

## FREEDOM IS FOR LOVE: PART I THE CHRISTIAN BASIS FOR HUMAN RIGHTS

“The greatest gift that God of His largess // made in creation perfect even as He // most of His substance and to Him most dear // He gave to the will and it was liberty.” So wrote Dante almost 700 years ago in his classic *Paradiso*. It is a sentiment that most Americans would in principal agree with, that is the notion of liberty as so great a gift that we consider a man to be blessed if he dies for freedom, his own and his people’s. One thinks of the famous like of Patrick Henry, “give me liberty or give me death.” One thinks of the honor we give to those who die for country and family, as in Nathan Hale’s famous last words, “I regret only that I have but one life to give for my country.

And in fact, the Christian faith upholds this view that freedom is essential to the call of God. After all, the Ten Commandments begins, ““I am the Lord your God, who brought you out of the land of Egypt, out of the house of slavery.” Deuteronomy 5:6. Among the ancient Jews, the highest feast is Passover, which celebrates ever year this very event, God bringing His people from slavery into freedom. The Liberty Bell quotes from the Book of Leviticus with regard to the Jubilee year, “Proclaim Liberty thro' all the Land to all the Inhabitants thereof.” Levit. XXV. 10. Likewise, the prophets spoke of the freedom that God promises to His faithful people. Thus, for example, in his great messianic vision, Isaiah says “The Spirit of the Lord is upon because He has anointed me to bring good tidings to the afflicted; He has sent me to bind up the brokenhearted, to proclaim liberty to captives, and the opening of prisons to the bound, to proclaim the year of the Lord’s favor.” Is. 61: 1-2. And Jesus quoted this very passage at the beginning of His public ministry. See Luke 4: 18-19. At the birth of John the Baptist, Zechariah began his famous canticle, “Blessed be the God of Israel, for He has come to His people and set them free.” Luke 1:68. Likewise, in the letter to the Galatians, St. Paul says, “For freedom Christ has set us free; stand fast therefore, and do not submit again to a yoke of slavery.” Galatians 5:1. In the center of His preaching, Jesus Himself said, “You will know the truth and the truth will set you free. . . . If a Son frees you, you are free indeed.” John 8:32. Central to the Christian life is freedom, freedom from worldly oppressors, freedom from attachment to the approval of the world, freedom above all from sin and spiritual

death. As St. Paul says in Romans, “creation itself will be set free from bondage to decay and obtain the glorious liberty of the children of God.”

Likewise, in its 1986 document on Christian Freedom and Liberation, the Vatican Congregation on the Doctrine of the Faith said, “Awareness of man's freedom and dignity, together with the affirmation of the inalienable rights of individuals and peoples, is one of the major characteristics of our time.” It went on to declare “The Church of Christ makes these aspirations her own, while exercising discernment in the light of the Gospel which is by its very nature a message of freedom and liberation.” It is a point Pope Leo XIII made at the beginning of his 1888 encyclical *Libertas* said that liberty is “the highest of natural endowments.”

We have seen this longing for freedom expressed throughout the world in recent times, from the successful overthrow of the communist governments in Eastern Europe to the mixed revolutions in Latin America to revolutions that have been suppressed in the likes of Tianamen Square in Beijing in 1989. Likewise, in modern politics, people speak frequently of freedom and human rights. We even think of the line in Willy Nelson’s song *Living In the Promised Land* “The prayer of every man is to know how freedom feels.” On a related point, people talk frequently about human rights. One of the accomplishments of the modern era is this emphasis on human rights and the idea that governments can be held responsible by the international community if they violate them. One thinks of the 1948 U.N. Declaration on Human Rights, which included the freedom of life, dignity, religious liberty, and property. That calling to respect human rights, even though it often falls short, reflects a recognition throughout the world of the rights, the dignity, the liberty that people should rightly have.

The problem is that people rarely asked the fundamental questions: what is freedom and why is it so valuable. What is the basis for saying that people have fundamental human rights that oblige governments and nations to respect them. On the first point, regarding freedom, one asks ten people what freedom is, it is likely that nine, or perhaps all ten will answer that freedom is the ability to do what one wishes, and that human rights are the ability of people to do what they want. But if freedom is merely doing what one wants, then a wild dog is the freest of all beings. If freedom means simply satisfying desires, then all freedom is reduced

with incapacity, and ends in death. And why would a man thus be blessed if he died merely fulfilling desires, for death would prevent him from doing so. Furthermore, where do our ordinary desires come from: biology, chemistry, society, advertisement, expectations, factors that work upon us. It is a point that C.S. Lewis made in his famous book The Abolition of Man. If there is no law above us, then mere desire is the only law and thus the most powerful desire will always win out. Nature, far from being conquered by man, is in fact fully in control of us through our desire. And, in fact the famous behaviorist psychologist Dr. B.F. Skinner made this very point in his famous essay *Beyond Freedom and Dignity*, in which he denied that there really is any such thing as true freedom. Beginning with the premise that freedom is the ability to do what one wants, he argued very persuasively that such freedom is controlled by natural desires, and thus such freedom is ethereal, for it is merely being under a different sort of control. And so, as he would conclude in a followup 1972 interview, “It is a mistake to suppose that the whole issue is how to free man. The issue is to improve the way in which he is controlled.”<sup>1</sup> “I have been misunderstood” An interview with B.F. Skinner 1972 March/April *Center Magazine*, pp. 63–65. If one accepts his premise that freedom is merely the ability to do what one desires, his conclusion that freedom is a false vision follows. But the premise is incorrect; the true nature of freedom involves a higher and sterner call.

And, as far as human rights go, people have even less concept of where these rights come from. After all, while politicians and commentators often talk about political or human rights, how often do they lay any foundation for their claims other than popular opinion, fashion, or perhaps a decision by one court or another. But if rights are merely based upon such factors, then they are not fundamental rights at all, but can change with the times or those in power. In creating one imagined right after another, the Supreme Court generally speaking cites itself most often as an authority, with not philosophical foundation for its statements. Or it simply asserts some sort of vague idea without any foundation as it did in *Casey v. Webster*, the 1991 decision upholding the so-called right to abortion when it said, “At the heart of liberty is the right to define one's own concept of existence, of meaning, of the universe, and of the mystery of human life.” As the Vatican II Council said in Gaudium et Spes, the Constitution on the Church in the Modern World (1965) 17, “The people of our time prize freedom

very highly and strive eagerly for it. In this they are right. Yet they often cherish it improperly, as it gave them leave to do anything they like, even when it is evil.”

Thus, in order to understand the rightful basis for the Christian, American, and modern value of freedom and human rights, we must look elsewhere. And in particular, when asking why freedom is important to ask first: what is the one thing that freedom is absolutely essential for. What simply cannot be required, coerced, or for that matter bought or sold. The answer is: true love, love of parents between parents and children, between husband and wife, love of friends, love of town or country, love of art or music, love of wisdom, love of truth, love of God. By love, we do not simply mean the sentiment of love, although that is very helpful. Much less do we mean simply the comfortable and pleasant expression of love. Rather, true love is always there, as the emotion and times come and go. And in fact, love shows itself most deeply when times are most difficult, such as cases of illnesses or financial difficulties, when parents care for their children in need, when patriots work for their country without any obvious reward or success, when comrades take on a difficult project together, when people live their faith when it is difficult and not obviously reward, when one looks out upon the universe and sees no obvious trace of favor, and in fact seems forsaken, but offers his life as Jesus did all the same. It is that love that makes us most like Jesus, most like God, who created us and redeemed us solely for love. For, as St. John says in his first letter, “Love is of God, and he who loves is born of God and knows God. He who does not love does not know God, for God is love.” 1 John 4:7-8.

We consider one to be blessed when he lives and even more dies for love of another because, in so doing, he has learned the highest of human actions, that of being like God in love. And, if as Jesus says, “No greater love has this than any man, to lay down his life for his friends,” John 15:13, the Son of God would not exempt Himself from this love, but instead showed us the way by offering His life for us on Calvary. This offering was the perfect act of love, and also thus was a perfect act of love, even in the midst of suffering. For, as the Letter to the Hebrews says, “for the sake of the joy that lay before Him, [Jesus] endured the cross.” Heb. 12:2. How can there be joy in the midst of suffering; how can the Cross be an act of joy? It is because, as St. Thomas Aquinas points out, deep joy is the overflowing of love. Summa Theologica II-II q. 28 art. 1 corpus. It is also a

point that C.S. Lewis makes in his book Surprised by Joy, when he describes joy as a sense of the divine on earth, which is not mere earthly happiness, much less mere pleasure, but rather, a sense of the sacred that leads us to desire the even greater realm. Freedom is essential to choose love, and love in turn overflows in the fulfillment of all human longing. That is why freedom is so important, and why a good person is willing to sacrifice for the freedom of himself and those he loves, for such sacrifice attains the goal of freedom, that is love, and the joy that gives us a sense of the realm beyond death, even here on earth.

Now one may reasonably object that a baby or a young child can receive love, and in their own way, return it, without making any free choice; they do so by instinct. That is true; and it is also true that, in lesser way, animals receive and give love by instinct. But what makes us distinct from animals is that, as we grow, we must choose whether to continue being open to the love of others or not, and whether to show love to others. As any parent knows, one cannot force a child to continue being open to love and certainly cannot force anyone to continue in love; it is a free choice that they must make. That is why Jesus gave choices to those whom He called. Many accepted His invitation; some, such as the rich young man and many of the elite, did not. And at least one of His disciples pretended to accept His love, but did not. Even for the other disciples, when many people were leaving Jesus after the Bread of Life discourse, when He taught that they would eat His flesh and drink His blood to have everlasting life, Jesus asked them, “Will you also leave?” See John 6:67. He gave them this choice because they had to be free to accept or reject Him in order truly to love Him.

Thus, as St. John Paul II said in his final book *Memory and Identity*, “Freedom is for love.” Now this love is not isolated from the law of God. Far from it. The laws of God are meant to guide us away from the slavery to sin that Jesus warns about when He said, “He who sins is a slave of sin.” John 8:34. Likewise St. Paul warns about when he says that the grace of God leads us away from slavery to sin, that is unto death. Romans 6:16-23. That is why the Ten Commandments begins with a statement of the freedom that God gives. Having freed His people from slavery in Egypt, He did not want them to fall back into slavery again, whether to an earthly power or worse to sin. But because human nature is fallen, the grace and forgiveness of God is needed to rescue us from the

bonds of sin and death and liberate us to become His chosen people. All life on this earth is meant to be a training to be able to control desire and to live in the love of God and not to be a slave to sin. Like learning any good thing, this greatest of all learning does require training, discipline, great effort. And so God gives us that guidance that we sometimes perceive as a limitation on our freedom in order that we may be truly free. As people get closer to God on earth, they internalize this law and thus perceive it less and less as a burden; the saints have fully realized it and it is no burden at all. But in the meantime, there is this need for guidance from outside that we can grow in the light of heaven. And so, right after Jesus says, “No greater love has this than any man, to lay down his life for his friends,” he also says, “You are my friends if you do what I command you. I no longer call you slaves but friends.” John 5:14. The commands are needed because we do not yet know how to live fully in the love of God; we are still subject to ignorance and sinful desires that cloud our minds. However, the goal of these laws is the goal of freedom, that is true love. And, thus for example, part III of the Catechism, which discusses the moral law is entitled, not simply rules of the Christian life, but rather Life in Christ, how to live the love that Christ gives us.

And once we understand that freedom is for love, we then have a firm basis for the foundation of human rights as well. For the rights God gives us are based upon our calling to live in the light of heaven. Thus, for example, people first learn how to love in a family. And thus, the family has fundamental rights precisely because of its crucial role in being a communion of life and love. And thus people have the right to form families precisely because most people are called to form families in which love will be lived and taught. By extension, of course, because others are called to priesthood or religious life, or ministries in other religions to promote the love of God, there is likewise a right to pursue these callings. In addition, as the Vatican II Council pointed out in its Declaration on Christian Education *Gravissimum Educationem* (1965) 3 says, “As it is parents who have given life to their children, so on them lies the most solemn obligation of educating their family.” It goes on to describe the role of parents in “creat[ing] a family atmosphere inspired by love and devotion to God and their fellow men which will promote an integrated, social and personal education for their children. The family is thus the principle school of social virtues which are necessary to every society. Parents have this most serious role of handing on knowledge, wisdom, love to their

children.” And precisely because they have this most solemn calling, they have the right to education their children as they best understand it. The document thus goes on to say in section 6 to affirm the rights of parents based upon this responsibility. It declares, “Parents, who have the primary and inalienable duty and right in regard to the education of their children, should enjoy the fullest liberty in their choice of school.” Here we see the calling to live in love as the basis for the rights of the family.

There is a similar principle at work with regard to economic rights. As Pope Leo XIII recognized in his 1891 encyclical Rerum Novarum, because families need property to have a sense of dignity and independence, as well as to provide a decent home and the goods of life, there is a right to property. But, precisely because this right is important, it is also important to give poorer people enough income to start families and poorer families a decent income so that they too are able to provide a loving home. Thus, the church supports both the capitalist right to property and the social duty to care for the poor, both based upon human dignity and the rights of families.

On a similar point, as Pope St. John Paul II pointed out in his social encyclical Centissimus Annus, published a century later in 1991, there is a responsibility to use our intelligence and creativity to build a better world, to honor God and serve neighbor. This calling is based upon our love of God and thus on the love of neighbor. Precisely because there is this responsibility to use creativity well, there is the right of free enterprise. But this right is based upon love. For work should not just be a practical necessity, but there should be a sense of community between owners, managers and workers. It is a point that Pope Benedict likewise made in his 2009 encyclical Caritas in Veritate, that Christian love is not simply meant for family and friends, but is meant to be in all parts of life, including in the marketplace. And, as a result, as Pope Pius XI said in his 1931 encyclical Quadragesimo Anno, there should be a cooperation at the workplace between the people at different levels, and a desire to develop the talents and abilities of workers. The very right to run places of business is connected to the callings of love to respect the dignity and abilities of workers as well. We thus see once again both economic rights as based upon this calling of love.

Likewise, there is meant to be a love for the truth, both in itself and because of its usefulness in society; and from this call to love comes freedom of speech and media. Thus, the Vatican II Council in Inter Mirifica, its Declaration on Social Communications, affirmed both the responsibility of pursuing the truth, inspired by love and guided by justice, and the rights of free speech and press based upon this calling. With regard to the media, the Council affirmed that access to knowledge and news is essential so “every person will have access to sufficient information and thus will be enabled to contribute to the common good.” And it affirmed that the moral law should guide our pursuit of the truth in love. And precisely because truth, when pursued rightfully, is essential for people to carry out their callings, “there exists therefore in human society a right to information on subjects that are of concern to men, either as individuals or as members of society.” Section 5. The Council thus supports the rights to foster religious, cultural and artistic values through art, music and the like, but always based upon the moral law that “alone is capable of harmonizing all forms of human activity, not excepting art.” Sections 6, 11.

We see a similar approach when the Vatican II Council speaks of religious freedom in its document *Dignitatis Humanae* (1965.) The declaration, which is the Church’s most extensive document on religious liberty, begins by emphasizing that “all are bound to seek the truth, especially in what concerns God and the Church, and to embrace it and hold on to it as they come to know it.” Section 2 then says that, precisely because we are endowed with reason and free will, we are called by our very nature “To seek the truth, especially religious truth . . . to adhere to the truth once [we] come to know it and to direct [our] whole lives in accordance with this truth.” The document does not retreat in the least from affirming the Catholic Church’s centrality in salvation history. For it states confidently that “God has made known to the human race how people by serving Him can be saved and reach happiness in Christ. We believe that the one true religion exists in the Catholic and apostolic Church to whom the Lord Jesus entrusted the task of spreading [the faith]

among all peoples.” The Church does not at all deny that there is goodness to be found in other religions; and in fact Lumen Gentium the Vatican II Council’s Constitution on the Church describes in sections 15 and 16 how other faiths are in part united to the Church; and section 6 of Dignitatis Humanae calls for the government “to create circumstances favorable to the fostering of religious life.” However, there is a strong call for the faithful to promote the truth of our faith and call others to the grace that we have in Christ.

But this calling to promote the faith is a challenge to use the persuasive force of reason and beseech the power of grace, not permission to employ force or threat. As section 11 emphasizes, Jesus Christ is the Messiah and brings people to salvation through truth and grace, not coercion. And thus He, and now the Church, certainly defends the truth and denounces sin in the strongest terms, but seeks to bring people to the truth by persuasion and invitation. Thus, the Vatican Council emphasizes the fact that this pursuit of truth must be free and rational in order to fulfill human nature. For, faith is not faith if it is not free. And thus we “cannot satisfy this obligation [of truth] in a way that is in keeping with [our] nature unless we enjoy both psychological freedom and immunity from external coercion.” As the document puts it in section 3, “everybody has the duty and consequently the right to seek the truth in religious matters.” And thus, we see again how it is that human rights are founded by our calling from God.

And so when people assert a right, it is crucial to ask, what responsibility, what calling of love, is this claimed right based upon? Now sometimes there is a legitimate balancing of rights, as with the right of free enterprise and the right of workers, or with the freedom of speech and the right to be protected from libel or slander. In those cases, the question is which right is most needed to live out the

calling in love. However, in other cases, some claimed rights bear little or no relationship to love, and in fact contradict it such as the supposed right to an abortion or right to pornography. Now some people have claimed a right to gay marriages, and now even to polygamous marriages on the grounds that they have a right to love. But ask what they are really calling for.

As for the right to love someone else, no law in American history has ever forbidden one person from loving another person. People can love other people without the government giving any legal recognition. After all, does the government give an official legal status to love of friends, love of fellow students, love of one's neighbors. Even the love of adult brothers and sister, or adult parents and children have very little effect in law. If all they wanted to do is love another person, they can do that without any legal status. And if they wish to exchange some sort of vows, anyone can go before some minister or another and exchange whatever vows of love they want to; the government would not interfere.

No, what these people are calling for is that the government give gay marriage, and now it seems even polygamous marriage the same official benefits that regular marriage has. But, ask, why does the government assign benefits, and duties to marriage at all? After all, there is no official recognition of friendships, little official rights and responsibilities attached to adult brothers and sisters, or to next door neighbors, or to fellow members of a school or a church. Why does the government take this one relationship, one institution, and attach legal rights and benefits to it?

The reason is that there are two unique things about marriage: (1) the complementary love of man and woman; and (2) the importance for children of

having a father and mother, and one generation up, grandfathers and grandmothers. Without these aspects, there is no reason for the government to give any special rights or benefits to this one relationship. An honest libertarian could argue that, in fact, the government should stay out of the marriage business altogether, as it stays out of religion, and simply give benefits to any two people for any reason they choose. But once the government has gotten involved, it has a calling to get it right and to recognize the complementarity of man and woman and the importance of father and mothers.

What is more, advocates of the government recognition of gay marriages, like advocates of mandatory provision of contraception coverage, are not content with government recognition. They wish to force private employers and even faith based employers to violate their consciences, their understanding of what God calls them to do, in order to gain the financial benefits they wish for. I will be covering more of these issues in my final talk. But for now the question is, how does this claimed right to force businesses to give them benefits advance the calling of love? Does it not promote division and strife instead? As the 1781 Virginia Statute on Religious Liberty said, “to compel a man to furnish contributions of money for the propagation of opinions, which he disbelieves is sinful and tyrannical.”

Of course, in the modern world, people often want to assert rights and freedom, without reference to duties, thinking of duties as a burden and an annoyance. The first problem with this view is that these duties are precisely what leads all people to live in love for one another. To violate one's duties is to violate one's call to love and likewise, as with harming another person's life, dignity or reputation, ignoring duties often keeps another person from living out their calling of love. In addition, if one eliminates the connection between rights and the duties,

the callings given by God, then one eliminates the only firm basis for human rights, and thus makes them subject to mere whim. Thus does Pope Benedict say in his latest encyclical *Caritas in Veritate*, “it is important to call for a renewed reflection on how rights presuppose duties, if they are not to become mere license.” CV 42. He goes on to point out a great irony: “A link has often been noted between claims to a right to excess, and even to transgression and vice, within affluent societies, and the lack of food, drinkable water, basic instruction and elementary health care in areas of the underdeveloped world and on the outskirts of large metropolitan centers. The link consists in this: individual rights, when detached from a framework of duties which grants them their full meaning, can run wild, leading to an escalation of demands which is effectively unlimited and indiscriminate.” This insistence that rights presuppose duties may seem like a limitation, but in fact, they give human rights their most secure basis, for the basis is in the callings of God Himself. As Pope Benedict points out, “Duties thereby reinforce rights and call for their defense and promotion as a task to be undertaken in the service of the common good. Otherwise, if the only basis of human rights is to be found in the deliberations of an assembly of citizens, those rights can be changed at any time, and so the duty to respect and pursue them fades from the common consciousness. Governments and international bodies can then lose sight of the objectivity and inviolability of rights. When this happens, the authentic development of peoples is endangered.” It is a point Thomas Jefferson made in his only book *Notes on the State of Virginia*, “Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of people that these liberties are a gift of God? That they are not to be violated without His wrath?”

We can thus see how it is that the callings of God affirm, rather than contradict our natural desire for freedom and the understanding of human rights. In the next talk, I will be discussing how the vision of our founding fathers, and the Constitution of this country were likewise based upon this understanding of the connection between rights and callings. Failing to recognize this connection, this truth of human nature endangers freedom in any generation. And, by contrast, the defense and renewal of freedom demands a renewed understanding of the basis for human rights and freedom. It is an example of what Thomas Jefferson wrote in an 1816 letter, "If a nation expects to be ignorant and free in a state of civilization, it expects what never was and never will be." Or, as Jesus said more positively, "You will know the truth, and the truth will set you free." John 8:32.