
CATHOLIC AND PROTESTANT THEORIES OF HUMAN RIGHTS

Joseph L. Allen
Perkins School of Theology
Southern Methodist University
Dallas, TX 75275

Out of the vast recent literature on human rights, the focus here is on theories of human rights (as distinguished from specific policies and practices); among theories, on theological, as distinguished from philosophical, approaches; and within theological approaches, on Catholic and Protestant ones in particular. I shall discuss how some of the leading Catholic and Protestant theorists have dealt with major theoretical issues in the recent theological literature. Cunningham, Miller, and Will write that "The theological work of the Lutheran, Reformed, and Roman Catholic Churches reveals an emerging similarity and even coherence which suggests the possibility of developing an ecumenical theology of human rights" (1984, 225). I shall maintain that this judgment remains valid even when a somewhat wider range of Protestants is included, though with some qualifications to be mentioned.

A human right is an especially important and unalterable kind of moral right belonging to all persons by virtue of what is most basically involved in being human. (For philosophical analyses of the concept of a human right, see especially Cranston, 1973, 1-24; Feinberg, 1973, 84-88; and Gewirth, 1982, 1-19.) A human right is, first, a moral right (something to which one is morally entitled), whether or not it is also a legal right (recognized or protected by law). Second, the term ordinarily refers to rights of fundamental importance in human life, matters essential to one's being treated as a human being, rather than peripheral or secondary kinds of rights or other moral claims. Third, a human right is a kind of right belonging to all human beings as such, not to some only. Finally, as moral reflections of what it is to be treated as a human being, human rights are, at least at one level, unchangeable, even though people's perceptions of human rights change, as does what is involved in respecting those rights in a given society. Even though unchangeable in this sense, human rights are not necessarily absolute (never to be overridden by any competing moral claim), because one human right might conceivably conflict with another or with other people's claims to the same human right.

So understood, the idea of human rights "implies a universal ethic" (Stackhouse, 1984b, x; 1986, 12), for it implies a kind of moral claim that everyone, everywhere ought always to recognize, not only those who approach the subject from a particular perspective. Even so, theorists do approach the subject from various perspectives and so differ over various issues.

I shall look at Catholic and Protestant approaches to human rights with reference to the following issues: (1) For these theorists, what is the theological basis of a belief in human rights? (2) How are their approaches to human rights like and unlike those of classical liberals and socialists? (3) How do these theologians classify human rights, and what are their views about priorities among them? (4) What do

they have to say about the institutionalization of respect for human rights?

I

Regarding the basis of human rights, the various Catholic and Protestant theorists of human rights agree (and differ from secular theorists) in finding it in human beings' relationship to God, though they differ to some extent in their method of approaching the subject and what they think is most fundamental in the God-human relationship.

Catholic theorists of human rights have long worked from an approach that combines what all persons can in principle know through the natural law with distinctively Christian teaching concerning God's action as creator and as redeemer from sin through Jesus Christ. Their interpretation of human nature and human rights, while it expresses distinctively Christian teaching, "is not presented as accessible only to those who accept these theological beliefs" (Langan, 1982b, 26), but is intended to be understandable by the wider world. Hollenbach (1979, 122-131) maintains, though, that the more recent Catholic rights tradition (in particular, *Gaudium et Spes*, in Abbott, 1966, 199-308) is less confident of reason than a natural law approach and instead draws upon the experience of the plurality of cultures and interprets it theologically.¹

Catholic theories ordinarily stress two ideas about the basis of human rights (see, e.g., Pontifical Commission, 1975, 33-35; Hollenbach, 1979, 107ff.; Cahill, 1980, 278-80; Langan, 1982b, 25-27; National Conference of Catholic Bishops, 1986, 411 [pars. 13, 14], 415 [par. 32]; cf. *Pacem in Terris* [John XXIII, 1963, 16, pars. 9, 10]). First, the human being has been created in the image of God, which is characteristically taken to mean that humans are like God in their intelligence and freedom, though some also assert that humans are like God in being communal and loving. Second, being in the image of God, every human being has a dignity or worth, a "non-instrumental value" (Hollenbach, 1979, 116), such that the person should not simply be subordinated to the group. The existence of human rights is a reflection of this dignity, arising as it does from one's being in God's image.

John A. Coleman (1984, 351-55), influenced by the philosopher Alan Gewirth (1982, 27-30), raises several questions about Catholics' grounding human rights in human dignity: whether they neglect the transition from the idea of dignity to claiming a specific human right; whether human dignity simply means "having human rights," resulting in circularity rather than providing a basis; and whether human rights should instead be grounded in the necessary conditions of human action (after Gewirth). With Baum (1979, 8), Coleman also fears that basing rights on human dignity might support the individualism of liberal political philosophy over against a Catholic focus on social solidarity and the common good. Over against the first set of objections, Hollenbach and others stress the relation to the transcendent God as the central consideration that the idea of human dignity reflects, over and beyond a theory of human action. As to the latter objection, Hollenbach is critical of liberal thought on this score and takes pains to show the non-

individualistic relation of the idea of dignity to the common good (1979, 90-91, 149-50).

Protestant human rights theorists are more varied in their views of the basis of human rights, as well as on other human rights questions, which fact is influenced by the variety of their church traditions. Ordinarily they do not incorporate a natural law approach into their methods; some explicitly reject it. Their appeals are characteristically to theological assertions about the God-human relation as they interpret it through the Bible and the person and work of Jesus Christ. In spite of this different tendency in method, there are strong similarities with Catholics about the basis of human rights.

Some Protestant theorists object to the very idea of a theological foundation for human rights. David Jenkins (1975, 98, 99) cautions that theological discussion can be a way of avoiding or delaying attention to human rights and that their challenge "cannot be a purely intellectual matter." "The struggle for human rights," he asserts, "requires no theological justification." Yet he proceeds to bring theological categories (sin, eschatology) to bear on their interpretation. Günter Krusche, a Lutheran from the German Democratic Republic, warns "against the desire to find a theological basis for human rights, since this would actually mean deducing their universal validity from theological affirmations which . . . cannot be assumed to be generally accepted!" Human rights, he says, "resist theological explanation," for they have arisen out of modern processes of enlightenment and secularization. We should not seek a "Christian image of man." Yet he favors theological criteria for "what is to be changed now and what is not, . . . for distinguishing but not for separating the spheres" (1977, 60-63). Others would ask with regard to both these statements whether, if one is going to talk theologically about human rights, one should not be prepared to give an account of the grounds for doing so.

Others are uneasy, but on narrower grounds, about talking about the theological basis for human rights: one should not do so as though the concept had always been explicit in Christian thought or were uniquely Christian. José Míguez Bonino (1980) objects to a certain kind of theological basis for human rights: "a Christian philosophy that would make the concern for human rights a 'logically necessary' corollary of the Christian faith," which he says would be "historically inaccurate and, perhaps, not quite honest intellectually" (21). There is no "ready-made, immutable 'Christian doctrine of human rights.'" Instead Christian thinking on the subject has developed over time, stimulated by the experience of humankind (29). He is quite willing, however, to talk in biblical and Christian terms of an "ethos" of God's relation to human history. In a similar vein, Heinz-Eduard Tödt (1977, 50-52) denies "that the idea of human rights is something originally and authentically Christian, and asserts, "It cannot be the task of theology to provide [human rights] with a belated theological justification." Yet, he continues, "it certainly is necessary to secure the theological basis on which Christians share a common understanding of human rights."

Such objections suggest that it is important to identify the reason or reasons why one is discussing the theological basis of human rights. Ordinarily it is to identify, for Christians or the wider world or both, why Christians, from their faith,

judge that they and others should take human rights seriously. To discuss that question, they need not make any of the assumptions to which the above critics of the endeavor have objected.

With something approaching unanimity, Protestant human rights theorists speak of the equal dignity, worth, inviolability, or nondisposability (*Unverfügbarkeit*—Tödt's term) of all human beings under God as the basis of human rights. They offer various reasons for affirming that dignity. Some, especially in the Reformed tradition but from other Protestant traditions as well, place special importance on our being created in God's image (cf. Moltmann, 1977, 132-38, and 1980, 189-90; Stackhouse, 1982, 154 [United Church of Christ pronouncement], and 1984b, 61-62; World Council of Churches, 1975, 16; Jenkins, 99; Míguez Bonino, 1980, 29-30; Allen, 1984, 59-68).

Some of the same writers speak of human dignity as rooted in God's covenant with Noah, Gen. 9:8-17). A covenant, Stackhouse says, "involves the *bonding of persons* to others *under God's law, for God's Kingdom, empowered by God's love* (1982, 146; his italics). He contends that "we cannot understand the history, character, foundation, or implications of human rights without attention to" the idea of covenant in the Free-Church branch of the Reformed tradition (cf. 1984b, 60ff.). For Moltmann, human rights are implied in God's covenant with the people God has liberated; he speaks of "the inalienable dignity of human beings living in a covenant relation with God" (1977, 130-31). For Allen, human rights are the rights of "the inclusive covenant" of God with all humanity (1984, 39-43, 132; cf. also Míguez Bonino, 1980, 30).

In the Lutheran tradition human dignity is seen to arise from God's justification of human beings. In Tödt's words, "With no prior achievement on his part, man is justified by God and thus accorded a status which he seemed long ago to have forfeited by his misuse of freedom" (1977, 54). As rights for all persons, human rights are secular phenomena, "under the wordly regiment of God" (Lissner, 1977, 13).

All these reasons of the Protestant theorists for the idea of human dignity share a common idea, which may be variously expressed (e.g., that human rights root fundamentally in God's sovereignty, or in *God's* right to human life): that the dignity that human beings share is a gift of God's grace and not something natural in some sense apart from or prior to grace, and that therefore this dignity calls for human responsibility toward others, rather than egoistic assertions of one's rights as personal possessions.

II

The second issue to explore is the stance of Catholic and Protestant human rights theorists toward other theories of human rights, especially liberal and Marxist theories.

Among Catholic theologians concerned with the subject of human rights, Michael Novak (1986, 11-19) has articulated most forthrightly a close connection between Catholic teaching on human rights and on the common good, on the one hand, and, on the other, those in the tradition of liberal political and economic theory whose writings espouse a sharply limited role for government. He seeks to distinguish

"the great liberals" from "a self-enclosed, self-centered individualism" and from "any vision of the common good as a mere sum of individual goods" (13).

Some other Catholic human rights theorists express the opposite concern—to distinguish Catholic teaching sharply from liberalism. Baum (1979, 6-7, followed by Coleman, 1984, 363-65; cf. Douglas and Gould, 1986), identifies three reasons the Catholic Church of the nineteenth century gave for rejecting liberalism and liberal rights theory: an individualism that was undermining a sense of the common good, relativism regarding truth, and the dominance of rich over poor that they saw occurring in a free market system. Baum seeks a nonliberal basis for human rights (8-11), with emphasis on the common good and not merely on the dignity of the person (see Sec. I above), with the objective of a cooperative economic order (perhaps but not necessarily socialist), and with concern for the rights of peoples ("nations"), not only of individuals.

Still other Catholic theorists have sought to be appreciative of both the liberal and the Marxist traditions on human rights while seeking to avoid their problems. Hollenbach (1979, see especially 13-27) expresses his view of Catholic teaching against the background of the human rights theories of liberal democracy, Soviet Marxism, and the United Nations human rights statements. His constructive work seeks to combine insights from each of these, but with a more adequate interpretation of social conflict and of the relation of the person and society. In his view, liberal rights theory recognizes the importance of civil and political rights but does not deal adequately with questions of economic and social rights. Conversely, Soviet rights theory exalts social and economic rights but decries claims to civil and political rights as bourgeois ideology. The United Nations statements represent "an unstable synthesis" (33) without adequate theoretical ground. A theory is needed, he says, that recognizes both types of claims. Langan takes a similar kind of critically appreciative stance toward liberalism (1982a, 69-101), as does the United States Catholic Bishops' statement on the economy (National Conference of Catholic Bishops, 1986).

Stanislaw Kowalczyk, a philosopher at the Catholic university in Lublin, Poland, presents as especially interesting example of this kind of critical appreciation—in this case, of Marxist rights theory (1984, 165-71). Arguing that the different views of human rights of Marxism and Christianity result from their conflicting conceptions of the person and society, he advances a Catholic interpretation over against Marxist theory (cf., e.g., 170, "Human rights are not 'derived' from social structures," but "from the ontological character of human beings"). Yet he believes that dialogue between the two is possible and that each can learn from the other.

A statement by a Protestant group within the German Democratic Republic (UN Working Group, 1975, 139-46) presents a sharp contrast to Kowalczyk's stance toward Marxism. The writers reflect the stance of Marxist rights theory; e.g., "The building of a socialist society can be regarded as an inclusive effort to create social conditions in which human rights *can become a reality*" (139, italics added). The implication appears to be that human rights have no ontological ground. These writers see their adversaries as

rights theorists in "capitalist society" and contrast its weaknesses with the human rights achievements of "socialist society."

Recent Protestant human rights theorists in the West have, like Hollenbach and Langan among Catholics, been both appreciative and critical of liberal rights theory. The most extended examination of this relationship is that of Stackhouse (see especially 1984b). He argues (70-76) that in the United States, human rights theory arose out of a synthesis of the covenantal theory of free-church Calvinism with the Lockean (rather than either Hobbesian or utilitarian) branch of liberalism. In the United States today, he says, there is a "public theology" concerning human rights that reflects a combination of historical influences—Conciliar Catholics and Reformed Jews as well as the "Liberal-Puritan synthesis" (125). Stackhouse finds great strength in that human rights "public theology," at the same time that he is critical of its weaknesses, especially the individualism that liberalism encourages, as well as "the failure of the religious traditions to develop a viable ethic for corporate economic life" (118). Elsewhere (1984a, 206-08) he identifies "the 'individualist' theory of human rights" and "the 'collectivist' approach" as two major theoretical threats to human rights.

Most Protestant theorists, while quite aware of the various human rights traditions of the West, the communist countries, and the third world and influenced by one or more of them, maintain some degree of critical assessment of these influences without addressing the issue in detail (see, e.g., Lochman, 1977, 14-15, 22-23; Moltmann, 1977, 141-42; Lissner, 1977, 12).

III

Setting priorities among types of human rights presupposes some schema of the types. Although certain ways of distinguishing types of rights are clearly useful, no one schema is self-evidently superior to all others. Theologians have used various schemata as a basis for their judgments about priorities.

The distinction used most frequently in theological discussions of priorities has been between civil-political rights (as freedom of religion, assembly, speech, movement, and to participate in government), on the one hand, and social-economic rights (as to food, shelter, basic health care, and education), on the other. In nontheological discussions of this issue, some in the classical liberal tradition have denied that claims to basic social-economic needs are human rights at all (Cranston, 1973, 65-71; Kirkpatrick, 1981, 1-12). At the other pole, when Soviet-style Marxists speak of human rights, they characteristically mean social-economic rights and disdain claims to civil and political freedoms as bourgeois abstractions (cf. Hollenbach's discussion of Soviet Marxist views, 1979, 20-27). The theological paper of the GDR working group (UN Working Group, 1975, 140-42) expresses this viewpoint. It deals almost entirely with social and economic rights; and among civil and political rights, it mentions mainly the right to express different opinions, which it views as a bourgeois idea that encourages social disintegration and strength-

ens capitalist structures. Revolution, it says, "cannot guarantee the right to counter-revolution."

In contrast, one is struck by the extent to which Protestant and Catholic theologians writing on this subject, with few exceptions, take an inclusive approach to the types of rights in a list, with little discussion of categories of human rights or of their relationships, as in *Pacem in Terris* (John XXIII, 1963, 15-19 [pars. 11-27]). There are, however, some noteworthy explicit defenses of an inclusive approach.

Hollenbach, after reviewing the contrasting liberal democratic and Soviet Marxist theories on this issue, concludes that a theory is urgently needed that is "built on the principle of respect for both sets of claims" (1979, 27). On the basis of his study of the development of Roman Catholic rights theory, he presents such an inclusive theory but also advances a more comprehensive schema of rights. He sees in modern Catholic theory "a twofold process of differentiation of the conditions of human dignity" (1979, 94). The first has identified various needs to be met or freedoms and relationships to be protected. Civil-political and social-economic-cultural rights are among the several categories arising out of this process. But, he goes on, one can also differentiate rights "according to the way their content is mediated by society and social institutions." This second process produces three categories or levels of rights (95-97): (1) "personal rights," belonging to the person as such; (2) "social rights," which are "conditions for the preservation of the well-being of the person" and "specify positive obligations of society toward all its members"; and (3) "instrumental rights," essential conditions in the larger institutions of society "if human dignity is to be preserved." An advantage of making this distinction, he observes, is that it recognizes "degrees of historical contingency and variability" among the three levels.

Another advantage of Hollenbach's second schema is that it focuses on the human person and the kinds of relationships essential to respect for human dignity. He believes that a major issue of priorities in human rights is *whose* needs and freedoms should have priority amid the conflict of claims, not merely which kinds of rights to advance. This belief underlies the three priority principles he proposes (204-207): "(1) The needs of the poor take priority over the wants of the rich. (2) The freedom of the dominated takes priority over the liberty of the powerful. (3) The participation of marginalized groups takes priority over the preservation of an order which excludes them." These priorities are reflected in much other recent Catholic human rights writing, as for example the pastoral letter of the United States bishops on the economy (National Conference of Catholic Bishops, 1986). The Protestant Míguez Bonino (1980, 31-32), among many liberation theologians, affirms a similar human rights priority "in favour of the poor, the oppressed, the disadvantaged, the powerless, the marginal."

It remains important, even so, to examine arguments over what types of claims should be included in the category of human rights. Langan (1982a, 74ff.) offers an extended critique of Cranston's objections to the inclusion of basic social and economic needs as human rights. Cranston (1973, 66-67) has identified three criteria for a hu-

man right. It must be (1) practicable—not impossible to meet, (2) universal—applicable to everyone, and (3) of paramount importance to human life. Langan accepts these criteria but concludes that they do not exclude basic social and economic needs. First, he says that Cranston excludes them on the criterion of practicability because he assumes that human rights are absolute—always to be met without exception. But while some human rights are arguably absolute, others are not (as when the free speech of one conflicts with that of another). We must take rights seriously, Langan argues, but not see the category as such as absolute. Thus the practical difficulty of finding every adult a job or feeding everyone does not keep those claims from being human rights. Second, while paramount importance may call some purported human rights into question (e.g., to holidays with pay), it does not exclude other rights (e.g., to basic nutritional needs). Langan proposes (1982a, 84), "The test of paramount importance should be applied to pick out those goods of which a person cannot be deprived without serious harm to his or her well-being or personal dignity." He concludes (98-99) that it is morally urgent for society to seek to identify and meet claims to "goods necessary for subsistence," as well as other human rights, and that doing so would express the respect of a liberal society for individual worth without fostering a "purely selfish pursuit of interest."

In the same volume as Langan's essay, Christiansen interprets the array of human rights in terms of the idea of basic needs, and in a way that includes both social-economic and civil-political rights. Need, he writes (1982, 259ff.), sets a minimum moral standard of dignity and decency, and this standard includes both those social and economic conditions necessary to survival but also certain political conditions without which other values are undermined. While the standard of basic need should have priority, it is important not "to make trade-offs between those things [people] need in order to live and those other things which give life its meaning and worth" (262).

More recently Coleman (1984, 355-61) has taken Catholic rights theorists to task for not providing a theory of basic rights, as philosophers such as Gewirth (1982) and Shue (1980) have done. Such a theory would provide rigor amid conflicting rights claims, as well as "a priority list of rights to press." He admires the logical tightness of Shue's three principles of priority among basic rights, nonbasic rights, and other kinds of claims. While he is sympathetic to Hollenbach's three priority principles, he deems the argument for their ground to be inadequate. Coleman's critique does not identify or discuss the key difference in the two kinds of priority principles—that Hollenbach's is about *whose* human rights and Shue's about *which* rights, nor does it discuss Christiansen's article, with which Coleman's position would appear to have some affinities.

Among Protestant theologians who also take an inclusive approach to the types of human rights is Tödt, who in his work in the Lutheran World Federation has proposed (1977, 48-50) that there are "three material elements in the basic pattern of human rights—freedom, equality, participation." All human rights, he argues, are some form of these three elements. As to priorities (53), we should emphasize all three elements, not any one only. Thus we

should avoid both the one-sided ideological appeals of the western capitalist democracies to freedom and the similarly one-sided and ideological emphasis of the socialist people's democracies on social-economic-cultural rights to the neglect of the right to freedom. Tödt argues that there is a transcendent element in the meaning of these rights that is resistant to such ideological appeals: our justification by God as the basis of our nondisposability and thus our freedom, God's holding us all to be equal in Christ Jesus as the basis of our equality, the priesthood of believers as an affirmation of participation.

Moltmann (1977, 141-43) places a similar emphasis on the interrelatedness of all human rights, but nevertheless advances a priority principle among the various rights. If one sees their interrelatedness, he says, one must "acknowledge all human rights in the same degree," never suspending one group of human rights for the sake of another group. (One wonders if Moltmann assumes that different kinds of human rights never conflict with one another. If conflict did occur, would he never want to say that one kind of right was more basic than another?) Yet every society has some kind of imbalance of human rights. In each community, the priority should be on restoring those human rights that have come to be neglected or repressed.

Stackhouse (1984a, 192-95), who likewise understands human rights as essentially interrelated, analyzes them differently from the above writers. He identifies four broad "dimensions" of human rights: freedom from political oppression, freedom from economic exploitation, freedom from cultural alienation, and freedom from despair and from lack of meaning. Although he refrains from giving any one of these dimensions priority over the others, he observes that freedom of religion, which has to do most directly with the last of the four, can arguably be called the most basic human right, in that through religion the vision of the various human rights is preserved. This observation reflects Stackhouse's conviction that the issue of human rights is religious—a question of "which fundamental vision is most true and most fully meets the widest range of basic human needs" (1984b, 20). That conviction underlies the attention he gives (especially in 1984b) to the bearing of different religious visions (in a broad sense of "religious") upon belief and action toward human rights. (The most carefully developed affirmation of the right to religious freedom is the Second Vatican Council's *Declaration of Religious Freedom* [Abbott, 1966, 675-700].)

IV

Catholics and Protestants often concentrate their study of human rights on what human rights there are and on action to promote them, to the neglect of an adequate examination of the institutional conditions necessary to their support. In contrast, Hollenbach and Stackhouse have each given major attention to the subject of institutionalization. (Also see especially the various contributions in Crahan, 1982.)

Hollenbach's discussion in *Claims in Conflict* (1979) of the institutionalization of rights is rich and subtle. I shall

briefly discuss some of its most important themes. First, he argues that "Catholic teaching has tended to minimize the presence of conflict between competing rights" (142). In contrast he proposes a model of society in which conflict and community are dynamically and constructively related (165). He examines the past preference of the Catholic tradition for an organicist model of society, in which conflict was insufficiently recognized; and he favors the tradition's more recent expression of another theory of the relation of the plurality of social groups to communal solidarity, one in which the conflict of groups can more adequately be interpreted.

Second, let us recall his distinction (see Sec. III above) between three levels of rights: personal, social, and instrumental, the latter referring to institutional conditions essential to the preservation of human dignity. He observes (196-98) that the strategically significant rights conflicts are not mainly over trade-offs between the various personal rights (e.g., rights to political liberty and to economic well-being); to the contrary, loss of some personal rights tends to go along with loss of other personal rights; e.g., loss of political liberty tends to undermine economic well-being, and the converse. The central conflicts, he believes, are between social rights (rights to society's support of human dignity) and (1) demands for unrestrained exercise of personal rights and (2) dominant institutional arrangements that undermine human dignity. The issue is over what shape institutional (including governmental) action should take to restrain personal liberty in behalf of the dignity of all.

Third, he says that recent Catholic statements have sought to articulate a view of freedom "as a form of participation in social life" (177). This idea is expressed in the third of his priority principles (see Sec. III above), that "the participation of marginalized groups takes priority over the preservation of an order which excludes them" (204), as well as in the U.S. Catholic bishops' 1986 statement on the economy, in the preparation of which Hollenbach was an influential consultant.

The institutionalization of respect for human rights is similarly part of the ground floor of Stackhouse's work on the subject. He writes that human rights discussion and action "must proceed at two levels," that of doctrine and that of social structure—"specifically regarding the social space that is available for human membership, and the concrete practices of inclusion and exclusion" (1984b, 5-6).

His main contribution at the second level lies in how he analyzes society in its bearing on human rights. His analysis is (1) multidimensional, considering several kinds of institutions, (2) one that considers the various institutions in their interrelationships, and (3) theological, always inquiring into the bearing of people's faith upon their institutional behavior.

In an analysis of social power (1984a, 201-06), for example, Stackhouse identifies four relationships that determine the structures of power in any society: family loyalty, political rule, cultural-linguistic particularism, and economic class. Whereas many religions have divinely sanctioned some structure or other from among the four, the claim of Christianity is that none of the four can ever

be ultimate. The church has thus been able to articulate respect for human rights over against these four kinds of power structure, and at the same time to work for the institutionalization of rights through these structures.

In *Creeds, Society, and Human Rights* (1984b), one of his methods of study (along with the historical) is "cross-sectional analysis" (see especially 15-20), which seeks to "identify the dominant structures in a given culture" in one period of time. Stackhouse does this analysis by means of a "map" of nine institutional sectors (e.g., education, the economy) which reflect (1) humans' response to a continuum between their biophysical environment and their creeds, and (2) their response to both a continuum between individuals and other societies. He observes that he does not treat religion as one of the nine institutional sectors, though it "is universally present," because in various societies it has been identified with one or another of the nine sectors. It might be drawn "as a circle encompassing the whole" (19). Yet in his analysis of each of three cultures (the United States, the German Democratic Republic, and India), religion is discussed in close relation to the sector of voluntary organizations.

The point of his cross-sectional analysis is to inquire into the structures of social power in a culture, the ways those structures foster and/or thwart human rights, and the bearing of a religious vision of universal human rights upon them. The fruit of his analysis lies in his commentary upon each culture, which is both descriptive and evaluative, and is illuminating as well as at some points controversial. His analysis confirms his argument that "claims about human rights are religious" (6), whether or not one agrees with his conviction that the "liberal-Puritan synthesis" provides "the truest description of the human condition" (272).

V

In conclusion, we can, I believe, extend the judgment of Cunningham, Miller, and Will (1984, 225, that there is "an emerging similarity" in Lutheran, Reformed, and Roman Catholic theological work in the subject and "the possibility of developing an ecumenical theology of human rights") to a somewhat wider group of Catholic and Protestant theologians. Stackhouse has expressed a similar judgment, with qualifications, about human rights views in the West: "Ecumenical Protestants, Conciliar Catholics, Reformed Jews, some neo-evangelicals, and principled liberals find themselves allied against both doctrinaire fundamentalism and utilitarian liberal analyses . . ." (1984b, 125).

There are two major points of similarity among most of the theorists examined above. The first concerns the foundations of human rights, where, whatever the special theological terms used, most participants in the ecumenical consensus appeal to the *imago dei* in support of their human rights concern and root particular human rights in a concept of human dignity or worth. The second is the widely (though not completely) shared inclusive approach to what human rights there are, rejecting both a narrow liberal list and a narrow Soviet Marxist list. The

similarities between Catholic and Protestant theories of human rights, in their substance, are much more striking than the contrasts. As to procedure, several Catholic theorists have pursued the subject with a degree of care and theoretical refinement from which many of the Protestant have benefited and can continue to benefit.

The idea of an ecumenical theology of human rights must, however, be qualified in several respects. One is that within Catholic and Protestant "ecumenical Christianity" there are those who significantly diverge from the usual approaches. Another is that among those who share common views on some of the major issues of human rights, there are still significant points of difference (as, e.g., over their precise attitudes toward the liberal or the Marxist socialist traditions). Finally there are deep differences between the outlook of those in the Catholic and Protestant ecumenical traditions and conservative Catholics and Protestants, who ordinarily give little theoretical attention to human rights but hold very different opinions on the subject. Consensus among some is usually accompanied by conflict with others.

NOTE

1. Recent Catholic discussions of human rights reflect the strong influence of two theorists, Jacques Maritain and John Courtney Murray, even though the shape of the discussion is somewhat different today.

REFERENCES

- ABBOTT, WALTER M. (ED)
1966 *The Documents of Vatican II*. America Press.
- ALLEN, JOSEPH L.
1984 *Love and Conflict: A Covenantal Model of Christian Ethics*. Abingdon.
- BAUM, GREGORY
1979 "Catholic Foundation of Human Rights." *Ecumenist* 28, 6-12.
- CAHILL, LISA SOWLE
1980 "Toward a Christian Theory of Human Rights." *Journal of Religious Ethics* 8, 277-301.
- CHRISTIANSEN, DREW
1982 "Basic Needs: Criterion for the Legitimacy of Development." In A. Hennelly and J. Langan (eds.), *Human Rights in the Americas: The Struggle for Consensus*, 245-88. Georgetown University.
- COLEMAN, JOHN A.
1984 "Catholic Human Rights Theory: Four Challenges to an Intellectual Tradition." *The Journal of Law and Religion* 2, 343-66.
- CRAHAN, MARGARET E. (ED)
1982 *Human Rights and Basic Needs in the Americas*. Georgetown University.
- CRANSTON, MAURICE
1973 *What Are Human Rights?* Taplinger.
- CUNNINGHAM, AGNES, DONALD MILLER, AND JAMES E. WILL
1984 "Toward an Ecumenical Theology for Grounding Human Rights." *Soundings* 67, 209-39.
- DOUGLASS, BRUCE, AND WILLIAM J. GOULD, JR
1986 "After the Pastoral: The Beginning of a Discussion?"

- Commonweal* 113, 651-54.
- FALCONER, ALAN D. (ed.)
1980 *Understanding Human Rights: An Interdisciplinary and Interfaith Study*. Dublin: Irish School of Ecumenics.
- FEINBERG, JOEL
1973 *Social Philosophy*. Prentice-Hall.
- GEWIRTH, ALAN
1982 *Human Rights: Essays on Justification and Applications*. University of Chicago.
- HARRELSON, WALTER
1980 *The Ten Commandments and Human Rights*. Fortress.
- HENNELLY, ALFRED, AND JOHN LANGAN (EDS)
1982 *Human Rights in the Americas: The Struggle for Consensus*. Georgetown University.
- HOLLENBACH, DAVID
1979 *Claims in Conflict: Retrieving and Renewing the Catholic Human Rights Tradition*. Paulist.
1982 "Global Human Rights: An Interpretation of the Contemporary Catholic Understanding." In A. Hennelly and J. Langan (eds.), *Human Rights in the Americas: The Struggle for Consensus*, 9-24. Georgetown University.
- JENKINS, DAVID
1975 "A Theological Inquiry Concerning Human Rights: Some Questions, Hypotheses, and Answers." *Ecumenical Review* 27, 97-103.
- JOHN XXIII, POPE
1963 *Pacem in Terris. The Pope Speaks* 9, 13-48.
- KIRPATRICK, JEANE J.
1981 "Human Rights and Foreign Policy." *World Affairs* 143, 323-34.
- KOWALCZYK, STANISLAW
1984 "The Possibilities of Christian-Marxist Dialogue on Human Rights." *Soundings* 67, 165-71.
- KRUSHE, GUNTER
1977 "Human Rights in a Theological Perspective: A Contribution from the GDR." *Lutheran World* 24, 59-65.
- LANGAN, JOHN
1982a "Defining Human Rights: A Revision of the Liberal Tradition." In A. Hennelly and J. Langan (eds.), *Human Rights in the Americas: The Struggle for Consensus*, 69-101. Georgetown University.
1982b "Human Rights in Roman Catholicism." In A. Swidler (ed.), *Human Rights in Religious Traditions*, 25-39. Pilgrim.
- LISSNER, JORGEN (ed.)
1977 *Theological Perspectives on Human Rights: Report on an LWF Consultation on Human Rights, Geneva, June 29-July 3, 1976*. Lutheran World Federation.
- LOCHMAN, JAN MILIC
1977 "Human Rights from a Christian Perspective." In A. Miller (ed.), *A Christian Declaration on Human Rights*, 13-24. Eerdmans.
- LUCAS, GEORGE R., JR AND JAMES E. WILL (EDS)
1984 "The East-West Encounter Over Human Rights: Its Religious and Sociological Context." *Soundings* 27, 123-239.
- MARITAIN, JACQUES
1943 *The Rights of Man and Natural Law*. Scribners.
1947 *The Person and the Common Good*. Scribners.
1951 *Man and the State*. University of Chicago.
- MÍGUEZ BONINO, JOSÉ
1980 "Religious Commitment and Human Rights: A Christian Perspective." In A. Falconer (ed.), *Understanding Human Rights: An Interdisciplinary and Interfaith Study*, 21-33. Dublin: Irish School of Ecumenics.
- MILLER, ALLEN O. (ED.)
1977 *A Christian Declaration on Human Rights: Theological Studies of the World Alliance of Reformed Churches*. Eerdmans.
- MOLTMANN, JURGEN
1977 "A Definitive Study Paper: A Christian Declaration on Human Rights." In A. Miller (ed.), *A Christian Declaration on Human Rights: Theological Studies of the World Alliance of Reformed Churches*, 132-38. Eerdmans.
1980 "Christian Faith and Human Rights." In A. Falconer (ed.), *Understanding Human Rights: An Interdisciplinary and Interfaith Study*, 182-95. Dublin: Irish School of Ecumenics.
1984 ET *On Human Dignity: Political Theology and Ethics*. Fortress.
- MURRAY, JOHN COURTNEY
1960 *We Hold These Truths*. Sheed and Ward.
- NATIONAL CONFERENCE OF CATHOLIC BISHOPS
1986 "Economic Justice for All: Catholic Social Teaching and the U.S. Economy." *Origins* 16, 409-55.
- NELSON, J. ROBERT
1982 "Human Rights in Creation and Redemption: A Protestant View." In A. Swidler (ed.), *Human Rights in Religious Traditions*, 1-12. Pilgrim.
- NOVAK, MICHAEL
1986 "Free Persons and the Common Good." *Crisis* 4, 11-19.
- O'GRADY, RON
1979 *Bread and Freedom*. Geneva: World Council of Churches.
- PAWLIKOWSKI, JOHN T.
1979 "Human Rights in the Roman Catholic Tradition: Some Theological Reflections." In M. Stackhouse (ed.), *American Society of Christian Ethics 1979 Selected Papers*, 145-66. Waterloo, Ontario: Council on the Study of Religion.
- PONTIFICAL COMMISSION "JUSTITIA ET PAX"
1975 *Working Paper No. 1, The Church and Human Rights*. Vatican City: Pontifical Commission "Justitia et Pax."
- SHUE, HENRY
1980 *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy*. Princeton University.
- STACKHOUSE, MAX L.
1982 "A Protestant Perspective on the Woodstock Human Rights Project." In A. Hennelly and J. Langan (eds.), *Human Rights in the Americas: The Struggle for Consensus*, 142-58. Georgetown University.
1984a "Theology, History, and Human Rights." *Soundings* 67, 191-208.
1984b *Creeeds, Society, and Human Rights: A Study in Three Cultures*. Eerdmans.
1986 "Theology and Human Rights." *Perkins Journal* 39, No. 4, 11-18.
- TODT, HEINZ-EDUARD
1977 "Theological Reflections on the Foundation of Human Rights." *Lutheran World* 24, 45-58.
- UN WORKING GROUP OF THE GERMAN DEMOCRATIC REPUBLIC REGIONAL COMMITTEE OF THE CHRISTIAN PEACE CONFERENCE
1975 "The Meaning of Human Rights and the Problems They Pose." *The Ecumenical Review* 27, 139-46.
- WORLD COUNCIL OF CHURCHES
1975 "Human Rights and Christian Responsibility: Report of the Consultation, St. Polten, Austria, 21-26 October 1974." World Council of Churches, CCIA.
- WRIGHT, CHRISTOPHER J. H.
1979 *Human Rights: A Study in Biblical Themes*. Bramcote, Nottinghamshire: Grove.



Copyright and Use:

As an ATLAS user, you may print, download, or send articles for individual use according to fair use as defined by U.S. and international copyright law and as otherwise authorized under your respective ATLAS subscriber agreement.

No content may be copied or emailed to multiple sites or publicly posted without the copyright holder(s)' express written permission. Any use, decompiling, reproduction, or distribution of this journal in excess of fair use provisions may be a violation of copyright law.

This journal is made available to you through the ATLAS collection with permission from the copyright holder(s). The copyright holder for an entire issue of a journal typically is the journal owner, who also may own the copyright in each article. However, for certain articles, the author of the article may maintain the copyright in the article. Please contact the copyright holder(s) to request permission to use an article or specific work for any use not covered by the fair use provisions of the copyright laws or covered by your respective ATLAS subscriber agreement. For information regarding the copyright holder(s), please refer to the copyright information in the journal, if available, or contact ATLA to request contact information for the copyright holder(s).

About ATLAS:

The ATLA Serials (ATLAS®) collection contains electronic versions of previously published religion and theology journals reproduced with permission. The ATLAS collection is owned and managed by the American Theological Library Association (ATLA) and received initial funding from Lilly Endowment Inc.

The design and final form of this electronic document is the property of the American Theological Library Association.