

## DEMOCRACY AND THE WESTERN LIBERAL INTERPRETATION OF HUMAN RIGHTS IN THE CONTEXT OF COVID-19 PANDEMIC

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### Abstract

Covid-19 virus has re-evoked an important social ethical point, namely, the fact that we humans are social beings and not isolated monads. In the new 'normal' set up all over the world, one has to learn to live with the virus but this demands a sense of responsibility from each and every human person in a given society. It is this sense of social responsibility rather than a mere insistence on the rights of a human being (that ignores the corresponding duties) that has been stressed by the Catholic social doctrine in total contrast to the exclusive individualistic interpretation of human rights in the Western liberal tradition into which human rights were born first. This article aims at pointing out that the social doctrine of the Church has something important to contribute in filling the glaring lacuna of the one-sided Western liberal interpretation of rights. For any democracy to function effectively, such a balanced view of rights accompanied by the promotion of common good is indispensable.

**Keywords:** Social Doctrine of the Church; Common Good; Covid-19; Democracy; Human Rights; Individualism; Rights and Duties; Solidarity; Western Liberal Tradition

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## Introduction

The concepts of democracy and human rights have got so ingrained in our contemporary mentality, especially, in the so-called Western world that there have been many a citizen/group in that part of the world who almost obsessively tended to highlight individual rights at the expense of common good even during the deadly Covid-19 pandemic. Comments such as “No one can violate our individual rights,” “Government should not meddle with our human rights,” “Lockdowns have taken our rights away,” ...etc. were heard time and again. Interestingly, even some of the leaders of the Western democracies (who often have the tendency to place themselves on a higher paternalistic pedestal in order to impose their interpretation of democratic values and human rights on the rest of the world) were quite vociferous about the need to uphold individual human rights along with their economic rights instead of upholding the common good as the Corona virus gradually took the centre stage all over the world. The undulating policy of the Dutch government in passing regulations to make citizens wear face masks (as recommended by the World Health Organization) is a case in point.<sup>1</sup> Similarly, one cannot easily forget the rhetoric to this same effect lashed out by such world leaders as Donald Trump in the USA, Boris Johnson in the UK, their close political ally in Latin America, the Brazilian President, Jair Bolsonaro, etc. Ironically, in those very countries the pandemic was not halted by such rhetoric but instead went on a rampage claiming thousands of civilian lives due mainly to the initial negligence and callous behaviour of their respective political leadership. It is strange but true that as time passed by most of those political leaders themselves contracted the deadly virus. In total contrast, there had been quite a few countries elsewhere in the contemporary world whose political leadership sensed the grave danger beforehand and managed to keep the pandemic at bay even if the Western liberal democratic eyes would have interpreted such measures as anti-democratic or violations of human rights of citizens. But the important end-result was the saving of many human lives in those few countries.

The main purpose of this article is to highlight the glaring weaknesses and inadequacies of the contemporary lop-sided Western interpretation of human rights based exclusively on the liberal

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<sup>1</sup>Cfr <https://www.dutchnews.nl/news/2020/10/despite-the-government-u-turn-the-dutch-are-still-unwilling-to-wear-masks/> (last accessed on 10<sup>th</sup> Oct. 2020). See also the Editorial entitled “Of the People, for the People,” *The Tablet*, 26<sup>th</sup> September 2020, 2.

individualistic tradition as against the tradition of the Catholic Social Doctrine. In what follows, we will divide the article into three main parts. We will first give a very brief account of both the one-sided historical origin of democracy and its close ally, human rights, and the Catholic Church's response to them. Thereafter, we will highlight a few salient aspects of the Social Doctrine of the Church (SDC) relevant to human rights, such as the social nature of human beings, the concept of common good, the limits to human rights and the corresponding duties of human rights.

### **1. One-sided origins of Democracy and Human Rights**

As is well-known, the origins of the Western liberal democratic tradition in Europe are to be seen mainly in the movements associated with the Enlightenment and Renaissance. It was a reaction against the excessive concentration of power in the Church and the then reigning monarchs in that part of the world. It finally bore fruit at both the American and French Revolutions, in 1776 and 1789, respectively. From the very beginning, for all the movements that struggled to achieve democracy during this period, it was a question of asserting the rights of the individual person against excessive power exercised by ecclesial and civic authorities. The necessary consequence was that the concept of human rights born in this particular socio-historical context was excessively focused on the individual human person cut off (so to say) from society or the political community. No wonder then with such one-sided historical roots, even the contemporary Western liberal understanding of human rights (and of its close ally, democracy) is excessively concentrated on the individual human being, totally cut off from the rest of the social/civic polity.

### **2. The Church, Democracy and Human Rights**

Although the early Christian communities lived in the periphery of the great Roman Empire (often as a persecuted community), with the conversion of Constantine, the State and the Church fused together, as history points out. This political symbiosis lasted in various degrees in Europe till the 18<sup>th</sup> century when democratic movements gradually began to gain the upper hand. The two main historical catalysts for democracy and human rights—the French and American Revolutions—were looked at askance by the Roman Church not only because she was at the receiving end of revolutionary violence in France but also because of the then prevalent negative understanding with regard to democracy and human rights within the Church itself. Consequently, the Catholic Church in the 19<sup>th</sup> century firmly opposed

all forms of liberalism, and even perceived democracy and human rights movements as nothing but forms of political liberalism.<sup>2</sup> The subsequent papal teachings in *Mirari Vos* (1832) of Pope Gregory XVI and in the *Syllabus of Errors* (1864) of Pope Pius IX are sufficient to illustrate the official Catholic disdain and negativity towards the emerging sense of democracy and human rights in Europe. It was only towards the end of the 19<sup>th</sup> century that the Church's fierce opposition to democracy and human rights began to ease out, with Pope Leo XIII.<sup>3</sup> However, it was Pope Pius XII who in 1940's really opened the Church to adopt subsequently a more positive and optimistic attitude towards democracy.<sup>4</sup> It was he who for the first time acknowledged publicly the value of democracy in his Christmas Radio message in 1944.<sup>5</sup> Finally, Pope John XXIII not only affirmed the concept of democracy but explicitly made his own the closely allied concept of human rights. Although the Second Vatican Council did not teach explicitly on democracy as such, in both *Dignitatis Humanae* (1965) and *Gaudium et spes* (1965), it did bear fruit of the development of Church's teachings on democracy and human rights by providing "a new framework" for subsequent development of Church teachings on both democracy and the ensuing human rights.<sup>6</sup> Ever since, Popes from Paul VI to Francis have been strong advocates of both democracy and human rights as is evident from their teachings contained in the well-known Social Doctrine of the Church.<sup>7</sup> For our purposes in this paper, it suffices to cite what Pope John Paul II taught with regard to democracy: "The Church values the democratic system...The Church respects the legitimate autonomy of the democratic order..."<sup>8</sup>

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<sup>2</sup>Charles E. Curran, *Catholic Social Teaching, 1891-Present: A Historical, Theological and Ethical Analysis*, Washington DC: Georgetown University Press, 2002, 152.

<sup>3</sup>J. Bryan Hehir, "Catholicism and Democracy: Conflict, Change and Collaboration," in Charles E. Curran (Ed.), *Change in Official Catholic Moral Teachings, Readings in Moral Theology, No. 13*, New York: Paulist Press, 2003, 22. For an excellent discussion on Church's initial attitude towards democracy, see pages 21-24 of this article.

<sup>4</sup>Cfr Hehir, "Catholicism and Democracy," 23-24.

<sup>5</sup>Cfr Pope Pius XII, "Christmas Message 1944," in Michael Chinigo, ed., *The Pope Speaks: The Teachings of Pope Pius XII*, New York: Pantheon, 1957, 292-299.

<sup>6</sup>Hehir, "Catholicism and Democracy," 27. See also David Hollenbach, *Justice, Peace & Human Rights: American Catholic Social Ethics in a Pluralistic Context*, New York: The Crossroad Publishing Company, 1988, 87-93.

<sup>7</sup>Cfr Pontifical Council for Justice and Peace, *The Compendium of the Social Doctrine of the Church*, Vatican City: Libreria Editrice Vaticana, 2005. Henceforth, this document will be referred to as *The Compendium*.

<sup>8</sup>Cfr Pope John Paul II, *Centesimus Annus* (1991), Nos. 46, 47.

### 3. The Social Doctrine of the Church (SDC)

#### 3.1. The Social Nature of Human Beings

One of the main assumptions of Catholic social teaching is the social nature of human beings.<sup>9</sup> To begin with, God has created humans to live with each other, not in isolation but in community, and so, the social nature is an essential element of the very human existence. Already in the 13<sup>th</sup> century, using Aristotelian philosophy, Thomas Aquinas gave the classical expression to it when he taught that humans by nature are social and political. Accordingly, human beings live in society with others. In the 20<sup>th</sup> century, Jacques Maritain reformulated this Aristotelian-Thomistic concept of human persons without changing its original essence. Accordingly, the human person is a part of the political society but at the same time he/she transcends it. For Maritain, just as for Thomas, the good of the city (social/civil community) is more noble and more divine than that of the individual.<sup>10</sup> It is precisely this concept that has become a foundational tenet of contemporary Catholic social doctrine. That is to say, in case of a possible clash between the good of the individual person and the good of the political community, it is the latter that ought to prevail if at all. One needs to note here that such a view is the polar opposite of the Western liberal democratic tradition into which the contemporary popular concepts of democracy and human rights were born. As already mentioned, for this latter tradition, it is the individual person isolated from the society/community who ought to always have priority over the latter.

In response to such popular contemporary secular stances, the recent Popes, beginning with Pope John XXIII,<sup>11</sup> have consistently insisted the interrelatedness of human beings. In his *Populorum progressio* (1967), Pope Paul VI spoke of “the development of the human race in the spirit of solidarity.”<sup>12</sup> It was Pope John Paul II who used the concept of ‘solidarity’ as one of the central themes in his social teachings. He taught:

When interdependence becomes recognized in this way, the correlative response as a moral and social attitude, as a “virtue”, is solidarity. This then is not a feeling of vague compassion or shallow distress at the misfortunes of so many people, both near and far. On the contrary, it is a

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<sup>9</sup>Cfr *The Compendium*, No. 149.

<sup>10</sup>Cfr Jacques Maritain, *The Person and the Common Good*, Notre Dame, Ind.: University of Notre Dame Press, 1966, 47-89. See also Bernard V. Brady, *Essential Catholic Social Thought*, Maryknoll (NY): Orbis Books, 2017 (Second Edition), 98-101.

<sup>11</sup>John XXIII, *Mater et magistra* (1963), No. 130.

<sup>12</sup>Paul VI, *Populorum Progressio* (1968), No. 42.

firm and persevering determination to commit oneself to the common good: that is to say to the good of all and of each individual because we are all really responsible for all.<sup>13</sup>

As Hollenbach points out, even at the Second Vatican Council, the discussion on human rights begins in the midst of the treatment of the growing interdependence of persons in *Gaudium et Spes*.<sup>14</sup> “Thus,” says Hollenbach, “its approach diverges in significant ways from the individualistic understanding of human rights that predominates in the United States and in the Western liberal tradition.” Consequently, it should be obvious that the anthropology that lies at the base of Catholic social doctrine directly opposes any individualism that perceives a human person as an isolated monad.<sup>15</sup> Accordingly, no human being is autonomous in such a way not to need another human being. Humans depend on others at various levels of societal and communitarian interactions during their existence here on earth, from birth to death, so to say. Similarly, one human person’s behaviour does also affect the others, especially in a communitarian sense. This is felt most at a time such as the current Covid-19 pandemic. For example, someone’s irresponsible behaviour in not keeping social distance or in not wearing a face mask can pass on the deadly virus and even death at times (if that someone is affected by the deadly virus). In his latest social encyclical, Pope Francis highlights this point vividly when he says:

True, a worldwide tragedy like the Covid-19 pandemic momentarily revived the sense that we are a global community, all in the same boat, where one person’s problems are the problems of all. Once more we realized that no one is saved alone; we can only be saved together. As I said in those days, “the storm has exposed our vulnerability and uncovered those false and superfluous certainties around which we constructed our daily schedules, our projects, our habits and priorities... Amid this storm, the façade of those stereotypes with which we camouflaged our egos, always worrying about appearances, has fallen away, revealing once more the ineluctable and blessed awareness that we are part of one another, that we are brothers and sisters of one another.”<sup>16</sup>

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<sup>13</sup>John Paul II, *Sollicitudo rei socialis* (1989), No. 38.

<sup>14</sup>David Hollenbach, “Commentary on *Gaudium et spes* (Pastoral Constitution on the Church in the Modern World),” in Kenneth R. Himes et al., ed., *Modern Catholic Social Teaching: Commentaries & Interpretations*, Washington DC: Georgetown University Press, 2004, 280.

<sup>15</sup>For a succinct but a fine discussion on the difference between the individual cut off from the society and the individual person who is an integral part of the society, Cfr Jack Mahoney, *The Challenge of Human Rights: Origins, Developments and Significance*, Malden, MA: Blackwell Publishing, 2007, 98-104.

<sup>16</sup>Francis, *Fratelli Tutti* (2020), No. 32.

Besides, Human reason and experience also tell us clearly that human persons achieve whatever fulfilment and happiness here on earth only in and through human relationships. Thus, the Catholic understanding of the human person is radically different from that of the individualistic and liberalistic approach. Curran describes this latter understanding as follows:

In such a philosophical view, the person is not social by nature but is an isolated individual. By necessity, however, individuals find themselves living with other individuals and must come to some type of *modus vivendi*. Individuals want and need some greater power to protect their basic rights and goods, which other people are too prone to interfere with. Thus, individuals come together to work out a contract that gives them as much as possible for themselves and allows their basic individualistic rights and goods to be protected. By definition, such an approach is fearful of state power and tries to restrain it or restrict it as much as possible.<sup>17</sup>

It is precisely this sort of an understanding of both the individual human person and society that prevailed (and still prevails) in many of the so-called Western democracies during the Covid-19 pandemic, if one were to go by the attitudes of a majority of persons in that part of the world. Consequently, it is the individual human being and his/her rights that are insisted upon. Thus, any and every effort by respective governments to impose health regulations, such as maintaining social distance, wearing a face-mask, avoiding public gatherings (including religious worship), etc. which were aimed at controlling the diffusion of the deadly virus (i.e., aimed at achieving the common good) are seen as intruding into personal human rights and as gross violations of democracy.

### 3.2. The Catholic Concept of Common Good

Catholic social tradition considers the pursuit of common good<sup>18</sup> as the main end of a State or government.<sup>19</sup> However, as Curran points out there is some difficulty in determining the exact content of the Catholic understanding of common good.<sup>20</sup> Of course, Vatican II defined it as “the sum total of those conditions of social life by which individuals, families, and groups can achieve their own fulfilment in a relatively thorough and ready way.”<sup>21</sup> A few years earlier, Pope

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<sup>17</sup>Curran, *Catholic Social Teaching*, 140.

<sup>18</sup>For a simple and straightforward discussion on Common Good, see Brady, *Essential Catholic Social Thought*, 33-39.

<sup>19</sup>Cfr *The Compendium*, Nos. 393-394. For a succinct but comprehensive description of this see Curran, *Catholic Social Teaching*, 144-145.

<sup>20</sup>Cfr *The Compendium*, Nos. 144-45.

<sup>21</sup>*Gaudium et spes* (1965), No. 74. Henceforth, this document will be referred to as GS.

John XXIII had taught that common good itself does progress and develop over time.<sup>22</sup>

The Catholic concept of common good avoids falling into any extreme between Individualism and Collectivism, because of its underlying realistic affirmation that individual human persons live in society with one another. As Curran illustrates it, according to the Catholic understanding:

What is good for the community also is good for the individual. What is good for the orchestra as a whole is good for the individual musician. What is good for the team redounds to the good of the individual player. In societal terms, everyone benefits from clean air and the availability of public transportation. Because we truly are a political community in solidarity with all other members, elimination of poverty is good for the entire community as well as for the individual poor people. The good of the person is bound up with the good of the community.<sup>23</sup>

Thus, in this understanding, the main role of the government is to ensure the achievement of common good to the best of its ability. Vatican-II expressed clearly this official Catholic mentality concretely with regard to the role which any government is expected to play when it said:

Because of the increased complexity of modern circumstances, government is more often required to intervene in social and economic affairs, by way of bringing about conditions more likely to help citizens and groups freely attain to complete human fulfillment with greater effect.<sup>24</sup>

That is to say that Catholic social doctrine had been consistent in stressing the realistic necessity for government intervention (when and where necessary) to ensure the common good. However, as already highlighted above, this is in total contrast to the Western liberal concept of the State because therein the role of the State is to merely ensure the well-being and protection of the citizens but without any intervention in their socio-economic ways of living that might demand individual personal sacrifices (in the form of responsibilities/duties) for the sake of the common good. That is why, for example, the teachings of later documents of SDC with regard to private property are poles apart from the liberal understanding of the use of material goods. Thus, according to the cherished Catholic social principle “the universal destination of created goods”<sup>25</sup> is totally unacceptable to the liberal democratic

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<sup>22</sup>John XXIII, *Mater et magistra* (1961), No. 65.

<sup>23</sup>Curran, *Catholic Social Teaching*, 145.

<sup>24</sup>GS, No. 75.

<sup>25</sup>Cfr *The Compendium*, Nos. 176-178.

concept. For example, what Paul VI taught originally about private property which now is an essential element of SDC is quite alien to the individualistic liberal way of perceiving things.<sup>26</sup>

The point we are at pains to highlight here is that according to the Catholic understanding, the State has a crucial role to play, even in and through its interventions that may bring temporary inconveniences to the individual human persons, in promoting common good. At times, such interventions may even amount to a reducing or curtailing of some of the human rights. But if such moves are genuinely meant to promote common good as understood by the SDC, then, the State is morally bound to do so. The recent State interventions in countries like Sri Lanka to stem the spread of the Covid-19 pandemic (even when such interventions did curtail some individual rights) is a case in point. Interestingly, as a result, at the time of writing this article, the number of total deaths due to the pandemic has stood stable at twelve (for the seven months ever since the virus hit the world).<sup>27</sup> To achieve this record, the Sri Lankan government had to keep the country under a very strict lock-down for two to three months, often by clamping down curfew for days. Many individual rights of the citizens were reduced or at times even curtailed, but the Sri Lankan polity with their traditional Asian sense of community/society took it very well and positively. As a matter of fact, in August 2020 amidst the pandemic, Sri Lanka was able to hold her General Elections, one of the most peaceful for decades in the country, but under very strictly imposed health regulations to check any possibility of spreading the virus. The Sri Lankans were so impressed by the strict measures taken by the Executive President of the country (who was elected hardly a year before) that they gave his party almost two-thirds of seats in the new parliament. Many political analysts attribute his massive landslide victory at the August parliamentary elections to his effective controlling of Covid-19 at a time when thousands were dying daily of the same virus in her neighbouring countries. The point we wish to highlight here is that

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<sup>26</sup>Cfr Paul VI, *Populorum Progressio* (1967), Nos. 22-23. See also, *Compendium*, Nos. 176-181.

<sup>27</sup>In fact, according to the World Health Organization (WHO), Sri Lanka had controlled the epidemic much better than many resourced countries. Cfr [http://www.dailymirror.lk/top\\_story/SL-controlled-epidemic-better-than-more-resourced-countries-WHO/155-192139](http://www.dailymirror.lk/top_story/SL-controlled-epidemic-better-than-more-resourced-countries-WHO/155-192139) (last accessed on 6<sup>th</sup> October 2020); <https://www.indepthnews.net/index.php/opinion/3518-sri-lanka-has-been-successful-in-counteracting-covid-19> (last accessed on 6<sup>th</sup> October 2020). See also [http://www.dailymirror.lk/breaking\\_news/SL-becomes-second-in-terms-of-Covid-19-prevention-measures-economic-recovery/108-196725](http://www.dailymirror.lk/breaking_news/SL-becomes-second-in-terms-of-Covid-19-prevention-measures-economic-recovery/108-196725) (last accessed on 6<sup>th</sup> October 2020).

the Sri Lankan polity overwhelmingly approved at a freely conducted general election the promoting of common good (i.e., effectively controlling the pandemic) as understood by the Catholic social tradition which at times surely amounted to reducing or curtailing of human rights. This is in total contrast to some of the Western countries, such as the USA, the UK and quite a number of States belonging to the European Union which preferred to uphold individual personal rights instead of common good as understood by the Catholic social tradition. As media reports indicated, the free diffusion of the virus contaminating thousands of citizens and even claiming lives of so many was the unavoidable repercussion.

It is in this sense that the present writer wishes to pose the provocative questions: is democracy to be upheld for its own sake? Are human rights to be always upheld just for the sake of upholding them even when the most fundamental of all rights, the right to life is at stake, as it was the case during the Covid-19 pandemic? Whether it is to do with democracy or human rights, ultimately, what matters are human persons and their precious lives. Any democratic or human rights tradition that ignores the fundamental human values are not worthy of being even seriously considered. That is to say, both the concepts of democracy and human rights by definition (and in their very historical origin) were originally meant for the wellbeing of human persons and their values, even though from an extremely individualistic sense. Interestingly, some three decades ago, it was Pope John Paul II who highlighted the importance of a value-based democracy when he wrote:

Those who are convinced that they know the truth and firmly adhere to it are considered unreliable from a democratic point of view, since they do not accept that truth is determined by the majority, or that it is subject to variation according to different political trends. It must be observed in this regard that if there is no ultimate truth to guide and direct political activity then the ideas and convictions can easily be manipulated for reasons of power. As history demonstrates, a democracy without values easily turns into open or thinly disguised totalitarianism.<sup>28</sup>

This value-based Catholic attitude towards democracy obviously is an effective anti-dote to our contemporary societies (especially those who blindly adhere to the individualistic liberalism wherein only individual freedom has an absolute value). Although democratic form of government is the best available as a political system for the world today, a rudderless or a valueless democracy where only the value of individual freedom is exalted could well end up as a

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<sup>28</sup>John Paul II, *Centesimus Annus* (1991), No. 46.

totalitarian form of ruling that ultimately costs the most fundamental (or foundational) of all human rights, namely, the right to life. In other words, both democracy and human rights are not to be upheld for the sake of the concepts as such, but for the sake of fundamental human values that are beneath those cherished concepts. After all, both these concepts are means of serving human beings rather than being ends in themselves.

### 3.3. Human Rights have their Own Limits

A characteristic of Catholic understanding of human rights is that they are perceived as having their proper limits. This is a necessary corollary of the fact that humans live in society with others. As Bernard Levin had expressed so colourfully, this means “my right to stick my fist ends where someone else’s nose begins”!<sup>29</sup> If one were living all alone in an abandoned island, then, he/she could claim his/her rights as absolute, without any limits whatsoever. But the fact that we are social by nature, demands that we be conscious of the other just as that other need to be conscious of the rest of the members of that society/community. This is very realistic because even the inmates of a room have to be conscious of each other and their fundamental needs if some sort of peaceful coexistence is desired. For example, though I have a right to play the guitar at any time I wish, I need to take precaution not to disturb my roommates when they rest in the thick of the night with my guitar playing simply because I have a right to do so. They too have their right to rest/sleep, just as I have the right to play the guitar. When there are such simultaneous clashes of claims (rights) of different persons in real life situations, common sense tells us that some claims or rights have to give way for the other similar claims of others. May be, I better exercise my right to play the guitar at another time, preferably when others are not resting so that their rights may not be violated. Or I may have to go out and do so where no one is disturbed of their rest. In day-to-day human living, such clashes of rights as well as clashes between rights and common good do occur. On such occasions an objective hierarchy of rights (or a hierarchical arrangement of rights) based on the values those rights aim to protect is used in ordinary life.

The Catholic understanding of the concept of common good, too, naturally implies limits to one’s rights. The traffic lights at a busy street junction is yet another common illustration. Although any and every person has the right to drive freely on any public road under

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<sup>29</sup>As cited in Mahoney, *The Challenge of Human Rights*, 99.

normal circumstances, at a busy junction in the middle of a very busy city, this right is curtailed or controlled. If every person is allowed to drive at the same time just because they have their rights to drive freely in whatever direction they wish to go, obviously there would be utter chaos, and even some fatal accidents. To prevent such an eventuality, and to regulate driving in such a way that everyone would get his/her chance to drive freely along the direction he/she wishes, the traffic lights are operated. They serve not only each person who travels but also the whole group of travellers through that particular traffic junction. Although the rights of some are temporarily limited or curtailed, such limiting or curtailing ultimately contributes to the very promotion of the travelling rights of everyone through that junction (the common good).

Although healthy democracies all over the world today have their own checks and balances that limit the individual human rights at one time or the other, contemporary societies that are dominated by an individualistic liberal mentality do fail immensely to understand them, and so, are often reluctant to accept such a realistic need have limits to rights. Most of those who were claiming their personal rights to be absolute even during the Covid-19 pandemic belong to this type of an individualistic liberal mentality which is polar opposite of the Catholic understanding of human rights. Here again, one notices how the Catholic social stance which insists that an excessive individualistic affirmation of human rights “can give rise to an individualism in which each one claims his own rights without wishing to be answerable for the common good”<sup>30</sup> is not only reasonable but also realistic.

### **3.4. Human Rights and their Corresponding Duties**

Fortunately, the concept of human rights has taken firm roots in our contemporary societies all over the world. This surely is something to be welcomed as a positive sign of our times. However, in some influential quarters all over the world (especially in those parts where the Western liberal traditions have had influence) there is a tendency to stress on human rights as if they were an untouchable “sacred cow.” This exactly was the issue at stake in those who were blindly and exclusively insisting on their human rights (against the safety health regulations proposed by respective governments) at the expense of the common good even during a worldwide disastrous pandemic like Covid-19. In such one-sided discourses, there was no mention of the necessarily ensuing duties of

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<sup>30</sup>Cfr *The Compendium*, No. 158.

those who enjoy and exercise their rights. Logically, this is an indispensable corollary of those who stress on the individual person and his/her rights over and above those of the society/community as a whole.

As Pope John XXIII pointed out more than five decades ago, every human right also has a corresponding duty. The Church today repeats his words with regard to “the indissoluble bond” that is inherent in both human rights and corresponding duties when she teaches: “Those, therefore, who claim their own rights, yet altogether forget or neglect to carry out their respective duties, are people who build with one hand and destroy with the other.”<sup>31</sup> Writing on the secular understanding of human rights, Sumner prefers to use the term “relational duty” instead of the blank term “duty.” Accordingly, “a relational duty is a duty owed to some specified party who holds the correlative claim.”<sup>32</sup> This is quite akin to the Catholic understanding of human rights and it surely is yet another realistic perspective of the Catholic social tradition and we need to highlight it here in view of its relevance to the theme of this article. According to Christiansen, this Catholic “balance between rights and duties, as among rights themselves, is one of the principal ways in which Catholic thinking on human rights differs from the absolutist understanding of rights prevalent in the United States today.”<sup>33</sup>

As a reaction to the prevailing one-sided stress on human rights that ignores the ensuing duties, authors such as O’Neill had even gone to the extent of suggesting the need to give priority to duties over rights.<sup>34</sup> For O’Neill, duties ought to be prior to rights if the concept of human rights is to be of any practical value in society. Almost in the same vein, in an interview given in 2006, Stefano Fontana of the Van Thuan Observatory has gone on record saying:

The question is not to deny rights, in fact the opposite is true. The point is that we have to understand that without duties rights spiral upon themselves, they annul each other. In the end, the babel of rights leads to the triumph of the right of the strongest. The rights themselves, in order to be truly such, must accept the priority of duty

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<sup>31</sup>Cfr *The Compendium*, No. 156.

<sup>32</sup>L.W. Sumner, *The Moral Foundation of Rights*, Oxford: Clarendon Press, 1987, 100. In the same work, see also pages 24 and 106.

<sup>33</sup>Drew Christiansen, “Commentary on *Pacem in terris*,” in Kenneth R. Himes et al., ed., *Modern Catholic Social Teaching: Commentaries & Interpretations*, Washington DC: Georgetown University Press, 2004, 227.

<sup>34</sup>Cfr Onora O’Neill, *Towards Justice and Virtue: A Constructive Account of Practical Reasoning*, Cambridge: Cambridge University Press, 1996.

over them. This is the right way to protect rights and the Church has always done that.<sup>35</sup>

Fontana also points out that there is the possibility of even the concept of duties being manipulated by the contemporary mind-set that tends to stress the individual person cut off from the rest:

Any right has a corresponding duty and vice versa, this is absolutely true but it is not sufficient. It is easy, in fact, to artificially fabricate a duty that can be used as a justification for a new right. In Italy, the right to abortion is recognized by a law that starts from the duty to nurture life. The right to euthanasia is based on the duty to relieve suffering. The complementarity between rights and duties is true but is susceptible to ideological manipulation. We really have to go back to the priority of duty.

Basing himself on a transcendental origin of human beings, Fontana finally went on to state:

Duty is “being available” while a right is “to have the availability of” something. This is why duty does not come from within us but from the outside. Now we have to decide if we are our own masters and the masters of our own being or if we, ourselves, and our own being are entrusted to us as a task. Modern thought holds the first belief and therefore absolutizes rights, I hold the second belief and thus I start from the duties, i.e., from a call, from a task that has been entrusted to us.

In an elucidating article written in 1998 by Hans Kung, we read the same point very eloquently and convincingly expressed:

The worldwide occurrence of serious human rights violations should make it especially clear to professional human rights activists, who seek to defend human rights “unconditionally,” how empty any declaration and formulation of human rights is bound to be in situations where people and above all rulers ignore their human responsibilities (“It’s got nothing to do with me!”), neglect them (“My job is to protect my company’s interests!”), reject them (“That’s for the churches and charities to deal with!”) or dishonestly claim to be fulfilling them (“We in the government/on board or the board of directors are doing everything we can!”). The “weakness” of human rights does not, in fact, lie in the concepts as such, but in the lack of political and moral will shown by the responsible players.<sup>36</sup>

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<sup>35</sup> This interview with Stefano Fontana is available at <https://www.vanthuanobservatory.org/eng/for-a-politics-of-duties-interview-to-stefano-fontana-author-of-the-book-edited-by-our-observatory/> (last accessed on 3<sup>rd</sup> October 2020).

<sup>36</sup> This article is available at <https://www.interactioncouncil.org/media-centre/human-responsibilities-reinforce-human-rights-global-ethic-project> (last accessed on 5<sup>th</sup> Oct. 2020).

## Conclusion

Whether we like it or not, it is a historical fact that both democracy and human rights were born in the struggles against the European monopolistic power centres (both ecclesial and secular). The invariable stress on the individual and his/her rights against the civic/social polity of those struggles, unfortunately, have got entrenched in most of the Western individualistic liberal discussions on democracy and human rights, even to this day. Hence the contemporary trend to stress exclusively on individual rights even in the midst of the worldwide challenges posed by the deadly Covid-19 virus, as if the individual person lives on his/her own. Such attitudes would have been fine if we humans lived as isolated individuals or monads in islands of our own, totally cut off from the rest of humanity. However, in reality, humans live in society, as the Catholic tradition has been insisting, and consequently, humans do surely have not only their human rights but also their corresponding duties. It is precisely here that the Catholic social tradition could make a very valuable realistic contribution to the former in nuancing (if not correcting) realistically its one-sided discourse on human rights. After all, concepts of democracy and human rights by strict definitions are meant for human persons, and not the other way round!