

# The Sacredness of the Person in Secular Societies: What is the Church's Task?

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**Abstract:** *This essay considers the concept of the sacredness of the human person, informed by an understanding of secularization as differentiation. It discusses the use of this concept in the language of human rights, contrasting the perspectives of Michael Ignatieff and Hans Joas, and examining some recent Vatican and Papal documents in this regard. It concludes by arguing that the use of the concept of the sacred in human rights discourse, by both the Church and other actors, rightly resists a strict differentiation between the ethical and the religious, while emphasizing the proper role of natural law and rational argument in ethics.*

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**Key words:** Secularization as differentiation, the human person, human rights, the sacred, Michael Ignatieff, Hans Joas, John Paul II, Benedict XVI.

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## SECULARIZATION AND DIFFERENTIATION – THE SACRED AND POLITICS

**T**his essay reflects upon the concept of the sacredness of the person in liberal secular societies. It focuses in particular on the relationship between the secularization of politics and the sacredness of the person, especially with regard to human rights. It affirms the importance of the de-sacralization of politics in liberal societies, but argues at the same time for the continuing value and importance of the sacralisation of the human person. After considering different perspectives concerning the relationship between the sacredness of the person and human rights, it enquires into the nature of the Church's task in fostering and proclaiming the sacredness of the person.

My argument is informed by an understanding of secularization as differentiation: that is, that secularization does not mean the disappearance of religion from political and social life, but rather the differentiation of different aspects of society and culture leading to the independence of a range of social institutions and practices, e.g. politics, the market, and science, from religion.<sup>1</sup> A key part of this differentiation has been the secularization of the state. The concept of the sacredness of the person, however, resists differentiation

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<sup>1</sup> An interpretation of secularization as differentiation is an important feature of José Casanova's *Public Religions in the Modern World* (Chicago: University of Chicago, 1994) Chapter 1, in which Casanova argues that there are three theories of secularization—as religious decline, as privatization and as differentiation—and that only the differentiation thesis is sustainable. David Martin, in his *The Future of Christianity: Reflections on Violence and Democracy, Religion and Secularization* (Farnham: Ashgate, 2011) also strongly supports an analysis of secularization "based on social differentiation rather than rationalization and privatization. Social differentiation refers to the clearly identifiable process whereby social spheres, such as the state, administration, welfare, education and the arts, are no longer under ecclesiastical oversight or governed by the deliverances and modalities of theology" (26).

between religion and general ethical culture—it permeates many forms of response and discourse that are not necessarily closely linked to the churches. It is a concept that clearly has religious roots, resonances and affinities, but can at the same time play an important role in more general ethical culture. In this sense, its more general influence is an exception to the secularization of politics, in the sense of a strict differentiation of the political realm from the religious. I argue that this more general influence of the concept of the sacredness of the person can and does have beneficial effects for ethical culture, and that the Church can foster the influence of this concept in a range of ways that are part of its mission to the world. At the same time, the Church rightly emphasizes the roots of ethics in human reason and natural law, and defends ethics and politics against a false sacralisation.

In the past, political life and institutions were permeated by sacred concepts and symbols. Within the realm of Christendom, the Old Testament conception of the king as the Lord’s anointed, as a sacred person, has had an enormously influential history. This conception did not (in contrast, for example, to the Roman Empire) sacralise the state as such, but rather the monarch who was born and anointed to rule it by divine right. After a long and difficult history of disentanglement of the “alliance of throne and altar”, it is now quite clear that the Catholic Church has left conceptions of sacred monarchy in the past, and affirms the secularization, and democratization, of political power.<sup>2</sup>

In this light, from a theological perspective, there is nothing sacred or holy about the state, the political community. There is, however, something good about it – the virtue of patriotism, affirmed by Thomas Aquinas as an expression of the fourth commandment, is our grateful recognition of all that our own national community has given us, the means of expressing our humanity in concrete cultural forms, through an inherited language and history.<sup>3</sup> Patriotism responds to the nation, and its political expression through the state, as a good which is crucial to our full personal development in community.<sup>4</sup> While it is important to acknowledge this good of the nation and state, this is quite distinct from judging it to be sacred: its good is limited and can only demand a limited loyalty. Universal moral goods transcend—and sometimes contradict—the limited, particular good of the state and nation, and so no political institutions or powers can claim to be sacred and demand the allegiance that that implies.

Yet this does not apply to the sacredness of the person, since the human person is the fundamental moral good of political and social life. Loyalty to the human person, to the moral imperatives that foster and protect our humanity, is not subordinate to any other

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<sup>2</sup> See, for example, *Gaudium et spes* 76, *Dignitatis humanae* 2. Part One of James McEvoy’s *Leaving Christendom for Good: Church-World Dialogue in a Secular Age* (Lanham, MD: Lexington Books, Rowman and Littlefield, 2014) presents a detailed historical and theological reflection on this process.

<sup>3</sup> *Summa Theologica* 2a 2ae, q.101; for an illuminating discussion of the virtue of patriotism, see Nigel Biggar, “The Value of Limited Loyalty. Christianity, the Nation and Territorial Boundaries”, in *Christian Political Ethics*, ed. John A. Coleman SJ (Princeton: Princeton University, 2008) 92–109.

<sup>4</sup> In his *Christianity and the Political Order: Conflict, Cooptation and Cooperation* (Maryknoll: Orbis, 2013), Kenneth Himes sums up the Catholic tradition’s conception of the good of the state in this way: “Human beings are made to be social, destined to live in community. However, community cannot exist without structure, some ordering and governing mechanism that provides for the proper functioning of the community. The political community is a necessary association that allows humans to attain fulfilment of their social nature. In sum, the state is necessary for well-ordered community, and community is necessary for human well-being. Thus, the state is an institution that is part of God’s created order” (197–8).

loyalty. This is affirmed by the Christian teaching of the unity of love of God and love of neighbour and by the Biblical conception of the human person as created in the image of God. Since the human person is created in the image of God, and since love of neighbour is at one with love of God, there is no higher calling than caring for the human person, and no higher allegiance that could require us to ignore or suppress moral imperatives.<sup>5</sup> It is fundamentally for these reasons that the continuing affirmation of the sacredness of the human person, the continuing use of distinctively religious language, is important for the Church and the Christian tradition, while it supports the secularization of political life in other respects. To call the human person “sacred”, rather than, for example, simply “good” or “valuable” expresses the Church’s conviction of the bond between religion and morality, of the roots of moral value in God’s creative purpose. It affirms that the value of persons is beyond human control and manipulation—they may not be “profaned”, violated or treated inhumanely. What this essay will seek to explore is how the Church can affirm this sense of the sacredness of the person in ways that do not claim or impose exclusive religious meanings, but rather as a contribution to maintaining a universal moral ethos in a pluralist context.

#### THE PERSON, HUMAN RIGHTS AND THE SACRED – TWO CONTRASTING PERSPECTIVES.

Before reflecting more specifically on the Church’s task, I will consider two writers who have very different views on the usefulness and fertility of the concept of the sacred in relation to the human person and to the advocacy of human rights. In his *Human Rights as Politics and Idolatry*, Michael Ignatieff argues that human rights advocacy should dispense with the language of sources and foundations, and that the use of the concept of the sacred contributes nothing to the protection of human rights and can indeed smack of idolatry, alienating religious communities.<sup>6</sup> Hans Joas, in contrast, in his *The Sacredness of the Person: A New Genealogy of Human Rights*, pursues an “affirmative genealogy” of the sacredness of the person, conceiving it as a shared ethical value which has been disseminated in democratic political culture through “values generalization.”<sup>7</sup>

##### 1. Michael Ignatieff, *Human Rights as Politics and Idolatry*.

For Ignatieff, the Universal Declaration of Human Rights “represented a return by the European tradition to its natural law heritage, a return intended to restore *agency*, to give individuals the civic courage to stand up when the state ordered them to do wrong.”<sup>8</sup> He notes that “since the Helsinki Final Act of 1975, in which the Soviet bloc conceded the right of its citizens to have human rights organisations, there has been one global human rights culture.”<sup>9</sup> But, for Ignatieff, there is a danger of human rights language becoming as imperial as the old colonial hubris, and that “human rights might become less imperial, if it

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<sup>5</sup> Of course, caring for the human person takes many forms within the Christian tradition, some of them enclosed and contemplative and devoted to the worship that expresses love of God; I am aware, for example, that communities of contemplative nuns pray in the very early morning especially for low-waged workers who begin work about the same time, such as cleaners, hospital staff and workers in public transport.

<sup>6</sup> Michael Ignatieff, *Human Rights as Politics and Idolatry* Ed. Amy Gutmann (Princeton: Princeton University, 2001).

<sup>7</sup> Hans Joas, *The Sacredness of the Person: A New Genealogy of Human Rights* (Washington: Georgetown University, 2013).

<sup>8</sup> Ignatieff, *Human Rights as Politics and Idolatry* 5.

<sup>9</sup> Ibid. 19.

became more political, that is, if it were understood as a language, not for the proclamation and enactment of eternal verities, but as a discourse for the adjudication of conflict.” In particular, he argues, the ideology of human rights “is misunderstood ... if it is seen as a ‘secular religion’. It is not a creed; it is not a metaphysics. To make it so is to turn it into a species of idolatry: humanism worshipping itself.”<sup>10</sup> This tendency to make human rights advocacy a “secular religion” will only raise doubts about it among religious groups and in non-Western cultures which do not need a secular creed.

Ignatieff rejects attempts to give human rights a foundation in religion or any other set of truths since in his judgement foundational arguments cause needless controversy and it is much more beneficial “to build support for human rights on the basis of what such rights actually *do* for human beings.”<sup>11</sup> He argues that human rights are based on a theory of the right, not the good: only a minimalist, “thin theory”<sup>12</sup> of human rights has any hope of successful practical outcomes, since the point of human rights advocacy is to safeguard free individual agency. In this regard, he argues that “there is thus a deliberate silence at the heart of human rights culture. Instead of a substantive set of justifications explaining why human rights are universal ... the UDHR simply takes the existence of rights for granted and proceeds to their elaboration.”<sup>13</sup> It is clear from the historical evidence that it is not natural for human beings to be sympathetic to those outside our in-group, as the Holocaust showed in the worst possible way. Because of this, we “cannot build a foundation for human rights on natural human pity or solidarity”, since these are not innate or universal: “in other words, we do not build foundations on human nature but on human history, on what we know is likely to happen when human beings do not have the protection of rights. We build on the testimony of fear, rather than on the expectations of hope.”<sup>14</sup>

In response to critiques of a purely secular view of human rights by religious thinkers,

to this humanists must reply, if they wish to be consistent, that there is nothing sacred about human beings, nothing entitled to worship or ultimate respect ... moreover, a humanist is required to add, human rights language is not an ultimate trump card in moral argument. No human language can have such powers. Indeed, rights conflicts and their adjudication involve intensely difficult trade-offs and compromises. This is precisely why rights are not sacred, nor are those who hold them. To be a rights bearer is not to hold some sacred inviolability but to commit oneself to live in a community where rights conflicts are adjudicated through persuasion, rather than violence.<sup>15</sup>

For Ignatieff,

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<sup>10</sup> Ibid. 53.

<sup>11</sup> Ibid. 54.

<sup>12</sup> A “thin theory” of human rights is one based purely in personal freedom, agency and self-respect, rather than “thick” or “full” theories, such as that set out in John XXIII’s *Pacem in terris*, which base human rights in a range of capacities and attributes of the human person, as well as in freedom and agency. The key source of this distinction in recent moral philosophy is in §60 of John Rawls’ *A Theory of Justice* (Oxford: Oxford University, 1973), “The Need for a Theory of the Good.” Chapter 4 of my *Freedom and Purpose: An Introduction to Christian Ethics* (Mahwah, NJ: Paulist, 2004) 135–141, presents an account of human rights in relation to eleven dimensions of the human person, in the light of both negative and positive aspects of human freedom.

<sup>13</sup> Ibid. 78.

<sup>14</sup> Ibid. 80.

<sup>15</sup> Ibid. 84.

The idea of the sacred—the idea that there is some realm that is beyond human knowing or representation, some Mount Sinai forever withheld from human sight—is supposed to impose a limit on the human will to power. Even as metaphor—divorced from any metaphysical claim—the sacred connotes the idea that there must be a moral line that no human being can cross. The ideology of human rights is clearly an attempt to define that line. But, from a religious point of view, any attempt to create any strictly secular limit to the exercise of human power is bound to be self-defeating.<sup>16</sup>

Ignatieff's argument makes a number of significant claims. In the first place, he contends that, ontologically, human beings have nothing sacred about them, and it flows from this that human rights are not sacred, nor have overriding force, but are rather commitments to live by persuasion rather than violence. Secondly, he argues that the idea of the sacred is intrinsically bound up with transcendent metaphysical and religious claims, and so a secular attempt to claim the sacred, and thereby to resist the human will to power, must be self-defeating. While clearly rejecting the need for or the fruitfulness of religious foundations and motivations for human rights advocacy, Ignatieff does seek to shape his argument as a critique of the tendency to idolatry in human rights language, and to that extent to protect religion from its counterfeits: "For both a religious and a secular person, therefore, the metaphor of idolatry acts as a restraint against both credulity and contempt."<sup>17</sup> Ignatieff's argument is a plea for a radical separation between human rights advocacy and any ontology of the human person, in particular any ontology that would confer sacredness. In his view, this will free human rights advocacy from the sacralisation of rights, which should be conceived of as a framework for non-violent negotiation rather than forms of personal inviolability. Although he indicates respect for religious language by casting his argument as a critique of idolatry, a clear consequence of his views is the divorce of religious traditions from ethical values, including human rights, since he believes that they have nothing to do with each other. As such, he advocates a secularization of radical differentiation, removing religion from the sphere of general ethical culture.

## 2. Hans Joas, *The Sacredness of the Person: A New Genealogy of Human Rights*.

Let us now consider a very different perspective on the ethical significance of the sacredness of the person, as developed in Hans Joas' book *The Sacredness of the Person: A New Genealogy of Human Rights*. Joas proposes "that we understand the belief in human rights and universal human dignity as the result of a specific process of sacralization—a process in which every single human being has increasingly, and with ever-increasing motivational and sensitizing effects, been viewed as sacred, and this understanding has been institutionalized in law." For Joas, the term sacralization "should not be understood as having an exclusively religious meaning. Secular content may also take on the qualities characteristic of sacrality; namely, subjective self-evidence and affective intensity."<sup>18</sup> Joas sums up the aim of his investigation in this way:

My aim is to scrutinize the strong forces motivating a universalist morality, the kind of forces that may arise from cultural traditions such as religions and intensive

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<sup>16</sup> Ibid. 84–5.

<sup>17</sup> Ibid. 87.

<sup>18</sup> Joas, *The Sacredness of the Person* 5. While Joas' description of sacrality as subjective self-evidence and affective intensity does highlight important features of this field of meaning, my own discussion will also situate sacrality in the context of the links between ethical and religious transcendence, especially as experienced in the Christian tradition.

experiences, both inspiring and traumatising, and that may lead to individual and collective actions. We find such motivating forces, which facilitate decentred perception and moral-political action, in the sacralisation of the person.<sup>19</sup>

Joas conceives this study of sacralisation as an “affirmative genealogy of the universalism of values”, in contrast to Nietzsche’s negative genealogy of the ethics of pity and compassion.<sup>20</sup> For Joas, Emile Durkheim first defined this sacralisation process, arguing that it was the sacredness of the individual that gave society its binding force. For Durkheim, it was Christianity that gave this value to the world in its universal sense, but Christianity only paved the way for a belief that would be part of the heritage of a post-religious society.

Joas argues that the key influence in building up the momentum of this process of sacralisation was the movement to abolish slavery. This had two crucial contributing factors. In the first place, Christians committed to the abolitionist movement experienced “a moral decentering, to see the world from the perspective of others and not just those with whom we are linked by established affective ties.” This constituted an “intensification of the motivation to put into practice a universalist morality that already exists in principle.” Secondly, a sense of moral complicity, in the context of globalizing trade: “Does what we consume really come from a country in which slaves or forced laborers are involved in production?”<sup>21</sup> For Joas, “the first and second components open up a space in which it becomes possible to articulate experiences that previously went unheard”, leading to “transnational advocacy networks” making possible the “practical transnational organisation of moral universalism.”<sup>22</sup>

Joas does not see it as inevitable that the Christian tradition would generate the rise of human rights and the idea of universal human dignity: “Traditions as such, I suggest, generate nothing. What matters is how they are appropriated by contemporary actors in their specific circumstances and amid the field of tension in which they find themselves, made up of practices, values, and institutions.”<sup>23</sup> It was the particular circumstances of the modern world, notably the abolitionist movement, that led to this process of universalization and sacralisation of the person with moral and political implications. At the same time, he emphasizes that the Christian tradition does have very powerful resources that could generate this process in the historical circumstances he describes: notably the idea that human beings are made in the image of God and that they are children of God. While these ideas have subtly different contents, they have in common the affirmation that we are created and that our lives are a gift.<sup>24</sup> Communicating this sense of life as a gift will be critical for the development of universalist human rights thinking: “Our ability to formulate the idea of life as a gift under contemporary conditions in such a way that it also makes sense to the friends of ‘reason-based argument’ is central to achieving a contemporary understanding of universal human dignity.”<sup>25</sup> This is because conceiving “of

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<sup>19</sup> Ibid. 93–94.

<sup>20</sup> Ibid. 3.

<sup>21</sup> Ibid. 91.

<sup>22</sup> Ibid. 93.

<sup>23</sup> Ibid. 140.

<sup>24</sup> Ibid. 143.

<sup>25</sup> Ibid. 159.

life itself as a gift is one of the most effective ways of protecting it from instrumentalization. In this sense, the idea of life as a gift entails the ideas of universal human dignity and inalienable human rights.”<sup>26</sup>

Joas emphasizes that he is not claiming that only religious foundations are sufficient to ground the universal sacredness of the person. He is rather attempting to show that the idea of life as a gift has made a distinctive and powerful contribution, as part of a specific historical process, and that it is not opposed to reason:

For me, the belief in life as a gift and in an immortal soul is no illusionary attempt to dress up the harsh factuality of our existence; instead, on the basis of trust in God, it allows believers to dedicate themselves to the dignity of all people and to take the risky step of participating in creative processes that depend on such belief. Those who do not share this belief must show how they can deploy their own intellectual resources to justify the idea of indisposability and endow it with motivating force. <sup>27</sup>

The process of the sacralisation of the person has its most influential contemporary form in the Universal Declaration of Human Rights. Joas sees the formulation of the Declaration as the successful result of what he calls “value generalization”, drawing on the thought of Talcott Parsons.<sup>28</sup> Value generalization is the result of successful communication about values between representatives of different traditions. However, it does not divorce values from the traditions and communities that gave them birth, but enables them to be shared in communicative ways: “through this process of generalization, people who feel bound to a tradition find new ways to articulate it by engaging with social change or the representatives of other traditions.”<sup>29</sup> Joas sees Parsons’ conception of values generalization as similar to John Rawls’ concept of an “overlapping consensus”<sup>30</sup>, but argues that Parsons’ sociological conception is superior to Rawls’ philosophical one, for two reasons:

First, Parsons’ conception does not envisage a static constellation of coexisting elements but rather a dynamic process of mutual modification. Second, rather than restricting communication to political or constitutional principles, it pays attention to the deeper layers of value systems and religion. The “overlapping consensus” is attained by omitting questions, while value generalization is geared toward the very thing that Rawls omits. <sup>31</sup>

In this light, Joas argues that the Universal Declaration is secular in the sense that it does not mention God, but not in the sense that God is excluded or that it seeks to give an exclusively secular foundation for human rights. In contrast to Ignatieff, Joas does not see the Declaration’s abstention from giving justifications or foundations for human rights as implying that such foundations were unattainable or pointless, but rather as a recognition that there could be shared values with different foundations in different traditions, “a

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<sup>26</sup> Ibid. 170.

<sup>27</sup> Ibid. 170.

<sup>28</sup> In particular Parsons’ essay “Comparative Studies and Evolutionary Change”, in his *Social Systems and the Evolution of Action Theory* (New York: Free Press, 1977) 279–320.

<sup>29</sup> Ibid. 181.

<sup>30</sup> Rawls’s conception of the development of an “overlapping consensus” of “comprehensive doctrines” in a pluralist society is developed in particular in his *Political Liberalism* (New York: Columbia University, 1993) and *The Law of Peoples with “The Idea of Public Reason Revisited”* (Cambridge, MA: Harvard University, 2001).

<sup>31</sup> Ibid. 181.

more or less conscious decision by the leading actors to agree on an internally logical text but not on its derivation and justification.”<sup>32</sup>

The contrast between Ignatieff’s and Joas’ conceptions is clear. Ignatieff rejects the search for foundations, and seeks to define human rights strictly as free human agency, without reference to any traditions of an ontology of the human, whether religious or metaphysical. Part of his reason for this is out of a desire to avoid an “idolatry” of human rights thinking, a sacralisation of human rights that, he believes, would be unwelcome to religious traditions themselves. Joas, in contrast, contends that the sacralisation of the person, which has expressed itself in human rights, is largely the fruit of the mutual influences of the Christian and Enlightenment traditions since the eighteenth century, within quite specific historical circumstances associated with the globalization of suffering and concern, most of all the abolition of slavery and the desire to affirm the sacredness of the person after the human catastrophe of the Second World War. He deploys Parsons’ concept of value generalization to argue that the sacredness of the person can be shared by a number of different religious and philosophical traditions, retaining their own affective and symbolic meanings while sharing common ethical ground.

## THE SACREDNESS OF THE PERSON IN CATHOLIC MAGISTERIAL DOCUMENTS

Let us now consider to what extent this sense of sacralisation of the person is expressed in the official teaching of the Catholic Church. The key documents that express the transcendent character of the human person in a programmatic way are John XXIII’s *Pacem in terris* (1963) and Vatican II’s *Gaudium et spes* (1965). In these documents the dignity of the person is founded in particular in the creation of humanity in the image of God<sup>33</sup> and humanity’s union with Christ, fully human and fully divine.<sup>34</sup> In the light of creation, incarnation and redemption, both these documents strongly affirm the inextricable link between the good of the human person and the holiness of God, although they do not refer to the human person as sacred.

There are, however, several points at which the word “sacred” is explicitly used in recent Church documents to describe human rights, and the obligations that are attendant on them, in both the documents of Vatican II and in the works of John Paul II. *Dignitatis humanae* (1965), the Declaration on Religious Freedom, contends that it is “a violation of the will of God and of the sacred rights of the person and the family of nations [“contra

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<sup>32</sup> Ignatieff speaks of the Declaration as reviving the European tradition of natural law (5), yet his own argument does not draw on the natural law tradition in any substantive sense, but rather on the notion of free agency and the avoidance of violent resolution of differences. In her *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001), Mary Ann Glendon notes that the drafters of the Declaration, who included Jacques Maritain, did not regard this lack of consensus about foundations as fatal. The only feasible goal for the United Nations, Maritain maintained, was to achieve agreement “not on the basis of common speculative ideas, but on common practical ideas, not on the affirmation of one and the same conception of the world, of man, and of knowledge, but upon the affirmation of a single body of beliefs for guidance in action” (77–78). For a helpful discussion of the debate on the foundations of human rights today, see Grace Kao, *Grounding Human Rights in a Pluralist World* (Washington: Georgetown University, 2011).

<sup>33</sup> Especially in *Pacem in terris*, n.3, and *Gaudium et spes*, n.12.

<sup>34</sup> *Pacem in terris*, n.10, *Gaudium et spes*, n.22. For a detailed study of the grounding of human dignity in theological anthropology in *Gaudium et spes*, see David G. Kirchhoffer, *Human Dignity in Contemporary Ethics* (Amherst, NY: Teneo Press, 2013) ch. 5.

sacra personae et familiae gentium iura”] when force is brought to bear in any way in order to destroy or repress religion, either in the whole of mankind or in a particular country or in a definite community.”<sup>35</sup> *Gaudium et spes*, speaking of human community and its attendant obligations, affirms that everyone should “consider it his sacred obligation to esteem and observe social necessities as belonging to the primary duties of modern man” [“Sanctum sit omnibus necessitudines sociales inter praecipua hominis hodierni officia recensere easque observare.”].<sup>36</sup> In his *Centesimus annus* (1991), John Paul II condemned the violation during the wars of the twentieth century of “the most sacred human rights, with the extermination of entire peoples and social groups being planned and carried out” [“in qua omnia sancta violata in qua consilia capta sunt integras gentes necandi et sociales coetus”].<sup>37</sup> The language of the sacred is particularly evident in his encyclical *Evangelium vitae* (1995). Although “life on earth is not an ‘ultimate’ but a ‘penultimate’ reality; even so, it remains a sacred reality entrusted to us” [“Est enim res non omnino ‘ultima’ verum ‘proxima a postrema’; attamen sacra res est, nobis interea credita”].<sup>38</sup> Invoking the “natural law written in the heart”, the pope argues that “every person sincerely open to truth and goodness” can recognize “the sacred value of human life from its very beginning until its end” [“quilibet homo ... ad veritatem tamen ex animo apertus adque bonitatem ... agnoscat, sacrum vitae humanae bonum a primis initiis ad finem ipsum”].<sup>39</sup> The sacredness of life is discernible to every searching conscience and to the light of reason: “Life certainly has a sacred and religious value, but in no way is that value a concern only of believers.” [“Profecto in vita aliquid sacri est et religiosi, quod tamen minime credentes unos afficit.”]<sup>40</sup> Life has a sacred and inviolable value<sup>41</sup> at every stage and in every situation,<sup>42</sup> entrusted to our responsibility, loving care and veneration.<sup>43</sup> Quoting the document *Donum vitae*,<sup>44</sup> *Evangelium vitae* affirms that “human life is sacred because from its beginning it involves the creative action of God, and it remains forever in a special relationship with the Creator, who is its sole end.” [“Humana vita pro re sacra habenda est quippe quae inde a suo exordio Creatoris Dei actionem postulet ac semper peculiari necessitudine cum Creatore, unico fine suo, perstet conexa.”]<sup>45</sup>

What this brief review of relevant Papal and conciliar documents shows is a very strong affirmation of the transcendent character of the human person, and the essential links between the moral goods and imperatives associated with human dignity and the specifically religious teaching of the creation of humanity in the divine image and humanity’s union with the Word made flesh. The unique character of the human person as

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<sup>35</sup> *Dignitatis humanae*, n.6. All citations of Vatican II and Papal documents (in both English and Latin) are from the Vatican website, <http://www.vatican.va>.

<sup>36</sup> *Gaudium et spes*, n.30.

<sup>37</sup> *Centesimus annus*, n.17.

<sup>38</sup> *Evangelium vitae*, n.2.

<sup>39</sup> *Ibid.* n.2.

<sup>40</sup> *Ibid.* n.101.

<sup>41</sup> *Ibid.* n.11.

<sup>42</sup> *Ibid.* n.87.

<sup>43</sup> *Ibid.* n.22.

<sup>44</sup> *Donum vitae*, *Instruction on respect for human life in its origin and on the dignity of procreation* (Congregation for the Doctrine of the Faith) 1987.

<sup>45</sup> *Evangelium vitae*, n.53.

a sacred reality is clear, although key passages from *Pacem in terris* and *Gaudium et spes* do not use the word “sacred” in their presentations of the roots of human transcendence in divine creation and divine redemptive purpose. Both conciliar and Papal documents are willing to use this word in relation to human rights, especially when condemning their violation or when exhorting societies to consider them a solemn obligation. This is particularly evident in John Paul II’s *Evangelium vitae*, which emphasizes the sacredness of human life in opposition to abortion and euthanasia, and in criticism of the death penalty.

#### THE LANGUAGE OF THE SACRED AND THE HUMAN PERSON: WHAT IS THE CHURCH’S TASK?

As we have seen, Michael Ignatieff argues for a strict separation between the language of human rights and the language of the sacred, partly for the sake of avoiding a “secular religion” that could be perceived as idolatrous, especially by non-Western cultures. He advocates a “thin theory” of human rights based in human agency, that would not rely on religious or metaphysical sources or foundations. However, in her editor’s introduction to Ignatieff’s essays, Amy Gutmann argues that “the idea that we are purposive agents who are self-originating sources of claims is quite controversial. Human rights are more easily defended in some cultures by claims about human dignity, or the respect owed to human beings, or the equal creation of human beings, than by the notion of human agency as a source of value in the world.”<sup>46</sup> Gutmann argues that we should recognize a plurality of foundations for human rights, since this is “more compatible with respect for the many cultural and philosophical traditions that converge in support of a similar set of human rights”<sup>47</sup> and will enable human rights to be “publicly defended for a plurality of reasons.”<sup>48</sup> Further, in her response to Ignatieff in the same publication, Diane F. Orentlicher argues that his perspective deprives human rights advocacy of the support that could be given by religious traditions, especially in articulations of those traditions that are open to universalist moral concepts. Orentlicher emphasizes that “universal acceptance of the human rights idea depends upon its legitimation *within* diverse religious traditions, and not just *alongside* them. In the near term, for example, it is difficult to imagine further progress—and here I mean human rights progress—in Iran that is not rooted in and justified by reformist clerics’ progressive interpretation of Islam.”<sup>49</sup>

These critiques of Ignatieff’s approach argue for the key role that religious foundations for human rights can play in a global, pluralist context. In this sense, rather than being a form of idolatry, human rights can be linked to the ethical creeds of the world faiths, informed and inspired by their respective visions of God or ultimate transcendence. The Catholic Church’s own commitment to human rights is set in this context: it is an expression of support for one of the great humanizing movements of the modern world. In John Paul II’s language, it is a way of recognizing that “the human person is the way of the Church” in the contemporary world.<sup>50</sup> It affirms the Church’s solidarity with human rights advocacy and commitment on a global scale, especially when these rights are threatened. As Joas argues, key characteristics of the sense of the sacred are “subjective self-evidence

<sup>46</sup> Ignatieff, *Human Rights as Politics and Idolatry*, “Introduction” xviii.

<sup>47</sup> *Ibid.* xix.

<sup>48</sup> *Ibid.* xxii.

<sup>49</sup> Diane F. Orentlicher, “Relativism and Religion”, in Ignatieff, *Human Rights as Politics and Idolatry* 141–60 at 155.

<sup>50</sup> *Redemptor hominis*, n.14.

and affective intensity.” By using the language of the sacred in relation to human rights, the Church can demonstrate its support for the human rights movement, by affirming the “self-evidence” of human rights in the light of Christian faith and expressing its commitment with “affective intensity.” It does this on the basis of Christian faith in the sources of human transcendence in creation and redemption, as expressed, for example, in *Pacem in terris* and *Gaudium et spes*. This theological basis for the affirmation of the sacred character of human rights means that the Church can use this language without incurring the risk of extolling a “religion of humanity”, in the Comtean sense of the word, or in the Durkheimian sense which acknowledges Christianity’s contribution to humanity but only in the light of a supersessionist humanism. It also avoids the dangers of idolatry that Ignatieff draws attention to. In a Christian perspective, to speak of human rights as “sacred” is a means of sharing in a language of intense moral commitment while at the same time rooting human rights in a theological anthropology of the human person as created, sinful and redeemed.

The greatest benefit of the use of the language of the sacred in relation to human rights is that the Church can thereby share in and support a very broad field of moral commitment and endeavour, and demonstrate, by using this language, that this commitment is also profoundly connected to its own mission of the proclamation of the Gospel in word and deed. In this sense, the language of the sacred in relation to human rights resists a secularizing differentiation between religion and ethics, not because the Church seeks to colonize an area of culture that has its own distinctiveness, but in order to do justice to its crucial importance as a sign of transcendence in the contemporary world. As mentioned above, often the use of the language of the sacred in relation to human rights is a sign of protest against their violation. This corresponds with one of the key motivating forces for human rights advocacy in the modern world – namely, its generation through experiences of its flagrant violation. As Joas notes, the human rights movement has two of its major generating forces in the movement to abolish slavery and in the moral revulsion against the atrocities of World War II. It is noteworthy that the second sentence of the preamble to the Universal Declaration begins with the words: “Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind.” The language of the sacred has a particular role and force in expressing protest against moral atrocity, since it does bear the intensity proper to what is holy: it affirms a taboo and marks inviolability. All this is something that the Church can and does share with the human rights movement.<sup>51</sup>

Yet, at the same time, in its willingness to use the language of the sacred, and thereby draw attention to the profound and motivating links between the good and the holy, the Church does not deny the sources of ethics in reason and the importance of the natural law tradition. Resistance to a radical differentiation between religion and general ethical culture should not imply a desire to circumvent the role of rational reflection and analysis in the generation of ethical principles and norms. This has recently been emphasized by Benedict XVI in his speech to the German Bundestag in September 2011 and his “Meeting with the Representatives of British Society” in Westminster Hall in

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<sup>51</sup> A recognition of its own sins in relation to human rights is a particularly important requirement for the Church’s commitment to its mission and its contribution to a culture of human rights. This was emphasized by John Paul II in the “Universal Prayer: Confession of Sins and Asking for Forgiveness” as part of the Eucharist he presided at on the “Day of Pardon”, 12<sup>th</sup> March, 2000.  
[http://www.vatican.va/news\\_services/liturgy/documents/ns\\_lit\\_doc\\_20000312\\_prayer-day-pardon\\_en.html](http://www.vatican.va/news_services/liturgy/documents/ns_lit_doc_20000312_prayer-day-pardon_en.html).

September 2010. In his Berlin speech, Benedict noted that while virtually all ancient codes of law were grounded in religion:

Unlike other great religions, Christianity has never proposed a revealed law to the State and to society, that is to say a juridical order derived from revelation. Instead, it has pointed to nature and reason as the true sources of law—and to the harmony of objective and subjective reason, which naturally presupposes that both spheres are rooted in the creative reason of God. Christian theologians thereby aligned themselves with a philosophical and juridical movement that began to take shape in the second century B.C. In the first half of that century, the social natural law developed by the Stoic philosophers came into contact with leading teachers of Roman Law. Through this encounter, the juridical culture of the West was born, which was and is of key significance for the juridical culture of mankind.<sup>52</sup>

Benedict's speech went on to emphasize the role of reason in shaping a culture of human rights, and to deplore the influence of a form of positivism that relegates anything beyond the purely functional to the subjective realm. While he emphasizes the importance of the concept of a creator God as an ultimate foundation for reason, his speech affirms and encourages the competence of reason to engage with the moral and political tasks that face humanity today.

Similarly, in his Westminster speech, Benedict asked:

where is the ethical foundation for political choices to be found? The Catholic tradition maintains that the objective norms governing right action are accessible to reason, prescinding from the content of revelation. According to this understanding, the role of religion in political debate is not so much to supply these norms, as if they could not be known by non-believers—still less to propose concrete political solutions, which would lie altogether outside the competence of religion—but rather to help purify and shed light upon the application of reason to the discovery of objective moral principles. This “corrective” role of religion vis-à-vis reason is not always welcomed, though, partly because distorted forms of religion, such as sectarianism and fundamentalism, can be seen to create serious social problems themselves. And in their turn, these distortions of religion arise when insufficient attention is given to the purifying and structuring role of reason within religion. It is a two-way process. Without the corrective supplied by religion, though, reason too can fall prey to distortions, as when it is manipulated by ideology, or applied in a partial way that fails to take full account of the dignity of the human person. Such misuse of reason, after all, was what gave rise to the slave trade in the first place and to many other social evils, not least the totalitarian ideologies of the twentieth century. This is why I would suggest that the world of reason and the world of faith—the world of secular rationality and the world of religious belief—need one another and should not be afraid to enter into a profound and ongoing dialogue, for the good of our civilization.<sup>53</sup>

In emphasizing the proper role of reason in political life, Benedict affirms the role of religion in purifying reason from ideologies and instrumentalization of the person, while at the same time recognizing the dangers of distorted forms of religion. Misuse and

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<sup>52</sup>[http://www.vatican.va/holy\\_father/benedict\\_xvi/speeches/2011/september/documents/hf\\_ben-xvi\\_spe\\_20110922\\_reichstag-berlin\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/speeches/2011/september/documents/hf_ben-xvi_spe_20110922_reichstag-berlin_en.html).

<sup>53</sup>[http://www.vatican.va/holy\\_father/benedict\\_xvi/speeches/2010/september/documents/hf\\_ben-xvi\\_spe\\_20100917\\_societa-civile\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/speeches/2010/september/documents/hf_ben-xvi_spe_20100917_societa-civile_en.html). This emphasis on the mutual purification of reason and religion was more fully developed by the then Cardinal Joseph Ratzinger in his debate with Jürgen Habermas in *Dialectics of Secularization. On Reason and Religion*. (San Francisco: Ignatius, 2006), in particular in his essay “That Which Holds the World Together. The Pre-Political Moral Foundations of a Free State” 53–80.

manipulation of the concept of the sacred is prominent among these distortions. Precisely because the sacred is bound up with a sense of taboo, inviolability and affective intensity, it can be abused in profoundly damaging and oppressive modes of manipulation and intimidation. This emphasizes the grave need to carefully discern its use and field of meaning. It can indeed be a means of protection of what is truly inviolable—the human person—but can also be used to block and suppress critical thought and new and life-giving forms of life, as so many ideologically-based pretensions to sacrality have shown. In this context, Benedict's emphasis on the mutually purifying roles of reason and religion is a timely and illuminating perspective on political life.

## CONCLUSION

This essay has argued that the language of the sacred can be a legitimate and valuable means of expressing the ethical force of human dignity and human rights. As such, it resists a strict differentiation between the religious and the ethical and can be an important manifestation of the solidarity of the Catholic Church, together with other Christian churches and world faiths, with the global human rights movement. The language of the sacred is particularly important in protest against moral atrocity and in order to motivate and inspire. For Catholic faith, the moral dignity of the person is rooted in his or her character as created, sinful, and redeemed, and any reference to the human person as sacred is interpreted against that specific theological background. Further, the language of the sacred in the moral sphere should not deny the Catholic tradition's emphasis on natural law and the proper role of reason in ethics. When used in ways that respect these concerns, the language of the sacred can be a powerful form of motivation and protest in political life, and an important witness to the inviolability of the human person.

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