à sortir de l'oubli ou elle était tombée" (Fessard 1944, p. 8). Gaston Fessard was convinced that "bonum commune" has "eternal youth" (jeunesse éternelle). But he also clearly saw that a return of the common good will be endangered by an idolatry of the market and egoism ("économie égarée"). Forty-nine years later, another French theologian Émile Poulat – at the 1993 Fribourg conference "Éthique, économie et développement" – expressed a moral obligation of the Catholic social teaching "to enter into the economy". Nevertheless, even before the Church opened a "new frontier" esp. in the pastoral social letter of American bishops "Economic Justice for All", neoliberal economic thought attempted to enter into the doctrine of the church.

#### **4. Mutual understanding between economics and catholic social teaching**

While "bonum commune" is still an argument for sociologists and masters of political science, professional economists understand "public goods", "public choice" and now even global public goods, but a "common good" is a strange notion for them, just recalling the "tragedy of commons". The semantic problems with mutual understanding start with the fact – and a source of not easily reconcilable conflict – that Catholic social teaching insists on the firm conviction that every economic decision has not only pecuniary but also moral consequences.

This line of thought, and this conflict between "science" and "church teaching" is visibly present in our time. According to USCCB News Releases (September 26, 2008) "Bishops Urge ... to Find Moral Response to Financial Crisis". On the other hand, professionally educated economists might be inclined to the proposition that the crisis has nothing in common with morality because it is just a consequence of a miscalculation of risks in the financial sector. After exclusion of morality from economics, only deficits in economic rationality remain as an explanatory variable.

The post-war mixed economy focused the interest of economists also on "political markets". It happens that our colleague and Academician, one of the most respected economists of our times, Professor Kenneth Arrow, influenced not only the general equilibrium theory I mentioned above (Arrow-Debreu world), but also the theory of social choices. His paradox-impossibility theorem – proving the existence of the logical weakness of every voting system in our parliamentary democracy – has also been used to undermine the concept of common good. When we accept different in-

dividual values and civic and political rights of citizens, democratic “rules of the game”, we are unable to convert these individual values into one consistent social choice; hence “common good” is a “*contradictio in adiecto*”. Here again, a controversy between the theory of public choice and Catholic social teaching seems inevitable.

The “group interest society” – governed by “compact interest groups” of business and political lobbies – is inclined to understand just economic forces, and believes in the ethical relativism of individual and group truths. The Church, on the other hand, has to insist on ultimate truth and this truth is not determined by the majority, and also not undermined by the “impossibility theorem”; democracy is “a system”, a means, not an end (John Paul II, CA 46, *Compendium* 407). This is a substance of the Magisterium: the common good is not just the result of a “natural equilibrium” of the competitive market, and in the same way the common good is not annulled by an evitable logical weakness of every voting system even in political competitive markets. Money is not the source of truth, as well as political power is not the source of the truth: in God we trust, not in Gold or in a Prince of this world. “As history demonstrates, a democracy without values easily turns into open or thinly disguised totalitarianism ... Its moral value is not automatic, but depends on conformity to the moral law ... to which it must be subject” (*Compendium* 407).

The attempt to exclude values from the economic analysis led to marvellous mathematical models; and as a by-product resulted in an externalization of the most important features of both market and political democracy, such as trust and the common good. Kenneth Arrow is well known not only for his excellent findings in economic theory, but also for his sapient proposition about trust “as an invisible institutional factor”; nevertheless it has been said out of the mathematical economics paradigm, where just “*ceteris paribus*” matters. Similarly, P.A. Samuelson in one of his last interviews expressed the impression that scissors of income and wealth distribution in the US financial sector opened during his professional life in an almost arbitrary and morally problematic way; but this proposition was also said out of the economic theory paradigm where he still holds that individual utilities cannot be compared.

Ronald Coase – who certainly is not a mathematical economist – in his Nobel Prize lecture appealed for the study of economic systems with non-zero transaction costs; nevertheless his intellectual challenge could not withstand a brutal political abuse of his theorem in the ideology of Czech privatization which took place under almost prohibitive transaction cost barriers. They had been established by the common effort of compact in-

terest groups of merged winners on both political and economic markets; inevitably at the price of damaging the common good of the Czech Republic. Today we are facing a crisis of our parliamentary democracy “without values”.

These various remarks have one point: to show that an interface between catholic social teaching and economic theory is “fuzzy” and sometimes even misleading.

Allow me, please, to present just one case of this unclear situation. Jesús Huerta de Soto not only compares the Austrian, the neoclassical and Hayek’s schools of economics. De Soto also tried to support the importance of the Hayek’s concept of spontaneous market order – which is indisputable – also with the help of John Paul II’s Encyclical letter *Centesimus annus* and with quotations from Professor Michael Novak in this context (de Soto, o.c., p. 78). Undoubtedly in chapters 31 and 32 of *Centesimus annus* we can find certain ideas recalling Hayek’s thoughts – no matter whether it is or not the result of a personal conversation between the Pope and the Nobel Prize-winner. On the other hand, it is certain that Hayek’s scepticism about the “fata morgana of social justice” and even his refusal of the adjective “social” itself are difficult to reconcile with catholic “social” doctrine, and the Pontifical Council for Justice and Peace responsible for this doctrine.

This is the great merit of F.A. Hayek’s warning as to the “fatal conceit” of totalitarian socialism; his position in this aspect is fully consistent with catholic social teaching. Also his analysis of government failures and temptations to revolt against the discipline of abstract rules in the open society is very important. The whole of Hayek’s enormous work is an implicit criticism of the simplifications and reductionism of mathematical formalism in the economics we have discussed above (in this context I would not hesitate to use Hayek’s term of “fatal conceit” also for the supercilious ambition of economics–physics among the social sciences). Nevertheless, it seems to me that Hayek underestimates the spontaneous evolution of his “coagulations” – corporations within the global order of market COSMOS.

Colin Crouch in his recent criticism of the neoliberal doctrine speaks about “the corporate takeover of the market” (Crouch 2011), and quoting from G. Amato he reminds us that our polity is split between two sides: “the side that fears private power more, and in order to fight it is ready to give more room to power of government; and the side that fears the expansion of government power more, and is therefore more prepared to tolerate private power” (o.c., p. 49). Hayek certainly feared much more the power of the government, even to the degree that his scientific analysis suffers from an ideological bias.

The phenomenon of “private power” in the market (and political market) and an insufficiency of the scientific interest in this aspect of economic life is typical both for neo-liberalism and the Austrian school. It is possible to measure the role and influences of “giants” (Very Big Enterprises) in the global economy with statistical methods such as in the UN publication *Global Economy and Finance – What the Numbers Say* (see Dembinski 2003). Nevertheless perhaps more convincing are the scandalous “cases” such as ENRON, the British Petroleum oilrig disaster in the Gulf of Mexico, and Halliburton as the main US government contractor in the Iraq war (all used in Colin Crouch’s argumentation about “the corporate takeover of the market”). The concentration of power – based on “market structure”, more or less hidden conflict of interests and ownership structures in such “sectors” with global influence as rating agencies, auditing companies and “derivative industries” – is enormous, and the moral consequences of institutional irresponsibility endanger the stability of the whole system. Colin Crouch does not hesitate to use such strong expressions as “parasitical system” and “general complicity” (Crouch, o.c., p. 109). Stefano Zamagni – combining the moral aspects of “hybris” with the concept of “bounded rationality” – has used even more penetrating and more emotional words in this context (Zamagni 2009).

The common good has first been dethroned from its position as a cornerstone of social building in economic theory; the process of globalization thus only opened the door for malefactors “in terris”. And it is not by accident that it was just the financial “industry” that became a “leader of revolt” against the common good. As far as I know, Professor Paul H. Dembinski was the first to name our world: “le monde financiarisé” (the financialized world), and founded the private research group “Observatoire de la finance” (Geneva 1996) and later his bilingual magazine *Finance&Bien Commun/Common Good*, which provides a platform for dialogue on the moral dimension of economics and finance from the Christian ethics perspective. In March 2008 a “Manifesto of Observatoire de la finance” – “For finance that serves the common good” was published, and also the title of Dembinski’s magazine itself prophetically pointed to a weakness of finance without ethics that resulted in a form of financial cancer. I refer esp. to two monographic numbers of the magazine, about “Ethics of taxation and banking secrecy” (12/2002), and “Ethical underpinnings of financial theory” (24/2006). In the first one I found these “keywords”: abuses (shaking public faith in fairness), financial capitalism (which almost ruined the US), ethics of taxation (the efficiency of collecting and the blurry line between tax avoidance and tax evasion), offshore financial centres (locations of lucrative financial services and erosion

of tax bases), banking secrecy (as a source of competitive advantage), international transfer pricing (with “a desideratum” of “the arm’s length principle”). As to solving these illnesses, other words are pinpointed: discreet negotiations (policymakers-lobbyist), “a huge dose of hypocrisy” (tolerating “third world kleptocrats”), “recommendations quickly evaporated”, “UK domestic self-interest”, “political will” (and torpedoes the exercise), and naked self-interest as a principle... To summarize, we are facing structures of sin with “the all-consuming desire for profit” and “the thirst for power” (*Compendium* 119).

The authors in second monographic number of *Finance&Common Good* touch upon the questions I am interested in this paper: from the perspective of “positive science” they try to understand why ethics is “peripheral” or even “ignored” in modern economics and finance (Professor H.J. Blomenstein), and in the normative sense the immense task is raised: how to change education in finance in order to “think ethics while learning finance” (Francis P. McHugh).

I appreciate the whole fifteen-year tradition of the “meeting point” in the pages of *Finance&Common Good*, this meeting of economic and financial professionalism and Christian social teaching. If we accept the capacity to produce correct expectations about the state of events as a test of validity of every theory, Dembinski’s magazine has passed muster better than many prominent and famous scientific journals based on false “value free” economics. As to a summary of argumentation in this sense I refer to Professor Dembinski’s book *Finance Servant or Deceiver? Financialization at the Crossroad* (Palgrave, London 2010; with French 2008, Spanish 2010 and Polish 2011 versions).

This “puzzle” caused by a long-lasting “divorce” between the worlds of the social sciences (and economics) on the one side, and Christian anthropology and social ethics on the other, this “fuzzy” situation and a relativity of truths, is surely not in the interest of catholic social teaching, and likely neither in favour of the economic theory. In order to better understand these “fuzzy” relations between economic “science” and church “teaching” it is necessary to say a few words about the key concept of both disciplines: “freedom” of economic man, and freedom of man – “*imago Dei*”.

## 5. Authority of Church Teaching and common good banished to heavens

Thomas Cardinal Spidlik (Tomáš Špidlík) was born in Czechoslovakia. During the decades of communism he lived in Rome and taught at the Pontifical Oriental Institute, “Gregoriana”, and later continued his research at “Centro Alletti”. Professor Špidlík, a friend of John Paul II, was a Jesuit

who became famous as an expert on the theology and spirituality of the Christian East. His erudition inspired my understanding of western “economic man”, deluded by his “universal hunger for freedom”, unfortunately even to the extent that moral questions are to be excluded from his “belief structures” (“forbidden prohibitions” in the expression of Renato Raffaele Cardinal Martino).

Professor Špidlík (see Špidlík 2009) subjected the concept of “rational man” to profound criticism and, as economics declares itself a “guardian of rationality”, this criticism aims precisely at economic science. The sovereignty of the consumer, the freedom of the entrepreneur, even the “corporate amorality doctrine”, all belong to the paradigm of economics. According to Špidlík, man – in the face of God – is a mystery in himself. Freedom is surely an attribute of man: nevertheless what does it mean? How is freedom understood? Proper freedom is freedom in “agapé” (agapica). External restrictions for the freedom of man in the sense of Dostoevski’s “Great Inquisitor” intentions are problematic. On the other hand, the freedom of man is meta-logical (meta-logico), and men who were eager to reach an enlightened freedom ended – as Ivan Karamazov – in mania. Apparently, the freedom of man might even have demonic features (*libertà demoniaca*).

It is the case of freedom understood exclusively as freedom of choice (see Koslowski, o.c., p. 53). The point of departure in the theory of the rational choice of economic man is not “value free” in itself, and “unlimited pursuit of profits and benefits leads to a change-over into greed, miserliness and a loss in the wealth of human purposes” (see Koslowski, o.c., pp. 53–55). Psychologists in economics (such as B.S. Frey) speak about the “crowding-out effect” and the theory of marketing communication has as its main subject precisely a transformation of the “sovereign consumer” into an obsessed maniac. It is perhaps no exaggeration to say that the concept of “economic man” in the theory of market communication is closer to Clive Staples Lewis’ famous fantasy in his *The Screwtape Letters* (as written by the higher ranking demon to his less experienced nephew Wormwood) than to the “rational man” in the economic paradigm. And demonic advice on how to go about tempting man in a sense resulted in James Twitchell’s blasphemous “economic philosophy” of *Lead Us Into Temptation* (see Twitchell 1999). It is no surprise that the subtitle of Twitchell’s book, i.e. “the triumph of American materialism”, has in a few years been penalized by the outbreak of the financial crisis in the US (Pride will have a fall).

And the pride in thinking of some contemporary economists “touched the heavens”. What is perhaps even more striking is that this way of “imperial economics” and a conviction about the dominance of material forces

also infiltrated Catholic social thought. Robert Nisbet writing about the “twilight of authority” in the US (and in a broader sense in the West) only several years after the publication of *Pacem in terris*, appreciates the Roman Catholic Church which, as “the last real stronghold of the kind of authority”, “to an astonishing degree resisted the acids of modernity” – in a contrast with Protestantism (and the Jewish area) that – according to Nisbet – “had virtually destroyed the sense of visible community in religion and that had driven more and more of their members either out of religion altogether or to the work of further secularizing these faiths in the interests of either politics or Mammon” (Nisbet 1975, p. 79). Is it still the truth?

The concept of common good is an example, the importance of which is extraordinary due to its key position of “cornerstone of social building”. The principles of the Catholic social doctrine are of a general and fundamental character, they have a profoundly moral significance (*Compendium*, chapter 4). These principles “must be appreciated in their unity, interrelatedness and articulation”. Also the principle of common good “cannot avoid a question of freedom and of meaning of life in society” (*ibid.*, article 162). The social doctrine of the Catholic Church is not a part of the church “dogma”. Nevertheless, the Pontifical Council for Justice and Peace is the responsible authority in the theology of terrestrial facts, and most important principles of the Magisterium have been included even in the Catechism (No. 1897–1912 in cases of “authority” and “common good”). Hence I am convinced that all good reasons for debates about the meaning of the concept of common good do not justify a complete refusal of this fundamental concept in the name of “free persons”. And it is – unfortunately – the case in some “schools” within the Catholic Church.

In our Czech milieu there are teachers of the social doctrine in university departments of theology, Christian “think tanks”, advisers to VIPs at the top of political power, all of them Catholics who do not believe in an “old fashioned” principle of common good. The views of some of them stem from the authority and ideas of Professor Michael Novak (Míčka 2009), others find a source of their scepticism about the common good in economic science, as discussed above in this paper. A young assistant professor at Charles University and adviser to the Czech president Marek Loužek is convinced that common good can be useful “in political and church rhetoric, its sense in science is of limited or even zero importance” (Loužek 2010 – my own translation).

A “twilight of Church authority” is not just an incident of the Czech atheistic republic. In the UK (with the pastoral social letter “Common Good” published by the Catholic bishops of England and Wales!), we even



find an open expression of distance from the Catholic social doctrine. Philip Booth in his role as editor writes: “Catholic Social Teaching is provisional and it is accepted that Catholics can agree to disagree about it. In disagreeing with teaching on economic and social matters the authors are not, in any sense, undermining the teaching authority of the Church in those areas of morals and theology where She claims special insights of truth” (Booth 2007, p. 29). Robert G. Kennedy in this book (Kennedy 2007) uses this freedom to distance himself from the Catholic social teaching and writes about common good from the perspective of business and prevailing business ethics: “In the world we really live, we often make choices that are so much self-interested as selfish. We prefer the good for ourselves even when our actions deny the goods to others, and we often prefer our private goods to the common good”. This proposition is surely true in the “positive science” perspective. It is true again when Kennedy writes: “The world in which we live is not the Kingdom of Heaven: it is populated by men and women who are not only sinners but whose perceptions and inclinations are damaged by original sin. Economic relationships and behavior are shaped by this reality” (Kennedy, o.c., pp. 186-187). The “disagreeing” and open controversies with bishops and pontifical documents on the principle of the common good also belong to this reality; and in the area of the Church’s social teaching inevitably damage the common good and authority.

At least from *Gaudium et spes* the Church accepted the legitimacy of different sciences and the scientific freedom to carry out research within their own paradigms. Economics is not an exception. On the other hand, Catholic social teaching indispensably has its own normative “ideal perspective”. A “Catholic social teaching for sinners” is nonsense. And this misunderstanding of Philip Booth, Robert Kennedy and others co-authors of the quoted book is the same as that of Michael Novak and his “school in Catholic social teaching”. The book *Catholic Social Teaching and the Market Economy* written from neo-liberal positions was published in Great Britain just before the preferences of selfish sinners in the financial business damaged the common good in the US, UK, and consequently in the global space.

## 6. Towards a New Economic Man

The book of the influential American social scientist Amitai Etzioni, *The Moral Dimension* (Etzioni 1990) has as its subtitle a great ambition, a dream “towards a new economics”. The message of this book is similar to that of Peter Koslowski: precisely at the time of the fall of communism it was necessary to re-think the moral grounds of capitalism. In the Czech Republic the book was translated and published by Victoria Publishing –

the publishing house of Victor Kozeny, an ill-fated “pirate from Prague” – with some irony of time when malefactors were calling “thieves are wanted”. Nevertheless this paradox is not a reason for putting Etzioni’s book aside. At the very end of his book, as the last proposition from a “propositional inventory”, Etzioni affirms: “The more people accept the neoclassical paradigm as a guide for their behavior, the more their ability to sustain a market economy is undermined”.

Some eighteen years later Professor Stiglitz, summarizing the results of experimental economics, not only confirms Etzioni’s proposition, but even shows that it is a scientific truth in the sense of “positive science”, i.e. proof even for the neoliberals themselves (Joseph Stiglitz comments on the paper of Professor Partha Dasgupta, *Pursuing the Common Good: How Solidarity and Subsidiarity Can Work Together*, PASS, Acta 14, pp. 563–568). What a surprise: “value free” economics is an indoctrination of selfish behaviour! We are victims of a “vicious circle”: by educating our students in neoliberal economics, we help them become more selfish. Indoctrinating them, we contribute to the self-fulfilment of our normative models, and models become a better description. And with more selfish behaviour we undermine market economy. How to step out of this “circulus vitiosus”?

One possibility is that of Vittorio Hösle, to ask ourselves “how much egoism does modern capitalism need” (Hösle, *Universal Rights in a World of Diversity – The Case of Religious Freedom*, PASS, Acta 17). Another way seems to me more hopeful: taking a turn for the better by simply starting to educate in a different “less selfish” economics! In fact, this turn towards a “new economics” is implicitly present in the proceedings of the 14<sup>th</sup> Plenary Session of the PASS: *Pursuing the Common Good: How Solidarity and Subsidiarity Can Work Together*, esp. in the third session on “Economy and Civil Society”. The papers of Stefano Zamagni, Luigino Bruni, Partha Dasgupta – and comments of José T. Raga and Joseph Stiglitz, mentioned above – are lessons in the new economics “de facto”, the economics pursuing common good (no matter that, for example, in Stefano Zamagni’s paper “common good” is explicitly present only in the title itself).

As a pre-condition for this “peaceful revolutionary change” in the curricula of economics, we need a conversion in understanding the principle of freedom in economics. Frank Knight – six years before *Pacem in terris* and in Chicago! – wrote, “Now we have found not only that mere individual freedom is not enough but that its excess can have disastrous consequences” (“The Role of Principles in Economics and Politics”, quotation from P. Koslowski). Knight as a teacher in Chicago – for years – also experienced the fact that some of his very varied famous students seemed to re-

main untouched by his lectures. Apparently, even the best “indoctrination” has its limits and even theoretical economists are not spared from the temptation of “self-interest”.

Now, allow me, please, to return to my introduction, to our Czech historical experience and to Václav Havel as a person who is broadly appreciated not only in our small country. Václav Havel with his typical modesty used to confess that he did not have any personal business skills. Nevertheless, he came from a business family and his childhood memory was from the times before the communist takeover – and before the neoliberal doctrine made a “guru” of self-interest by Adam Smith (A. Sen 1987), so his personal belief, “produced” in his family, led him to a deep understanding of the grounds of capitalism. “Every competition can become a game provided that it has certain rules. Nonetheless, even the best and the most ingenious rules prepared by economists and lawyers are not useful for us if they are not generally respected”; “... after 1989 ... often, speed had priority in the process, with thorough legislative work taking second place. ... but problems we put off then are getting back to us now. ... material damage caused by fraudulent practices ... does much less harm than the moral damage resulting from such doings: The fruit of later amounts to doubts cast on free market economy as such, and, indeed, on democracy as a political system”; “I am placing these thoughts to emphasize that just as freedom cannot be separated from order, and democracy from law, it is equally inadmissible to separate free market economy and business competition from morality” (Havel 1998, “Success Together” 2001).

John Paul II in his Encyclical letter *Sollicitudo rei socialis* (*Concern for the Social Order*, SRS), just at time when Amitai Etzioni and Peter Koslowski were speaking of ethics, repeatedly stressed Paul VI’s idea that the “social question had assumed a worldwide dimension”, and that “the option or love of preference for the poor” is “an option, or special form of primacy in the exercise of Christian charity, to which the whole tradition of the Church bears witness” (SRS, 9 and 42). Nevertheless, at that time “anti-ethicalism” (Amartya Sen) dominated in economics, “as interpersonal comparisons of utility were eschewed” (A. Sen, o.c., p. 30–31). If “interpersonal comparisons of utility make no sense and are indeed totally meaningless” (Sen, *ibid.*), “preference for the poor” also lost a scientific basis in such “positive economics”.

I am convinced that “a dogma” about the impossibility of interpersonal comparisons of utility – also accepted by some Christians, who are interested in the Catholic social teaching – and, on the other hand, the same dogma “hard to defend” for Amartya Sen (Sen, o.c., p. 30), is a core source of mis-

understanding and of the existence of “fuzzy” frontiers between the perspectives of “science” and “faith”. This dogma has – as an inevitable consequence – the exclusion of the “common good” principle from economics “as a hard science”. Other doubtful concepts and positions are just a consequence: “the doctrine of corporate amorality”, the “fata morgana” of social justice, the superstition of “value free” economics as well. Unfortunately, without “justice”, and without “solidarity”, peace is impossible. We Christians know that Jesus – the Prince of Peace – with the sovereignty of the Lord does not hesitate to compare the poor widow’s offering with that of all of those who “contribute out of their abundance” (Lk, 21). And we economists could go back to the father of modern economics, to Adam Smith, and to reconcile economics with the Revealed Truth of the “New Adam”. This is the only way to open a perspective in view of the common good “in terris”.

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# UNA RIFORMA DEL SISTEMA FINANZIARIO. IL CONTRIBUTO DELLA DOTTRINA SOCIALE DELLA CHIESA

■ MARIO TOSO

## Premessa

Una disamina attenta dell'attuale crisi finanziario-economica deve tener conto di un quadro socio-culturale più vasto di quello che solitamente le si assegna. La *Caritas in veritate* (= CIV), enciclica sociale di Benedetto XVI, a ben considerare, la pone nel contesto di una *nuova evangelizzazione*, perché ritiene che essa possa essere superata solo grazie a quel cambio di pensiero e di progettualità che è propiziato dall'"annuncio di Gesù Cristo". Per il pontefice, che ne mutua il convincimento da Paolo VI, l'annuncio di Gesù Cristo è il *primo e principale fattore* dello sviluppo integrale dei popoli,<sup>1</sup> e pertanto anche della loro economia e della loro finanza. Solo un tale annuncio può offrire la risemantizzazione etica di cui esse hanno bisogno per porsi al servizio del bene comune mondiale.

Affrontando il tema della riforma del sistema finanziario e monetario internazionale, è fondamentale precisare proprio un simile approccio. Ecco la ragione per cui il Pontificio Consiglio della Giustizia e della Pace, di cui qui si presentano alcune *Riflessioni* al riguardo,<sup>2</sup> non intende muoversi entro un profilo esclusivamente tecnico bensì primariamente etico-religioso, in linea cioè con la CIV, da cui intende procedere per offrirne una specificazione storica.

I sistemi finanziari e monetari riformati fanno parte delle *condizioni* che consentono il conseguimento dello sviluppo plenario e sostenibile che sta al centro dell'attenzione della CIV. Solo se si hanno a disposizione sistemi finanziari e monetari *liberi, trasparenti, solidi, "democratici"*, resi *funzionali* all'economia reale e al bene comune, tramite la regolazione e l'orientamento da parte dell'attività politica e dei vari corpi sociali, è possibile conseguire uno

<sup>1</sup> Cf. Benedetto XVI, *Caritas in veritate*, Libreria Editrice Vaticana, Città del Vaticano 2009, n. 8.

<sup>2</sup> Cf. Pontificio Consiglio della Giustizia e della Pace, *Per una riforma del sistema finanziario e monetario internazionale nella prospettiva di un'autorità pubblica a competenza universale*, Libreria Editrice Vaticana, Città del Vaticano 2011.

sviluppo integrale per tutti. La necessità di simili sistemi finanziari e monetari è oggi globale. Per poterne disporre sono urgenti istituzioni globali.

Le *Riflessioni* del Pontificio Consiglio, in particolare, fanno riferimento ad un'autorità pubblica a competenza universale e appellano al recupero del *primato* della politica, a ogni livello – nazionale, regionale, mondiale – non considerandola come un sottosistema alla pari di molti altri, ossia senza la responsabilità del bene comune e, quindi, priva della competenza di orientare gli altri sistemi al bene di tutti. Le *Riflessioni* bypassano sia quelle interpretazioni della CIV secondo cui propugnerebbe un concetto di autorità inteso solo in senso “poliarchico”, ossia come un potere parziale, accanto e sullo stesso piano di altri poteri; sia anche quelle che ne ricaverebbero una visione della politica di tipo “statalista”, centralizzatrice, quale si concretizzava nei sistemi collettivistici e marxisti od anche in certe forme di *Welfare State*.

La CIV, come si dirà meglio più avanti, allorché propone la costituzione di una *vera autorità politica mondiale* (cf. CIV n. 67) – per risolvere la crisi globale della finanza, per prevenire altre crisi, per risanare le economie colpite dalla crisi, per governare l'economia mondiale, e per altre ragioni ancora – non autorizza e non giustifica né interpretazioni “antistataliste” né “stataliste” di essa. Non condivide quelle visioni, per lo più vagheggiate oggi da alcuni economisti, i quali ritengono la società politica praticamente consistenziale al sistema economico, per cui ad essa dovrebbero corrispondere figure statali “minime” – come sostenne a suo tempo Robert Nozick –<sup>3</sup> aventi solo compiti di sicurezza o poco più. Sugerendo poi, come pure si vedrà meglio più avanti, la regolazione dell'economia in termini di *giustizia sociale* (cf. ad es. nn. 35 e 37), nemmeno propende per figure di politica di tipo “statalistico”, come paventate dai discepoli dell'economista Friedrich von Hayek. Secondo questo economista, la giustizia sociale – a suo dire, realizzabile solo nelle piccole comunità, ma impraticabile nelle grandi società – non sarebbe altro che un “cavallo di Troia” volto a introdurre figure totalitaristiche, ossia forme di potere concentrato in poche mani, che impone statalismi mondiali.<sup>4</sup>

Torna, poi, utile qui sottolineare che il recupero del *primato della politica*, auspicato dall'enciclica di Benedetto XVI, e riproposto dalle *Riflessioni*, non è quello di una politica accentratrice, a servizio di pochi gruppi clientelari,

<sup>3</sup> Cf. R. Nozick, *Anarchy, State and Utopia*, Basic Books, New York 1974, tr. it.: *Anarchia, Stato ed utopia. I fondamenti filosofici dello Stato minimo*, Le Monnier, Firenze 1981.

<sup>4</sup> Cf. F.A. von Hayek, *The Mirage of Social Justice*, 1976, Routledge & Kegan Paul Ltd, London. New York 1987, p. 136.



propensa a favorire sprechi, consumismi, illegalità, *deficit* astronomici nei bilanci pubblici. È bensì il primato di una politica che svolge il suo compito favorendo uno sviluppo sostenibile e qualitativo per tutti, ponendosi a servizio della società civile, del bene comune, perseguendo una *Welfare Society*, sulla base della solidarietà e della sussidiarietà, nonché di una democrazia *partecipativa* e non solo rappresentativa, in un contesto di globalizzazione.

Va contemporaneamente anticipato in questa premessa che, affrontando la questione della riforma del sistema finanziario e monetario internazionale, proposta in maniera esplicita dalla CIV, le *Riflessioni* del Pontificio Consiglio mostrano che la necessità del cambiamento delle “strutture ingiuste” per Benedetto XVI è una questione *essenziale* e non marginale in ordine alla realizzazione del bene comune mondiale.<sup>5</sup> Da questo punto di vista, si può affermare che l’attuale pontefice, a differenza di quanto è stato insinuato da alcuni studiosi di Dottrina sociale della Chiesa, non è a favore dell’attuale capitalismo neoliberistico, senza adeguate regole e senza controlli, che ignora le persone e i loro bisogni. Infatti, ne propone una radicale riforma in senso etico, “democratico”, sociale, come si illustrerà meglio a breve.

## 1. Una crisi economico-finanziaria entropica, tendenzialmente globale

Stiamo attraversando una fase storica di travaglio e di complessità straordinari, caratterizzata da una crisi *multidimensionale*. Essa si esprime in particolare sul piano finanziario ed economico e si intreccia con una crisi politica ed etico-culturale che concerne gli stili di vita e le istituzioni.

<sup>5</sup> A proposito dell’attenzione dedicata alle istituzioni e alla loro riforma dal punto di vista della giustizia da parte di Benedetto XVI ha scritto abbastanza recentemente Johan Verstraeten, *Ripensare l’economia: una questione di amore o di giustizia?*, in *Concilium* 47 (2011/5), pp. 100-103. Lo studioso è convinto che Benedetto XVI nell’enciclica *Caritas in veritate* affida alla giustizia un ruolo secondario rispetto alla soluzione dei grandi problemi relativi allo sviluppo di tutti i popoli e alla povertà. E tuttavia chi legga con attenzione l’enciclica, specie con riferimento ai temi economici, finanziari ed ambientali, non potrà non rilevare che alla giustizia non è affatto affidato un ruolo minore rispetto alla fraternità e alla gratuità. Tutta l’economia dev’essere guidata dalla giustizia (cf. CIV n. 37). Il mercato, afferma Benedetto XVI, è soggetto non solo alla giustizia commutativa, ma anche alla giustizia distributiva, alla giustizia sociale (cf. CIV n. 35). La giustizia, che non può essere mai disgiunta dal bene comune, richiede la riforma delle istituzioni economiche e finanziarie, sociali e politiche, a tutti i livelli, non escluso il livello internazionale e mondiale (cf. CIV n. 67). Così, i progetti per uno sviluppo umano integrale devono essere improntati a solidarietà e a giustizia intergenerazionali (cf. CIV n. 48). Ecco perché il discorso del pontefice sulla giustizia non è irrilevante. Ben al contrario, invita a ripensarla in connessione con altri beni-valori, quali la fraternità e la gratuità, perché senza di essi la giustizia è difficilmente praticabile (cf. ad es. CIV n. 38).

Questa crisi finanziario-economica,<sup>6</sup> secondo diversi analisti del fenomeno, non sarebbe una crisi di tipo congiunturale, riconducibile alla fisiologia di un'instabilità ciclica, ma di natura *entropica*.<sup>7</sup> Manifesterebbe cioè, nelle sue dinamiche strutturali, l'esaurimento (non tecnico, bensì antropico ed etico) di un modello di finanza, di economia, ed anche di società, che ha dominato la scena dell'ultimo quarto del secolo scorso, protraendosi sino all'oggi. La crisi entropica concentra la ricchezza in poche mani. Mentre distrugge l'essenza etica della finanza e inaridisce la sua funzione sociale, ne enfatizza l'efficienza con l'unico fine di accrescerla per se stessa, considerandola un assoluto, ovvero una realtà che non è fondamentalmente a servizio dell'economia reale, agendo in forme sempre più indipendenti nei suoi confronti e nei confronti degli Stati.<sup>8</sup>

In definitiva, la crisi attuale mostrerebbe la fallacia delle antropologie monche, delle etiche e delle ideologie neocontrattualistiche, neoutilitari-

<sup>6</sup> Cf. International Monetary Fund, *World Economic Outlook, Slowing Growth, Rising Risks*, International Monetary Fund, Washington 2011; United Nations Conference on Trade and Development and Hochschule für Technik and Wirtschaft Berlin, *The Financial and Economic Crisis of 2008-2009 and Developing Countries*, United Nations, New York and Geneva 2010.

<sup>7</sup> Su questo si veda S. Zamagni, *Economia civile*. La crisi in atto come crisi di senso, in *Symposium* (2009) anno III, numero 4, p. 5. Secondo il professor Zamagni una crisi è dialettica quando nasce da un conflitto fondamentale che prende corpo entro una determinata società e che contiene, al proprio interno, i germi o le forze del proprio superamento. Per converso, entropica, è la crisi che tende a far crollare il sistema, per implosione, senza modificarlo. Questo tipo di crisi si sviluppa ogniqualvolta la società perde il senso – cioè, letteralmente, la direzione – del proprio incedere. Non si esce da una crisi entropica con aggiustamenti di natura tecnica o con provvedimenti solo legislativi o regolamentari – pure necessari – ma affrontando di petto, risolvendola, la questione del senso. A tale scopo sono indispensabili minoranze profetiche che sappiano indicare alla società la nuova direzione verso cui muovere mediante un supplemento di pensiero e soprattutto con la testimonianza delle opere.

<sup>8</sup> È noto, infatti, che oggi gran parte delle operazioni finanziarie possono diventare, rispetto all'economia reale, autonome e in pratica fini a se stesse. In questi ultimi anni si è sviluppata una forma nuova di capitale attraverso successioni di numeri e segni astratti, indipendenti dalla realtà materiale sottostante e dallo scambio di "cose" equivalenti, e perciò capaci di moltiplicarsi potenzialmente all'infinito, e proprio per questo capaci di dominare tutto il resto: i mezzi di produzione, la forza lavoro, gli Stati, la vita degli uomini. Ma ultimamente si è realizzata anche un'altra forma di indipendenza, quella rispetto agli Stati, perché la nuova massa finanziaria è fatta da un tipo di "moneta" che non è più battuta dagli Stati, non ne reca più la firma "sovrana", ma è battuta in proprio dalla finanza stessa, per suo uso e consumo. Gli Stati, in certo modo, hanno così perso, in questo campo, la loro sovranità di cui si è appropriata la finanza (cf. G. Tremonti, *Uscita di sicurezza*, Rizzoli, Milano 2012, pp. 52-6).

stiche e meramente dialogiche, che hanno offerto legittimazione ad una finanza e ad un'economia ad impronta neoliberistica, non sufficientemente o adeguatamente regolata, funzionale ad uno sviluppo prevalentemente materialistico, consumistico e tecnocratico. Pur riconoscendo che esse hanno favorito lo sviluppo economico di alcuni Paesi poveri, la loro estremizzazione in senso speculativo rischia di trascinare nel gorgo del proprio fallimento intere Nazioni, come risulta dalla stessa crisi dell'eurozona.

Detto altrimenti, l'attuale crisi, che è l'ottava a contare dal crollo di Wall Street verificatosi nell'ottobre 1987, sta divenendo crisi *sistemica e globale*.<sup>9</sup> Essa riproduce la propria dinamica strutturale, e i conseguenti effetti di distruzione economico-sociale, su una scala sempre più estesa e in forme sempre più gravi.

Ne è un caso emblematico la recente crisi internazionale di liquidità, esplosa nel secondo semestre 2011, che si manifesta anche nel rischio di insolvenza dei debiti sovrani europei, ossia in alcuni di quei soggetti che hanno evitato il crollo del sistema finanziario internazionale negli anni 2007-08, tramite interventi massicci di risanamento, di ricapitalizzazione delle banche, di offerte di garanzie, e talora anche di nazionalizzazione di realtà finanziarie internazionali a carico dei bilanci pubblici.

Nello stesso momento storico in cui l'attuale sistema economico-finanziario – retto dai postulati dell'assoluta capacità di autoregolarsi con i propri meccanismi nonché dalla persuasione della derivazione automatica del benessere collettivo dal perseguimento degli interessi privati –, sembra raggiungere l'apice e sovrastare una politica sempre più impari, lenta e debole, soprattutto perché sprovvista di istituzioni internazionali adeguate per il governo della globalizzazione, assistiamo al suo crollo clamoroso, che rivela tutta la sua irrazionalità, con una forza autodistruttiva senza eguali, dannosa anche per l'economia reale.

La finanza neoliberista – un'industria vera e propria, fatta di soggetti e di prodotti – gestita secondo un'ideologia di tipo materialistico e tecno-

<sup>9</sup> Alcuni hanno osservato che l'attuale crisi finanziaria ed economica non è assolutamente globale, perché colpisce solo alcuni Paesi. La Cina, ad esempio, è citata come Paese il cui sistema economico e finanziario non è assolutamente in crisi. Si rileva qui che quando si parla di crisi globale dei sistemi finanziari e globali non si intende riferirsi solo a fenomeni di fallimento delle banche o delle imprese, come è avvenuto negli Stati Uniti ed in Europa, ma anche a gestioni dell'economia e della finanza che, pur conseguendo traguardi di crescita, li ottengono a scapito dei diritti dei lavoratori e della democrazia sostanziale. E, pertanto, non sembra fuor di luogo parlare di crisi "globale", ossia di crisi che tocca anche i Paesi emergenti, il cui tasso di sviluppo economico è maggiore degli altri, ma in cui lo sviluppo sociale e civile non è come dovrebbe essere.

cratico, sembra essersi addentrata in un vicolo cieco e appare irrimediabilmente malata. Anziché essere ministeriale ad uno sviluppo integrale, sostenibile ed inclusivo di tutti i popoli, in più di un caso essa instaura una specie di dittatura e di “terrorismo economico”, tenendo sotto scacco contribuenti e governi, chiedendo a quest’ultimi politiche di spesa sempre più restrittive, che portano i Paesi alla recessione e allo sfinimento. Dominata da una oligarchia internazionale,<sup>10</sup> spietata ed indifferente alle proprie responsabilità sociali, non adempie al suo compito naturale di sostenere ovunque le imprese, il lavoro, le famiglie. Dopo la conclusione di una crisi, non muta gli orientamenti di fondo, ma insiste nel replicare le scelte errate, predisponendo così la crisi successiva.<sup>11</sup> Quale nuovo ed implacabile “Leviatano”, si aggira per il mondo, con l’ausilio dei moderni mezzi telematici, in cerca di divorare, assieme alle imprese, il *welfare* e le democrazie dei popoli deboli e incapaci a resistere alla sua azione.

Alcuni lettori frettolosi, e probabilmente prevenuti, hanno accusato il Pontificio Consiglio della Giustizia e della Pace – allorché ha proposto una riforma degli attuali sistemi finanziari e monetari pensando anche alla costituzione di una *vera autorità politica mondiale* – di farsi promotore, a sua volta, di un nuovo Leviatano, vale a dire di una visione fortemente “statalista” e tirannica delle Istituzioni politiche internazionali. Il testo predisposto dal Pontificio Consiglio va inequivocabilmente in tutt’altra direzione. Viene allora il sospetto che coloro che avversano la costituzione di un’autorità politica mondiale, in realtà siano, consapevolmente o inconsapevolmente, funzionali all’attuale superpotere della finanza internazionale. Eppure tale

<sup>10</sup> L’evoluzione dell’industria finanziaria ha riguardato gli strumenti utilizzati, ma anche i soggetti che operano nei mercati finanziari, ossia gli investitori istituzionali, che gestiscono per conto terzi gli investimenti. Ai tradizionali operatori – Fondi pensione, Fondi di investimento, banche e assicurazioni – si sono aggiunti i Fondi di *private equity*, gli Hedge Fund e i Fondi sovrani. L’evoluzione si è anche contraddistinta per un elevato processo di concentrazione. Nel settore bancario dal 1980 al 2005 si sono verificate circa 11.550 fusioni. Al primo semestre 2011, cinque Sim (Società di intermediazione mobiliare) e divisioni bancarie hanno raggiunto il controllo di oltre il 90% del totale dei derivati.

<sup>11</sup> A questo proposito si è espresso lo stesso Benedetto XVI incontrando i partecipanti al Congresso internazionale nel 50° anniversario dell’enciclica *Mater et magistra*. Egli, il 16 maggio 2011, affermava che, oltre ai gravi squilibri globali che caratterizzano la nostra epoca, “non sono meno preoccupanti i fenomeni legati ad una finanza che, dopo la fase più acuta della crisi, è tornata a praticare con frenesia dei contratti di credito che spesso consentono una speculazione senza limiti” (Benedetto XVI, *Discorso ai partecipanti al Congresso internazionale nel 50° anniversario dell’enciclica “Mater et magistra”*, in pontificio Consiglio della Giustizia e della Pace, *Mater et magistra*, riedizione in occasione del 50° anniversario, Libreria Editrice Vaticana, Città del Vaticano 2011, p. 11).

sistema finanziario, organizzato mondialmente in forma piramidale e oligopolista, mostra di credere, più di quanto non facciano gli Stati, nella possibilità della costruzione di istituzioni fortemente unificate e concentrate per un più efficace controllo globale dei mercati, sino a dar vita ad una realtà transnazionale retta da una tecnocrazia inesorabile, che di fatto giunge, come sperimentato nel caso della Grecia, a svuotare la sovranità dei cittadini e dei governi democratici a favore di quella dei mercati.

L'analisi della crisi e della struttura degenerata dell'attuale capitalismo finanziario, deregolato e globale, mostra che ad esso sono di fatto subordinati i volumi degli investimenti produttivi mondiali, dell'occupazione, dei redditi, dei consumi, della coesione sociale, degli stessi equilibri istituzionali delle democrazie. Potremmo così elencarne i principali effetti negativi: restrizione nell'erogazione del credito, chiusure o delocalizzazione di imprese, fallimenti, suicidi, alti tassi di disoccupazione,<sup>12</sup> diseguaglianze crescenti tra i vari settori economici e tra i redditi, erosione dei sistemi di sicurezza sociale, contrazione della domanda, recessione, aumento della conflittualità sociale, riduzione del gettito fiscale, instabilità politica e democratica.<sup>13</sup>

## 2. Un'uscita di sicurezza: scenari possibili

Come uscire dall'attuale congiuntura? Quali prospettive e quali strategie adottare? Si possono immaginare tre ipotesi di scenari possibili.

Innanzitutto, lo scenario in cui l'attuale dinamica autoimplosiva della finanza è lasciata a se stessa e non si provvede a intervenire per modificarla. La crisi riproduce il proprio dispositivo degenerato in forme via via più estese e più gravi, nella latitanza o nell'impotenza delle autorità di regolazione e delle autorità politiche. Gli effetti economico-sociali sono quelli appena elencati.

Sembra, poi, possibile anche un secondo scenario: quello di una crescente ibridazione tra economia legale ed economia criminale. Questo si interseca col primo. La crisi diffusa delle imprese e la necessità di consistenti apporti di capitale creano le condizioni per il ricorso all'usura e per l'introduzione nel sistema di capitali criminali che vengono così riciclati. Anche in questo caso il dispositivo degenerativo dell'attuale sistema non viene modificato, anzi si arricchisce di ulteriori elementi dannosi per il bene comune.

<sup>12</sup> Cf. International Labour Organization (ILO), *World of Work Report 2011. Making markets work for jobs*, International Institute for Labour Studies, Geneva 2011; International Labour Office, *The Global Crisis: Causes, responses and challenges*, International Institute for Labour Studies, Geneva 2011.

<sup>13</sup> Su questo si veda anche R.A. Posner, *La crisi della democrazia capitalista*, Università Bocconi Editore, Milano 2010.

Sussiste, tuttavia, la possibilità di un terzo scenario, che rappresenta un'uscita di sicurezza, rispetto ai due precedenti. Consiste nel potenziamento di tutti quegli aspetti positivi che, fortunatamente esistono all'interno dell'attuale sistema capitalistico deregolato e globale, anche se frammisti con gli aspetti negativi. Per consolidare un tale scenario occorre, però, ripensare radicalmente il capitalismo della finanza speculativa che si è trasformata in un immenso "gioco di carta". Urge reimpostare il capitalismo in generale, perché possa esplicare al meglio la sua virtù fondamentale di motore, che crea e diffonde ricchezza reale, rendendola accessibile a tutti.

Mentre i primi due scenari appaiono compatibili ed integrabili, l'ultimo è costituito su una linea antropologica ed etica diversa, *alternativa* alle visioni culturali dei precedenti. Esso, infatti, intende impostare l'organizzazione dell'economia in maniera più razionale, più realistica, perché più conforme alla sua essenza umana, alla dignità delle persone e dei popoli, alle esigenze del bene comune e della connessa giustizia sociale. Esso intende valorizzare il ruolo fondamentale e positivo dell'impresa, del libero mercato, della proprietà privata e della conseguente responsabilità dei mezzi di produzione, della libera creatività umana: il tutto inquadrato in un solido contesto giuridico che metta la libertà nel settore dell'economia al servizio della libertà umana integrale e la consideri come una particolare dimensione di quest'ultima, il cui centro è etico e religioso.

### **3. La proposta della Dottrina sociale della Chiesa: un nuovo capitalismo, etico e "democratico"**

La Dottrina o insegnamento sociale della Chiesa (=DSC) guarda con simpatia al terzo scenario. Nella CIV,<sup>14</sup> mentre analizza la crisi finanziaria del 2007-2008, Benedetto XVI propone un avvio di soluzione sulla base di un *quadro antropologico ed etico* ad impronta *personalista e comunitaria*, secondo l'ispirazione cristiana. Invita, in particolare, a rafforzare tutte quelle esperienze finanziarie ed economiche che aprono brecce verso un'econo-

<sup>14</sup> Cf. *Caritas in veritate*: oltre all'edizione della Libreria Editrice Vaticana, si vedano anche: l'edizione LAS (Roma 2009), dal titolo *La speranza dei popoli*, con lettura e commento di Mario Toso; l'edizione Cantagalli (2009) con introduzione di Giampaolo Crepaldi; l'edizione Libreria Editrice Vaticana-Ave (Città del Vaticano-Pomezia, 2009) corredata dal commento di vari Autori (Franco Giulio Brambilla, Luigi Campiglio, Mario Toso, Francesco Viola, Vera Zamagni); e inoltre: A.V., *Amore e Verità. Commento e guida alla lettura dell'Enciclica "Caritas in veritate" di Benedetto XVI*, Paoline, Milano 2009; M. Toso, *Il realismo dell'amore di Cristo*, Studium, Roma 2010; P. Carloti, *Carità, persona e sviluppo. La novità della "Caritas in veritate"*, LAS, Roma 2011.

mia a servizio del bene comune, ovvero un' "economia sociale", mediante l'implementazione della fraternità, con tutte le sue espressioni tipiche, e cioè la *logica del dono*, il *principio della gratuità*, la *giustizia sociale*.

La triste e tragica esperienza della crisi del 2007-08, che peraltro perdura ancora oggi, ha mostrato che sono state proprio le forme di finanza e di economia eticamente strutturate, poste costantemente a servizio delle persone, delle famiglie e dei territori, a resistere alla tempesta che si è abbattuta dapprima sugli istituti di credito che hanno contribuito a scatenarla e, poi, sull'economia reale e sugli "Stati-salvatori" degli istituti finanziari in difficoltà. È su queste forme di finanza e di economia che, secondo Benedetto XVI, occorre soprattutto "investire" per costruire un *nuovo capitalismo*.

La CIV, in particolare, mette in guardia gli uomini contemporanei da una concezione distorta dell'autonomia dell'economia che, ignorandone l'intrinseca dimensione etica e il raccordo con altri sistemi sociali, spinge a gestirla con modalità che ne fanno strumento di distruzione (cf. CIV n. 34). L'attività economica va, invece, finalizzata al perseguimento del *bene comune*, di cui *tutti*, ma anche e soprattutto la comunità politica, debbono farsi carico. Quest'ultima, che prima e durante la crisi si è anche mostrata di fatto connivente con forme di finanza altamente speculativa – non si dimentichi che in alcuni Stati è stato consentito alle amministrazioni comunali di accedere ai derivati – ha un compito di vigilanza, nonché di orientamento al fine di realizzare il bene comune, bene di tutti, mediante la produzione della ricchezza e la sua equa distribuzione (cf. CIV n. 36). Poiché il suo cattivo utilizzo ha danneggiato l'economia reale, la finanza ora deve ritornare, suggerisce il pontefice, ad essere uno strumento funzionale alla miglior produzione della ricchezza ed allo sviluppo. "Tutta l'economia e tutta la finanza, non solo alcuni segmenti – si legge nella CIV – devono, in quanto strumenti, essere utilizzati in modo etico così da creare le condizioni adeguate per lo sviluppo dell'uomo e dei popoli" (n. 65). Gli operatori della finanza hanno il dovere di "riscoprire il fondamento propriamente etico delle loro attività per non abusare di quegli strumenti sofisticati che possono servire per tradire i risparmiatori" (ib.). Bisogna evitare che l'unico motivo per l'impiego delle risorse finanziarie sia speculativo e ceda alla tentazione di ricercare solo profitto di breve termine, e non anche la sostenibilità dell'impresa a lungo termine, il suo puntuale servizio all'economia reale e l'attenzione alla promozione, in modo adeguato ed opportuno, di iniziative economiche anche nei Paesi bisognosi di sviluppo (cf. CIV n. 40).

Sulla base delle esperienze positive e di una razionalità retta, e quindi prescindendo da apriorismi, in definitiva la DSC ritiene che *nell'economia e nella finanza* – non *fuori* di esse o *dopo* di esse – possano e debbano "essere

vissuti rapporti autenticamente umani di amicizia e di socialità, di solidarietà e di reciprocità” (CIV n. 36).

In questo tempo di globalizzazione caratterizzata dalla “liquidità moderna” – in cui tutto si trasforma e diviene, ma nulla si solidifica e diventa stabile – pertanto, la grande sfida odierna è quella di far emergere, dai cupi scenari della crisi finanziario-economica, una *nuova* forma di *capitalismo* a servizio di uno sviluppo integrale, sostenibile ed inclusivo. Una tale sfida, che non ha nulla di inverosimile o di illogico – giacché l’economia e la finanza sono attività *dall’uomo, dell’uomo, per l’uomo*, è bene ribadirlo – implica anche che si mostri, sia a livello di pensiero sia a livello di prassi, che nei rapporti mercantili possano e debbano trovare posto non solo la trasparenza, l’onestà, la responsabilità – ossia i tradizionali principi dell’etica imprenditoriale – ma anche il *dono* e la *gratuità* (cf. CIV n. 36).

Perché questi atteggiamenti o virtù, che dai più sono ritenuti estranei e persino antitetici all’agire economico e finanziario, sono da considerarsi intrinseci e necessari all’espletamento pieno delle sue finalità, della sua autenticità umana? La risposta è che si tratta di un agire *conseguente*, ossia espressione di un *esse* che lo precede e che è l’essere fraterno delle persone, intrinsecamente relazionali e trascendenti, che maturano la propria pienezza umana attraverso il dono di sé agli altri e a Dio. La finanza è “actus personae” e, pertanto, reca in sé il seme del dono e della gratuità, tipico di un essere “strutturato a tu”.

Ma quanto detto sin qui non esaurisce il tema. Secondo la DSC, che la CIV definisce *caritas in veritate in re sociali* (cf. CIV n. 4), un nuovo capitalismo potrà affermarsi compiutamente solo se l’economia e la finanza riusciranno a potenziare la loro strutturazione e la loro istituzionalizzazione etica vivendo l’*Agápe-Caritas* e il *Lógos-Verità* che è Cristo. Impossibile? No. Perché, dopo l’incarnazione e la redenzione, mediante cui l’umanità è assunta e arricchita da Dio, attraverso un mirabile “commercio” direbbe sant’Agostino, la persona vive e dimora nel Figlio di Dio, nella sua *Agápe* e nel suo *Lógos*. Essendo, così, la *Caritas*, immanente nell’essere umano, lo è anche simultaneamente nell’attività economica e finanziaria delle persone, sia pure in forma incipiente. Occorre prenderne coscienza e agire di conseguenza.

Questa visione dell’uomo e delle sue attività, che è stata proposta senza equivoci dalla CIV, e che evidenzia la *dimensione teologica* dell’economia e della finanza, in realtà, è sollecitazione a contestare non solo la *logica dei due tempi* – prima il mercato, la massimizzazione del risultato economico e, poi, *a latere*, la solidarietà dello Stato, la carità compassionevole –; non solo la *dicotomia* tra etica, finanza e politica, tra economia e fede cristiana, ma è anzitutto un invito esplicito a riconoscere e a testimoniare con coraggio la



valenza *civilizzatrice* del Vangelo. Il cristianesimo autentico non è fonte di oscurantismo e di sottosviluppo, bensì di progresso in ogni ambito e, pertanto, anche in quello economico e finanziario.

Per la CIV, *strutturare ed istituzionalizzare eticamente* l'economia e la finanza equivale a:

- 1) vivere in tutte le *fasi* dell'attività economica (cf. CIV n. 37), e nei mercati, la giustizia commutativa, contributiva, distributiva, ossia la *giustizia sociale* (cf. CIV n. 35), la giustizia del bene comune;
- 2) riconoscere che la vita economica, i mercati e le imprese, oltre alla *logica dello scambio contrattuale*, necessitano di *leggi giuste* dello Stato di diritto, di forme di *distribuzione* guidate dalla politica e, inoltre, di opere che rechino impresso lo spirito del dono, del contributo da parte di tutti secondo le proprie capacità. Ciò significa che abbisognano anche della *logica della politica* e della *logica del dono* senza contropartite (cf. CIV n. 37);
- 3) impegnarsi, per conseguenza, a organizzare mercati in cui possa liberamente operare un'*imprenditorialità plurivalente*, formata da diversi tipi di imprese, che vadano ben oltre la sola distinzione tra "privato" e "pubblico", per rispondere meglio alle esigenze e alla dignità di chi lavora, ai bisogni delle società e di un'economia al servizio del bene comune nazionale e mondiale (cf. CIV n. 41), di uno sviluppo integrale, sostenibile, inclusivo di singoli e di popoli (cf. CIV n. 39). Ciò significa anche potenziare un'*area intermedia* di imprese, tra *for profit* e *non profit*: "Essa è costituita da imprese tradizionali, che però sottoscrivono dei patti di aiuto ai Paesi arretrati; da fondazioni che sono espressione di singole imprese; da gruppi di imprese aventi scopi di utilità sociale; dal variegato mondo dei soggetti della cosiddetta economia civile e di comunione. Non si tratta solo di un "terzo settore", ma di una nuova ampia realtà composita, che coinvolge il privato e il pubblico e che non esclude il profitto, ma lo considera strumento per realizzare finalità umane e sociali" (cf. CIV n. 46). Una simile imprenditorialità plurivalente favorisce lo scambio e la formazione reciproca tra le imprese, con travaso di competenze dal mondo *non profit* a quello *profit* e viceversa, da quello pubblico a quello proprio della società civile, da quello delle economie avanzate a quello dei Paesi in via di sviluppo (cf. CIV n. 41);
- 4) far sì che la *collaborazione reciproca* tra Stati e loro Governi sia più attiva e responsabile (cf. ib.), perché l'economia integrata dei nostri giorni non elimina il loro ruolo, ma lo rende più necessario, sia pure in maniera diversa rispetto al passato;
- 5) *orientare* la globalizzazione alla realizzazione del *bene comune mondiale*, correggendo quelle *disfunzioni* che "introducono nuove divisioni tra i

popoli e dentro i popoli e fare in modo che la redistribuzione della ricchezza non avvenga con una redistribuzione della povertà o addirittura con una sua accentuazione, come una cattiva gestione della situazione attuale potrebbe farci temere” (CIV n. 42);

- 6) mobilitarsi con urgenza verso la *riforma* “sia dell’Organizzazione delle Nazioni Unite che dell’architettura economica e finanziaria internazionale, affinché si possa dare reale concretezza al concetto di famiglia di Nazioni” (cf. CIV n. 67), per tutta una serie di *motivi* a valenza transnazionale quali: il superamento di una situazione di recessione mondiale e delle suddette disfunzioni della globalizzazione; la diffusione delle “sfere di benessere” a livello mondiale, in maniera equa, contrastando progetti egoistici, protezionistici o dettati da interessi particolaristici (cf. CIV n. 49); il governo dell’economia mondiale, il risanamento delle economie colpite dalla crisi, la prevenzione di peggioramenti della stessa e di conseguenti maggiori squilibri; la realizzazione di un opportuno disarmo integrale, la sicurezza alimentare e la pace; la salvaguardia dell’ambiente, la regolamentazione dei flussi migratori (cf. CIV n. 67); uno sviluppo globale, integrale secondo verità e carità, la *priorità dell’obiettivo dell’accesso al lavoro* o del suo mantenimento per tutti (cf. CIV n. 32); l’equa redistribuzione delle risorse energetiche (cf. CIV n. 49), una delocalizzazione più responsabile dal punto di vista sociale e ambientale (cf. CIV n. 40); la realizzazione, in sintesi, del bene comune mondiale e della connessa giustizia sociale globale.

A proposito della strutturazione ed istituzionalizzazione etica dell’economia e della finanza, secondo il pensiero di Benedetto XVI, qui si potrebbe dire di più, ad esempio circa l’urgenza, assieme alle giuste riforme nazionali ed internazionali, di uomini *retti* (cf. CIV n. 71), ossia di operatori economici, risparmiatori, politici che vivano fortemente nelle loro coscienze l’appello al bene comune. Lo sviluppo dei popoli, come anche un’economia e una finanza più umane, infatti, non sono tanto e unicamente un problema di ingegneria finanziaria, di apertura dei mercati, di abbattimento di dazi, di investimenti produttivi, di riforme istituzionali, in definitiva un problema solo *tecnico*. Questo sviluppo è il risultato della *vita buona* delle persone, dei popoli e dei loro rappresentanti.

Ma non è possibile dilungarci. Da quanto sin qui esposto emerge, comunque, in maniera sufficientemente chiara, che il capitalismo neoliberista, pervaso da un’ideologia radicale, libertaria e consumistica – peraltro prevista per tempo da Giovanni Paolo II <sup>15</sup> dev’essere abbandonato quanto prima.

<sup>15</sup> Cf. Giovanni Paolo II, *Centesimus annus*, Libreria Editrice Vaticana, Città del Vaticano 1991, n. 42.

Occorre andare, invece, verso un *nuovo* capitalismo, *etico, popolare*, che riconosca il ruolo fondamentale dell'impresa, dell'*economia di mercato*, della proprietà privata e della conseguente responsabilità per i mezzi di produzione, della creatività umana;<sup>16</sup> occorre andare verso un capitalismo pervaso dalla "passione" – fatta di competenza, di dono e di gratuità – per il lavoro, per il servizio alle persone e ai popoli, al loro bene integrale; occorre andare verso un capitalismo ministeriale alla realizzazione del bene comune nazionale e mondiale e, pertanto, popolato da una molteplicità di imprese e di istituzioni che realizzano un'*economia sociale*,<sup>17</sup> "democratica" (cf. CIV n. 38).

In ultima analisi, Benedetto XVI non suggerisce un sistema economico particolare, perché la Chiesa non ha modelli da proporre. Indica, piuttosto, un *ideale storico e concreto* di economia e di finanza, che va incarnato nei vari sistemi reali, riformandoli, se è il caso, secondo una nuova visione di sviluppo qualitativo ed inclusivo, con il rafforzamento e la moltiplicazione di quelle istituzioni e di quelle pratiche che sono più conformi alla dignità delle persone e dei popoli, e alla loro crescita globale.

Alla risemantizzazione dell'economia e della finanza, proposta dalla CIV, è collegata la risemantizzazione della *fraternità*, della *giustizia sociale* e del *bene comune*, quali pilastri di un nuovo paradigma finanziario, economico e sociale, *inconciliabile* col modello neoliberalista, neoutilitarista e tecnocratico. A tali pilastri, unitamente ad una dimensione teologica, viene riconosciuto un fondamento trascendente, che il cristianesimo giustifica e corrobora grazie a quella ragione integrale che esso nutre nel suo grembo di rivelazione: ragione illuminata e dilatata dalla fede; ragione capace di superare i vincoli del relativismo assoluto e dello storicismo.

<sup>16</sup> Cf. *Ibid.*

<sup>17</sup> Cf. *Ibid.*, n. 52. La prospettiva di un ideale storico e concreto di "economia sociale" è presente nella Dottrina sociale della Chiesa sin dalla *Rerum novarum*. Essa implica un'economia resa funzionale, con la collaborazione di tutti i soggetti sociali, alla realizzazione del bene comune, con particolare attenzioni ai più deboli. Secondo chi scrive, entro una tale prospettiva, che è di carattere generale, possono essere iscritte proposte progettuali più particolari, come quelle già storicamente sperimentate, quali l'"economia sociale di mercato", l'"economia civile", l'"economia di comunione" fondata da Chiara Lubich e praticata dal Movimento dei Focolari. Queste figure, che rappresentano tentativi di concretizzazione dell'ideale, non possono considerarsi l'equivalente di quanto viene proposto dalla Dottrina sociale della Chiesa, bensì semplici tentativi di approssimazione, a cui possono aggiungersene altri.

#### 4. Riforma dell'attuale sistema finanziario e monetario internazionale: le Riflessioni del Pontificio Consiglio della Giustizia e della Pace

Il Pontificio Consiglio della Giustizia e della Pace, sulla base della propria *mission* e in occasione del G20 a Cannes, ha deciso di prospettare, in maniera più articolata, l'orientamento generale offerto dalla CIV a proposito dell'urgente necessità, a fronte della crisi e della recessione in atto, della riforma sia dell'Organizzazione delle Nazioni Unite che dell'architettura economica e finanziaria internazionale, in vista della creazione di mercati liberi, stabili, trasparenti, "democratici", ministeriali all'economia reale.<sup>18</sup>

Il problema della riforma del sistema finanziario e monetario internazionale è considerato anzitutto non come un problema di semplice ingegneria strutturale ed istituzionale – nuove strutture ed istituzioni, realizzate sulla base di *input* contingenti e di aggiustamento e razionalizzazione dell'esistente – bensì come un problema di risemantizzazione umanistica. La risignificazione del sistema può avvenire se lo si considera non solo in se stesso ma sempre con riferimento al soggetto, ossia all'uomo di cui è espressione.

Per il Pontificio Consiglio il problema della riforma è, pertanto, un problema primariamente ed essenzialmente *antropologico* ed *etico*, oltre che istituzionale ovviamente. Solo ricollocando le attività finanziarie e monetarie nel complesso delle altre attività umane, ossia nel pleroma delle molteplici

<sup>18</sup> Cf. Pontificio Consiglio della Giustizia e della Pace, *Per una riforma del sistema finanziario e monetario internazionale nella prospettiva di un'autorità pubblica a competenza universale*, Libreria Editrice Vaticana, Città del Vaticano 2011. Non è la prima volta che il Pontificio Consiglio affronta tematiche relative all'economia e alla finanza. Basti anche solo pensare a: Id., *Un nuovo patto finanziario internazionale 18 novembre 2008. Nota su finanza e sviluppo in vista della Conferenza promossa dall'Assemblea Generale delle Nazioni Unite a Doha*, Tipografia Vaticana, Città del Vaticano 2009. Prima ancora si era interessato delle ricorrenti crisi finanziarie e della necessità di nuove istituzioni pubblicando i seguenti testi: Antoine De Salins-François Villeroy De Galhau, *Il moderno sviluppo delle attività finanziarie alla luce delle esigenze etiche del cristianesimo*, Libreria Editrice Vaticana, Città del Vaticano 1994; *Social and Ethical Aspects of Economics*, Atti relativi al I Seminario di economisti organizzato il 5 novembre 1990 presso il Pontificio Consiglio della Giustizia e della Pace, Vatican Press, Vatican City 1992; *World Development and Economic Institutions*, Atti del II Seminario di economisti organizzato il 4 gennaio 1993, Vatican Press, Vatican City 1994. Entrambi i Seminari sono stati possibili grazie alla collaborazione dei professori Ignazio Musu e Stefano Zamagni, esperti del Pontificio Consiglio. Per una prima lettura delle *Riflessioni* del Pontificio Consiglio della Giustizia e della Pace sulla riforma dei sistemi finanziari e monetari si legga: P. Foglizzo, *Nuovi orizzonti per la finanza internazionale. Le proposte del Pontificio Consiglio della Giustizia e della Pace*, in *Aggiornamenti sociali*, anno 63 (febbraio 2012), n. 2, pp. 117-25.

finalità della persona, è possibile recuperarne il vero significato, la giusta valenza etica. Vale a dire, solo considerando l'insieme dei beni che l'uomo deve conseguire non in una maniera disarticolata, ma in ordine al compimento in Dio, si può comprendere quanto gli attuali sistemi finanziari e monetari, che tendono ad ergersi ad assoluto e a subordinare a sé l'economia reale e a "mercantilizzare" la politica, siano distorti e potenzialmente distruttivi per la civiltà e la famiglia umana. Il più delle volte le persone, soprattutto i lavoratori dipendenti e i soggetti più vulnerabili, sono ridotti a "cose", a merce o, peggio, a insignificanza. È come se non esistessero. Infatti, la preminenza accordata al profitto, spesso impedisce alla stessa attività produttiva di strutturarsi, perché vengono privilegiati gli investimenti a breve termine. Anziché investire nelle imprese, si preferisce farlo in Borsa. Beni materiali e strumentali sono così anteposti a beni spirituali, personali e comunitari. La finanza da strumento di crescita diviene strumento di spogliazione, di annientamento dell'economia reale. Domina la mentalità secondo cui ci si può arricchire anche senza il lavoro produttivo. Cresce, simultaneamente, la convinzione della naturale bontà dell'indipendenza anarchica e autistica del mercato finanziario.

Muovendo dalla riflessione eminentemente *teologica, antropologica ed etica* della CIV, il Pontificio Consiglio avanza la sua proposta di riforma dell'attuale sistema finanziario e monetario globale. Ne rileva il sovradimensionamento valoriale, l'autonomia senza limiti, l'incapacità di autoregolazione.<sup>19</sup> Propone che ne sia ripristinata l'identità e la funzionalità secondo la *verità* di un'autonomia non incondizionata, ma *relativa* alle persone e ai popoli, quali *soggetto, fondamento e fine* di esso. Il fine della finanza va conseguito in armonia ad altri fini e subordinatamente al fine ultimo dell'uomo, che è Dio.

Sempre sulla base di questi presupposti antropologici ed etici, rispetto all'attuale sistema finanziario e monetario *internazionale*, a valenza transnazionale, "bene pubblico" deregolato e non adeguatamente controllato, le *Riflessioni* del Pontificio Consiglio chiedono che esso sia finalmente governato da un'istituzione politica parimenti transnazionale, ossia da un'autorità pubblica proporzionata, a competenza universale, capace di dare risposte globali a problemi globali, in vista del bene comune mondiale, del quale i mercati liberi, stabili, trasparenti, "democratici", sono una delle condizioni costitutive.

La richiesta di un'autorità politica mondiale non è estemporanea. Non si riferisce ad un Super-potere burocratico, centralizzatore, che porta ordine

<sup>19</sup> L'autoregolazione dei mercati non sempre si verifica. Su questo si veda T. Padoa-Schioppa, *Regole e finanza. Contemperare libertà e rischi*, Il Mulino, Bologna 2011, pp. 97-118.

nel contesto internazionale ricorrendo alla violenza, per dominare con una forza più grande coloro che attualmente la spadroneggiano. Prevede un principio autoritativo, coordinativo, essenzialmente morale, avente la facoltà di comandare e di esigere l'osservanza di ciò che è stato deciso *secondo ragione*, sulla base dei diritti e dei doveri dei singoli e dei popoli. È l'istanza di ripristinare il primato del bene comune e, quindi, della politica che ne è responsabile, sulla finanza.

Alla sua base vi sono, anzitutto, *ragioni morali*, anzitutto le ragioni del bene comune mondiale e della giustizia sociale globale, imprescindibili per la crescita della famiglia dei popoli, pena gravi ingiustizie, conflitti e povertà per molti. Già si è in parte accennato al *bene* rappresentato dai mercati liberi, stabili, trasparenti, democratici, realizzati entro un quadro giuridico certo, orientati alla realizzazione del bene di tutti i popoli dai molteplici soggetti sociali, nazionali ed internazionali. Si tratta, per l'appunto, di un bene transnazionale che esige per la sua realizzazione l'apporto di tutti, singoli e comunità, in ottemperanza ai principi di sussidiarietà e di solidarietà, e non certo riproponendo figure irrigimentate e monocromatiche di economia come negli Stati collettivistici e marxisti.

Ciò che qui si afferma per quel "bene pubblico" che è il mercato finanziario e monetario internazionale,<sup>20</sup> vale altresì per l'aria, l'acqua, l'ambiente umano, la pace, e tanti altri "beni collettivi", che sono pure a valenza transnazionale e la cui salvaguardia non può essere assicurata dai semplici meccanismi di mercato.<sup>21</sup>

Molti ritengono che la proposta della costituzione di un'autorità mondiale sia un controsenso, un rimedio peggiore del male, perché si finirebbe per costituire un Super-potere illimitato, un enorme mostro burocratico che aggraverebbe i problemi, anziché contribuire a risolverli. Si cadrebbe di fatto sotto una tirannia globale in mano a pochi.

In effetti, se si realizzasse quanto detto, in questo momento storico, senza cioè riformare l'ONU, la suddetta autorità mondiale finirebbe nelle mani degli Stati più forti.

L'unica via da percorrere, per evitare tale tirannia e per far sì che tutti i popoli e Stati accettino politiche e leggi sovranazionali, è quella mediante

<sup>20</sup> Cf. Pontificio Consiglio della Giustizia e della Pace, *Per una riforma del sistema finanziario e monetario internazionale nella prospettiva di un'autorità pubblica a competenza universale*, p. 29.

<sup>21</sup> Su questo si confronti Giovanni Paolo II, *Centesimus annus*, Libreria Editrice Vaticana, Città del Vaticano 1991, n. 40.

cui singoli o comunità, concorrono a elaborarle e ad approvarle con un *processo democratico*, facendosi guidare da un principio unitivo e coordinativo a competenza universale, che abbia come stella polare il riconoscimento della legge morale naturale e le esigenze del bene comune mondiale.

Al lato pratico, per un'effettiva ed efficace autorità politica a competenza universale – come già detto – occorre procedere alla *riforma* dell'attuale Organizzazione delle Nazioni Unite e delle Istituzioni internazionali che l'hanno progressivamente affiancata.

Occorrono nuove *strutture* in grado di garantire, oltre a un sistema di *governance*, un sistema di *government* dell'economia e della finanza internazionale, facenti capo gradualmente ad un'ONU riformata, nelle sue istituzioni sia politiche sia economiche, evitando una deleteria concentrazione dei poteri e una centralizzazione della gestione delle risorse.

Rimanendo sul *piano del sistema monetario internazionale*, e muovendosi secondo una prospettiva di riforme *creative e realistiche*, anche il Fondo Monetario Internazionale e la Banca Mondiale, nati con una vocazione e un mandato di governo della finanza, avendo fallito l'obiettivo della stabilità monetaria e del ridimensionamento significativo delle situazioni di povertà, andrebbero profondamente riformati. Sarebbe urgente collegarli, anzitutto, ad un'autorità politica proporzionata, aumentandone la legittimità, restringendo il potere di veto delle grandi potenze, riconoscendo a tutti i Paesi – non solo agli Stati Uniti e all'Europa – il diritto di eleggerne i principali dirigenti.<sup>22</sup> In vista di un controllo monetario globale e di una supervisione efficace, funzionale ad una prosperità e ad una pace universali, diventa sempre più cruciale l'esistenza di una *Banca Centrale Mondiale*, che regoli il flusso e

<sup>22</sup> Secondo il progetto di riforma del FMI, adottato nel novembre 2010, è prevista una redistribuzione dei seggi nel board, che dovrebbero restare 24, di cui dieci saranno riservati agli Stati membri più grandi. L'Europa passerebbe dagli attuali nove seggi a sette. Con riferimento all'attuale World Bank sono note le difficoltà, i fallimenti, le metodologie non propriamente "democratiche" da essa praticate, e la conseguente perdita della metà della clientela tradizionale. Proprio perché non fedele ai suoi compiti originari sono stati posti in cantiere vari progetti di riforma. Della riforma e del finanziamento del Fondo monetario internazionale e della Banca mondiale si sono anche interessati i nuovi paesi emergenti, quelli che corrispondono all'acronimo Brics (Brasile, Russia, India, Cina e Sudafrica), riunitisi di recente a New Delhi per il loro quarto vertice, a fine marzo 2012. I Brics, mentre hanno discusso sulla necessaria riforma delle sopramenzionate istituzioni globali e sul loro finanziamento, hanno anche pensato, al fine di una loro maggior integrazione economica, di fondare una nuova Banca per lo sviluppo, accrescendo così le fonti del credito, con lo scopo di finanziare il commercio non più in dollari ma con le valute dei Paesi aderenti.

il sistema degli scambi monetari, alla stregua delle Banche centrali nazionali.

Su un altro piano, per ottenere effetti analoghi, sono indispensabili Banche Centrali Regionali, come la Banca Centrale Europea (BCE). Anche ad esse, però, dovrebbero corrispondere, in vista di una loro azione proficua, istituzioni pubbliche commisurate, per garantire l'unità e la coerenza delle decisioni comuni. In effetti, anche gli ultimi episodi di speculazione sui debiti sovrani europei, mostrano che assieme al rafforzamento dell'unione economica è imprescindibile quello dell'unione politica. Rispetto agli attacchi speculativi sull'euro serve una risposta da parte di un'Europa unita e non solo quella dei singoli Stati. Questo significa attuare scelte recuperando il primato della politica – responsabile del bene comune – sull'economia e la finanza.<sup>23</sup>

Una Banca Centrale Mondiale – sviluppando le suggestioni offerte dalle *Riflessioni* del Pontificio Consiglio – dovrebbe essere depositaria della politica monetaria, della fissazione dei tassi di interesse, delle “operazioni di mercato aperto”, del ruolo di finanziatore di ultima istanza del sistema bancario internazionale, della funzione di vigilanza coordinata con il sistema delle Banche centrali nazionali o sovranazionali come la BCE. All'*Authority* sugli intermediari bancari e finanziari dovrebbero aggiungersi anche un'*Authority mondiale* sugli intermediari assicurativi ed un'*Authority mondiale* sui mercati finanziari. Nessun soggetto e nessun mercato dovrebbe essere sottratto alla regolazione ed alla vigilanza, soprattutto il mercato dei derivati *over the counter* oggi completamente deregolato, che ha raggiunto nel 2008 volumi di transazioni pari a 24 volte il PIL mondiale e che si attesta, ancora a fine 2011, intorno a multipli pari a 8 volte il PIL mondiale.

<sup>23</sup> Il mondo si attende dall'Europa una garanzia sia politica che finanziaria. Funzionale a quest'ultima è sicuramente il rafforzamento della BCE. Può divenire una vera banca: a) quando le sia riconosciuta la missione di agente dei governi, di garante di ultima istanza; b) quando possa offrire tutta la liquidità richiesta da banche e Stati creando moneta, concedendo garanzie a chi sottoscrive i nuovi titoli di debito statali o bancari; c) quando sia aumentato il “Fondo salva Stati” ancora poco capiente e non del tutto operativo; d) quando possa acquistare in modo massiccio i titoli pubblici già emessi dai Paesi in crisi, per mantenerne bassi (o entro una soglia massima) i tassi di interesse di mercato; e) emettendo *eurobond* o garanzie da parte dell'UE o da più Eurostati per finanziare gli Stati in difficoltà. Ecco alcune delle vie che si potrebbero seguire con più determinazione. Evidentemente la loro realizzazione richiederebbe un maggior impegno da parte degli Eurostati, specie di coloro che dispongono di maggiori risorse, incominciando a rendere operativo l'EFSF (*European Financial Stability Facility*), Fondo Europeo di Stabilità Finanziaria, evitando l'“azzardo morale”, ossia che banche e Stati, avendo la garanzia degli interventi straordinari della BCE, si indebitino oltre la capacità di rimborso (cf. L. Larivera, *La crisi finanziaria dell'eurozona*, in *La Civiltà Cattolica* IV (2011), p. 620-1).



In breve, occorre *innovare* rispetto all'attuale ONU, alle istituzioni di Bretton Woods, al G8 o al G20, ad altro ancora.

Come già detto, occorre, in particolare, il passaggio deciso da un sistema di *governance*, di semplice coordinamento orizzontale tra Stati senza un'autorità superiore, a un sistema che, oltre al coordinamento orizzontale, disponga di un'autorità *super partes*, con potestà di decidere con metodo democratico e di sanzionare in conformità al diritto. Un tale passaggio verso un Governo mondiale non può avvenire – spiega il Pontificio Consiglio – se non dando espressione politica a preesistenti interdipendenze e cooperazioni e, quindi, senza abbandonare la pratica del multilateralismo sia a livello diplomatico sia nell'ambito dei piani per lo sviluppo sostenibile e per la pace.<sup>24</sup>

Secondo le *Riflessioni* del Pontificio Consiglio, l'allargamento attuale del G7 in G20, configurato anche secondo altre modalità che, negli orientamenti da dare all'economia e alla finanza globali, coinvolgono maggiormente la responsabilità dei Paesi con più elevata popolazione, in via di sviluppo ed emergenti, pur rappresentando un passo in avanti non coincide ancora con il traguardo auspicato. Si tratta di una soluzione ancora insoddisfacente ed inadeguata. In effetti, nonostante gli apprezzabili cambiamenti nella composizione e nel funzionamento, chiaramente riconosciuti dalle *Riflessioni*,<sup>25</sup> il G20 non risponde pienamente alla logica di rappresentanza democratica dei popoli e degli Stati membri cui anche le Nazioni Unite sono chiamate a tendere sempre più. Gli Stati che compongono il G20 non possono attribuirsi automaticamente la rappresentanza di tutti i popoli. Sebbene allargato, il G20, che come è ben noto non fa parte dell'ONU, è sempre un *forum* informale e limitato, che tra l'altro mostra di perdere tanto più di efficacia quanto più numerosi sono i suoi componenti. Allo stato attuale delle cose, il G20 manca di una legittimazione e di un mandato politico da parte della Comunità internazionale. A ciò si deve aggiungere che, se la situazione dovesse permanere, il G20 rischia di delegittimare o di sostituirsi di fatto alle Istituzioni internazionali – come il Fondo Monetario Internazionale, la Banca Mondiale – le quali, sebbene necessitino di profonde riforme, appaiono in grado di rappresentare in maniera istituzionale tutti i Paesi e non soltanto un numero ristretto di essi. Inoltre, le faticose e compromissorie sintesi politiche, raggiunte dai vari G8 o G20, sono sempre costrette a passare al vaglio dei parlamenti nazionali che non garantiscono alcuna uniformità di decisione.

<sup>24</sup> Cf. *Per una riforma del sistema finanziario e monetario internazionale*, pp. 27-8.

<sup>25</sup> Cf. *Ib.*, pp. 30-1.

Nel breve testo del Pontificio Consiglio vengono, verso la fine, proposte – peraltro, senza la volontà di imporle a nessuno, ma solo con lo scopo di alimentare una feconda discussione – tre *piste di riflessione*, a fronte della necessità di governare in particolare il mercato ombra dei derivati, di avere a disposizione istituzioni bancarie capaci di offrire credito alle imprese e di realizzare la *giustizia sociale* in ambito finanziario, sul piano nazionale ed internazionale. Tali piste di riflessione, dopo circa cinque mesi dalla loro pubblicazione, rimangono attuali come sono attuali i problemi a cui esse si riferiscono. Il testo del Pontificio Consiglio, in particolare, propone:

- a) di dedicare una particolare attenzione, in vista di un suo opportuno controllo, allo *Shadow Banking System*, al sistema bancario ombra, regno opaco delle grandi *Investment Banks*, degli *Hedge Funds*, dei Fondi di *Private Equity* e del loro potenziale esplosivo di rischio sistemico. Si tratta di una questione nodale, dal momento che, com'è noto, il sistema bancario e finanziario ombra è stato, e continua ad essere, il soggetto generativo e diffusivo della finanza predatoria su scala planetaria. Nel sistema bancario ombra vegeta un capitalismo finanziario artificiale e labirintico in cui è possibile vendere anche quello che non si ha né in proprietà né in prestito: un capitalismo in cui il falso diventa vero, in cui l'irreale si fa reale. Per una disciplina più efficace dei “mercati-ombra”, privi di controlli e di limiti, appare necessaria una rigorosa demarcazione tra le tipologie di *Banca Commerciale* e di *Banca di Investimento*, tra economia produttiva ed economia speculativa. Una simile distinzione, costitutiva della Legge Bancaria di Roosevelt, del 1933, è stata ripresa dal Presidente degli USA Obama nella sua proposta di Legge di riforma dei mercati finanziari, nella versione della *Völker Rule*, ma non è approdata al testo definitivo della Legge Dodd-Frank (21 luglio 2010) per la virulenta opposizione delle *lobbies* di Wall Street. C'è da sottolineare che, quanto alla speculazione negativa, non è che le cose siano migliorate dal 2008 ad oggi. I resoconti ufficiali informano che la massa dei derivati, la finanza deviata, è tornata a crescere esponenzialmente, anche perché le scommesse ora possono indirizzarsi, come già accennato, ai tassi di interesse dei titoli statali. Le grandi banche e i più robusti *Hedge Funds* statunitensi hanno ripreso ad acquistare copiosamente le obbligazioni strutturate – “armi di distruzione di massa”, così sono state definite – che anche il largo pubblico ha imparato a conoscere perché contenenti gli insidiosi *subprime*. I super compensi a Wall Street, ma anche presso altre borse, sono tornati a livelli pre-crisi. Si tenga, poi, presente che, in Europa, Basilea III di fatto sta privilegiando le banche a baricentro finanziario, perché – per calcolare le coperture patrimoniali – pondera maggiormente

il rischio del credito alle imprese e alle famiglie rispetto al rischio finanziario derivante dai titoli tossici, orientando così gli intermediari all'investimento speculativo anziché al credito all'economia. Seguendo questa impostazione, la *European Banking Authority* (EBA), Autorità europea di vigilanza sui sistemi bancari, operante dal primo gennaio 2011, ha richiesto ai principali gruppi bancari italiani un aumento di capitale complessivamente pari a 15,3 miliardi di euro, per compensare le minusvalenze sui titoli del debito sovrano italiano al 30 settembre 2011, mentre non ha, sostanzialmente, richiesto aumenti di capitale ad Istituti che detengono in portafoglio titoli tossici (illiquidi) per valori superiori al 90% del patrimonio netto tangibile. Sotto questo profilo, le critiche e le riserve avanzate dalla Banca d'Italia e dall'ABI sono da condividersi pienamente.<sup>26</sup> A proposito della regolamentazione dei derivati scambiati in mercati ombra,<sup>27</sup> chiamati in gergo *Over the counter* (OTC), letteralmente "sul bancone" – e, cioè, al di fuori del circuito finanziario regolare – da tempo, non solo in Europa, si riteneva che andassero in qualche modo controllati. Sulla necessità di una maggior regolamentazione si era peraltro già espresso il G20 al vertice di Pittsburgh nel 2009. Il Parlamento Europeo, il Consiglio Unione europea e la Commissione lo scorso febbraio hanno trovato un accordo su quali riforme introdurre per regolare questo ampio ed opaco settore della speculazione mediante un nuovo codice chiamato EMIR (*European Markets and Infrastructure Regulation*). Secondo tale codice, a partire dal 2013, i derivati OTC dovranno essere scambiati solo attraverso "casse di compensazione", ossia

<sup>26</sup> Basilea III ed EBA sembrano, dunque, esempi eloquenti di Sedi istituzionali di Regolazione e di Vigilanza non emancipate da quei criteri e da quel dispositivo genetico dal quale è scaturita l'attuale crisi. La Regolazione dovrebbe prendere atto di un'incontestabile evidenza empirica: i sistemi bancari a baricentro monetario, che raccolgono risparmio e lo reinvestono nelle economie di riferimento (italiano e canadese) non hanno scatenato la crisi. Durante la crisi finanziaria, hanno dimostrato, nella comparazione internazionale, una solidità economica e patrimoniale di gran lunga superiore ad altre realtà. Inoltre, non hanno fatto ricorso, se non per valori residuali, alla ricapitalizzazione pubblica. Per queste obbiettive ragioni, essi dovrebbero godere di una normativa sulle coperture patrimoniali del rischio ponderato dell'attivo decisamente più favorevole degli intermediari a baricentro finanziario, che hanno scatenato la crisi globale e sono stati salvati da ingenti ricapitalizzazioni pubbliche sino alla nazionalizzazione. Per questi ultimi, dovrebbe valere una distinzione normativa ed operativa fondamentale diversa, con coperture patrimoniali assai più proporzionali al livello elevato del rischio del loro attivo.

<sup>27</sup> I derivati sono contratti, non titoli. Contratti che derivano il loro valore dal prezzo di una merce o dal valore di un prodotto finanziario sottostante. I titoli sottostanti più comuni sono valute, tassi d'interesse, tassi di cambio, indici di Borsa, beni, materie prime.

attraverso strumenti per cui le controparti coinvolte assicurano, in ogni momento, la solvibilità del derivato.<sup>28</sup>

- b) di pensare a forme di *ricapitalizzazione* delle banche anche con fondi pubblici, *condizionando* però il sostegno a comportamenti “virtuosi” e finalizzati a sviluppare l’economia reale. Si parla qui di una pratica che è già stata avviata dall’Unione Europea, anche se si è già verificata un’anomalia: le banche che hanno ricevuto prestiti dalla BCE, nell’asta del dicembre 2011, al tasso dell’1%, sono apparse più propense a reinvestirli in vista di profitti a breve termine, piuttosto che concedere crediti alle famiglie e alle imprese, ciò avrebbe potuto favorire la ripresa economica dei vari Paesi contrastandone la recessione. Ne è emersa una palese ingiustizia: le banche rifinanziate con soldi pubblici non hanno aiutato i cittadini e le imprese in difficoltà, ma hanno pensato al proprio guadagno e rafforzamento. Con la più recente asta del mese di febbraio 2012, mediante la quale gli istituti italiani si sono finanziati per circa 140 miliardi, si sperava che aumentassero finalmente i prestiti ai soggetti dell’economia reale, ma secondo i ben informati molti dei capitali ricevuti in prestito sono stati impiegati per comprare titoli di Stato o giacciono ancora inutilizzati, in attesa di tempi migliori;
- c) di prendere in considerazione, specie per motivi di giustizia, possibili misure di *tassazione delle transazioni finanziarie*,<sup>29</sup> mediante aliquote eque,

<sup>28</sup> Secondo alcuni esperti l’idea di camere di compensazione, nonché la registrazione degli OTC presso centrali di dati, rappresenta un passo importante per rendere i mercati più trasparenti, meno pericolosi, ma ce ne vorrebbero molti altri, al fine di rendere i derivati strumenti di assicurazione (che limitano un rischio) e non di speculazione. Bisognerebbe, ad esempio, obbligare alla consegna dei dati relativi ai titoli sottostanti. Detto altrimenti, se si contrae dei derivati sul futuro prezzo del petrolio, si dovrebbe farlo solo se si è effettivamente interessati a comprare varie partite di petrolio, e non solo se interessa guadagnare sulle oscillazioni di prezzo del derivato in sé. Inoltre, gli organismi di controllo, preposti a far osservare le nuove regole, dovrebbero avere una reale capacità di farle valere, senza essere neutralizzati dai veti incrociati dei vari Paesi.

<sup>29</sup> Rispetto a questa prospettiva vi sono da registrare significativi cambiamenti anche da parte di coloro che l’hanno duramente avversata nella sua forma primigenia e più vecchia. Si pensi, ad es., al già citato Giulio Tremonti, che in alcuni suoi interventi, parlando della *Tobin Tax*, l’ha definita come idea giacobina, autoritaria, imperscrutabile (cf. G. Tremonti, *La cultura dell’economia e dell’etica nelle istituzioni*, in AA.VV., *Economia capitalistica economia umana? Giuseppe Toniolo: uno studioso a servizio dell’uomo*, AVE, Roma 2002, pp. 57-65). In tempi più recenti, nel volume più sopra menzionato, *Uscita di sicurezza*, scrive: “Sono invece da considerare con una certa prudenza, tuttavia senza un “no” a priori, soprattutto tenendo conto della posizione europea sul punto, ipotesi di tassazione delle rendite finanziarie tipo *Tobin Tax*. Con una certa prudenza, per due ragioni: perché questo tipo di tassazione è respinta dalle principali piazze finanziarie non europee, dalla

modulate con oneri proporzionati alla complessità delle operazioni, soprattutto di quelle che si effettuano nel mercato “secondario”. A questo proposito, alcuni suggeriscono una *politica fiscale*, che mentre attua criteri di giustizia sociale, come dev’essere fatto per ogni altro settore economico, diventa anche strumento di indirizzo selettivo degli intermediari. Essa, in quest’ultimo caso, dovrebbe operare mediante una tassa che scoraggi le attività speculative e compensi, almeno in parte, le esternalità negative del rischio sistemico e, contestualmente, attraverso una fiscalità di vantaggio per gli intermediari a baricentro monetario che raccolgono risparmio e finanziano imprese, famiglie, comunità di riferimento.<sup>30</sup>

City di Londra, da Wall Street, dalle piazze asiatiche. E in questo modo si spiazzerebbe l’Europa; soprattutto, perché questo tipo di tassazione, se introdotto, di fatto legittimerebbe *ex post* proprio quelle operazioni finanziarie che, invece, dovrebbero essere radicalmente vietate *ex ante!*” (pp. 166-7).

<sup>30</sup> L’idea della tassazione delle transazioni ad alta valenza speculativa non è recente. Risale a James Tobin, premio Nobel nel 1981, che nel 1972 elaborò la proposta che poi prese il suo nome. Tobin proponeva di introdurre una tassa con un’aliquota molto bassa, compresa tra lo 0,1% e l’1%, su tutte le transazioni a breve termine sul mercato dei cambi. La sua idea era di “gettare dei granelli di sabbia” negli ingranaggi della speculazione finanziaria, al fine di rendere più stabile il corso delle valute, diminuendo le fluttuazioni dei tassi di cambio. L’idea della tassazione sulle transazioni finanziarie ha, comunque, ripreso vigore, supportata da importanti studi e in particolare dalla triste esperienza della recente crisi finanziaria, che ha visto le finanze pubbliche di molti Paesi industriali gravemente indebitarsi per salvare le banche e, poi, divenire esse stesse obiettivo di attacchi speculativi. Di fatto, una parte del mondo finanziario ha privatizzato i profitti ed ha, nel contempo, “socializzato” le perdite, usando successivamente i fondi pubblici, ricevuti per il proprio salvataggio, per speculare contro i propri salvatori. La suddetta tassazione – che trova sempre più ampie adesioni tra le associazioni e i movimenti della società civile, i governanti europei (cf. il presidente Nicolas Sarkozy, la cancelliere tedesca Angela Merkel, il presidente del Consiglio Mario Monti) e anche tra i premi Nobel per l’economia, come J. Stiglitz – viene sempre più vista come un’*esigenza elementare di giustizia*. Chi opera sui mercati, specie se in modo spregiudicato, deve contribuire a pagare i costi delle crisi provocate affinché non siano sempre i più deboli e i più onesti a subirne le conseguenze. Ma non solo per ragioni di giustizia riparativa. La tassazione va applicata, secondo giuste modalità e proporzioni, con riferimento anche ai grandi profitti che vengono realizzati da vari soggetti nel cyber-spazio, come avviene per altri campi dell’economia, per ragioni di giustizia sociale, la giustizia del bene comune. Il 23 settembre dello scorso anno il Presidente della Commissione europea, José Manuel Barroso ha presentato la proposta ufficiale europea per l’introduzione della Tassa sulle transazioni finanziarie. Essa prevede l’introduzione di due aliquote: una prima aliquota, dello 0,1% si applicherebbe alle transazioni sui titoli azionari e obbligazionari; una seconda aliquota, più bassa, dello 0,01%, verrebbe invece applicata ai prodotti finanziari derivati. Un’obiezione che solitamente si rivolge contro l’idea di questa tassazione

## Conclusione

La *Riflessioni* sin qui esaminate offrono, in estrema sintesi, l'indicazione sia delle coordinate antropologiche ed etiche essenziali sia dei presidi necessari e sufficienti affinché la dialettica tra economia del dono ed economia di mercato, prospettata dalla CIV, possa dispiegare la fecondità di cui è, intrinsecamente, portatrice. Li possiamo elencare: l'esistenza di un bene comune mondiale, le esigenze improcrastinabili della giustizia sociale globale ad esso connessa, l'architettura di una *Government-Governance* globale proporzionata, poliarchica, e, quindi, un sistema di regole globale per i mercati monetari e finanziari mondiali e per gli Intermediari che vi operano; la distinzione normativa tra intermediari a baricentro monetario ed intermediari a baricentro finanziario; la tassazione delle transazioni finanziarie e fiscalità di vantaggio per l'intermediazione a finalità produttiva.

Si tratta, a ben vedere, dell'*abbozzo* di un sistema di coordinate strategiche globali, coerente con l'antropologia e con l'etica che hanno ispirano la stessa riflessione della CIV, e che esige un nuovo modello di sviluppo che preveda un equilibrio tra accumulazione e distribuzione per le economie del nuovo secolo, in un contesto di sostenibilità ambientale. Oggi la finanza predatoria ribalta sulle imprese i suoi stessi criteri strategici e gestionali costitutivi: il merito di finanziamento e di credito è subordinato alla capacità di creare valore di brevissimo periodo per gli azionisti, nell'assoluta indifferenza ad ogni vincolo di responsabilità sociale ed ambientale. L'orientamento strategico delle *Riflessioni* del Pontificio Consiglio intende ribaltare questa concezione: la riforma dei mercati monetari e finanziari deve creare le

è che se essa non fosse adottata a livello globale, provocherebbe una fuga dei capitali dai Paesi che la introdurrebbero. Ebbene, l'esperienza mostra che essa è in vigore in almeno 23 Stati senza che si verifichi la temuta fuga di risorse finanziarie. Tra questi, la più alta tassa (in pratica un fissato bollato, del 5 per mille) è posta dal Regno Unito, che tuttavia è il Paese che anche ultimamente, con riferimento ai derivati, si è decisamente opposto alla sua introduzione nell'Unione Europea (cf. G.P. Salvini, *Una riflessione sulla riforma del sistema finanziario e monetario*, in "La Civiltà Cattolica" IV [2011] pp. 491-2). Rimarrebbe anche da riflettere sulla necessità di un attento controllo sulle Agenzie di rating che scrutinano il merito di credito degli emittenti. È noto, infatti, come alcune di esse, di tipo privato, abbiano pesantemente fuorviato il mercato con giudizi falsi, infondati o comunque imprudenti. Cresce sempre più l'opinione secondo cui l'Europa, ma anche altri soggetti politici, dovrebbero dotarsi di una propria Agenzia di valutazione, in modo da non dipendere da Agenzie manovrate da regie occulte e da interessi particolari. Le Agenzie, sia private che pubbliche, non vanno demonizzate, semmai vanno adeguatamente supervisionate e controllate, rendendole ministeriali al buon funzionamento dei mercati finanziari, aumentando anche la concorrenza tra le stesse.

condizioni favorevoli per l'evoluzione *dall'*impresa eticamente indifferente *all'*impresa socialmente ed ambientalmente responsabile, ovvero creare le condizioni di contesto isomorfe alla fecondità della dialettica tra economia del dono ed economia di mercato.

# THE QUEST FOR PEACE FIFTY YEARS AFTER *PACEM IN TERRIS* – WHAT ROLE FOR RELIGION?

■ MARY ANN GLENDON

*The world as we know it is always passing away*  
(1 Corinthians 7:31)

*Peace is never attained once and for all,  
but must be built up ceaselessly*  
(*Gaudium et Spes*, 78)

## I. Path to peace or source of strife?

Simmering in the background as the Church prepares for the 50<sup>th</sup> anniversary of *Pacem in Terris* is a longstanding controversy over the role of religion in the quest for peace. A widely held opinion among intellectuals insists that religion is a major source of strife and intolerance in the world,<sup>1</sup> while those who propound a more nuanced view have found a vigorous defender in Pope Benedict XVI. The Pope not only disputes the notion that religion is necessarily “a source of discord or conflict”; he maintains that religious freedom is an important “path to peace”.<sup>2</sup>

As we learned at last year’s Plenary Session of this Academy, a growing body of empirical evidence confirms what common sense would suggest: that the political influence of religion is quite diverse: sometimes it contributes to strife, but often it fosters democracy, reconciliation, and peace.<sup>3</sup>

<sup>1</sup> See, e.g., Christopher Hitchens, *God is Not Great: How Religion Poisons Everything* (New York: Twelve, 2007); Sam Harris, *The End of Faith: Religion, Terror, and the Future of Reason* (New York: Norton, 2004).

<sup>2</sup> Pope Benedict XVI, *Address to the Diplomatic Corps*, 2011. See also, “Religious Freedom, The Path to Peace”, *World Day of Peace Message*, 2011.

<sup>3</sup> Allen Hertzke, Religious Freedom in the World Today: Paradox and Promise, in *Universal Human Rights in a World of Diversity: The Case of Religious Freedom*, Mary Ann Glendon and Hans Zacher eds. (Pontifical Academy of Social Sciences, 2012), 108, drawing on research by the Pew Forum; see also Gerard F. Powers, “Religion and Peacebuilding”, in *Strategies of Peace: Transforming Conflict in a Violent World*, Daniel Philpott and Gerard Powers eds. (Oxford University Press, 2010).



As the authors of one recent study put it:

Religion can be violent and repressive, the source of civil war, terrorism, and laws that oppress women and minorities. But the last four decades have shown religion also to be a destroyer of dictatorships, an architect of democracy, a facilitator of peace negotiations and reconciliation initiatives, a promoter of economic development and entrepreneurship, a partisan in the cause of women, and a warrior against disease and a defender of human rights.<sup>4</sup>

The interesting questions therefore become: How and under what circumstances does religion in its various manifestations foster peace and progress rather than strife and decline? What are the precise linkages between religion and the reduction or aggravation of conflict in diverse societies? How can religious actors help to shift probabilities towards “peace on earth”? Given that religion is one of the main forces that motivate and mobilize people, those questions are as urgent today as they were when Pope John XXIII was writing his historic encyclical.

As many participants in the 2012 Plenary Session emphasized, the *context* of those questions has changed drastically since *Pacem in Terris* addressed the threats to peace at the height of the Cold War in 1963. The much-desired end of that tense period was succeeded, not by the reign of peace, but by regional conflicts, civil wars, the proliferation of weapons of mass destruction, and the rise of terrorism by non-state actors, some of whom claim religious motives. In the half century since *Pacem in Terris*, the political context for peace-building has been altered not only by the demise of totalitarian regimes in Eastern Europe, but by decolonization, new experiments in governance, and great migrations of peoples. The economic landscape has been transformed by globalization, increased interdependence, and growing economic disparities. The cultural landscape of the West has been reshaped by the revolution in manners and morals that took rise in the 1960s, and by an explosive growth in information and communications technology. Man’s natural environment, too, is ceaselessly changing.

All of these developments are mutually conditioning, and along with major shifts in the religious landscape, described below, all have implications for the role of religion in the quest for peace.<sup>5</sup> *The world as we know it is always passing away...*

<sup>4</sup> Monica Duffy Toft, Daniel Philpott and Timothy Shah, *God’s Century: Resurgent Religion and Global Politics* (New York: Norton, 2011), 8.

<sup>5</sup> These social, economic and political developments have been major topics of study by this Academy. See especially, *Globalization: Ethical and Institutional Concerns*, 8<sup>th</sup> Plenary

## II. The shifting religious landscape

Much of the disagreement over the relation between religion and violence stems from differing perceptions of reality – perceptions that inform people’s understandings of “religion”; their opinions about the appropriate relation between religion and the polity; the ideas they hold and the stories they tell about human nature, reason, personhood, and government.

The image of religion as a fomenter of strife figures prominently in a grandiose historical narrative that took rise in the Enlightenment era against the background of the wars of religion that had wracked Europe in the 16<sup>th</sup> and 17<sup>th</sup> centuries. According to this narrative, religion was expected to decline with the advance of science and education. The demise of religion was supposed to be accompanied by the diminution, if not disappearance, of all the ills that proponents of this story believed to be associated with religion – intolerance, violence, and the stifling of individual freedom.

By the time *Pacem in Terris* appeared in 1963, a belief in the inexorable advance of secularization had a strong hold on the mentalities of intellectuals and opinion leaders in the West, as well as among western-educated elites in other parts of the world. The well-known sociologist Peter Berger spoke for many when he told the *New York Times* in 1968 that “by the 21<sup>st</sup> century, religious believers are likely to be found only in small sects, huddled together to resist a worldwide secular culture”.<sup>6</sup>

That prediction soon fell into the dustbin of discredited theories. The late 20<sup>th</sup> century saw a steady rise not only in the proportion of the world’s population adhering to Christianity, Islam and Hinduism, but also in religion’s influence on politics on every continent.<sup>7</sup> In 1998, Professor Berger retracted the forecast he had made thirty years earlier, saying: “The assumption that we live in a secularized world is false. The world today... is as furiously religious as it ever was, and in some places more so than ever”.<sup>8</sup> With commendable humility, he admitted: “That means that a whole body of literature by historians and social scientists... is essentially mistaken”.

Session, 2001, E. Malinvaud and L. Sabourin eds.; *The Governance of Globalisation*, 9<sup>th</sup> Plenary Session, 2003, E. Malinvaud and L. Sabourin eds.; *Intergenerational Solidarity, Welfare, and Human Ecology*, 10<sup>th</sup> Plenary Session, 2004, M. Glendon ed.; *Democracy in Debate*, Hans F. Zacher ed. 2005; *Vanishing Youth: Solidarity with Children and Young People in an Age of Turbulence*, 12<sup>th</sup> Plenary Session, 2006, M. Glendon and Pierpaolo Donati eds.

<sup>6</sup> Quoted in Toft *et al.*, 1.

<sup>7</sup> Toft *et al.*, 2-3.

<sup>8</sup> Peter Berger, “The Desecularization of the World: A Global Overview,” in *The Desecularization of the World: Resurgent Religion and Global Politics*, Peter Berger ed. (Washington, D.C.: Eerdmans, 1999), 2.

It would be just as mistaken, however, to suppose that the secularization narrative has lost its power merely because religion has failed to wither away on schedule. For one thing, cherished beliefs are not easily dislodged by facts. For another, the belief that religion is a prime source of conflict is deeply entrenched among the knowledge class.<sup>9</sup> Moreover, religious practice and the cultural context of religion have changed so greatly in recent years that we find ourselves, paradoxically, in a world where one group of respected analysts can claim with good reason that we are living in an age of “resurgent religion”,<sup>10</sup> while others, with equal warrant, can describe our era as “a secular age”.<sup>11</sup>

Those apparently contradictory characterizations are not so incompatible as they first appear. Those who say we are living in a “secular age” point mainly to developments in the West, especially the increases in non-believers, persons who say they are “spiritual but not religious”, persons who say they are religious but unaffiliated with organized religions, and persons who describe themselves as belonging to a religion, but who adopt a selective approach to their church’s teachings.<sup>12</sup>

The writers who maintain that we are living in a time of resurgent religion do not rest their case on a supposed rise in religious belief. Rather, they point to the increasing political influence of religion worldwide.<sup>13</sup> The authors of one recent study of that phenomenon emphasize that, “Religion is enjoying a political ascendancy fundamentally because religious actors enjoy a qualitatively greater level of independence from political authorities than they enjoyed in the past – indeed, greater than they typically enjoyed in virtually any previous era of human history. And they increasingly adhere to qualitatively different political theologies that legitimate if not demand intense political engagement”.<sup>14</sup>

In sum, the contemporary spiritual landscape seems to be marked both by an upsurge in politically motivated religious activity, and by a trend on the part of believers, at least in the West, toward a more private, individualized religiosity at the expense of the formation and fellowship provided by

<sup>9</sup> For an analysis of the role that ideas about religious “divisiveness” have played in U.S. constitutional jurisprudence, see Richard W. Garnett, *Religion, Division, and the First Amendment*, 94 *Georgetown L.J.* 1667 (2006).

<sup>10</sup> Berger, *supra* n. 9; Toft *et al.*, *supra* n. 4.

<sup>11</sup> Charles Taylor, *A Secular Age* (Cambridge: Harvard University Press, 2007).

<sup>12</sup> Taylor, 513.

<sup>13</sup> Toft *et al.*, *supra* n. 4; Berger, *supra* n.8.

<sup>14</sup> Toft *et al.*, 80-81.

organized religion. Accordingly, one might say of the secularization thesis what Mark Twain is supposed to have said when he learned that a newspaper had printed his obituary: “The reports of my death have been greatly exaggerated”.

But as the religious landscape has changed, so has the secularization thesis – as evidenced by several recent attempts to produce a new grand narrative of secularization.

### III. Four narratives of secularism

#### A. *The anti-religious secularism of the new atheists*

The rise of militant Islam, together with the assertive political presence of religion in some liberal democracies, has spurred the production of a strident new secularist literature that is marked by intense hostility to religion. In a series of popular books, Richard Dawkins, Daniel Dennett, Sam Harris and the late Christopher Hitchens (often referred to collectively as the “new atheists”) have resurrected and refurbished the oft-repeated arguments that science renders religion obsolete and that religion is a major source of strife.<sup>15</sup> The works of these writers are characterized by vigorous advocacy of atheism as a superior belief system, exasperation at the persistence of religious belief and influence, and a missionary zeal to sound the alarm about religion’s negative effects in modern society.

Their main thesis is that science has discredited the existence of any sort of God or higher power. Challenging fellow scientists who have maintained that religion and science can co-exist,<sup>16</sup> Dawkins contends that the “God hypothesis” should be tested by the same standards as any other scientific proposition,<sup>17</sup> and claims that, by those standards, the existence of God is highly improbable.<sup>18</sup>

The new atheists also reject the live-and-let-live approach that many less militant non-believers have adopted toward religion. They claim that the

<sup>15</sup> Christopher Hitchens, *God is Not Great: How Religion Poisons Everything* (New York: Twelve, 2007); Sam Harris, *The End of Faith: Religion, Terror, and the Future of Reason* (New York: Norton, 2004); Richard Dawkins, *The God Delusion* (New York: Houghton Mifflin, 2006); Daniel Dennett, *Breaking the Spell: Religion as a Natural Phenomenon* (New York: Penguin, 2006).

<sup>16</sup> E.g., Stephen Jay Gould, “Nonoverlapping Magisteria”, 106 *Natural History* 16 (March 1997).

<sup>17</sup> Dawkins, 82–85.

<sup>18</sup> Dawkins, 70.

supposed benefits of religion are no greater than the benefits of morality and ethics rooted in secularism, while the negative effects of religion are real and substantial. In Hitchens' best-selling book, *God is Not Great: How Religion Poisons Everything*, he maintained that organized religion is "the main source of hatred in the world...[v]iolent, irrational, intolerant, allied to racism, tribalism, and bigotry, invested in ignorance and hostile to free inquiry, contemptuous of women and coercive toward children".<sup>19</sup>

Dawkins acknowledges, as he must, that wars have many causes, but he assigns particular importance to "an unshakeable faith that one's own religion is the only true one, reinforced by a holy book that explicitly condemns all heretics and followers of rival religions to death, and explicitly promises that the soldiers of God will go straight to a martyrs' heaven".<sup>20</sup> Turning from Islam to the contemporary United States, he applies the epithet "American Taliban" to all persons who take religious teachings seriously. Their ideal society, he says, would entail: "a slavish adherence to a misunderstood old text; hatred of women, modernity, rival religions, science, and pleasure; love of punishment, bullying, narrow-minded, bossy interference in every aspect of life".<sup>21</sup>

Harris uncritically accepts the generalization that religion is a major source of strife, insisting that "intolerance is intrinsic to every creed".<sup>22</sup> He acknowledges the existence of religious persons who advocate tolerance, but dismisses them as persons who only seek to avoid "the personal and social costs that a full embrace of scripture imposes".<sup>23</sup>

With regard to the fact that much of the worst violence in recent times has been perpetrated by anti-religious regimes, Dawkins argues that the brutality of Hitler and Stalin was not attributable to their atheism, and suggests that Hitler may have taken advantage of the religious sentiments of the German people.<sup>24</sup>

It is worth noting that the current revival of old-line, hard-line secularism – or, as Pierre Manent calls it, "this pedantic atheism, this Puritanism of impiety" – is a phenomenon of the freedom-loving Christian West.<sup>25</sup> Yet, at

<sup>19</sup> Hitchens, 125.

<sup>20</sup> Dawkins, 316.

<sup>21</sup> Dawkins, 326.

<sup>22</sup> Harris, 13.

<sup>23</sup> Harris, 20–21.

<sup>24</sup> Dawkins, 309, 313–15.

<sup>25</sup> Pierre Manent, *Les charmes et les limites de la secularization*, Pierre d'Angle 14/2008, p. 29.

the same time there has appeared in the West another type of non-believer who views the advance of secularism – especially anti-Christian secularism – with alarm as a threat to the principal political achievements of modernity. Among these rueful atheists are some of the contemporary world’s most respected scholars.

### ***B. The revisionist secularism of the rueful non-believers***

In recent years, prominent thinkers like Jürgen Habermas and the Italian philosopher-statesman Marcello Pera, who describe themselves as non-religious, have expressed grave concerns about the political and social costs of neglecting a cultural inheritance in which religion, liberty, and law are inextricably intertwined.<sup>26</sup> Doubting that liberal democracies can afford to be indifferent or hostile to religion, they have raised questions like: Where can a state based on the rule of law find citizens and statespersons capable of devising just laws and then abiding by them? What is the role of religion in supporting the commitment to common values – the minimal social cohesion – that every free society requires? Where can people learn to view others with respect and concern, rather than to regard them as objects, means, or obstacles?

For Habermas, one factor that led him to conclude that the West cannot abandon its religious inheritance without endangering the great social and political advances that are grounded in that heritage was concern about biological engineering and the instrumentalization of human life. Another factor was the erosion of “the kind of solidarity that the democratic state needs but cannot impose by law”.<sup>27</sup> That erosion, he continued, could well lead to “the transformation of the citizens of peaceful and prosperous liberal societies into isolated monads acting on the basis of their own self-interest, persons who used their subjective rights only as weapons against each other”. The liberal state, he maintains, “depends in the long run on mentalities that it cannot produce from its own resources”.<sup>28</sup> A leading political leftist, he stunned many of his followers with his affirmation of the impor-

<sup>26</sup> Jürgen Habermas, *Between Naturalism and Religion* (Malden, MA: Polity, 2008); Jürgen Habermas, *Time of Transitions* (Malden, MA: Polity, 2006); Marcello Pera, *Why We Should Call Ourselves Christians: The Religious Roots of Free Societies* (New York: Encounter, 2011).

<sup>27</sup> Habermas, “Prepolitical Foundations of the Democratic Constitutional State?” in Habermas and Ratzinger, *The Dialectics of Secularization: On Reason and Religion* (San Francisco: Ignatius Press, 2006), 35.

<sup>28</sup> Habermas, *Between Naturalism and Religion*, 3.

tance of the Judaeo-Christian heritage:

This legacy [the Judaic ethic of justice and the Christian ethic of love], substantially unchanged, has been the object of continual critical appropriation and reinterpretation. To this day, there is no alternative to it. And in light of the current challenges of a postnational constellation, we continue to draw on the substance of this heritage. Everything else is just idle postmodern talk.<sup>29</sup>

In a similar vein, Pera has written,

Without the Christian vision of the human person, our political life is doomed to become the mere exercise of power and our science to divorce itself from moral wisdom; our technology to become indifferent to ethics and our material well-being blind to our exploitation of others and our environment.<sup>30</sup>

These regretful non-believers, with their rejection of secularist fundamentalism, have come substantially to share the view of Alexis de Tocqueville, who held that a free society is profoundly dependent on a healthy moral culture nourished by religion (by which he understood Christianity). In his introduction to *Democracy in America*, Tocqueville urged his fellow heirs of the French Enlightenment to lay aside their bias against religion. Lovers of liberty, he said, should “hasten to call religion to their aid, for they must know that the reign of freedom cannot be established without that of mores, nor mores founded without beliefs”.<sup>31</sup> Religion, he insisted, is “the safeguard of mores; and mores are the guarantee of laws and the pledge” for the maintenance of freedom itself.<sup>32</sup>

Modern social science provides support for Tocqueville’s intuitions concerning the relationship between active membership in a religion and civic virtue. It will be recalled that a highlight of the 2011 Plenary Session of this Academy was the report on path-breaking research that documents the manifold civic benefits of religious freedom.<sup>33</sup>

Four years of research by Robert Putnam and his colleagues has revealed further benefits: regular worshippers are more likely to donate money and voluntary service to charity (regardless of whether it is a religious charity), to give blood, to spend time with a person who is depressed, to return ex-

<sup>29</sup> Habermas, *Time of Transitions*, 151.

<sup>30</sup> Pera, *Why We Should Call Ourselves Christians*, 60.

<sup>31</sup> Alexis de Tocqueville, *Democracy in America*, Harvey C. Mansfield and Delba Winthrop trans. (Chicago: University of Chicago Press, 2000), 11.

<sup>32</sup> *Id.* at 44.

<sup>33</sup> Hertzke, *supra* n. 3.

cess change to a salesperson, to help a neighbor, to be active citizens and to belong to community organizations.<sup>34</sup>

### C. *The resigned secularism of Charles Taylor*

Canadian philosopher Charles Taylor, who describes himself as a theist, has argued in a massive 2007 book that, at least in the West, we now inhabit “a secular age”, though not in the sense hoped for by the “new atheists”.<sup>35</sup> In fact, Taylor predicts that the “secularization narrative which tends to blame our religious past for many of the woes of our world will become less plausible over time. This will happen in part because it will be clear that other societies are not following suit, and thus that this master narrative isn’t about universal humanity; and also because many of the ills for which ‘religion’ was supposedly responsible aren’t going away”.<sup>36</sup>

Nevertheless, Taylor claims that we live in a secular age. He admits, as he must, that if one includes a wide range of spiritual beliefs in one’s definition, religion is as present as ever.<sup>37</sup> But what makes this a secular age, in his view, is a “titanic change” in the social context in which religion is lived: public spaces in the liberal democracies have been largely emptied of religious references; there has been a decline in religious practice if not in belief; and (most significant in his view) people in many parts of the world have moved “from a society where belief in God is unchallenged and indeed unproblematic, to one in which it is understood to be one option among others”.<sup>38</sup>

It is that shift in religion’s cultural context that for Taylor marks the arrival of an era which is “secular” in the sense that the lives of fewer people are influenced by religious beliefs, and “the eclipse of all goals beyond human flourishing becomes conceivable; or better, it falls within the range of an imaginable life for masses of people”.<sup>39</sup> Five hundred years ago, he says, “non-belief in God was close to unthinkable for the vast majority; whereas today this is not at all the case”.<sup>40</sup>

Taylor’s generalization about belief in the past seems questionable in view of the struggles with doubt recorded in popular and religious literature

<sup>34</sup> Robert Putnam and David Campbell, *American Grace: How Religion Divides and Unites Us* (New York: Simon and Schuster, 2010).

<sup>35</sup> Charles Taylor, *A Secular Age* (Cambridge: Harvard University Press, 2007).

<sup>36</sup> Taylor, 770.

<sup>37</sup> Id., 427 and 727.

<sup>38</sup> Taylor, 2–3, 12.

<sup>39</sup> Taylor, 14, 19–20, 430.

<sup>40</sup> Taylor, 556.



throughout the ages, including the Old and New Testaments. As Academician Pierre Manent has observed:

The [secularization] thesis implies that we have gone from faith-based societies to secular ones just as we have gone from naïveté to self-reflection. But were they so naïve? And are we so canny? This idea of our forefathers having long been naturally Christian has come to appear to me as the greatest impediment to the understanding of European and Western history, and to our self-understanding. . . I wonder whether there are not more believers in present day France than at the time of Montaigne. The decisive, but perhaps the sole, difference was that most thoughtful people then considered that imposing religious conformity by political means was legitimate, and indeed the right thing to do, either on account of truth, or at least utility.<sup>41</sup>

Taylor is on firm ground, however, with his principal assertion: that religious believers in the West are no longer embedded in and sustained by a religion-saturated culture.<sup>42</sup> On this point, his work complements the analysis of religion and modernity presented to this Academy last year by Nicos Mouzelis. Professor Mouzelis outlined three aspects of modernity that have had a major impact on religious trends: increased geographical mobility with a corresponding decline in people's attachments to communities of memory and mutual aid; the increased separation among the various spheres of human activity (home, work, worship, education, recreation, and so on); and, last but not least, the rise of individualism.<sup>43</sup> Together, he said, those hallmarks of modernity have accelerated the spread of elite attitudes about religion from intellectuals, philosophers, and the educated classes to men and women in all walks of life. Noting the great growth of "non-churched religiosity" in Europe and the United States, Mouzelis concluded that, at least in the West, "the turn to an ultra-individualistic form of religiosity is here to stay". That conclusion is supported by recent surveys of religious attitudes and practices in Europe and the United States. Among the most striking trends are the rising proportion of people who say they are "spiri-

<sup>41</sup> Pierre Manent, *Les charmes et les limites de la secularization*, Pierre d'Angle 14/2008, p. 29. Taylor, at one point in his book, seems to have had second thoughts about the breadth of his generalization, admitting that even in an "age of faith", not everyone is equally devout (91).

<sup>42</sup> Taylor, 91, 147.

<sup>43</sup> See Nicos Mouzelis, *Modernity: Religious Trends*, in *Universal Human Rights in a World of Diversity: The Case of Religious Freedom*, Mary Ann Glendon and Hans Zacher eds. (Pontifical Academy of Social Sciences, 2012), 71.

tual but not religious”, and the increase of those who decline to affiliate with any organized religion.<sup>44</sup>

One should also mention in this context the “trickle-down” of certain attitudes from secular elites. As the political philosopher Allan Bloom pointed out a quarter century ago, a dumbed-down version of nihilism has become a part of popular education and insinuated itself into everyday life. Growing numbers of people, he observed, “pursue happiness in ways determined by that language, blissfully unaware of its implications”.<sup>45</sup> It is, as he memorably put it, “nihilism without the abyss”.

In Taylor’s secularization narrative, the cultural revolution of the 1960s marked the key moment when the sense of a great variety of spiritual and moral options “which was originally that of elites only, spread through whole societies”.<sup>46</sup> In the latter half of the 20<sup>th</sup> century, he writes, there arose “a generalized culture of ‘authenticity’, or expressive individualism, in which people are encouraged to find their own way, discover their own fulfillment, ‘do their own thing’”.<sup>47</sup> He describes the cultural upheaval of those years as “an individuating revolution” marked by “a new understanding of the good”, according to which each person has his or her own way of realizing his or her humanity.<sup>48</sup>

Taylor attributes the spread of this new understanding to a variety of causes, including the spread of consumer life styles, social and geographic mobility, and what he euphemistically calls “new family patterns”.<sup>49</sup> As the revolution in manners and morals progressed, its implications for religion unfolded. There emerged “a growing category of people who, while unable to accept orthodox Christianity, are seeking some alternative spiritual sources”.<sup>50</sup>

<sup>44</sup> Eurobarometer Special Survey: Social values, science and technology (European Commission, June 2005), [http://ec.europa.eu/public\\_opinion/archives/ebs/ebs\\_225\\_report\\_en.pdf](http://ec.europa.eu/public_opinion/archives/ebs/ebs_225_report_en.pdf); and *Eurobarometer 66: Public Opinion in the European Union* (European Commission, June 2007); [http://ec.europa.eu/public\\_opinion/archives/eb/eb66\\_en.pdf](http://ec.europa.eu/public_opinion/archives/eb/eb66_en.pdf); *Pew Forum on Religion & Public Life*, U.S. Religious Landscape Survey (2008). Robert Fuller, *Spiritual but not Religious: Understanding Unchurched America* (Oxford University Press, 2001), 2–4; Gallup Poll at <http://www.gallup.com/poll/7759/americans-spiritual-searches-turn-inward.aspx> (January 2002). See also, Mark Chaves, *American Religion: Current Trends* (Princeton University Press, 2011), 40–41.

<sup>45</sup> Allan Bloom, *The Closing of the American Mind* (New York: Simon and Schuster, 1987), 155.

<sup>46</sup> Taylor, *A Secular Age*, 94, 425, 436–37.

<sup>47</sup> *Id.*, 299.

<sup>48</sup> *Id.*, 475.

<sup>49</sup> *Id.*, 473–474.

<sup>50</sup> *Id.*, 302.

Getting more specific, Taylor observes that what spread through Western societies from artistic and elite circles was not merely a “new understanding of the good”, but a new set of attitudes and practices in the area of sexual morality. It was in this period, he says, that “the limits on the pursuit of individual happiness have been most clearly set aside, particularly in sexual matters, but also in other domains”.<sup>51</sup> He eventually brings himself to say that “the heart of this revolution lies in sexual mores,” and that the pursuit of self-fulfillment, particularly in sexual matters, caused more and more people to fall away from churches that upheld rigorous standards of sexual morality.<sup>52</sup> “The generations which have been formed in the cultural revolution of the 1960s”, he says, “are in some respects deeply alienated from a strong traditional model of Christian faith in the West”.<sup>53</sup>

Never mentioning the human capacity for rationalization as a factor in the drift of many people toward forms of religion more compatible with their life-style choices, Taylor specifically declines to ascribe the sexual revolution to “an outbreak of hedonism and egoism”.<sup>54</sup> Rather, he says that “this terribly fraught area in Western Christendom, where the sexual meets the spiritual, urgently awaits the discovery of new paths to God”,<sup>55</sup> and he calls on the churches to take “another look at certain issues of sexual ethics”.<sup>56</sup>

At the outset of his book, he had apologized for its length, saying that “To get straight to where we are, we have to go back and tell the story properly”.<sup>57</sup> Yet, in an 874-page work packed with detail, he nowhere acknowledges the devastating consequences that the “individuating revolution” of the late 20<sup>th</sup> century has had for dependent individuals, especially for the women and children who now compose the bulk of the world’s poverty population. The closest he comes to acknowledging the human costs of the sexual revolution is with a single sentence: “A lot of people discovered the hard way that there were dangers as well as liberation in throwing over the codes of their parents”.<sup>58</sup>

Nor does Taylor seem to share the apprehensions of the melancholy non-believers regarding the corrosive effects on society as a whole that can

<sup>51</sup> Id., 485.

<sup>52</sup> Id., 485, 492.

<sup>53</sup> Id., 495.

<sup>54</sup> Id., 473–74.

<sup>55</sup> Id., 767.

<sup>56</sup> Id., 767.

<sup>57</sup> Id., 29.

<sup>58</sup> Id., 502.

result when large numbers of individuals decide to overthrow “the codes of their parents”. He does note that religious formation has suffered.<sup>59</sup> But he does not seem to see that loss as a serious problem that needs to be addressed – a loss that leads to what the Catechism of the Catholic Church calls “indifferentism, a flight from the ultimate question of existence, and a sluggish moral conscience”.<sup>60</sup> Taylor merely comments that “the fading contact of many with the traditional languages of faith seems to presage a declining future”.<sup>61</sup> The overall mood of *A Secular Age* is one of resignation.

Quite different in this respect is the “positive secularism” of Pope Benedict XVI. Although the Pope shares Taylor’s vivid sense of the magnitude of the changes that have secularized the “context of the world in which we Christians today have to live and bear witness to our faith”,<sup>62</sup> his view of what those changes mean for Christianity is more in the mode of St. Paul’s exhortation to the Romans (12:2): “Do not be conformed to the spirit of the age, but seek to be transformed by the renewal of your mind so that you may do what is good, pleasing and perfect in the sight of God”. In January 2012, he described the “loss of the religious sense” as “the greatest challenge for today’s Church”.<sup>63</sup> And in a 2011 address to German Lutherans, calling all Christians to unite in confronting the challenges posed by a secular age, he said:

Are we to yield to the pressure of secularization, and become modern by watering down the faith? Naturally faith today has to be thought out afresh, and above all lived afresh, so that it is suited to the present day. Yet it is not by watering the faith down, but by living it today in its fullness that we achieve this.<sup>64</sup>

#### *D. The “positive secularism” of Benedict XVI*

Given the negative connotations of the word “secularism” in several religious circles,<sup>65</sup> many Christians must have been surprised to see Pope

<sup>59</sup> Taylor, 533.

<sup>60</sup> *Catechism of the Catholic Church*, 2128. See also the contribution to this Plenary Session by Kevin Ryan, “Catholic Education Fifty Years After *Pacem in Terris*”, p. 355 of this book.

<sup>61</sup> Taylor, 533.

<sup>62</sup> Benedict XVI, *Speech to the Evangelical Lutheran Church of Germany*, September 23, 2011.

<sup>63</sup> Benedict XVI, *Silence and the Word: Path of Evangelization*, January 12, 2012.

<sup>64</sup> Benedict XVI, *Speech to the Evangelical Lutheran Church of Germany*.

<sup>65</sup> See Ian Benson, *Living Together with Disagreement: Pluralism, the Secular, and the Fair Treatment of Beliefs in Canada Today* (Ronning Centre for the Study of Religion and Public Life, 2010).

Benedict emerge as a leading advocate for a concept of “positive secularism”. The fact is, however, that the pontiff’s bid to reinterpret and redirect the concept of secularism was long in the making. As Cardinal Ratzinger, he had already developed a contrast between “positive secularism” as a posture of neutrality that opens up areas of freedom for persons of all faiths, and “negative secularism” that “imposes itself through politics and leaves no public space for the Catholic and Christian vision, which thus risks becoming something purely private and essentially mutilated”.<sup>66</sup>

As Pope Benedict XVI, he has actively promoted his vision of “positive secularism”. In 2008, speaking to French politicians in the very cradle of anti-religious secularism, he said:

At this moment in history when cultures continue to cross paths more frequently, I am firmly convinced that a new reflection on the meaning and importance of *‘laïcité’* is now necessary. In fact, it is fundamental, on the one hand to insist on the distinction between the political realm and that of religion in order to preserve both the religious freedom of citizens and the responsibility of the state towards them; and, on the other hand, to become more aware of the irreplaceable role of religion for the formation of consciences and the contribution which it can bring to, among other things the creation of a basic ethical consensus within society.<sup>67</sup>

French President Nicolas Sarkozy showed his receptiveness to the concept on the same day, saying: “It would be crazy to deprive ourselves of religion; quite simply, a failing against culture and against thought. For this reason I am calling for a positive secularity (*laïcité*)...A positive secularity offers our consciences the possibility of dialogue, above and beyond our beliefs and rites, concerning the meaning we want to give to our lives...”.<sup>68</sup>

Earlier that year, en route to Washington, D.C., the Pope used the example of the United States to illustrate his point that secularism need not be anti-religious. He told journalists on the plane that he was “fascinated” by the fact that the U.S. “began with a positive concept of secularism”.<sup>69</sup> The American Founders, he observed, had “intentionally created a secular state” – not out of hostility toward religion, but quite the contrary – out of

<sup>66</sup> Joseph Cardinal Ratzinger, interview reported in <http://www.chiesa.espressonline.it/dettaglio.jsp?id+20037&eng=y>

<sup>67</sup> Pope Benedict XVI, *Address to French Politicians*, September 12, 2008.

<sup>68</sup> Sarkozy, *Declaration on the place of religion in France and on his concept of positive secularity*, September 12, 2008, <http://discours.vie-publique.fr/notices/087002825.html>

<sup>69</sup> Benedict XVI, *Interview with journalists*, April 15, 2008.

respect for it and because they understood that religion can be lived authentically only under conditions of freedom. He drew a sharp contrast with the “negative” European form of secularism, noting that the branch of the Enlightenment that was essentially anti-clerical and irreligious had so little influence in early America, that American secularism was devised to protect religion and churches from government, not to protect government from religion and churches.

Later in his trip he referred to the United States as an example of a secular state where many religions not only co-exist in relative harmony, but have actually flourished.<sup>70</sup> At the same time, however, he took the occasion to warn the American bishops of the need to protect the American model from movements that are currently trying to reduce role of religion in public life.<sup>71</sup> And in 2011, greeting the new ambassador from Brazil, the country with the world’s largest Catholic population, the Pope called again for a “healthy secularism” that does not treat religion as a mere private sentiment but accords it appropriate public recognition.<sup>72</sup>

In a number of ways, the thinking of Pope Benedict on the subject of secularism converges with that of non-believers like Habermas and Pera. All three, notably, share a deep concern about the erosion of Europe’s cultural heritage. That was likely a factor in Cardinal Ratzinger’s decision to engage in a public dialogue with Habermas in 2004 and to co-author a book with Pera in 2006.<sup>73</sup> As early as 1968, in his *Introduction to Christianity*, Ratzinger had adopted a novel approach to open-minded non-believers, suggesting that they could meet on the common ground of doubt:

Just as the believer is choked by the salt water of doubt constantly washed into his mouth by the ocean of uncertainty, so the non-believer is troubled by doubts about his unbelief, about the real totality of the world which he has made up his mind to explain as a self-

<sup>70</sup> Benedict XVI, *Address to U.S. Bishops*, April 16, 2008.

<sup>71</sup> Upon his return to Italy, the Pope again held up the American example of “healthy secularism”, describing the United States as a society “where the religious dimension, with the diversity of its expressions, is not only tolerated but appreciated as the nation’s ‘soul’ and as a fundamental guarantee of human rights and duties”. Benedict XVI, *General Audience*, 30 April 2008.

<sup>72</sup> Benedict XVI, *Address to Brazilian Ambassador to the Holy See*, November 2, 2011.

<sup>73</sup> Jürgen Habermas and Joseph Ratzinger, *The Dialectics of Secularization* (San Francisco, CA: Ignatius Press, 2005); Joseph Ratzinger and Marcello Pera, *Without Roots: The West, Relativism, Christianity, Islam* (New York: Basic Books, 2006). As Pope Benedict, he contributed the preface to Pera’s *Why We Should Call Ourselves Christians: The Religious Roots of Free Societies* (New York: Encounter, 2011).

contained whole...[B]oth the believer and the unbeliever share, each in his own way, doubt *and* belief, if they do not hide away from themselves and from the truth of their being...Perhaps in precisely this way doubt, which saves both sides from being shut up in their own worlds, could become the avenue of communication. It prevents both from enjoying complete self-satisfaction; it opens up the believer to the doubter and the doubter to the believer; for one it is his share in the fate of the unbeliever, for the other the form in which belief remains nevertheless a challenge to him.<sup>74</sup>

Pope Benedict returned to that theme and connected it to the quest for peace at the 25<sup>th</sup> anniversary of the Day of Prayer for Peace held in Assisi in October 2011. There, he explained why he had deliberately invited to that meeting “people to whom the gift of faith has not been given, but who nevertheless are on the lookout for truth, searching for God”. Describing such persons as “pilgrims of truth, pilgrims of peace”, he said they “take away from militant atheists the false certainty by which these claim to know that there is no God and they invite them to leave polemics aside and to become seekers who do not give up hope in the existence of truth and in the possibility and necessity of living by it. But they also challenge the followers of religions not to consider God as their own property, as if he belonged to them, in such a way that they feel vindicated in using force against others”.<sup>75</sup>

Each of the four foregoing narratives of secularism represents an effort to come to terms with the fact that “the world as we know it is always passing away”. The current age is not secular enough for the old-line atheists who persist in seeing religion as the root of nearly all evils, while it has become too secular for the melancholy non-believers who fear the foundations of liberal democracy are being eroded. For theists like Charles Taylor and Pope Benedict, recent changes in the religious landscape pose new challenges for religion, but the Pope, interestingly, is closer to the melancholy non-believers in his perception that changes in the religious landscape also pose challenges to peace – by eroding social cohesion, the great acquisitions of Western culture (human rights, the dignity of the person, the rule of law), and the sense of one human family for which all bear common responsibility.

<sup>74</sup> Joseph Ratzinger, *Introduction to Christianity*, J.R. Foster trans. (New York: Seabury Press, 1979), 20–21.

<sup>75</sup> Benedict XVI, *Speech at Assisi*, October 27, 2011.

#### IV. Religion and the quest for peace in a secular age

How will the changes that are currently taking place in the cultural context of religion affect religion's role in the quest for peace? Those who claim religion can be a powerful force for peace, freedom and justice like to cite as examples the role of religious actors in the non-violent revolutions that brought down totalitarian regimes in Eastern Europe; the human rights movement in Latin America; the struggle against apartheid in South Africa; and the downfall of Ferdinand Marcos in the Philippines.<sup>76</sup> They point out as well that the men responsible for the bloodiest conflicts of the 20<sup>th</sup> century – Hitler, Stalin, Pol Pot, and Mao Zedong – were not only non-religious but actively hostile to religion.

Those who claim that religion is a major source of strife and violence, for their part, prefer to dwell on wars of religion in times past, and the present-day rise of jihadist Islam. But evidence is accumulating that the religious rhetoric associated with such conflicts often has more to do with issues of individual and group identity than with theological differences.<sup>77</sup> A Uppsala University study of conflicts occurring between 1989 and 2003 has found that religion was rarely a primary or exclusive factor in conflicts where it was implicated.<sup>78</sup> As Jacques Maritain observed long ago, “[N]othing is easier for human weakness than to merge religion with prejudices of race, family, or class, collective hatreds, passions of a clan and political phantoms which compensate for the rigors of individual discipline in a pious but insufficiently purified soul”.<sup>79</sup>

The disputes over religion's role among the many sources of conflict may never be completely resolved, but it is encouraging that there is now abundant support for the proposition that, under the right conditions, religion can be a major resource for peace-building. In the half-century since *Pacem in Terris*, religious actors have demonstrated their effectiveness as peace-builders in numerous ways – sometimes through observation and witness; sometimes through education; sometimes through advocacy; and

<sup>76</sup> Gerard F. Powers, “Religion and Peacebuilding”, in *Strategies of Peace: Transforming Conflict in a Violent World*, Daniel Philpott and Gerard Powers eds. (Oxford University Press, 2010), 317, 318.

<sup>77</sup> Malise Ruthven, *Fundamentalism and other Obstacles to Religious Toleration in Universal Human Rights in a World of Diversity: The Case of Religious Freedom*, Mary Ann Glendon ed. (Vatican City: Pontifical Academy of Social Sciences, 2011), 456.

<sup>78</sup> The study is reported in Isak Svenson, “Fighting with Faith: Religion and Conflict Resolution in Civil Wars”, 51 *Journal of Conflict Resolution* 932 (2007).

<sup>79</sup> Jacques Maritain, *Christianity and Democracy* (forthcoming Ignatius Press, 2012), 39.



sometimes through conciliation and mediation.<sup>80</sup> As former U.S. Secretary of State Madeleine Albright once pointed out, faith-based organizations “have more resources, more skilled personnel, a longer attention span, more experience, more dedication, and more success in fostering reconciliation than any government”.<sup>81</sup>

Moreover, knowledge is accumulating about what conditions enable religion to play a positive role in the quest for peace, and what conditions tend toward the opposite effect. Last year, for example, the Academy learned of research indicating that violence tends to be greater in societies where religious practice is suppressed,<sup>82</sup> and that promotion of religious freedom advances the cause of peace by reducing inter-religious conflict.<sup>83</sup>

According to the 2011 study of the rise of politically assertive religion by Toft, Philpott and Shah, two factors are especially important in explaining whether the kind of politics a religious group pursues will be violent or peaceful, democratic or authoritarian: (1) “the set of ideas that a religious community holds about political authority and justice – whether its doctrines call for religious freedom and human rights” and (2) “the relationship between religious authorities and political authorities – e.g. the degree of independence they enjoy from political authority”.<sup>84</sup> These authors conclude that, “religious actors are most successful [in peace-building] when they are independent of the state – and in the case of peace mediation, of opposition forces as well – and espouse a political theology of peace or reconciliation”.<sup>85</sup>

Gerard Powers, the director of a center for international peace studies at Notre Dame University, agrees that religion-state relationships can have a major impact on whether religion is a source of conflict or peace. He cites evidence that both atheist states and state religions are more problematic for peace-building than systems where church and state are separate – or systems where the state gives preference to one religion but does not restrict minority

<sup>80</sup> David Steele, “An Introductory Overview of Faith-Based Peacebuilding”, in *Pursuing Just Peace*, Rogers, Barnat and Ideh eds. (Baltimore, Md.: Catholic Relief Services, 2008), 22-32.

<sup>81</sup> *The Mighty and the Almighty: Reflections on America, God and World Affairs* (New York: Harper Collins, 2006), 77.

<sup>82</sup> Brian Grim and Roger Finke, *The Price of Freedom Denied: Religious Persecution and Conflict in the 21<sup>st</sup> Century* (Cambridge: Cambridge University Press, 2011).

<sup>83</sup> Thomas Farr, *World of Faith and Freedom* (New York: Oxford University Press, 2008).

<sup>84</sup> Toft *et al.*, 9-10.

<sup>85</sup> Toft *et al.*, 205.

religions.<sup>86</sup> Regarding the conditions that favor a peace-building role for religion, Powers emphasizes the importance of each religion's internal resources:

Religious leaders become effective peacebuilders only when they are able to rise above ...ethical and pastoral parochialism, while not abandoning the religious inculturation that can make them such a force for peace in the local context. Most (if not all) religious traditions contain within them rich resources for overcoming parochialism and fostering a more universal vision. Concepts of transcendence, charity, justice, reconciliation, and human dignity are consistent with and reinforce the pluralist goal of engendering unity while respecting diversity.<sup>87</sup>

If the conclusions of these scholars are valid, they do not augur well for the peace-building potential of the "new atheism" or of the new "humanism" that Professor Manent has described as prevalent in Europe. For the fact is that these new belief systems have not proved friendly to religious freedom, nor have they shown much ability to rise above their own parochialism and intolerance.

Pope Benedict, for his part, has emphasized the need for each religion to examine its own tradition in order to find resources for peacebuilding.<sup>88</sup> As Cardinal Ratzinger, he sympathetically compared the challenge currently faced by Islam to Christianity's long struggle to come to terms with the Enlightenment:

[T]he Muslim world today finds itself facing an extremely urgent task that is very similar to the one that was imposed upon Christians beginning in the age of the Enlightenment, and that Vatican Council II, through long and painstaking effort, resolved concretely for the Catholic Church....[I]t is necessary to welcome the real achievements of Enlightenment thinking – human rights, and especially the freedom of faith and its exercise, recognizing these as elements that also are essential for the authenticity of religion. As in the Christian community, where there has been a long search to find the correct position of faith in relation to such beliefs – a search that will certainly never be concluded once and for all –, so also the Islamic world with its own tradition faces the immense task of finding the appropriate solutions in this regard.<sup>89</sup>

<sup>86</sup> Powers, *Religion and Peacebuilding*, 334.

<sup>87</sup> Powers, 332.

<sup>88</sup> Joseph Cardinal Ratzinger, lecture at Subiaco, April 1, 2005.

<sup>89</sup> Benedict XVI, *Address to the Curia*, December 2006.

Today, one might well apply that same recommendation to the new “humanist” dogmas that fancy themselves the heirs of the Enlightenment! For they seem to grasped the wrong end of the stick – carrying forward its legacy of religious prejudice while ignoring its opening to human rights and religious freedom.

### **V. *Pacem in Terris* and the Quest for Peace**

Given the enormous changes that have taken place on the religious and political landscape since 1963, one might well ask what if anything *Pacem in Terris* has to add to contemporary discussions of the role of religion in the quest for peace. As Archbishop Minnerath and Professor Hittinger have pointed out, Pope John XXIII had remarkably little to say directly about great questions of war and peace. His encyclical was, rather, a call to all men and women of good will to reflect upon those questions in the light of certain principles, taking account of the signs of the times. That call would soon be amplified by the Fathers of Vatican II, and by succeeding Church leaders who have insisted with increasing urgency that the task of bringing Christian principles to life belongs primarily to the laity at every level and in every sphere of society. The encyclical’s level of generality was very much in keeping with the tradition that when the Church speaks on social issues, her aim is not to propose specific solutions, but “to help form consciences in political life and to stimulate greater insight into the authentic requirements of justice as well as greater readiness to act [in accordance with justice] even when this might involve conflicts with situations of personal interest”.<sup>90</sup>

The principles to which Pope John XXIII appealed in 1963 were not particularly new, but he lifted them up in a way that awakened hope in many weary hearts. Partly that was due to the encyclical’s unusually accessible language and partly to the prophetic spirit and fatherly persona of “Good Pope John” himself. The extraordinary reception given to *Pacem in Terris* in 1963 prompted Archbishop Minnerath to observe that we also “need prophets to help us discern the crimson thread of salvation history that runs through human history”.

Though much has changed in the past fifty years, the fundamental challenges for men and women who wish to be peace-builders remain much the same: to accurately discern the signs of the times and to perceive how time-tested principles can be brought to life in new situations. This Acad-

<sup>90</sup> *Deus Caritas Est*, 28a; see also, *Catechism of the Catholic Church*, par. 2423; *Compendium of the Social Doctrine of the Church*, par. 7.

emy has now concluded the second of three meetings devoted to those tasks with the aid of social scientists and social actors from every region of the world. But where, one wonders, shall we find the peace-builders or prophets we need in our increasingly secularized societies?

Perhaps there is a clue for us in what the dying Socrates said to his grieving friends when they asked, “Where shall we find a good singer of incantations now that you are abandoning us?” “Greece is a vast land”, Socrates replied, “and there are many good people in it, and many good people among foreign races as well. You ought to search among yourselves, too, for perhaps you would hardly find others better able to do this than you”.<sup>91</sup>

Something similar, I believe, is the message of the silences in *Pacem in Terris* – a message addressed to all persons of good will, including social scientists.

<sup>91</sup> Plato, *Phaedo*, 78a.

## ▶ APPENDIX



# EL INCIENSO Y LA PLEGARIA

■ BELISARIO BETANCUR

## 1. Tendencias de la paz mundial

Como lo señaló Su Santidad Juan XXIII, la paz se erige cual incienso gótico que cifra el mayor anhelo de la humanidad a lo largo de la historia. Podrá pensarse que la paz ha sido una utopía inalcanzable, dado que durante más de 40 siglos el homo sapiens ha utilizado en forma intensiva la guerra y la violencia para resolver sus conflictos. Esta afirmación parecería especialmente aplicable al siglo XX, en el cual se registraron dos grandes guerras de alcance global, que tuvieron enormes costos políticos, económicos y sociales; y en las cuales perdieron la vida más de 70 millones de personas.

Cuál ha sido la tendencia de los índices de criminalidad y de violencia a lo largo de la historia humana? Esta es una pregunta de importancia; significativa; y solamente en los últimos años se han ido consolidando las bases de datos para dar una respuesta apodíctica.

El objetivo de las presentes notas, es examinar esa tendencia y resaltar el papel positivo que ha jugado la ética cristiana en tal proceso.

## 2. El concepto de paz

El significado y contenido del concepto de paz, tiene variadas y expresivas dimensiones; y en cada cultura es posible que alcance distintas interpretaciones. Se habla de la ausencia de conflictos y de *un estado de armonía*. Asimismo se habla de la interacción constructiva de los miembros de un grupo, sociedad o nación; y de un entendimiento básico en asuntos económicos, políticos y culturales.

Pienso que el concepto de paz tiene que ver con la tolerancia, la aceptación de las diferencias, la resolución de conflictos a través del diálogo, la negociación y el respeto a los derechos ciudadanos. La paz trabaja con la cooperación y lleva implícito un acuerdo sobre el orden y la justicia. Una nación anárquica donde no se respete el imperio de la ley y en donde no existan códigos de conducta apropiados, no va a encontrar la paz.

## 3. Tendencias de la violencia a escala global

Uno de los analistas más profundas de la naturaleza humana en la actualidad, el profesor Steven Pinker de la Universidad de Harvard, acaba de publicar un libro en el cual examina la información disponible sobre las tendencias de la violencia global en los últimos diez mil años. Utilizando numerosos estudios

realizados por arqueólogos, antropólogos, historiadores, psicólogos y científicos sociales, Pinker llega a una conclusión sorprendente: que la época actual, es la más pacífica que ha vivido la humanidad en todos los tiempos. Las tasas de criminalidad y de violencia, eran más altas en épocas prehistóricas, durante el imperio romano y durante el medioevo y el renacimiento.

En los últimos 700 años, las tasas de homicidio en los países europeos han descendido en forma sistemática. Para la Europa occidental, la tasa de homicidios por cada cien mil habitantes, disminuyó de más de 50 en el año 1200, a menos de 4 en el año 2000. Durante las dos guerras mundiales, dicha tasa aumentó, pero volvió a descender a partir de 1945. Las estadísticas disponibles sobre otras regiones, permiten mostrar cómo este ha sido un fenómeno global. Existen grandes diferencias regionales y todavía hay países con altos índices de criminalidad. Pero la gran noticia es que la humanidad ha logrado reducir la violencia a través de los siglos.

#### 4. Como explicar esa tendencia?

Pinker señala los siguientes grandes factores:

- El proceso de pacificación derivado de Estados con capacidad de hacer cumplir las leyes.
- El proceso de civilización que llevó a desarrollar el autocontrol y la empatía por parte de numerosas personas en diversos países.
- La revolución humanitaria que ha llevado a disminuir la crueldad y al rechazo de prácticas como la esclavitud, la tortura y el sacrificio humano.
- La revolución de los derechos humanos: en los últimos 50 años la humanidad ha venido prestando importancia creciente a los derechos civiles, a los derechos de las mujeres, a los derechos de las minorías y a los derechos de los niños.

Esta declinación de la violencia a escala mundial, parecería estar reflejando un cierto progreso moral. En este proceso el cristianismo y otras religiones, han jugado un papel decisivo. Cristo señaló la paz y la reconciliación como grandes propósitos de las sociedades humanas. El cristianismo influyó en el desarrollo de los códigos de derechos humanos. No obstante, subsisten graves problemas en diversos países y debemos tener claro que la tendencia de reducción de la violencia, no representa una ley irreversible. La historia indica que se pueden registrar retrocesos graves.

#### 5. La Paz Perpetua de Kant

En 1795 Immanuel Kant publicó un conocido ensayo sobre *la paz perpetua*. En su pensamiento, los gobiernos de tipo republicano (con separación de poderes entre el ejecutivo y el legislativo), la interdependencia económica



y el establecimiento de una Liga de las Naciones, llevarían a un sistema global más pacífico.

Las ideas de Kant han tenido inmensa influencia en los últimos 200 años y el establecimiento de las Naciones Unidas es una aceptación de la propuesta kantiana. No obstante, hay que reformar las Naciones Unidas para darles una mejor representación a los distintos continentes y para dotarla de mecanismos más efectivos de resolución de conflictos.

Juan XXIII escribió su Encíclica en la época de las crisis de los misiles instalados en Cuba, en donde han reiterado su entrega a la causa de la paz, Juan Pablo II y, ahora, Benedicto XVI. Antes el mundo estuvo cerca de una confrontación nuclear que hubiera tenido consecuencias catastróficas para todo el planeta. Con el final de la guerra fría, tales tensiones han disminuido, pero el riesgo de un nuevo incidente no ha cesado.

## 6. El índice de la Paz

En los últimos cinco años, el *Instituto para la Economía y la Paz* en Sídney, Australia, se viene publicando un índice que intenta medir las tendencias de la paz a escala global. El índice utiliza 23 indicadores relacionados con las tasas de criminalidad, el gasto militar, la población en las cárceles, las relaciones con los vecinos y con factores internos y externos.

Este ejercicio es útil porque ilustra la complejidad del tema de la paz y la gran cantidad de factores que influyen en este proceso. En los últimos tres años se ha deteriorado el índice global por el aumento del riesgo de las actividades terroristas. Esta es, sin duda, una señal de alerta que debe llevar a la comunidad internacional a tomar mayores medidas preventivas.

## 7. Reflexión final

No hay tema más importante que el de la paz mundial. La encíclica *Pacem in Terris* sigue teniendo relevancia. Aunque las tendencias de largo plazo muestran reducción de la violencia, todavía subsisten enormes problemas que podrían llevar a un dramático retroceso. El siglo XXI puede ser más pacífico y próspero que el siglo XX, si logramos educar a los ciudadanos en una cultura de respeto, empatía, cooperación y responsabilidad; y si logramos que todos los gobiernos apliquen buenas leyes con un alto sentido moral dentro de normas rigurosas de justicia, no como una flor que pronto se marchita y cae, sino cual incienso gótico que se eleve en ascenso como una plegaria.

# NEW THINGS AND OLD: JUSTICE AND FRIENDSHIP IN THE GLOBAL VILLAGE

■ LAWRENCE DEWAN, O.P.

The Kingdom of God is a realm of peace, Pope Benedict XVI told his weekly audience on October 26 [2011]. The papal audience took an unusual format, incorporating a prayerful reading of the Scriptures as well as the Pope's usual weekly talk. The Pontiff used the event to begin prayerful preparation for the inter-faith pilgrimage to Assisi that will take place on October 27.

*As Christians we are convinced that prayer is the most precious contribution we can make to the cause of peace*", the Holy Father said in his homily. "For this reason we, the Church of Rome and pilgrims from elsewhere, are gathered here today to listen to the Word of God and to invoke the gift of peace."<sup>1</sup>

When I was invited to speak to the 2012 meeting of the Pontifical Academy of Social Sciences, a meeting looking forward towards the 50<sup>th</sup> anniversary of the publishing of Pope John XXIII's encyclical letter, *Pacem in*

<sup>1</sup>*Catholic World News* October 26, 2011. [Internet]; lettering in italics is my addition. – I continue the quotation from that article: "The papal audience had been scheduled to take place in St. Peter's Square, but rain forced a move to the Paul VI auditorium. Because that building could not seat the entire crowd, some people were escorted into St. Peter's basilica, and the Pope held a separate audience there as well. The Pope centered his remarks on the idea of the Kingdom of God. The prophet Jeremiah looks toward a king who brings salvation, the Pope noted, but this king does not base his authority on the force of arms. 'This is a gentle king who reigns with humility and gentleness before God and man, a king quite different from the great sovereigns of the earth'. Jesus fulfills this prophecy, the Pope continued: 'He is a poor king, the king of the poor of God... He is a king who will make the chariots and steeds of battle disappear, who will break the weapons of war, a king who brought peace on the Cross, uniting heaven and earth and building a bridge between all mankind'. This Kingdom is universal, the Holy Father remarked. 'The horizon of this poor and meek king is not the territorial horizon of a state, it is the confines of the world'. Those who are united in Christ, he said, comprise 'a single kingdom of peace in a divided world'. To enter into that kingdom, the Pope said, requires a spiritual journey. 'It is not with power, force or violence that Christ's kingdom of peace grows, but with the giving of self, with love carried to its extreme consequences, even towards our enemies'. Pointing to the statue in St. Peter's Square of St. Paul holding a sword, the Pope observed that this was the instrument of the Apostle's martyrdom. He concluded with the thought: '*It is not the sword of the conqueror that builds peace, but the sword of those who suffer and give up their own lives*'".

*Terris*,<sup>2</sup> and aiming “... to prepare materials that may be helpful to the Church’s observance of this anniversary”, the placing of my talk among the speakers on the very last day already carried the program heading: “Toward a Catholic Understanding of Global Order for the 21<sup>st</sup> Century: Principles and Practice”. The talks in the group to precede my own were all placed under a general subheading: “Global Governance”. My talk and that following my own were placed under a new general subheading: “Justice and Charity”, and the 30 minute slot provided for my contribution was already headed: “The New Format for Social and Political Virtues in the Globalized Society”. Professor R. Brague was already scheduled as speaking of “Justice in the Globalized World” in the 30 minutes following my own talk. This seemed to indicate a hope that I would speak of a new “format” for charity in a globalized world. Accordingly, I proposed the title: “New Things and Old: Justice and Friendship in the Global Village”, thus giving it a turn that involves the Gospel, charity as friendship (for me a reminiscence of Gerald B. Phelan), and a touch of Marshall McLuhan.

The Gospel connection with “new things and old” is evident.<sup>3</sup> St. Thomas Aquinas, in presenting the theological virtue of charity, makes as his first essential point that charity is *amicitia*, friendship, and not just any friendship, but friendship of the human being with God, the God who loves us with a friendly love, and calls us to share in his own eternal life.<sup>4</sup> Aiming towards the promised eternal life is what constitutes the Catholic;<sup>5</sup> thus, Thomas, at ST 2-2.4.1, presenting a definition of the theological virtue of faith, in rephrasing the Scriptural definition given in the *Epistle to the Hebrews*, xi, 1, viz. “What is faith? It is that which gives substance to our hopes, which convinces us of things we cannot see”<sup>6</sup> makes the following determination:

<sup>2</sup> Officially published Maundy Thursday, April 11, 1963 (as noted in Russell Hittinger’s *Introduction to the programme for the Pontifical Academy of Social Sciences, XVIII Plenary Session, The Global Quest for Tranquility of Order, Pacem in Terris, Fifty Years Later*, p. 3).

<sup>3</sup> *Mt.* 13.52.

<sup>4</sup> See St. Thomas Aquinas, *Summa theologiae* [henceforth “ST”] 2-2.23.1: the treatment of charity and its associated topics extends from q. 23 to q. 46, a matter of 144 pages in the Ottawa edition.

<sup>5</sup> See ST 1.1.1, where the need for divine revelation of the goal of human life is the starting-point for Thomas’s teaching. Cf. also. ST 3.57.6. *ad* 3: ... Christ, by ascending once into heaven, obtained for himself and for us the perpetual right and dignity [*ius et dignitatem*] of the heavenly dwelling.

<sup>6</sup> Here I use the translation of Ronald Knox, in *The Holy Bible, A Translation of the Latin Vulgate in the Light of the Hebrew and Greek Originals*, London, 1957: Burns and Oates, Macmillan and Co., Ltd. – The Latin is: “... est autem fides substantia sperandarum rerum, argumentum non apperentium”.

Therefore, if someone wanted to rephrase such words in the form of a definition, he could say that faith is a habit of mind by which *eternal life is begun in us*, making the intellect assent to things that are not apparent...<sup>7</sup>

I mention one of my teachers, Monsignor Gerald Phelan, a priest of the Archdiocese of Halifax, Nova Scotia, and one of the founders, along with Etienne Gilson and the Basilian Fathers of Toronto, of what became the Pontifical Institute of Mediaeval Studies. Mgr. Phelan, in a paper entitled “Justice and Friendship”, originally published in *The Thomist* in 1943, speaks of the difference between Aristotle’s conception of the relation of humans to God and that of Christianity, wherein the call is to share in God’s own beatitude, *friendship* with God beginning already in this present life.<sup>8</sup>

However, I do not mean to give the impression that Phelan’s paper was a mere contrast between the Greeks and Christianity. It was much more a presentation of how important the realities of justice and friendship were to Plato and Aristotle, and how St. Thomas took them further in the presentation of Christian truth, but that they subsequently have been forgotten by the intellectual and political elite of the 1940s when he is writing. He tells us:

In this paper I propose briefly to discuss two of these basic concepts, which modern men have either completely lost or distorted beyond all recognition, viz. the concepts of justice and friendship – those two virtues which pagan Greece and pagan Rome regarded as essential to sound social life and which the sublime teachings of Christian revelation, particularly as expressed in the philosophy and theology of St. Thomas Aquinas, transformed into forces of incredible beneficence and elevated to a realm of efficacy transcending, while preserving intact, the whole order of man’s temporal social and political life. Our Holy Father the Pope has sadly noted the fact that men no longer understanding the true meaning of the words justice, charity, and

<sup>7</sup> ST 2-2.4.1 (ed. Ottawa, 1427a49-b2): Si quis ergo in formam definitionis huiusmodi verba reducere velit, potest dicere quod fides est habitus mentis, qua inchoatur vita aeterna in nobis, faciens intellectum assentire non apparentibus.

<sup>8</sup> See G.B. Phelan, *Selected Papers*, edited by Arthur G. Kirn, C.S.B., Toronto, 1967: Pontifical Institute of Mediaeval Studies, pp. 213-230: Justice and Friendship – The bibliography of Phelan in this book, at item 51, tells us that this paper was published in *The Thomist* 5 (1943), 153-170 – In Phelan’s footnote #1, he tells us: This paper, the substance of which was given as the St. Thomas Aquinas lecture, 1942, at the College of the Sacred Heart, Manhattanville, was written at the suggestion of M. Jacques Maritain after a long conversation about justice and friendship in the teachings of Aristotle and St. Thomas.

friendship. The consequence is that our leaders, thinkers, responsible guides, and legitimate rulers are at a loss to find a stable basis upon which the upbuilding of a just and peaceful human order of society could even be envisaged, much less actually accomplished.<sup>9</sup>

Things have hardly improved since the 1940s.

Another of my teachers and friends, Marshall McLuhan, (whose conversion to Catholicism was certainly directed in important part by his meeting Mgr. Phelan)<sup>10</sup> taught us to reflect upon the new instantaneity of communication, and take *global* influences (both good and bad) seriously.

I aim, then, in my contribution, to speak of the theological virtue of charity, particularly as it must characterize our answering the challenge issued by Pope John XXIII in *Pacem in terris*. Only so will our understanding of the chances for global order for the 21<sup>st</sup> century be an authentically Catholic understanding.

Again, I begin my recalling of St. Thomas on charity with a bit of personal history. In doing so I mean to testify to the fruitfulness of correcting our adversaries. While I had much benefit from my teachers, still it was when I disagreed with the publication of a former fellow-student, Leslie Dewart, and undertook to express my disagreement in print, that I learned a most important lesson about the doctrine of St. Thomas on charity. Dewart, in his book entitled *The Future of Belief*,<sup>11</sup> had presented St. Thomas as conveying a doctrine of “spiritual hedonism”. Criticizing Dewart’s reading led me eventually to a study of St. Thomas’s ST 1.60.5: “whether an angel, by natural love, loves God more than its own self”. This led me to a new appreciation of the metaphysics of love in St. Thomas.<sup>12</sup>

<sup>9</sup> Phelan, *Op. cit.*, p. 214.

<sup>10</sup> On McLuhan’s conversion to Catholicism in 1936–1937, and the role of Mgr. Phelan, see Philip Marchand, *Marshall McLuhan, the Medium and the Messenger, A Biography*, Toronto, 1990: Vintage Books, pp. 44–45 – Phelan, who at the time was president of the Institute of Mediaeval Studies in Toronto, wrote to McLuhan, who then was a teaching assistant in the English Department at the University of Wisconsin, because Phelan was impressed by an article on Chesterton published by McLuhan in a Dalhousie University (Halifax, N.S.) quarterly.

<sup>11</sup> Dewart, Leslie, *The Future of Belief*, New York, 1966: Herder and Herder.

<sup>12</sup> Originally titled: “Leslie Dewart and Spiritual Hedonism”, and published in *Laval théologique et philosophique* 27 (1971), 25–39 – This is now titled: “Is Thomas Aquinas a Spiritual Hedonist?” and is ch. 6 in my book, *Wisdom, Law, and Virtue: Essays in Thomistic Ethics*, New York, 2008: Fordham.

The general lesson is that it is natural for every creature, on its own level, to love God more than its own self.<sup>13</sup> Still, there are different levels of such love as regards the human being. By nature one loves God more than oneself, inasmuch as God is considered as the author of nature, while by the gift of grace and the supernatural virtue of charity, one loves God more than oneself inasmuch as God is the author of supernatural beatitude.<sup>14</sup> This doctrine, already carefully spelled out in ST 1.60.5, is repeated in ST 1-2.109.3 and 2-2.26.3. Thomas obviously took it as foundational for one's view of the creature's relation to the Creator.

### Reading the Signs of the Times

*Here, by way of an appendix*, I propose to offer materials for a meditation on certain current situations. I am afraid that the situations I have in mind are not all occasions for reassurance, but testify to the need for the kind of planning that will help public order.

From my diary:

December 30, 2011

[Charles] Krauthammer has a very sobering column this week [in the Washington Post]. The general line is that we haven't been able to find human life elsewhere [in the universe], and the conclusion is that other humans in other parts of the universe have destroyed themselves, i.e. that intelligence has so far been self-destructive. He juxtaposes this with the sort of people who now have nuclear arms and the development of germ warfare that could be impossible to control.

I went to the archive and dug it out:

*Are we alone in the universe?* By Charles Krauthammer, Published: December 29 The Washington Post.

The general line of thinking is that we here on earth should by now have found much intelligent life in the universe, and yet we have not. Why not? The suggestion is that intelligent life, in terms of cosmic time, quickly eliminates itself. I quote in part:

... So why the silence? Carl Sagan (among others) thought that the answer is to be found, tragically, in the final variable: the high probability that advanced civilizations destroy themselves.

In other words, this silent universe is conveying not a flattering lesson about our uniqueness but a tragic story about our destiny. It is telling

<sup>13</sup> Original Sin has weakened the human natural inclination as regards our loving God more than our own selves (cf. ST 1-2.109.3, Ottawa edition, 1354b39-49).

<sup>14</sup> See ST 1-2.109.3. *ad* 1.

us that intelligence may be the most cursed faculty in the entire universe – an endowment not just ultimately fatal but, on the scale of cosmic time, nearly instantly so.

This is not mere theory. Look around. On the very day that astronomers rejoiced at the discovery of the two Earth-size planets, the National Science Advisory Board for Biosecurity urged two leading scientific journals not to publish details of lab experiments that had created a lethal and highly transmittable form of bird flu virus, lest that fateful knowledge fall into the wrong hands.

Wrong hands, human hands. This is not just the age of holy terror but also the threshold of an age of hyper-proliferation. Nuclear weapons in the hands of half-mad tyrants (North Korea) and radical apocalypticists (Iran) are only the beginning. Lethal biologic agents may soon find their way into the hands of those for whom genocidal pandemics loosed upon infidels are the royal road to redemption.

And forget the psychopaths: Why, a mere 17 years after *Homo sapiens* – born 200,000 years ago – discovered atomic power, those most stable and sober states, America and the Soviet Union, came within inches of mutual annihilation.

Rather than despair, however, let's put the most hopeful face on the cosmic silence and on humanity's own short, already baleful history with its new Promethean powers: Intelligence is a capacity so godlike, so protean that it must be contained and disciplined. This is the work of politics – understood as the ordering of society and the regulation of power to permit human flourishing while simultaneously restraining the most Hobbesian human instincts. ...

Another item, concerning something more directly observable, I owe to Mark Steyn. Item from SteynOnline [the title being “Weird Politics”] *National Review's Happy Warrior*, March 20, 2012.

He presents the fact that there was considerable agreement among people on the right as well as on the left that the candidate Rick Santorum was “weird”, and uses it to locate the real “weirdness” in present-day society. [It is I who introduce the italics on two key passages so that the reader will not overlook Steyn's very sarcastic but entirely just assessment of the situation].

As Congressman Mike Pence said a year or two back, “To those who say we should simply focus on fiscal issues, I say you would not be able to print enough money in a thousand years to pay for the government you would need if the traditional family collapses”.

But Pence's doomsday scenario is already here: What “traditional” family? Seventy percent of black children are born out of wedlock, as are

70 percent of the offspring of poor white women, as are a majority of Hispanic babies. Forty percent of American children are born outside marriage; among women under 30, a majority of children are. Well, so what? It's the same in Scandinavia, isn't it? Well, not quite. Our progeny are fatter, sicker, riddled with childhood diabetes. Dennis Prager wrote a couple of years ago that Obama saw the United States as a large Sweden. A large Sweden is a contradiction in terms, and out there in the Dependistans of America we're better at being large than being Swedish. Well, okay, say the Santorum detractors, but you guys are supposed to be the small-government crowd. Why is this any business of the state? A fair point, but one that cuts both ways. Single women are the most enthusiastic constituency for big government: A kiss on the hand may be quite continental, but statism is a girl's best friend. One can argue about whether the death of marriage leads to big government or vice versa, but simply raising the topic shouldn't put one beyond the pale, should it?

*Let's take it as read that Rick Santorum is weird. After all, he believes in the sanctity of life, the primacy of the family, the traditional socio-religious understanding of a transcendent purpose to human existence. Once upon a time, back in the mists of, ooh, the mid-20th century, all these things were, if not entirely universal, sufficiently mainstream as to be barely worthy of discussion. Now they're not. Isn't the fact that conventional morality is now "weird" itself deeply weird? The instant weirdification of ideas taken for granted for millennia is surely mega-weird — unless you think that our generation is possessed of wisdom unique to human history. In which case, why are we broke?*

Look, I get the problem with a Santorum candidacy. And I get why he seems weird to Swedes and Aussies, and even Americans. If you're surfing a news bulletin en route from *Glee* to *Modern Family*, Santorum must seem off-the-charts weird, like a monochrome episode that's been implausibly colorized from a show too old even for TV Land reruns. It would be healthier to thrash these questions out in the culture, in the movies and novels and pop songs. But Hollywood has taken sides, and the Right has mostly retreated from the field. And somebody has to talk about these things somewhere or other. Our fiscal crisis is not some unfortunate bookkeeping accident that a bit of recalibration by a savvy technocrat can fix. In the United States as in Greece, it is a reflection of the character of a people. *The problem isn't that Rick Santorum's weird, but that a government of record-breaking brokenness already busting through its newest debt-ceiling increase even as it announces bazillions in new spending is entirely normal.*

End of my quotation from Steyn.



# DER STAAT ALS BESCHÜTZER DER MENSCHENRECHTE UND ALS ABWEHR DER BEDROHUNG DER ORDNUNG

■ HERBERT SCHAMBECK

## I.

Der Staat<sup>1</sup> ist der dem Einzelnen und der Gesellschaft übergeordnete Herrschaftsverband, der Höchstofffunktion erfüllt. In dieser seiner Höchstofffunktion hat der Staat Ordnungsaufgaben wahrzunehmen, nämlich Ruhe, Ordnung und Sicherheit herzustellen, also das Neben- und Miteinander der Menschen zu sichern.

Die Erfüllung der Aufgaben des Staates hat ihre eigene Geschichte, sie hat sich von dem früher auf den Rechts- und Machtzweck beschränkten, limitierten Staatszweck zu dem heute auch den Kultur- und Wohlfahrtszweck mit umfassenden expansiven Staatszweck weiterentwickelt und stellt eine Mehrzweckeverwendung des Staates dar. Die Vielzahl an Aufgaben des Staates ist auch auf den kulturellen Fortschritt, das wirtschaftliche Wachstum und die soziale Sicherheit gerichtet.

Dieser Mehrzweckestaat ist heute in seinem Anforderungsprofil allgemein anerkannt ein Kennzeichen des politischen Lebens und hat den besonders auch im 19. Jahrhundert verbreitet gewesenen „Nachtwächterstaat“, wie ihn Ferdinand Lasalle einmal treffend bezeichnete,<sup>2</sup> abgelöst.

Der Umfang der Staatsaufgaben wird begleitet von einer Fülle an Organisation des öffentlichen Lebens, der den Staat selbst als omnipotent erscheinen und die in seiner Natur gelegenen Grenzen oft übersehen lässt. Der moderne Staat ist in seiner Mehrzweckverwendung offen für viele Ziele geworden, deren Rangordnung eine jeweils politische Entscheidung der Verantwortungsträger eines Staates verlangt. Die Staatszielsetzungen sollen sich aber nach den in einer langen Tradition entwickelten Grundsätzen gemäß den Anforderungen des Rechtsstaates<sup>3</sup> in Gesetzesbindung des

<sup>1</sup> Siehe Herbert Schambeck, *Der Staat und seine Ordnung, ausgewählte Beiträge zur Staatslehre und zum Staatsrecht*, hrsg. von Johannes Hengstschläger, Wien 2002.

<sup>2</sup> Ferdinand Lasalle, „Arbeiterprogramm“, in: *Gesammelte Reden und Schriften*, hrsg. und eingeleitet von Eduard Bernstein, Bd. II., Berlin 1920/21, S. 195.

<sup>3</sup> Näher Herbert Schambeck, *Vom Sinnwandel des Rechtsstaates*, Schriftenreihe der Juristischen Gesellschaft e.V. Berlin, Heft 38, Berlin 1970, Neudruck in: *Der Staat und seine Ordnung*, S. 3 ff.

Staatshandelns unter Wahrung der Freiheit und Würde des Menschen verwirklichen lassen.

Diese Gesetzesbindung des Staatshandelns verlangt bei der Vielzahl seiner heutigen Aufgaben eine Erweiterung seiner Arbeitsbereiche sowohl was die Zahl seiner Gesetze als auch die seiner Organe betrifft. Mit der Zahl der Staatsaufgaben ist auch der Einfluss des Staates gewachsen und seine Dominanz hat seinen eigentlichen Hoheitsbereich weit überschritten und beeinflusst auch die Wirtschaft, weiters den sozialen Bereich der Gesellschaft, beginnend mit der Familie über die Kirchen, Religionsgesellschaften, Interessensverbände und die politischen Parteien, sowie die individuelle Sphäre des Einzelmenschen. Auf diese Weise stellt nicht allein der Mensch mit seinen Anliegen, Bedürfnissen und Wünschen eine ordnungspolitische Aufgabe, sondern der Staat selbst. Im Unterschied zur früheren Zeit, als der Staat in der Herrschaftsgewalt einer Einzelperson oder einiger weniger stand, ist eine Demokratisierung des Staates insofern erfolgt, als das Verlangen immer deutlicher wurde, dass das Wirken des Staates im Dienste des Gemeinwohls<sup>4</sup> stehen und von der Repräsentanz des Volkes getragen sein soll. Die Wirklichkeit dazu ist nach der jeweiligen Situation von Erdteil zu Erdteil und innerhalb derselben von Staat zu Staat verschieden und stellt sich aus der Weltverantwortung der Kirche<sup>5</sup> heraus als pastorale Aufgabe dar, besonders für den Frieden in der Völkergemeinschaft. Ihr hat der selige Papst Johannes XXIII seine Enzyklika *Pacem in terris* 1963 gewidmet.

## II.

Das Thema und Anliegen dieser Enzyklika des seligen Papstes Johannes XXIII. *Pacem in terris* ist auf den Frieden<sup>6</sup> gerichtet, von dem schon Aurelius Augustinus in seinem Werk *De civitate Dei* feststellte: „Pax est ordinata concordia“,<sup>7</sup> der Friede ist die Ruhe der Ordnung.

Unter Friede im Sinne Augustinus, der in der Kirche San Pietro in Ciel d'Oro in Pavia<sup>8</sup> am Hochaltar ruht, während Boethius unter ihm in der

<sup>4</sup> Dazu Johannes Messner, *Das Gemeinwohl. Idee, Wirklichkeit. Aufgaben*, 2. Aufl., Os-nabrück 1968.

<sup>5</sup> Siehe Herbert Schambeck, Glaube und Weltverantwortung der Katholiken. Gedanken nach dem II. Vatikanischen Konzil, in: *Pax et iustitia, Festschrift für Alfred Kostecky zum 70. Geburtstag*, hrsg. von Hans Walter Kaluza, Hans R. Klecatsky, Heribert Franz Köck, Johannes Paarhammer, Berlin 1990, S. 37 ff.

<sup>6</sup> Beachte Unterwegs zum Frieden, *Beiträge zur Idee und Wirklichkeit des Friedens*, hrsg. von Rudolf Weiler und Valentin Zsifkovits, Wien-Freiburg-Basel 1973.

<sup>7</sup> Aurelius Augustinus, *De civitate Dei* XIX, 11-13, 14.

<sup>8</sup> Siehe *Agostino e la sua arca. Il pensiero e la gloria*, Pavia 2000.

Krypta seine letzte Ruhestätte fand, ist nicht das Gleichgewicht des Schreckens zu verstehen, wie es besonders deutlich autoritäre und totalitäre Regime vor allem im 20. Jahrhundert erleben ließen, aber auch nicht die Stille durch Angst, sondern jene Ordnung des Für- und Miteinanders, die in der Anerkennung der Freiheit und Würde des Menschen und diese in seiner Gottesebenbildlichkeit begründet ist.

In diesem Sinne und Verständnis besteht zwischen *Pax, Dignitas humana* und *Imago Dei* ein enger Zusammenhang. Er vermag im demokratischen Verfassungsstaat, der von der Regelung der Organisation und den Zwecken des Staates sowie den Grundrechten des Einzelnen gekennzeichnet ist, zu einer Verbundenheit von Humanität und Konstitutionalität beizutragen. Sie kommt in einer Zeit der Globalisierung<sup>9</sup> und der Organisation des internationalen Lebens auch der Völkergemeinschaft zugute. Das reicht von der Charta der UNO 1945 und der UNO-Deklaration der Menschenrechte 1948 bis zur Grundrechtecharta der EU 2009.<sup>10</sup>

Diese EU-Grundrechtecharta<sup>11</sup> enthält zwar keine *Invocatio Dei*<sup>12</sup> in ihrer Präambel, wohl aber das Bekenntnis der Gründung der Union „in dem Bewusstsein ihres geistig-religiösen und sittlichen Erbes ... auf die unteilbaren und universellen Werte der Würde des Menschen“ und die Verpflichtung in dem Vertrag über die Arbeitsweise der Europäischen Union den „Status“ zu achten, „den Kirchen und religiösen Vereinigungen oder Gemeinschaften in den Mitgliedstaaten nach deren Rechtsvorschriften genießen“ und ihn nicht zu beeinträchtigen.<sup>13</sup>

Beachtenswert ist auch die Feststellung in diesem Vertrag: „Die Union pflegt mit diesen Kirchen und Gemeinschaften in Anerkennung ihrer Identität und ihres besonderen Beitrags einen offenen, transparenten und regelmäßigen Dialog“.<sup>14</sup> In diesem Dialog kann die Kirche ihren Glauben mit apostolischer Verantwortung einbringen; diesen hat der selige Papst Johannes XXIII. in *Pacem in terris* bezüglich des Friedens gleich einleitend verdeut-

<sup>9</sup> Beachte Herbert Schambeck, Globalisierung und Subsidiarität, in: *Teoria del Diritto e dello Stato*, Rivista europea di Cultura e Scienza giuridica, Torino 2004, Nr. 2, S. 248 ff.

<sup>10</sup> Hierzu *Menschenrechte, Ihr internationaler Schutz*, 6. Aufl., hrsg. von Bruno Simma und Ulrich Fastenrath, München 2010.

<sup>11</sup> ABl. 2007 C303/1.

<sup>12</sup> Näher Herbert Schambeck, Präambel und Gottesbezug, in: *Kölner Gemeinschafts-Kommentar, Europäische Grundrechte-Charta*, hrsg. von Peter J. Tettinger + und Klaus Stern, München 2006, S. 241 ff.

<sup>13</sup> Art. 17(1) AEUV.

<sup>14</sup> Art. 17(3) AEUV.

licht: „1. Der Friede auf Erden, nach dem alle Menschen zu allen Zeiten sehnlichst verlangten, kann nur dann begründet und gesichert werden, wenn die von Gott gesetzte Ordnung gewissenhaft beobachtet wird“. Diese Beobachtung verlangt, wie es auch der selige Papst Johannes Paul II. 1998 in seiner Enzyklika *Fides et Ratio* verdeutlichte: Glaube und Vernunft. Beide sind, wie es auch die Enzyklika des seligen Papst Johannes XXIII. schon im Ersten Teil tut, auf „Die Ordnung unter den Menschen“ gerichtet und damit auf die Menschenrechte.

### III.

Menschenrechte<sup>15</sup> sind Schutzrechte, welche dem Einzelnen, sei es als physische oder juristische Person, gegenüber dem Staat oder im Staat zu stehen. Ihr Entstehen lässt sich aus drei Ursprüngen erklären.

Zunächst muss betont werden, dass die Menschenrechte positivrechtlicher Ausdruck des Strebens nach Anerkennung der Menschenwürde,<sup>16</sup> der *dignitas humana* sind. Josef Wintrich erklärte schon: „Würde kommt dem Menschen um deswillen zu, weil er seiner seinsmäßigen Anlage nach Person ist“,<sup>17</sup> was auch in Punkt 9 die Enzyklika *Pacem in terris* betont.

Der Sinngehalt des Personbegriffes<sup>18</sup> drückt sich in den Menschenrechten aus. Dabei ist es interessant, die Geschichte des Personbegriffes zu betrachten. So bezeichnete man im Griechischen unter *prosopon* das Antlitz und die Göttermaske im archaischen Kult und im Lateinischen versteht man unter „*personae*“ hindurchtönen.

Dass dieser Anspruch der Personhaftigkeit aber nicht bloß im sittlichen, sondern auch im rechtlichen Bereich gilt, geht darauf zurück, dass die Menschenrechte als Grundrechte Aufnahme im Verfassungsrecht<sup>19</sup> gefunden haben.

Grundrechte hat es schon immer gegeben; sie standen früher aber nicht allen, sondern nur einigen wenigen am politischen Leben Beteiligten zu.

<sup>15</sup> Beachte Felix Ermacora, *Menschenrechte in der sich wandelnden Welt*, Band 1, Wien 1974, Band 2 Wien 1983 und Band 3 Wien 1994.

<sup>16</sup> Dazu Johannes Messner, Die Idee der Menschenwürde im Rechtsstaat der pluralistischen Gesellschaft, in: *derselbe, Ethik und Gesellschaft*, Aufsätze 1965 – 1974, Köln 1975, S. 13 ff.

<sup>17</sup> Josef Wintrich, *Zur Problematik der Grundrechte*, Köln-Opladen 1957, S. 6.

<sup>18</sup> Beachte Siegmund Schloßmann, *Persona und proposita im Recht und im christlichen Dogma*, Dissertation, Kiel 1906.

<sup>19</sup> Siehe Herbert Schambeck, Die Grundrechte im demokratischen Verfassungsstaat, in: *Ordnung im sozialen Wandel, Festschrift für Johannes Messner zum 85. Geburtstag*, hrsg. von Alfred Klose, Herbert Schambeck, Rudolf Weiler, Valentin Zsifkovits, Berlin 1976, S. 445 ff.

Sie waren durch Jahrhunderte Rechte des Adels und der Geistlichkeit gegenüber dem Herrscher, die ihre Stellung im Staat absicherten; sie wurden im Zuge des Vordringens des Liberalismus mit wechselndem Inhalt auch dem Bürgertum und später unter dem Einfluss des Demokratismus auch dem übrigen Volk eingeräumt. Auf diese Weise wurden die Standesrechte zu Menschenrechten und als Grundrechte Teil des Verfassungsstaates.<sup>20</sup>

#### IV.

Die Grundrechte<sup>21</sup> sind als liberale Grundrechte oder Freiheitsrechte vor allem auf die Gleichheit vor dem Gesetz, Freiheit der Person, des Eigentums, die Glaubens- und Gewissensfreiheit, die Freiheit der Forschung und ihrer Lehre, die Pressefreiheit, die Freizügigkeit und die Freiheit der Erwerbstätigkeit, also auf eine Freiheit von dem Staat gerichtet. Als demokratische und politische Grundrechte beinhalten sie die Vereins- und Versammlungsfreiheit und das Petitionsrecht, sie zielen auf eine Freiheit im Staat. Zu diesen demokratischen Grundrechten ist auch das Wahlrecht zu zählen.

Betrachtet man die Grundrechte in dieser ihrer klassischen Form, so drücken sie zum überwiegenden Teil eine Negation staatlicher Zuständigkeit aus und sind Abwehrrechte gegenüber dem Staat. Sie suchen die Würde des Menschen im positiven Recht auszuführen und zu schützen. Darüber hinaus sind von diesen Grundrechten interessante Impulse für die Entwicklung des politischen Lebens insofern ausgegangen, als z.B. die Vereins- und Versammlungsfreiheit die Verfassungsrechtsgrundlage für die politischen Parteien und die freien Interessenverbände bot und der Schutz der wirtschaftlichen Grundlage der damaligen bürgerlichen Gesellschaft war.

Der Kreis der Grundrechte hat sich mit der Entwicklung der Bedürfnisse des Einzelnen und der organisierten Interessen der Gesellschaft erweitert. Zu den klassischen, nämlich liberalen und politischen Grundrechten sind sogenannte soziale Grundrechte getreten, die vor allem in internationalen Dokumenten,<sup>22</sup> nämlich in der UNO-Deklaration der Menschenrechte von 1948 und in der Sozialcharta<sup>23</sup> 1961 des Europarates und in der Grundrechtecharta 2009 der EU enthalten sind. Sie sind auf ein Tätigwerden des Staates gerichtet und wollen eine Freiheit durch den Staat. Als Beispiel für

<sup>20</sup> Dazu Carl J. Friedrich, *Der Verfassungsstaat der Neuzeit*, Berlin-Göttingen-Heidelberg 1953 und Schambeck, *Die Grundrechte im demokratischen Verfassungsstaat*, S. 462 ff.

<sup>21</sup> Näher über die Arten der Grundrechte, Schambeck, a.a.O., S. 466 ff.

<sup>22</sup> Siehe Menschenrechte, Ihr internationaler Schutz.

<sup>23</sup> Beachte Herbert Schambeck, *Grundrechte und Sozialordnung, Gedanken zur europäischen Sozialcharta*, Berlin 1969.

derartige soziale Rechte seien genannt: vor allem das Recht auf Arbeit, auf sichere, gerechte und gesunde Arbeitsbedingungen, auf ein gerechtes Arbeitsentgelt, auf Kollektivverhandlungen, auf Schutz, auf Berufsberatung und Berufsausbildung der Kinder und Jugendlichen, auf Gesundheit, Fürsorge und soziale Sicherheit.

Zu diesen liberalen, demokratischen und sozialen Grundrechten sind in den letzten Jahrzehnten mit wachsender Deutlichkeit ihrer Notwendigkeit existentielle Grundrechte<sup>24</sup> getreten. Sie sind auf die Anerkennung und den Schutz der Existenz des Menschen, beginnend mit dem Schutz des ungeborenen Lebens und den Beistand bis zu seinem Ende unter Ablehnung der Euthanasie gerichtet.

Dieses Recht auf Leben<sup>25</sup> umfasst auch den Anspruch auf Hilfe bei Behinderung, den Schutz der Umwelt und die Wahrung der menschlichen Gesundheit.

Während die liberalen, demokratischen und sozialen Grundrechte auf eine Freiheit vom, im und durch den Staat gerichtet sind, verlangen die existentiellen Grundrechte neben und mit dem Staat auch die persönliche bzw. private Initiative durch den Einzelnen.

Als Beispiele für das Recht zum Leben seien im Staatsrecht der Art. 2(2) des Bonner Grundgesetzes sowie auf europäischer Ebene Art. 2(1) der europäischen Menschenrechtskonvention und Art. 2 der Grundrechtecharta der EU genannt.

Diese Menschenrechte, die heute nahezu selbstverständlicher Teil normativer Ordnungen der Staaten und der Völkergemeinschaft sind, waren bereits größtenteils vom seligen Papst Johannes XXIII. in seiner Friedensenzzyklika vorausgedacht als Wegweisungen wie das Recht auf Leben und Lebensunterhalt (11), moralische und kulturelle Rechte (12,13), das Recht auf Gottesverehrung (14), das Recht auf freie Wahl des Lebensstandes (15,16,17), Rechte in wirtschaftlicher Hinsicht (18,19,20,21,22), das Recht auf Gemeinschaftsbildung (23,24), Recht auf Auswanderung und Einwanderung (25) und Rechte politischen Inhalts (26,27).

Mit Rechten hat der selige Papst Johannes XXIII. auch auf die Pflichten der Menschen hingewiesen, nämlich auf die unauflösliche Beziehung zwi-

<sup>24</sup> Über Neue Aufgabe der Grundrechte siehe Schambeck, *Die Grundrechte im demokratischen Verfassungsstaat*, S. 480 ff.

<sup>25</sup> Hiezu Wolfgang Waldstein, *Das Menschenrecht zum Leben, Beiträge zu Fragen des Schutzes menschlichen Lebens*, Berlin 1982; Schambeck, a.a.O. und Manfred Spieker, *Sozialethische Fragen des Lebensschutzes*, in: *Handbuch der Katholischen Soziallehre*, hrsg. von Anton Rauscher, Berlin 2008, S. 361 ff.

schen Rechten und Pflichten in derselben Person (28,29), auf gegenseitige Rechte und Pflichten unter verschiedenen Personen (30), gegenseitige Zusammenarbeit (31,32,33), Verantwortungsbewusstsein (34), Zusammenleben in Wahrheit, Gerechtigkeit, Liebe und Freiheit (35,36) und Gott, das Fundament der sittlichen Ordnung (37,38).

## V.

Enzykliken<sup>26</sup> sind Lehräußerungen besonderen Ranges, die mit Beiträgen zur katholischen Soziallehre auch an die in Staat- und Völkergemeinschaft Verantwortlichen gerichtete Sozialgestaltungsempfehlungen beinhalten, die konkret Entscheidungen in Gesetzgebung und Vollziehung verlangen und an den Einzelmenschen gerichtet sind. Ihre Wirkung kann sowohl normierend wie motivierend und epochemachend sein. Das Pontifikat des seligen Papstes Johannes Paul II., der entscheidend zum Ende der kommunistischen Herrschaft<sup>27</sup> und damit zum Ende der Teilung Europas beitrug, gilt es dabei besonders zu nennen; gleichzeitig aber auch zu betonen, dass das Ende des Kommunismus in keiner Weise auch eine Beendigung oder endgültige Beantwortung der sozialen Frage gebracht hat; das Gegenteil ist der Fall, der Kreis der Verantwortlichen ist breiter und größer geworden. An die Stelle des kommunistischen Zentralismus ist eine Breite demokratischer Verantwortung mit den Möglichkeiten demokratischer Meinungs-, Urteils- und Willensbildung auf parlamentarischem Weg und besonderen Einrichtungen der direkten Demokratie, wie Volksabstimmung, Volksbegehren und Volksbefragung getreten.

Die mit dem Ende an autoritärer und totalitärer Herrschaft verbundene Freiheit ist mit vermehrter politischer Verantwortung verbunden: sowohl bei Normsetzern in Parlament und Regierung wie auch bei Normadressaten, wie es Bürgerinnen und Bürger sind.

## VI.

In dieser Entwicklung kommt es darauf an, dass kultureller Fortschritt, wirtschaftliches Wachstum und soziale Sicherheit möglichst vielen zuteil wird. Das Beispiel der Bundesrepublik Deutschland mit der sozialen Marktwirtschaft<sup>28</sup> kann dazu beispielgebend und wegweisend sein: sowohl auf

<sup>26</sup> Beachte Fidelis M. Gallati O.P., *Wenn die Päpste sprechen*, Wien 1960.

<sup>27</sup> Dazu Paul Verbeck, *Johannes Paul II. und der Zerfall des Sowjetimperiums*, Augsburg 2005.

<sup>28</sup> Näher Dieter Grosser, *Soziale Marktwirtschaft: Geschichte-Konzept-Leistung*, Stuttgart 1990 und Otto Schlecht, *Grundlagen und Perspektiven der sozialen Marktwirtschaft*, Tübingen 1990.

staatlicher wie auch auf zwischenstaatlicher Ebene, wie es der Staatenverbund der EU ist, welcher gerade nach dem Reformvertrag von Lissabon<sup>29</sup> und der EU Grundrechtecharta<sup>30</sup> sowohl eine Wirtschafts- und Währungsgemeinschaft wie auch eine Rechts- und Wertegemeinschaft<sup>31</sup> sein soll. In diesem Zusammenhang beklagte bereits 1990 Joseph Kardinal Ratzinger „das zunehmende Absinken der europäischen Idee in eine bloß ökonomische Arithmetik, die zwar Europas wirtschaftliche Macht in der Welt immer mehr steigerte, aber die großen ethischen Ziele immer mehr auf Besitzvermehrung reduzierte und in die Logik des Marktes einebnete“<sup>32</sup> Als Papst Benedikt XVI. forderte er 2005, „dass die Europäische Gemeinschaft des dritten Jahrtausends nicht das Erbe der kulturellen und religiösen Werte ihrer Vergangenheit verliert. Denn nur unter diesen Voraussetzungen wird man mit fester Hoffnung eine Zukunft der Solidarität und des Friedens aufbauen können“.<sup>33</sup>

## VII.

Die Kirche weiß um die in der Demokratie erforderliche Meinungs- und Urteilsbildung möglichst vieler, um eine demokratisch legitimierte Staatswillensbildung zu gewährleisten; diese soll aber nicht willkürlich sein, sondern von einem möglichst breiten Konsens an Werten und, wie es Joseph Kardinal Ratzinger besonders 2005 deutlich ausdrückte, von keiner „Diktatur des Relativismus“<sup>34</sup> getragen sein. Die Kirche ist auch in der Politik für die Offenheit des Blickes, der in der Anerkennung der Freiheit und Würde des Menschen seine Grundlage und im Gemeinwohl sein Ziel finden kann: sowohl im Staat, wie auch in der Völkergemeinschaft. In diesem

<sup>29</sup> ABl. Nr. C290/1 vom 30.11.2009.

<sup>30</sup> ABl. 2007 C303/1 am 1.12.2009 in Kraft getreten.

<sup>31</sup> Siehe Herbert Schambeck, *Die Verfassung der Staaten und die neue Ordnung des sich integrierenden Europa*, *Disputationes Societatis Scientiarum Bohemiae 1*, Praha 2011, bes. S. 18 ff.

<sup>32</sup> Joseph Kardinal Ratzinger, *Europa-Hoffnung und Gefahren*, in: *derselbe, Wendezeit für Europa? Diagnosen und Prognosen zur Lage von Kirche und Welt*, Freiburg 1991, S. 84.

<sup>33</sup> Papst Benedikt XVI., *Ein vereintes und solidarisches Europa ins Leben rufen*, Ansprache am 16. Juni 2005, O.R. dt. Nr. 25, 24. Juni 2005, S. 10; beachte auch Egon Kapellari, „Hat Europa noch christliche Werte“, O.R. dt. Nr. 44, 5. November 2010, S. 6 f.

<sup>34</sup> Kardinaldekan Joseph Ratzinger, *Predigt bei der Heiligen Messe „Pro eligendo do Romano Pontifice“*, O.R. dt., Sonderausgabe 2005; siehe dazu u.a. Janne Haaland Matlary, *Veruntreute Menschenrechte. Droht eine Diktatur des Relativismus?*, Augsburg 2006.



Zusammenhang gilt es zu erkennen, dass es nicht nur in Staaten die Gefahr der „Diktatur des Relativismus“ durch einige wenige zu Lasten der Mehrheit, sondern auch in der Völkergemeinschaft gibt.

In einzelnen Staaten können von einigen wenigen, die an den Schaltebeln der Macht sitzen, Menschenrechte verletzt werden, um ihren Herrschaftsanspruch auch grundrechtswidrig aufrecht zu erhalten, in gleicher Weise aber auch in der Völkergemeinschaft, wenn nicht alle Staaten in gleicher Weise die Menschenrechte und allgemein anerkannte Grundwerte des privaten und öffentlichen Lebens wahren. Diesen Entwicklungstendenzen stellte Papst Benedikt XVI. am 18. April 2008 in seiner Ansprache vor der UNO Generalversammlung die universalen Ziele der Vereinten Nationen in ihren Gründungsprinzipien entgegen: nämlich „das Streben nach Frieden, den Sinn für Gerechtigkeit, die Achtung der Menschenwürde, die humanitäre Zusammenarbeit und Hilfeleistung“... Gleichzeitig betonte er: „Das ist umso nötiger in der heutigen Welt, wo man das offensichtliche Paradox eines multilateralen Konsens erfährt, der sich weiter in der Krise befindet, weil er den Entscheidungen einiger weniger untergeordnet ist, während die Probleme der Welt von Seiten der internationalen Gemeinschaft Interventionen in Form gemeinsamer Aktionen erfordern...“

Tatsächlich erfordern die Sicherheitsfragen, die Entwicklungsziele, die Verringerung der lokalen und globalen Ungleichheiten, der Schutz der Umwelt, der Ressourcen und des Klimas, dass alle für das internationale Leben Verantwortlichen gemeinsam handeln und bereit sind, in gutem Glauben zu arbeiten, in Achtung vor dem Gesetz, um die Solidarität mit den schwächsten Regionen des Planeten zu fördern... Im Rahmen der internationalen Beziehungen ist es nötig, die übergeordnete Rolle der Regeln und Strukturen zu erkennen, die ihrer Natur nach auf die Förderung des Gemeinwohls und damit auf Verteidigung der menschlichen Freiheit hingeordnet sind“.<sup>35</sup>

In diesem Zusammenhang prägte Papst Benedikt XVI. das „Prinzip der Schutzverantwortung“. „Jeder Staat hat die vorrangige Pflicht, seine Bevölkerung vor schweren und wiederholten Verletzungen der Menschenrechte zu schützen, wie auch vor den Folgen humanitärer Krisen, die sowohl von der Natur als auch vom Menschen verursacht werden.“

Wenn sich herausstellt, dass die Staaten nicht in der Lage sind, einen solchen Schutz zu garantieren, steht es der internationalen Gemeinschaft zu,

<sup>35</sup> Papst Benedikt XVI., Menschenrechte als Ausdruck der Gerechtigkeit respektieren, O.R. dt. Nr. 17, 25. April 2008, S. 14.

mit den von der Charta der Vereinten Nationen und anderen internationalen Übereinkommen vorgesehenen rechtlichen Mitteln einzugreifen“.<sup>36</sup>

Gleichzeitig wies Papst Benedikt XVI. darauf hin: „Die Menschenrechte aus diesem Kontext herauszulösen, würde bedeuten, ihre Reichweite zu begrenzen und einer relativistischen Auffassung nachzugeben, für welche die Bedeutung und Interpretation dieser Rechte variieren könnten und der zufolge ihre Universalität im Namen kultureller, politischer, sozialer und sogar religiöser Vorstellungen verneint werden könnte. Die große Vielfalt der Sichtweisen kann kein Grund sein, um zu vergessen, dass nicht nur die Rechte universal sind, sondern auch die menschliche Person, die das Subjekt dieser Rechte ist“.<sup>37</sup>

### VIII.

Trotz dieser Universalität der Rechte der menschlichen Person, die in den Grundrechtskatalogen demokratischer Verfassungsstaaten und internationaler Konventionen sowie Proklamationen stehen, werden diese immer wieder verletzt: sei es in verfassungswidriger Weise von den zuständigen Verantwortlichen in einzelnen Staaten, die ihren Herrschafts- und Machtanspruch in menschenrechtswidriger Weise durchzusetzen trachten oder aber auch, dass ein Staat gegen einen anderen Staat vorgeht, um seinen Herrschafts- und Machtanspruch, also territorial und imperial zu erweitern.

Leider müssen derartige Menschenrechtsverletzungen durch Staaten gegenüber ihren eigenen Einwohnern innerhalb ihrer Grenzen ebenso festgestellt werden, wie von einem Staat gegenüber einem anderen. Der betreffende Staat ist dann kein Beschützer der Menschenrechte, sondern ein Bedroher der Ruhe und der Ordnung, die er aber gewährleisten sollte.

Fälle dieser Art an Menschenrechtsverletzungen gibt es bis in die unmittelbare Gegenwart in großer Zahl, die Anlässe innerhalb einzelner Staaten und in der Völkergemeinschaft sind unterschiedlich, auch von Kontinent zu Kontinent; manchmal kommt es sogar vor, dass ein Staat verdienstvoll seinen Einsatz für die Wahrung der Menschenrechte auch in anderen Erdteilen leistet, dann aber selbst völkerrechtswidrig einen Angriffskrieg beginnt und Grundrechtsverletzungen begeht, wie die USA im Irak.<sup>38</sup>

<sup>36</sup> Papst Benedikt XVI., a.a.O.

<sup>37</sup> Papst Benedikt XVI., a.a.O.

<sup>38</sup> Siehe die kritischen Stellungnahmen zum Irak-Krieg von Papst Johannes Paul II. O.R. dt. Nr. 4, 24.1.2003, S. 7 und von Papst Benedikt XVI. O.R. dt. Nr. 12-13, 21.3.2008, S. 1.

Diese Feststellungen zeigen, dass nicht nur Menschen mit verschiedenen Haltungen im Leben, sondern auch Staaten mit unterschiedlicher Einstellung zu den Menschen erfahrbar sind. Solches auch in unserer Zeit Erlebbares verlangt das gerechte Urteil und den Mut des Einsatzes für eine menschenrechtswürdige Ordnung durch den Einzelnen, den Staat und auch die Kirche,<sup>39</sup> an welche der selige Papst Johannes XXIII. in seiner Friedens-encyklika das Verlangen stellte: „In der Tat darf niemand außer Acht lassen, dass es Recht und Pflicht ist, nicht nur die Reinheit der Glaubens- und Sittenlehre zu schützen, sondern ihre Autorität auch im Bereich diesseitiger Dinge einzusetzen, wenn nämlich die Durchführung der kirchlichen Lehre in konkreten Fällen ein solches Urteil notwendig macht“.<sup>40</sup>

<sup>39</sup> Näher Herbert Schambeck, *Kirche-Staat-Gesellschaft, Probleme von heute und morgen*, Konfrontation Band 1, Wien-Freiburg-Basel 1967 und derselbe, *Kirche, Staat und Demokratie*, Berlin 1992.

<sup>40</sup> *Pacem in terris*, Nr. 160.

## STATEMENT

# STATEMENT OF THE PLENARY SESSION

■ RUSSELL HITTINGER

The Pontifical Academy of Social Sciences devoted its XVIII Plenary Session (27 April – 1 May 2012) to the subject: “The Global Quest for *Tranquillitas Ordinis*: Pacem in Terris, Fifty Years Later”. Papers were given by 19 members of the Academy, and by 18 invited experts. The academicians and invited experts not only represented the several scholarly disciplines of social sciences, but also included former heads and ministers of state as well as churchmen experienced in the policies and practices of both temporal and ecclesiastical government around the world. Special emphasis was given to new agents and authorities in the global commons who shape from below new networks of information and who initiate humanitarian and charitable cooperation. Not least, in view of the New Evangelization, the Academy welcomed the insights of theologians on Christ as the Prince of Peace, and more generally on the role of religion in promoting reconciliation.

Marking the 50<sup>th</sup> anniversary of Blessed Pope John XXIII’s encyclical *Pacem in Terris*, this plenary also provided a capstone for recent meetings that anticipated important themes in that encyclical. The 2009 plenary, on “Catholic Social Doctrine and Human Rights”, observed the 60<sup>th</sup> anniversary of the U.N.’s Universal Declaration of Human Rights, which was a precedent for the “magna carta” of human rights enunciated in *Pacem in Terris*. Then, in 2010, the Academy considered the urgent subject of the “Crisis in a Global Economy”. Pope John’s firm articulation of the right of religious liberty paved the way for the Second Vatican Council’s declaration *Dignitatis Humanae*. It was fitting that the Academy should turn its attention in 2011 to the international situation of religious liberty.

The XVIII Plenary set for itself the rather daunting task of evaluating the vast tableaux of social, scientific, economic, political, and technological changes that have ensued over the past half century since *Pacem in Terris*. The PASS council and the coordinator of the plenary chose the title “The Global Quest for *Tranquillitas Ordinis*” in recognition of the fact that Blessed John XXIII was inspired by St. Augustine’s definition of peace as “the tranquility of order”. Indeed, his encyclical highlights six important modes of order, which are conditions or ways of peace: (1) order in the universe, which gives rise to issues of science, technology, and ecology; (2) order in freedom and conscience that flows from an individual’s participation in the

eternal law, which points to fundamental anthropological and moral truths; (3) order among individual human persons, which requires truth to complete itself in freedom, justice, and love; (4) order between members of a political community and its authorities, pointing to the complex relationships and responsibilities of rulers and citizens for the sake of the common good; (5) order between political communities, reminding us of the need for states to be guided by something more than a *realpolitik*; (6) order that ought to obtain between all peoples and individuals to a world-wide community, raising in our own time the urgent and perplexing problem of how to achieve institutions of authority adequate to the global commons.

The first session of the Plenary framed three important themes, to which the Academy's discussions continually returned over the next three sessions. First, the human person is the center and summit of social institutions. It was pointed out that the specifically human participation in the different aspects of order outlined in *Pacem in Terris* depends upon and expresses laws that are chiefly moral in nature. These orders are not material things but rather relationships that presuppose the human capacity to act intelligently. To be sure, orders can be studied empirically, just as they can be assisted by new technologies, but not so as to replace or obscure the unique order in the human person. An adequate anthropology is fundamental to serious study of social institutions and changes, for these changes are not the result of material forces or of historical inevitabilities.

A noteworthy passage in the encyclical underscores a second important theme in the discussions, namely that of truth: "Now the order which prevails in human society is wholly incorporeal in nature. Its foundation is truth, and it must be brought into effect by justice. It needs to be animated and perfected by men's love for one another, and, while preserving freedom intact, it must make for an equilibrium in society which is increasingly more human in character" (PT §37). Human freedom to create orders of justice and to perfect them with love depends on truth. Pope Benedict XVI's recent encyclical *Caritas in Veritate* was often referenced as a restatement in our time of the main principle in Catholic Social Doctrine.

The Academy is well aware of the urgent need for dialogue between the different disciplines of inquiry – both scientific and practical – to cooperate in a non-reductive understanding the human person and human social institutions. Throughout the plenary, several academicians and invited experts emphasized the importance of the dialogue of faith and reason, which are differently, but mutually, ways of truth seeking and of perfecting human solidarity. The multiplicity of disciplined inquiries and ways of knowledge should not be construed as a division of the unity of the human person.

A third major theme that was sounded at the outset and that echoed throughout the Plenary is that Blessed John XXIII's vision of peace as tranquility of order is a work-in-progress. The perennial task of discerning the signs of the times is always situated in the thickness of history. Sometimes the crises are of such magnitude and importance that they are evident to everyone. In the early 1960s it was the threat of a global nuclear war; in the first decade of the 21<sup>st</sup> century, it is the fear of a globalized economy in disequilibrium. More likely, however, the dead-ends as well as the new opportunities for social progress and harmony are more subtle. These are discerned by the patient attention of a scientist, or by the imaginative experiments of an innovator of human practices, or even by the prophet who sees a thread in the history of salvation running through human history. The social scientist, too, needs to ask herself *what* to look at, and just as importantly *how* to look.

Much discussion was devoted to issues of government over the four sessions. Such attention was not unexpected, because four of the six modes of order in the encyclical pertain to institutional harmonies which, in some broad sense, can be called government. Discussions frequently circled back to the situation of European Union as well as to the global economic challenges that cross jurisdictional and political borders. There was general agreement about basic principles: (1) That it is a mistake to think of the challenges to European Union as merely monetary problems, just as it is wrong to think more globally of the economic crisis as a merely managerial problem; (2) That in a multi-polar world, the re-emergence of *Realpolitik* is a real danger, for it moves us back toward a Westphalian order than away from it; (3) That while political, economic, and environmental issues make more urgent the need for adequate regional and global institutions of authority, it is rather nebulous how to achieve this goal, especially in light of two qualifying conditions recognized by the Church – namely, that they be achieved freely, mutually by consent, and that they adhere to the principle of subsidiarity. Although the problem was raised whether already-existing international institutions needed to be gradually revised, or whether entirely new institutions need to be devised, there was some intimation of consensus among discussants about new financial institutions, but not about broader international-political ones. Many academicians believe more work is needed on subsidiarity in order to provide practical guidance to the shaping of new institutions.

There was general agreement, as well, that globalization without the right institutions of order is not necessarily a good thing. Globalization, for example, demands that borders vanish, without however realizing freedom

for those who lack resources to take advantage of being “globalized”, or who need domestic institutions of justice to protect the weak from exploitation. From different perspectives and with different emphases, academicians and invited experts noted that the weakening solidarity of the nation-state does not necessarily lead to a firmer order of justice or a universal order of human prosperity.

These fascinating and recurrent discussions about the big picture were complimented by very useful case studies pertaining to certain countries or global regions in which political, economic, and ecological issues can be assessed in a smaller frame. Reports and discussions ranged from Peru and other regions of Latin America, to Africa, to the Arab Spring, to emigration and demographic patterns in different parts of the world, and to ecological reform in India. Academicians were reminded that creating, and sometimes losing, one or another aspect of tranquility of order depends considerably on getting smaller things right, or wrong: in elections, relinquishing authority to the victor; in political parties, honestly and intelligently changing policies which do not work; in environmental issues, introducing cost-effective changes that can be appropriated by ordinary people.

One of the most intriguing developments, from below, so to speak, is the “new communications”. Here, we considered not so much the new devices and material platforms of communication as the “open source” commons. This global commons facilitates the knowledge and communication for scientific, civic and economic purposes, by private individuals and associations. It promises to expand human communication beyond certain monopolies on education and expression and networking imposed by governments, political parties, religions, or corporations.

Similar points were made with regard to religion, particularly, but not exclusively, to Christianity. Studies have suggested that religious agents are most successful in building peace when they are independent of the state. Hence, the skills of solidarity acquired over generations by a religious tradition can be deployed for education, care of the indigent, fostering reconciliation. Several eminent theologians gave papers on the “kingdom” as Christians should understand it. That is to say, Christ did not preach or command his disciples to realize a kingdom that culminates in a particular polity. Hence, Christians can be agents of peace at local, regional, and global levels without being a rival to the other institutions of order. Its message is not power but conversion, which is not without social consequences. It is not only important for Christians to continually understand how the Kingdom differs from other institutions, but also to discern the differences between kinds of “secularism” and “secularity”, and to open



serious dialogue with those who fear that religion is a rival to scientific and moral truth, and to the spectrum of human institutions of order and progress. Thus, the discussion of the Academy returned to the opening theme of truth, and the memorable words of Blessed Pope John XXIII: “Now the order which prevails in human society is wholly incorporeal in nature. Its foundation is truth ...”.

# Homilies

# HOMILY

■ H.E. MSGR. NIKOLA ETEROVIĆ

*General Secretary of the Synod of Bishops*

(Acts 9:1–20; Psalm 116:1,2; Jn 6:52–59)

*“Go out to all the world and tell the Good News”.*

God’s Word sheds light on every action of the Church and believers. God’s Word also illumines the path of the XVIII Plenary Session of the Pontifical Academy of Social Sciences as it treats the topic “The Global Quest for *Tranquillitas Ordinis, Pacem in Terris*, Fifty Years Later”. This event takes place as the Catholic Church prepares for the XIII Ordinary General Assembly of the Synod of Bishops, to be held in October, 2012, to discuss “The New Evangelization for the Transmission of the Christian Faith”. During the synodal session, 11 October will mark the beginning of the *Year of Faith*, proclaimed by the Holy Father Pope Benedict XVI to commemorate the Fiftieth Anniversary of the opening of the Second Vatican Council and the Twentieth Anniversary of *The Catechism of the Catholic Church*. With these events in mind, I would like to touch upon certain points suggested by the Scripture readings, just proclaimed, which can also shed light on our activities in these days of reflection for the well-being of the Church and all people of good will.

*We are all missionaries.* The refrain of the Responsorial Psalm recalls the duty of Christians to proclaim the Good News to all the world. It reminds us of the missionary vocation of all the baptized. The missions are not the concern of specialized persons only – priests, consecrated persons and lay people who leave their countries to proclaim the Gospel of Jesus Christ to distant nations, whose people have no knowledge of Jesus Christ. All of the Lord’s disciples are called to be missionaries in the places where they live and work. They fulfill this vocation in the Christian witness of their lives. However, where necessary, they are also called to give a reason for their faith (cf. *1 Pt* 3:15) to persons who asked. These can oftentimes be persons who belong to non-Christian religions and live in western cultures instilled with Christianity. At the same time, every Christian should equally feel a responsibility to assist in evangelization *ad gentes*, in properly called “missionary territories”, through prayer and spiritual and material support.

*The content of proclamation.* The readings during this Easter season help us to put into focus the core of the Good News to be proclaimed by Chris-

tians, namely, the Paschal Mystery, the death and resurrection of Jesus Christ. Belief in the resurrection is based on a personal experience of the Risen Lord which is lived out in the ecclesial community. This truth cannot be presupposed in our secularized world, where many people live a life far from the Church and, unfortunately, in religious indifference, almost without any thought of God.

The words of St. Paul have a particular relevance today for the ecclesial community: “For if I preach the gospel, that gives me no ground for boasting. For necessity is laid upon me. Woe to me if I do not preach the gospel!” (1 Cor 9:16). This task, perennially entrusted to the Church whose existence is to evangelize, today requires a special commitment, if she is to respond to the new challenges of the human person and society: secularization, the promotion of life from conception to natural death, bioethics, ecology, social and political justice and the integral development of persons and entire peoples. This task, as Blessed Pope John Paul II stated, demands a new evangelization, which is “new in its vigor, its methods and its expression” (XIX Assembly of C.E.L.A.M., Port au Prince, Haiti, 9 March 1983). Ordinary pastoral activity should be reinvigorated so that Christians can draw to Jesus Christ and his Church the many baptized persons who, unfortunately, for various reasons, have drifted from Christian practice.

The readings also help us to identify two other important aspects of the new evangelization.

*Conversion* is the presupposition of the new evangelization. St. Paul’s experience on the road to Damascus has relevance for us today. The Apostle to the Gentiles had the exceptional grace personally to encounter the Risen Lord who radically changed his life from his being a persecutor to an apostle. The Lord also made him understand the true meaning of the Scriptures which Saul, as a pious Jew, knew well. The key to interpreting the Word of God is the Risen Lord who, in his crucifixion on the wood of the Cross, conquered violence and death in his flesh. To properly understand the Scriptures requires the grace of the Holy Spirit and the support of the Christian Community of the Church. In the account from Acts of the Apostles, the Church is represented by Ananias. Initially, he is afraid to meet Saul because of the evil he perpetrated against Christians. Ananias therefore objects, but the Lord is able to conquer his reluctance, set him on the road towards Saul’s conversion and, finally, welcome Saul into the Church in baptism.

The Apostle Paul’s experience is very relevant today. Conversion is necessary for encountering the Risen Christ and becoming active members of the community of his disciples. As in the case of St. Paul, conversion entails privileged moments and fundamental changes in life. Conversion is ongo-

ing in the Christian life, a constant reminder to accept the invitation made by Jesus at the beginning of his public life: “The time is fulfilled, and the kingdom of God is at hand; repent, and believe in the gospel” (Mk 1:15). Conversion is not only for Christians but, in a certain sense, can be applied to all people of good will. In this case, it can entail a change of mentality according to right reason, oriented towards the common good. How is Universal peace in Truth, Justice, Charity and Freedom to be realized in our world through change-conversion? One of the obvious ways is an increasingly needed dialogue between faith and reason, “which are the two wings with which the human spirit rises towards the contemplation of the truth” (*Fides et ratio*, Introduction). One of the priorities of the new evangelization is precisely promoting a fruitful encounter between faith, which broadens the horizons of reason, and reason, which helps faith avoid possible errors, like fundamentalism or even a terrorism espoused under the pretext of religion. Catholic people of learning are particularly called to demonstrate the harmony and the mutual enrichment of faith and reason. Work in this area is a daunting task and will not be easy, particularly considering the complexity of our present globalized world, which needs to discover the importance of religion in the lives of persons, families, communities, peoples and the entire human family.

Finally, the *Eucharist* is at the heart of the new evangelization and the source and summit of the life and mission of the Church. On the path of life, which is fraught with obstacles, the faithful Christian is never alone, because he is united to God and his brothers and sisters as members of the same Church. Each personally and everyone together, as members of the ecclesial community, receive an inexhaustible source of nourishment in the Eucharist, the gift of the Lord who died and rose and is really present in the bread which is broken and the blood poured out for us and our salvation. We celebrate the sacrament of charity (*sacramentum caritatis*) which gives us the strength to bring about an authentic conversion and sustains us in daily life on the personal, familial and social levels. Nourished by the Bread of Life, we can be authentic witnesses of the Risen Lord in the streets of the world. Actually living the Eucharistic mystery becomes a credible sign in our times characterized by disquiet, violence and war, and a testimony of peace, the gift of God entrusted to human freedom and responsibility. Fifty years ago, Blessed Pope John XXIII called for *Pacem in terris*. This timeless exhortation calls for everyone’s involvement, each according to one’s vocation and responsibility. “Glory to God in the highest, and on earth peace among men with whom he is pleased!” (Lk 2:14).

# HOMILY

■ **H.E. MSGR. EGON KAPELLARI**

*Bishop of the Diocese of Graz-Seckau*

*Delegate of the Holy See to the Council of the Foundation of the PASS*

(L: Apg 11,1-18; Ev: Job 10,1-10)

We celebrate this Eucharist close to Saint Peter's tomb. The reading we heard was a report of the Acts of the Apostles. It recounts about Peter and about the establishment of the primitive Christian community in Jerusalem, going beyond the circle of the Jewish people to other people. This beginning started with Peter in the Holy Land. It was conveyed by conflicts but eventually winning.

Above all Saint Paul gave additional huge dynamics for this beginning. The lives of both Apostles found time's fulfillment here in Rome, which was the centre of the Roman Empire. Hence this centre became hub of the global Christian Church. The fundament laid by Peter and Paul bears all the storms and inconsistencies through history till today and also will in future.

The primitive Christian community has become a worldwide church by now. More than two billion people are Christians today. The Catholic Church with more than one billion Christians and Saint Peter's successor as the vanguard is the strong centre between the Eastern Churches and those originating from Protestant Reformation. Years ago a president of the famous Club of Rome said that the Catholic Church is the oldest global institute with a prophet at its head. He said this referring to Pope John Paul II. But Pope Benedict XVI continues in this way being a global thinker, an actor of today's world and a guide into the future of the Church and mankind.

John XXIII was prophetic in convening the Second Vatican Council and writing his encyclical letter *Pacem in terris*. This encyclical letter affected the hearts of a considerable number of people far beyond Church and it is now not a document of former days but a document of today and tomorrow as well. Therefore it is also the main topic in this year's plenary session of the Pontifical Academy of Social Sciences.

Today's Gospel according to John tells about a good shepherd and the way he is dealing with the sheep entrusted to him. In the Gospel of John Jesus uses strong elementary symbols to explain who he is. He calls himself "light of the world", "word" and "truth", "bread of life", "true grapevine" and "source of living water". And he signifies himself the "Good Shepherd".

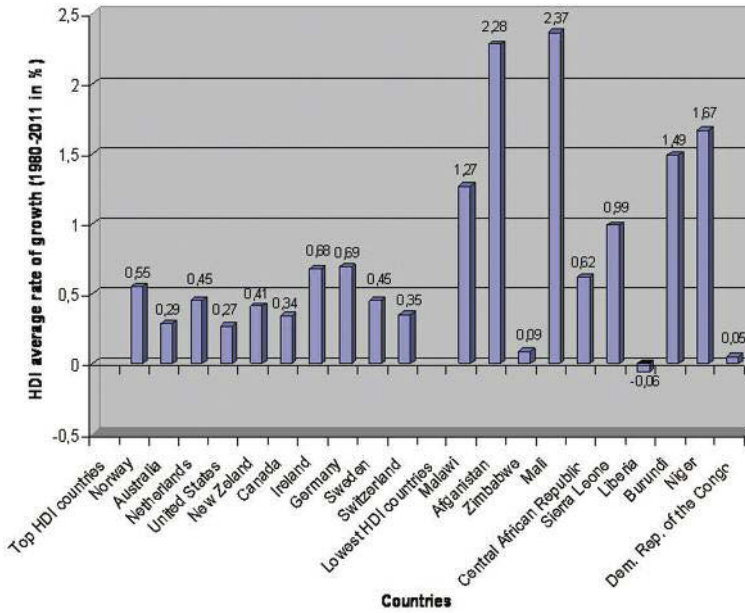
The good shepherd is mentioned many times in the Holy Bible even in its first book, the book of Genesis. We are told that Cain has killed his brother Abel and in order not to have to face God he hides away. But the voice of God is haunting him and asks: “Cain, where is Abel your bother?” Cain’s answer is a provocative counter question: “Am I the guardian, the shepherd of my brother?”

God does not accept this answer and punishes Cain because Cain does not want to be the brother but the enemy of Abel. Yes, you are the shepherd of your brother, of your sister – says the Bible many times and it tells about people who really were fellow men and not “homo homini lupus”. Jesus radicalized this mission – above all in his Sermon on the Mount. Thereby he set ethnical and spiritual dynamics going, which are moving the Christian churches, especially the Catholic Church. These dynamics are even put down in the principles of Catholic Social Teaching. Furthermore they are a consistent impulse for the Pontifical Academy of Social Sciences’ thought and actions. Everyone of us and we all together are called to be shepherds along the lines of Jesus, the Good Shepherd, who is looking for rich pastures and sources of fresh water for those entrusted to him. May this year’s session of the Pontifical Academy of Social Sciences also help us in this aim.

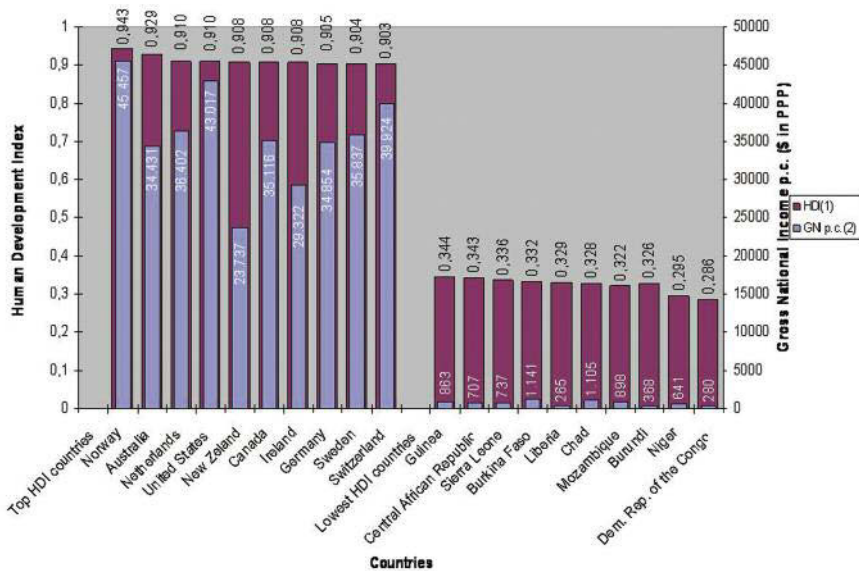




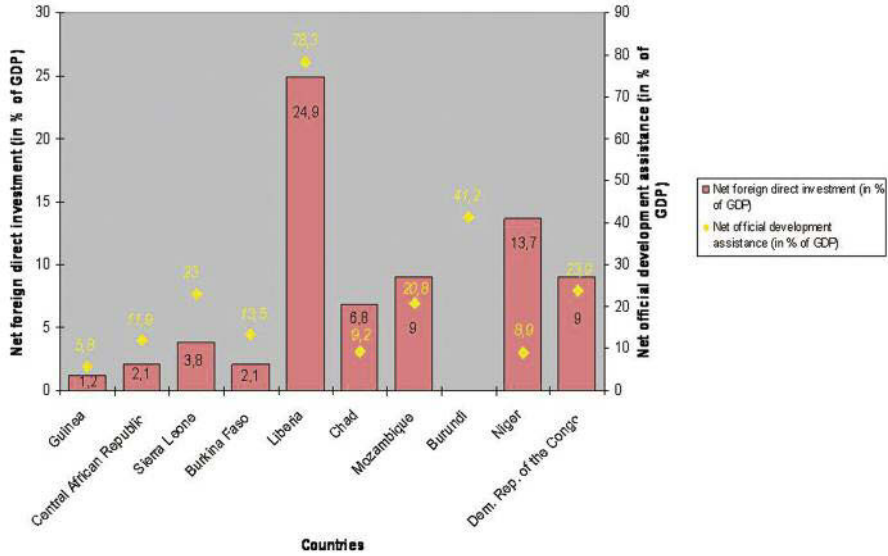
# Tables



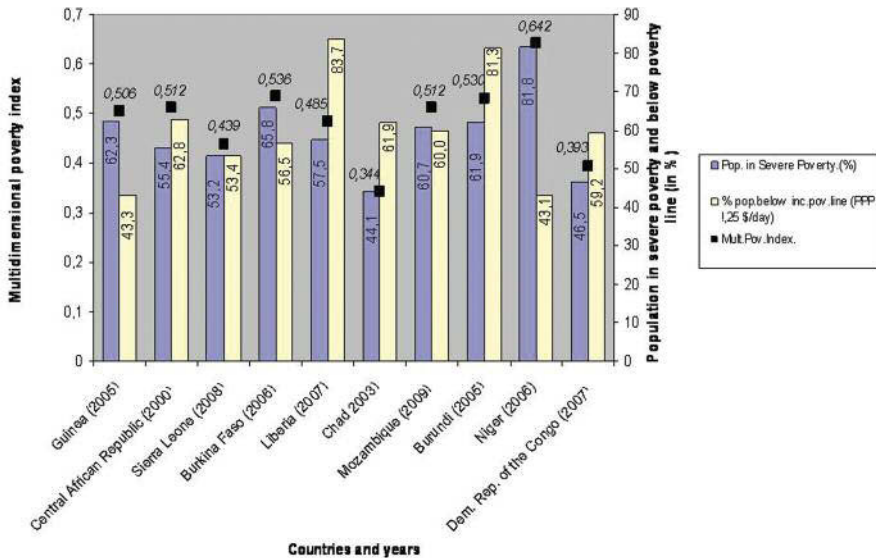
Graph I. Human development index annual average growth rate (1980-2011, in %).



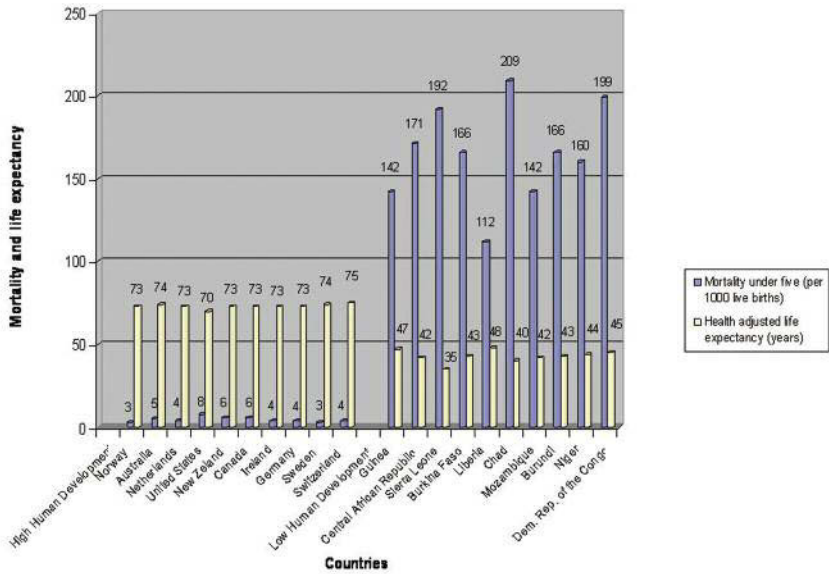
Graph II. Human development index and Gross national income p.c. (year 2011).



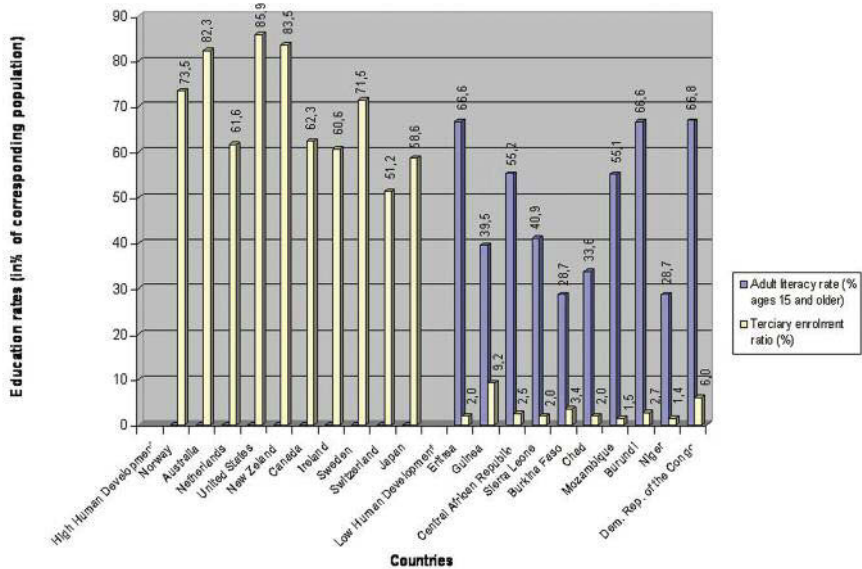
Graph III. The concern with lowest human development countries (year 2009).



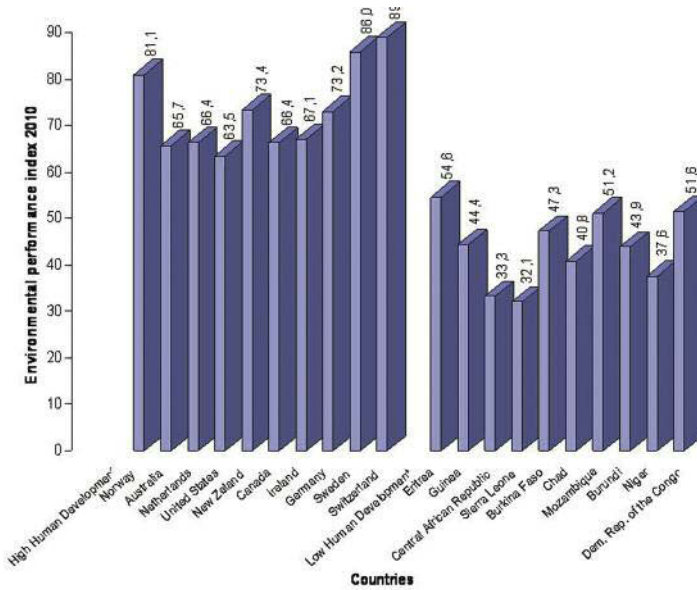
Graph IV. Poverty references: multidimensional index and population % in severe poverty and below poverty line (poorest countries).



Graph V. Mortality and life expectancy (year 2009).



Graph VI. Education rates (period 2001-2010).



**Graph VII.** Environmental performance index (year 2010).