

GAUDIUM ET SPES AND THE STRUGGLE FOR HUMAN RIGHTS IN PERU

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Abstract of Paper

The theme of human rights is an important one throughout the pastoral constitution on the Church in the modern world. While basically *Gaudium et spes* contains the same message concerning rights and duties that John XXIII had already presented in his 1963 encyclical letter, *Pacem in terris*, it places the full weight of the Catholic church behind this social doctrine. The topic of human rights was not only assumed by the Latin American Bishops' Conferences assemblies in Medellín (1968), Puebla (1979), and Santo Domingo (1992), but it also became a central issue in many particular Latin American churches (Brazil, Chile, El Salvador, Guatemala, Peru, Colombia, etc.). The article examines the Peruvian case in detail. In the course of these past four decades, human rights have not only become the backbone of social pastoral ministry in Latin America but have become in deed one of the basic principles of Church Social Teaching which need to be applied to any social analysis. The development of this principle is a contemporary example of the participation of the whole Church in the ongoing formation of Social Teaching.

The organization for which I work in Peru, the *Comisión Episcopal de Acción Social* – the Catholic Bishops' Social Action Commission – just celebrated its 40th anniversary last week. In other words, the work in CEAS began the same year as the promulgation of *Gaudium et spes*. In the month of October we'll be celebrating both events with a *Semana Social* – a Social Week – on the importance of that pastoral constitution in our own modern world. CEAS is the Peruvian church's official organization for promoting church social teaching and for defending human rights which is one of the church's social doctrine's important principles.

What I want to present today is a summary of the reflection in which we are now involved in Peru: Human rights is an essential aspect of all of social ministry, and *Gaudium et spes* is the most important church document which speaks about human rights.

- So, in the first place, I will summarize what *Gaudium et spes* says about human rights.
- In the second place, I will point out the historical origins concerning what *Gaudium et spes* says about human rights, and we will find those roots especially in John XXIII's encyclical, *Pacem in terris*.
- In the third place, I will attempt to demonstrate the essential relationship between human rights in particular and church social teaching in general.

- And, finally, and I hope most originally, I want to show how the ministry of human rights has served as the backbone of social ministry during the past forty years in Latin America in general and in Peru in particular.

I do not suggest that there always exists a direct causal relationship between the document that Paul VI promulgated on December 7, 1965 and what church groups are doing in human rights ministries in Latin America. However, I do want to propose something perhaps even more significant: Certainly those Christian communities in Latin America which are involved in the defense of human rights find the justification for their work in the words of *Gaudium et spes* (and, indeed, also in the many other church documents published since 1965 – especially by John Paul II). But what is even more important is that the work of these Christian communities in the field of the defense of the rights of the human person has also had influenced what the institutional church says about the topic. In other words, these basic Christian communities have been actively participating in the process of the continual formation of church social teaching.

1. What *Gaudium et spes* has to say about human rights:

The concept of “rights” is mentioned in 19 of the pastoral constitution’s 93 paragraphs. More importantly, it is mentioned in three of the four chapters in the first part of *Gaudium et spes* concerning the orienting principles and in all five chapters of the second part of the constitution on some more urgent problems. In other words, the concept of rights underlies the whole document. It is not merely an aside.

The first reference to rights occurs in N° 21 in the context of *Gaudium et spes*’ discourse on the problem of atheism and stresses the right of each person to practice his or her religion. And in the second chapter on the communitarian nature of the human person, N° 25 employs John XXIII’s terminology of socialization and envisions that phenomenon positively as a way to protect one’s human rights. The following number outlines a list of some basic economic, social, and cultural rights:

Therefore, there must be made available to all people everything necessary for leading a life truly human, such as food, clothing, and shelter; the right to choose a state of life freely and to found a family, the right to education, to employment, to a good reputation, to respect, to appropriate information, to activity in accord with the upright norm of one's own conscience, to protection of privacy and to rightful freedom, even in matters religious.

And N° 29 adds a condemnation of discrimination and a defense of civil rights:

... with respect to the fundamental rights of the person, every type of discrimination, whether social or cultural, whether based on sex, race, color, social condition, language or religion, is to be overcome and eradicated as contrary to God's intent.

In the 4th chapter of *Gaudium et spes* on the role of the church in the modern world (N° 41), the Council fathers insist that greater human rights do not mean being *exempt from every requirement of divine law*, because that way lies not the maintenance of the

dignity of the human person, but its annihilation. In other words, human law and divine law are not opposed.

In a manner which would be repeated by church social teaching over the following four decades,

the church, therefore, by virtue of the Gospel committed to her, proclaims the rights of the person; the church acknowledges and greatly esteems the dynamic movements of today by which these rights are everywhere fostered.

In the second part of *Gaudium et spes*, the first chapter refers to marriage and the family, and N° 52 states that the family *is the foundation of society* because it is the place where personal rights are harmonized *with the other requirements of social life*.

In the following chapter on the progress of culture, the Bishops insist that culture itself can only develop correctly in a context of freedom and respect for human rights [N° 59:

Culture, because it flows immediately from the spiritual and social character of the human person, has constant need of a just liberty in order to develop; it needs also the legitimate possibility of exercising its autonomy according to its own principles. It therefore rightly demands respect and enjoys a certain inviolability within the limits of the common good, as long, of course, as it preserves the rights of the individual and the community, whether particular or universal.

But the main place where *Gaudium et spes* places emphasis on human rights are in the chapters on economic development and the life of the political community. Both chapters manifest a similar starting point. With an analogy from Mark's Gospel (2:27) about the Sabbath, the Council fathers proclaim that both political and economic structures are made for the human person, and not the person for the structures.

Thus N° 65 states that

(Economic) growth is not to be left solely to a kind of mechanical course of the economic activity of individuals, nor to the authority of government. For this reason, doctrines which obstruct the necessary reforms under the guise of a false liberty, and those which subordinate the basic rights of individual persons and groups to the collective organization of production must be shown to be erroneous.[citing Mater et magistra, N° 53)].

Among these basic rights of the human person, according to N° 68, is to be numbered the right of freely founding unions for working people, which includes, at least as a last resort, the right to strike.

The following chapter on the political community notes in N° 73 that the forms of political communities have been changing in the modern world, and that

the present keener sense of human dignity has given rise in many parts of the world to attempts to bring about a politico-juridical order which will give better protection to the rights of the person in public life. These include the right freely

to meet and form associations, the right to express one's own opinion and to profess one's religion both publicly and privately.

Such civil and political rights are the pre-condition for the functioning of a modern democracy, for as the same paragraph states:

The protection of the rights of a person is indeed a necessary condition so that citizens, individually or collectively, can take an active part in the life and government of the state,

which is a pre-condition for the all-important task of seeking the common good. As we shall see later, *Gaudium et spes* envisions both the political and economic system as the structural means necessary to obtain the common good of each and every person. Thus people do not have the right to harm the common good in order to assure their own particular good,

but it is legitimate for them to defend their own rights and the rights of their fellow citizens against the abuse of this authority, while keeping within those limits drawn by the natural law and the Gospels (N° 74).

These basic human rights, which belong to everyone simply because they are human, nevertheless need to be supported in society by means of positive law (N° 75) for

the rights of all persons, families and groups, and their practical application, must be recognized, respected and furthered, together with the duties binding on all citizens.

In N° 81 in the final chapter of *Gaudium et spes* on the fostering of peace and the promotion of a community of nations, the main argument is that the outlawing of total war requires the establishment of a universal public authority which respects the rights of the individual persons:

It is our clear duty, therefore, to strain every muscle in working for the time when all war can be completely outlawed by international consent. This goal undoubtedly requires the establishment of some universal public authority acknowledged as such by all and endowed with the power to safeguard on the behalf of all, security, regard for justice, and respect for rights.

In summary then we can conclude that the topic of rights plays an integral part in the message of *Gaudium et spes*. That is, if these references were removed from the text, the central message of the pastoral constitution would be changed substantially.

Before finishing this section, let me comment on one possible objection: Some commentators suggest that the basic reason why the church supports human rights is in order to protect itself in those countries where religion in general or Catholicism in particular is proscribed. While that was one of the issues, though certainly not the most important one, taken up by the Vatican Council's declaration on religious freedom, *Dignitatis humanae*, promulgated the same day as *Gaudium et spes* (Herminio Rico, *John Paul II and the Legacy of Dignitatis humanae*, 2002), both the importance given to the principle of human dignity in *Gaudium et spes* and the numerous reference to

different types of rights in the pastoral constitution make it clear that the protection of the church's own rights are only one small part of the way in which the Council Fathers understood the concept of rights.

What we shall examine next is how such a message was not entirely or even principally an original formulation on the part of the bishops who wrote the pastoral constitution but rather a compilation of earlier writings in church social teaching.

2. Historical influences concerning human rights on *Gaudium et spes*:

The importance of rights did not begin with *Gaudium et spes*. That honor goes to John XXIII's encyclical letter *Pacem in terris*, written two years and nine months before *Gaudium et spes*. In fact, great portions of the pastoral constitution owe their origins to John XXIII, especially the reference to both of his social encyclicals, *Pacem in terris* and the earlier *Mater et magistra*. *Gaudium et spes* quotes John XXIII more than twice as much as any other Pope. Those two encyclicals substantiate the four basic social principles presented in the first part of *Gaudium et spes* and also stand at the root of the final four chapters on the practical application of those four principles to the issues of culture, economics, politics, and peace.

Mary Ann Glendon in her book, *A World Made New* (2001, p. 132), on Eleanor Roosevelt and the Universal Declaration on Human Rights, makes an interesting allusion to the fact that one of the three key writers of that 1948 Declaration was the French lawyer, René Cassin, who was also a personal friend of the then Apostolic Nuncio to France, Angelo Roncalli. What influence did each man have on the other? Considering John XXIII's ability to listen and learn from others (Thomas Cahill, *Pope John XXIII*, 2002, p. 96 & 156), it is certainly possible that Cassin provided the future John XXIII a method for interpreting his own lived experiences before and during the world war in Bulgaria, Greece, Turkey, and France itself. Similarly, I believe that one of the real purposes of the Council Fathers in publishing *Gaudium et spes* was to pay tribute to the man by whose inspiration the whole phenomenon of the Second Vatican came into existence.

Perhaps those are only speculative theories which cannot be definitively proven. And perhaps too *Gaudium et spes* adds only a little structurally to the issue of human rights than what *Pacem in terris* had already stated. Nevertheless, I do affirm that the importance of the Council in general, and specifically of the pastoral constitution on the Church in the Modern World, is that it provided the support of an entire Council which promoted human rights not merely as one other important aspect of the Church's role in the world but indeed as the very backbone of the church's entire social commitment. And that is my central thesis.

3. The relationship between human rights and the church's social teaching:

The Catholic church speaks out on many social issues: from abortion to capital punishment, from economic development to humanitarian interventions. But the topic of human rights is not merely one among many topics about which the church has taken

a prophetic stand. Rather human rights are one of the very principles of the church's social teaching which need be applied to all other social issues.

According to that principle, the church view on human *rights* never stands alone; it is always complemented with an equal insistence on human *duties*.

It is not surprising that human rights and duties are envisioned as a mutual relationship in church social teaching. Almost all of the principles of church social doctrine form into pairs and qualify each other. They either lead up to or are a consequence of the central most principle of social doctrine which stands by itself: the common good. And all of these principles are mentioned one way or another in *Gaudium et spes*.

- Human rights are mutually complementary with Human Duties (*Compendium of the Social Doctrine of the Church*, from here on cited as "CSDC", 2004, N° 156 which cites *Pacem in terris*, 32 and *Gaudium et spes*, 26). In this sense the church's social doctrine is way ahead of the UN Declaration of Human Rights, for that latter document only mentions "duties" in one number (29). The framers of the Declaration were able to make use of the window of opportunity between the end of the Second World War and the beginning of the Cold War between the East and the West to secure the universal declaration of rights. To ask them to produce in addition a universal declaration of human duties would have broken the fragile equilibrium they momentarily achieved. The synthesis of the two is one important contribution which the church makes to the modern world.

Similarly with the other principles of catholic social teaching:

- Solidarity is possible when it works alongside Subsidiarity. (*Guidelines for the Study and Teaching of the Church's Social Doctrine in the Formation of Priests*, 1988, N° 38 and CSDC 2004, N° 194). The principle of solidarity is already mentioned in the very first paragraph of *Gaudium et spes* and then in another six of the constitution's nine chapters¹. Subsidiarity is mentioned explicitly once in N° 86 in the chapter on peace and the international community². By virtue of solidarity we respond to the person who is in need; by virtue of subsidiarity we protect and preserve the right of those same persons to use our aid in the form which they judge as best. We can't have one without the other.
- Most importantly of all, the Dignity of the Human Person only makes sense in relationship to the Communitarian nature of the individual Person. This is one of the points where church social teaching takes an entirely different tact than most of western philosophy since the Enlightenment: the commonly held view by contemporary western culture is that of the social contract: humankind lives in community and permits the principle of authority as a lesser evil, as a necessary condition for the individual's pursuit of happiness. For *Gaudium et spes* N° 24 as for *Pacem in terris* N° 46, human beings were created by God as social creatures by nature, that is, from the beginning, and therefore the principle of authority is a positive good: It is our way of working for the common good which is our purpose in this life. We cannot make general statements that the human person is always more important than the community nor vice-versa. The point is, both here and with the other principles, they stand in a mutual relationship which requires a constant prayerful discernment.

- The Common Destiny of the Goods of Creation stands alongside the principle of the Preferential Option for the Poor. Both are principles employed in order to discover concretely in what the Common Good consists. *Gaudium et spes* in N° 34³ and then in more detail in the chapter on economic activity in N° 69⁴ speaks about the principle of the common destiny of the goods of creation. Although the specific wording of “the preferential option for the poor” occurs for the first time in the writings of John Paul II (CELAM, Puebla, 1979 and *Sollicitudo rei socialis*, 1988, N° 42), N° 56 *Pacem in terris* adds that while by definition the common good is for everyone, “(c)onsiderations of justice and equity, however, can at times demand that those involved in civil government give more attention to the less fortunate members of the community, since they are less able to defend their rights and to assert their legitimate claims.” so they carry the same message: What is good for the wealthy is not necessarily good for the poor, but what is good for the poor is not going to harm the fundamental dignity of the wealthy. In the same paragraph in which *Gaudium et spes* speaks about the common destination of the goods of creation, (N° 69), the text refers to this complementary principle of giving priority to the needs of the poor⁵. Thus both concepts taken together are necessary in order to relativize the concept of private property and place the emphasis of church teaching on the common good: The CDSC, 2004, N° 173-174 reminds us that although “it is true that everyone is born with the right to use the goods of the earth, it is likewise true that, in order to ensure that this right is exercised in an equitable and orderly fashion, regulated interventions are necessary, interventions that are the result of national and international agreements, and a juridical order that adjudicates and specifies the exercise of this right.”
- All of the above mentioned double sets of principles lead up to or are derived from this central principle of the church social teaching: the Common Good. *Gaudium et spes* defines the common good in N° 26 as “the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfillment” which is based on John XXIII’s definition in N° 55 in *Mater et magistra* and N° 58 in *Pacem in terris*: “the sum total of those conditions of social living whereby people are enabled to achieve their own integral perfection more fully and more easily”. Indeed, we could interpret the whole purpose of *Gaudium et spes* as the church present in the world to help all the peoples of this world to achieve that common good.

Each of the principles stand in relationship to one another, and all must be taken into account. Church social teaching has always considered that the dignity of the human person and the communitarian nature of the person are the starting points for any reflection. And I have tried to demonstrate here that all of these principles have as their purpose the pursuit of the common good. The defense of human rights and the universal call to human duties are a consequence of those first principles and a fundamental condition for the central principle of the common good. Demonstrating this unity among the principles of church social teaching was the purpose for which John Paul II in 1999 asked the Pontifical Council on Justice and Peace to prepare the *Compendium of the Social Doctrine of the Church* (CSDC), a work that finally presented to the public less than four months ago.

The point of this long explanation on the complementary nature of church social teaching is to demonstrate that these are not mechanical principles. They cannot be applied automatically to every social situation. Rather what is required is the application of these principles in the context of the ongoing prayerful discernment of the Christian community.

4. The Effect of *Gaudium et spes* on the Latin American Human Rights Movement:

What I want to show in the second part of this paper is how that teaching on human rights has had a significant effect on the structure of the Catholic church in Latin America and perhaps even on universal church. Or in other words, *Gaudium et spes* is still exercising an important role in the church forty years later.

This can be seen in the first place by the response in Latin America in the immediate aftermath of the Council. The major consequence of *Gaudium et spes* on the Latin American church as a whole were the General Conferences of the Latin American Bishops (CELAM) held in Medellín, Colombia in 1968, Puebla, México in 1979, and the Dominican Republic in 1992.

The experience in Medellín was a surprise to everyone including Pope Paul VI and the bishops who met in Colombia. The purpose of the second official meeting of the Latin American bishops⁶ was to motivate the implementation of the documents and decrees of Vatican II. No one expected the bishops to go beyond what the Council had done. After all, the active participation of the Latin American bishops at the Council was hardly significant. Of the 600 or so Latin American bishops who went to Rome from 1962 to 1965, only one in twelve actually participated in the commissions which prepared the decrees. On the other hand, one out of every four European bishops were part of those commissions.

What Medellín actually produced was the first autonomous statement of the bishops of the continent. One of its key documents was the chapter on justice and its insistence on “institutional violence” as being the primary cause of injustice. Medellín was neither a cause nor an effect of the theology of liberation, but in the practice it was the first time that the bishops publicly sanctioned that theological perspective, and it was from that time on that theologians from Central and South America began to make significant contributions to theology in general and no longer simply be recipients and adapters of theologies which were developed in Europe.

By the time of the Third General Conference of the Latin American bishops which was held in Puebla, Mexico in 1979, the structures of the conservative reaction to the Council were already well established. And the purpose of the theologians who prepared for Puebla was to turn the conclusions of Medellín around. The first preparatory document for Puebla was stamped as top secret and sent only to the bishops. Of course, as any high school teacher knows, a sure way to get one’s students to read the assigned material is to prohibit it! In fact, the best example of community participation in the preparation for an important church event were the contributions presented during 1977 and 1978 in preparation for Puebla. Proposals and suggestions came from literally thousands of communities. As a result, far from turning its back on

Medellín, the conclusions of Puebla went even further, and became known for their insistence on the preferential option for the poor as the way of carrying out the Gospel's injunctions.

The 4th General Conference of CELAM occurred in Santo Domingo (the Dominican Republic) as part of the celebrations for the 500th anniversary of the first evangelization of America. This time the conservative forces were prepared: instead of prohibiting the reading of the preparatory documents, they inundated the local churches with three separate documents but provided very little time for the local communities to respond. In addition, in countries like Peru where we were still involved in a terrorist conflict and where the economy was evolving from hyper-inflation to hyper-recession, few Christian communities had the luxury of time for such participation (plus the fact that many communities had already concluded that their suggestions were mostly ignored).

Still, the documents of Santo Domingo produced some significant notes of progress. The entire second section of the conclusions (Nº 157 – 227) was dedicated to the topic of Human Development, and the very first chapter of that section was on Human Rights (Nº 164 – 168) in which the bishops stated that “*every violation of human rights contradicts God’s plan and is a sin.*” (Nº 164), and they go on to say that “*When the church proclaims the Gospel, where human rights finds its deepest roots, this is not some extraneous task, but rather it obeys the command of Jesus Christ who made help for the needy an essential requirement of its evangelizing mission*” (Nº 165)

All three general conferences advanced the social proposals of Vatican II: First, with respect to its analysis of the structures of institutional violence (Medellín); secondly, the preferential option for the poor (Puebla), and finally the priority of human rights (Dominican Republic) and have thus contributed to the ongoing growth of Church social teaching.

What happened at the level of CELAM during these four decades is the result of what happened previously at the grassroots level in the local churches. J. Bryan Hehir, *The Ministry of Human Rights and Catholic Higher Education*⁷ (1996), in speaking about the effects of John XXIII’s encyclical, *Pacem in terris*, showed that the encyclical provided the necessary justification for local church groups to get involved in directly human rights work. The concrete example he cites is Brazil where a military coup occurred in 1964 which led to the repression of many political and social leaders. The principal organization that came to the defense of the victims of this violence and their families was the Catholic church. I am not trying to say that everyone was reading the encyclical and decided spontaneously to put its lessons into practice. But the fact remains that the local church human rights groups found their motivation in Pope John’s words.

The publication of *Gaudium et spes* at the end of 1965 had an even stronger effect. Three key examples are the *Vicariías de Solidaridad*, founded by the church in the aftermath of Pinochet’s coup in Chile in September of 1973; the work of Archdiocesan office of human rights in El Salvador established by Mons. Oscar Romero; and the network of human rights offices in 25 dioceses in Peru in order to respond to the terrorist violence of the Shining Path and the consequent government repression during the 1980’s and 1990’s are all examples of the church’s commitment to human rights. This is the example I will develop in more detail.

As I stated at the beginning of this presentation, it was in the optimistic context of the last year of the Council, the Peruvian Bishops founded its Social Action Commission (*Comisión Episcopal de Acción Social* - CEAS) on March 11, 1965, just nine months before the promulgation of the pastoral constitution. CEAS began as a forum where pastoral agents from around the country could get together to reflect on the ongoing political, economic, and cultural reality in the light of the Gospel and the Council.

By the 1970's CEAS moved from being merely a forum for reflection and began to assume practical applications of Church social doctrine. In response to the *Gaudium et spes* principle that the economic structures of society must exist for the service of the human person, CEAS helped to attend to the demands of workers who had been fired from their positions during the second phase of the 1970's military government. And in relation to the cultural welfare of the people during that same period, CEAS began to promote programs for training rural peasants who were already pastoral catechists for health care and promotion. Those concerns are examples of economic and social rights.

1980 marked the beginning of what turned out to be two decades of terrorist violence and government repression in Peru. When the south-central Peruvian Andes fell into the hands of the terrorist "Shining Path" organization, the newly elected democratic government declared that the region was under a state of constitutional exception and sent in military forces to restore order. At that time the local Bishops began to receive more and more calls to come to the aid of the victims of the violence and to defend the cause of the innocent people who were being arrested and "disappeared." CEAS responded by creating a central team of more than 60 lawyers, social assistants, and teachers and by supporting local human rights organizations in some 25 dioceses. So, in addition to its previous work, CEAS also began working on the promotion and defense of political and civil rights.

Since the end of the political violence in 2000, CEAS has supported the creation, carrying-out and follow-up of Peru's official Truth and Reconciliation Commission whose purpose was to discover the structures of violence and propose conditions for a permanent peace.

Since the 1990's and into the new millennium CEAS is working in a number of other areas of social concern described by the Council and by CELAM: In the face of globalization and neo-liberalism, CEAS works for an economy based on solidarity, and on the issue of the reduction of the foreign debt: In the Jubilee 2000 campaign, Peru presented more signatures than any other country in the world. Secondly, in the movement from social attention to advocacy, CEAS works for those goals of citizen participation in the political sphere (as proposed by *Mater et magistra* and *Gaudium et spes*). CEAS also proposes structures for citizen vigilance of municipal and regional governments and by proposing legislation at the national level for the adequate control of the environment and the economy with relation to such issues as the massive presence of foreign mining companies and the issues of the so-called free trade agreements with the United States.

Parallel to its work in social action in favor of an integral view of human rights, CEAS has always promoted educational programs in Church social teaching, and when the Pope or CELAM presents a new social document, CEAS prepares "popular versions" of

the social Magisterium so that basic Christian communities can know and apply these principles to their ongoing reality. In that way CEAS accomplishes the goal not only of educating people in terms of what church social teaching is all about but also promoting the effort so that those base Christian communities can become active participants in the ongoing process of the formation of this doctrine.

I present the case of CEAS and Peru as one example of what happened around the continent: This can also be seen in the work of CELAM. One of the departments of CELAM, Justice and Solidarity, holds regular meetings on human rights and church social teaching to which representatives of all of the countries are invited.

In 1993 representatives from several countries began to share their own experiences in the ministry of human rights. They were surprised to discover how similar their work had been over the whole continent. Even more so they came to realize that during the years of political violence, the ministry of human rights not only occupied most of their time quantitatively but, indeed also provided a qualitative focus for all of their social ministries. In other words, even when they weren't working specifically on a human rights case, like for example when they were giving parish courses in church social teaching, the focus on human rights became the unifying principle of their efforts.

CELAM then convoked a continent-wide encounter on the topic of human rights ministry and in order to ask that very question. Representatives from 19 Latin American countries met in Lima in 1994. At the conclusion of their experience, they formulated the following hypothesis: *"Human rights ministry on our continent is not simply one of many ways of being involved in the church's social apostolate. It is rather the unifying principle of all of our social commitment"*.

Then in 1997 representatives, this time from 24 countries on the continent, including the U.S. and some observers from Catholic organizations in Europe, met again in Lima to share the results of their surveys. The conclusion of the CELAM encounter was the *magna carta* for bringing human rights into the mainstream of the church on the continent. Human rights activities could no longer be seen as a topic better left to the secular world.

One year later, 1998, marked the 50th anniversary of the Universal Declaration of Human Rights on the part of the United Nations. John Paul II himself considered it an important enough event that he dedicated his message for world peace day on January first, both in 1998 and 1999, to commemorating that declaration. In fact, human rights and the dignity of the human person is perhaps the principle contribution that the Pope has made to the whole corpus of church social teaching. That was the central point he makes in his letter for world peace day (2003), in which he commemorated the 40th anniversary of, *Pacem in terris*.

In July of 1998 the Pontifical Commission on Justice and Peace, very much aware of the grassroots level development of the ministry of human rights, organized the first World Congress on Human Rights to commemorate the 50th anniversary of the United Nations Universal Declaration on Human Rights. While the Congress did not explicitly take on the thesis of the Latin American conferences about the essential nature of human rights for all of social ministry, nevertheless the Pope's talk to the delegates on that occasion re-affirmed his own commitment to the apostolate of human rights. In that

speech the Pope stressed two themes: first, that it is necessary to bring the spirit of human rights into agreement with the letter of the law, and secondly, in addition to civil and political rights, we need to work for the juridical application of economic, social, and cultural rights. That can be explained by an example: If one's political rights were abused, that person in principle could have juridical recourse all the way up to the International Court of Justice. But if a person suffers from the abuse of his or her economic or social rights, there is no where to turn in search of a juridical sanction.

I would conclude that as a result of that Congress and the Pope's own message, confirmed too by his messages for World Peace Day in both 1998 and 1999, the content that human rights is now part of the ordinary agenda of the universal church.

I suggest that the experience of human rights ministry around the world, but especially in Latin America, is an example of the normal procedure by which the local churches participate in both the formation and the application of church social teaching. It is the way the process is supposed to work.

Church social teaching works (or *should* work) in two complementary directions: It is at the level of grassroots basic Christian communities that the members reflect on their own lived experience in the light of the Gospel. This reflection is not the same as a strictly political or economic social analysis of reality, although it certainly does not exclude those methods. But what distinguishes the reflection of the Christian community from a purely academic or political analysis is that it is accomplished in a spirit of personal and community prayer. It has as much or perhaps more to do with the rules of the discernment of spirits than with sociology or anthropology.

The important thing is that the results do not remain at the grassroots level. Here too the ideal of participation is that the basic Christian communities share their insights at the level of the parishes; representatives of the parishes do the same at the level of the dioceses; and the diocesan bishops or their representatives carry these experiences to the national bishops' conference. The results of the bishops' reflection might be shared when the bishops gather together at the continental level, which was the case of the General Conferences of the Latin American Bishops in Medellín, Puebla, and Santo Domingo. It is also the system designed for further participation in the preparation for the Bishops' Synods in Rome.

Participation is one side of the process. And the other side can be called application: The pastoral letters written by individual bishops are sent to the local parishes where the basic Christian communities reflect on their content. Ideally the same thing happens with the declarations of the national bishops' conferences and the regional organizations like CELAM. In theory something similar should have occurred at the level of the tri-annual Bishops' Synods in Rome. Certainly that was the proposal which Paul VI made in his apostolic letter, *Octogesima adveniens* (1971, N° 4), and it was put into practice by the 1971 Bishops' Synod on Justice in the World. But by the time of the following Synod on Evangelization in 1974, the bishops turned the task over to the Pope himself to write Apostolic Exhortations to summarize the results of the Bishops' deliberations. That procedure has produced some very important documents concerning church social teaching such as *Evangelii nuntiandi* (Paul VI, 1975) or *Christifideles laici* (John Paul II, 1988) but what was often neglected in the process was this principle of ample participation of the grassroots' level of the universal church.

In the adult education work I do in Peru on church social teaching, I can demonstrate this lack of broad participation with a simple technique: I ask the people if they can tell me the topic of the most recent Bishops' Synod or what the topic of the next Synod is going to be. Perhaps I should ask the same question right now of this group! The fact remains that most practicing and believing Christians would have little if any idea. In other words, the practice of participation in and application of church social teaching is not working as well as one would hope.

Nevertheless, in order not to end my presentation on a negative note, I would conclude that the ministry of promoting and defending human rights, at least in Latin America, is proof that the process of participation and application of the church's social doctrine is still possible. *Pacem in terris* and *Gaudium et spes* responded to the challenge made by society in general in the U.N. declaration on Human Rights. Then the local churches in Latin America were able to defend their work in human rights ministry by referring to that social teaching. And over the decades of concrete practice concerning human rights, the church's message about human dignity has widened to cover environmental, cultural, social, and economic rights as well as political and civil rights.

Another way to say the same thing is to note that the method of the theology of liberation has been confirmed: Grass roots Christian communities whose members are involved in a social ministry whose objective is systemic change have a privileged stance from which to do theological reflection.

The issue of the relationship between the teaching role of the church's magisterium and the practice of the local churches around the world is still in debate (Charles Curran, Catholic Social Teaching 1891-Present: A Historical, Theological, and Ethical Analysis, 2002), though the new Compendium of Church Social Teaching (2004), produced by the Pontifical Commission on Justice and Peace, brings up the topic. A deeper reflection on this dynamic will be one of the most important tasks for theology in the future. The development of the ministry of human rights as a response to the call of John XXIII in particular and *Gaudium et spes* in general will play an important role in this discussion for it presents a positive example of the participative nature of what the church teaches about society and justice.

¹ In addition to the introduction, the word "Solidarity" appears another seven times in the text: N° 32, 39, 48, 57, 75, 85, and 90.

² The concept of "Subsidiarity" is also described without using that word in N° 75 in the chapter on political activity and again in N° 90 on peace and the international community.

³ Human beings "can justly consider that by their labor they are unfolding the Creator's work, consulting the advantages of men and women who are their brothers and sisters, and are contributing by their personal industry to the realization in history of the divine plan."

⁴ *God intended the earth with everything contained in it for the use of all human beings and peoples. Thus, under the leadership of justice and in the company of charity, created goods should be in abundance for all in like manner.*

⁵ *Since there are so many people prostrate with hunger in the world, this sacred council urges all, both individuals and governments, to remember the aphorism of the Fathers, "Feed the man dying of hunger, because if you have not fed him, you have killed him," and really to share and employ their earthly goods, according to the ability of each, especially by supporting individuals or peoples with the aid by which they may be able to help and develop themselves.*

⁶ The first was in 1955 in Rio de Janeiro where CELAM was established.

⁷ Available at <http://www.vincenter.org/96/hehir.html>.