

JOHN PAUL II, THE UNITED NATIONS, AND THE QUEST FOR FREEDOM

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The Vatican has a well-deserved reputation for diplomatic expertise. It is the oldest continuing international organization in the world today.¹ One of its main interests is in bringing nations together in peaceful co-existence and helping them solve their common problems.

Holy See diplomats try to obtain peace between nations, peace within nations, justice for oppressed peoples, and protection of the independence of the Holy See and the rights and privileges of the Church. If you doubt the importance of the Holy See to international relations, consider that Pope John Paul II's funeral brought together the single largest gathering of heads of state in world history.²

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1. Eugene V. Rostow, *The Role of the Vatican in the Modern World*, EWTN (May 30, 1968), <https://www.ewtn.com/catholicism/library/role-of-the-vatican-in-the-modern-world-4155>; See Ronald J. Rychlak, *In Pursuit of Peace: Diplomacy and the Holy See*, 28:4 VOICES ¶ 10 (Christmastide 2013-2014) (“The Holy See’s Secretary of State office was established in 1486, and that is also when the first permanent representatives were established – in Venice, Spain, the Holy Roman Empire, and France.”).

2. MARGHERITA MARCHIONE, POPE PIUS XII: ARCHITECT FOR PEACE 78-83 (2000). Of course, Holy See diplomacy is not always perfect. Following the Second World War, United States Undersecretary of State Robert Murphy, who had been an American diplomat in Germany during the mid-1920s, met with Pope Pius XII, who had also been a diplomat in Germany in the 1920s. Murphy reminisced about how they both had reported to their governments that Hitler would never amount to anything. In response, the Pope smiled and said, “Remember, back then I was not infallible.” RONALD J. RYCHLAK, HITLER, THE WAR, AND THE POPE 43 (2002).

Founded in 1945, the United Nations Organization endeavors to build a safer and better existence for all of its member states and their citizens. The specific aims of the United Nations are to maintain international peace and security, to develop friendly relations among nations, and to promote international economic and social cooperation.

For these reasons, even in the absence of a permanent link with the General Assembly,³ the Holy See has always maintained at least indirect relations with the United Nations, through representatives sent to the various specialized inter-governmental organizations affiliated with it.⁴

The United Nations Organization grew out of the Allies in World War II. In 2000, when I first started as a legal advisor, the Holy See and Switzerland—both neutral during the war—had permanent observer status rather than full membership in the UN.⁵ Both nations were, however, treated with full diplomatic courtesy. In 2002, Switzerland decided to accept regular membership in the United Nations. Almost immediately, permanent observer nations (meaning the Holy See) were relegated to essentially the same level as non-governmental organizations.⁶ Fortunately, thanks to the Holy See's diplomatic efforts, the situation was corrected within a year.

The United Nation's predecessor, the League of Nations, was concerned with political rights of sovereign powers. As such, there was a limited role for the Holy See to play. In 1948, however, a revolution took place.

3. The Holy See obtained "permanent observer" status only in 1964. Jodok Troy, *The Papal Human Rights Discourse: The Difference Pope Francis Makes*, 41 HUM. RTS. Q. 66, 79 (2019).

4. In 1945, Pope Pius XII expressed great hope for the new organization: "With an abundance of experience, good will, political wisdom and organizational power, at a level never seen before, preparations have begun for an organization dedicated to world peace. Never before have public leaders found themselves before an undertaking so vast and complex because of the number, importance and difficulty of the questions to be resolved nor so serious for the breadth and depth of its effects for the good or bad, such as giving back to humanity – after three decades of world wars, economic catastrophes and excessive impoverishment – order, peace and prosperity. Noble and formidable is the responsibility of those who are preparing to carry forward such a gigantic work." Pope Pius XII, Address of His Holiness (Dec. 24, 1945) (transcript available on the Vatican website).

5. This makes particular sense when one realizes that the United Nations grew out of the Allied Nations in World War II. Switzerland and the Holy See officially were neutral in that war.

6. Ronald J. Rychlak, Full Membership for the Holy See in the United Nations 2, 15, 19 (unpublished comment) (on file with the University of Mississippi, School of Law). In light of this devaluation, Cardinal Renato Martino, who was then the Holy See's permanent observer, asked for position papers exploring whether the Vatican should seek regular membership. The late Fr. Robert Araujo wrote a position paper about the qualifications that the United Nations would require for membership, and I wrote about the Church's attitude toward the UN. Those papers came in quite handy as I explored the historic relationship between the Church and the United Nations for this paper. See generally *id.*

Building upon Pope Pius XII's appeal to the dignity of man among Christians,⁷ the United Nations developed and adopted the Universal Declaration on Human Rights.⁸ For the first time in history, not only the political but also the social and economic rights of man mattered in the international arena. This was a staggering breakthrough with important ramifications in terms of the role that might be played by the Holy See.⁹

In his Christmas message of 1948, Pope Pius XII expressed the wish that: "the 'United Nations' become the full and faultless expression of this international solidarity for peace, expunging from its institutions and its status every vestige of its origin which was of necessity a solidarity of war."¹⁰

Pope John XXIII paved the way to establish official contact between the United Nations and the Holy See in his 1962 encyclical *Mater et Magistra*.¹¹ His predecessors had dealt with political affairs on an international level, but their concern for problems connected with economic development was restricted to the national level. Pope John XXIII expanded the papal vision of development to the international scene.

Two years later, in *Pacem in Terris*,¹² Pope John XXIII gave theological justification to a long list of rights that virtually mirrored those set forth in the United Nations' Universal Declaration.

7. See Troy, *supra* note 3, at 74 (he "set the stage for John XXIII.").

8. G.A. Res. 217 (III) A, Universal Declaration of Human Rights (Dec. 10, 1948); In the years that followed many of the emergent nations incorporated this declaration into their constitutions. See Hurst Hannum, *The Status of the Universal Declaration of Human Rights in National and International Law*, 25 GA. J. INT'L & COMP. L. 287, 289, 313 (1995-96).

9. Pope Pius XII's appeal to the dignity of man among Christians, which came at the beginning of his papacy, was the first step in creating the idea of "human rights," as reflected in the Universal Declaration. Andrew Evans, *Whatever Happened to Human Rights?*, WASH. FREE BEACON (Oct. 11, 2015), <https://freebeacon.com/culture/whatever-happened-to-human-rights/> (reviewing SAMUEL MOYN, CHRISTIAN HUMAN RIGHTS 67 (2015)). "Forgotten now, the spiritual and often explicitly religious philosophy of the human person was the conceptual means through which continental Europe initially incorporated human rights." *Id.* (quoting Samuel Moyn). See Ronald J. Rychlak, *Pope Pius XII on Social Issues*, in CATHOLIC SOCIAL TEACHING: A VOLUME OF SCHOLARLY ESSAYS 108 (Gerard V. Bradley & E. Christian Brugger, eds., 2019).

10. Pope Pius XII, Radio Message of His Holiness to the Whole World on the Occasion of Christmas (Dec. 24, 1948) (transcript available at Vatican, https://www.vatican.va/content/pius-xii/it/speeches/1948/documents/hf_p-xii_spe_19481224_un-tempo.html).

11. Pope John XXIII, *Mater et Magistra* [Encyclical Letter on Christianity and Social Progress] ¶¶ 200-02 (1961).

12. Pope John XXIII, *Pacem in Terris* [Encyclical Letter on Establishing Universal Peace in Truth, Justice, Charity, and Liberty] ¶¶ 11-27 (1963).

In 1965, Pope Paul VI became the first pope to address the U.N. General Assembly. He called the delegates “spokesmen for what is loftiest in human wisdom.”¹³ Specifically, he mentioned the sacred nature of human life, and assurance to all of a life in keeping with human dignity. He also explained the Holy See’s role at the UN. “It is as an ‘expert on humanity’ that we bring this Organization the support and approval of our recent predecessors, that of the Catholic hierarchy, and our own, convinced as we are that this Organization represents the obligatory path of modern civilization and world peace.”¹⁴

Karol Józef Wojtyła assumed the office of the papacy in October 1978. Twelve months later, he addressed the United Nations. It was only the second time a pope had appeared before that body. In his address, John Paul II reflected on a theme that he had developed in his encyclical, *Redemptor Hominis*,¹⁵ humanity’s inherent dignity. He said:

Every human being living on earth is a member of a civil society, of a nation, many of them represented here. Each one of you, distinguished ladies and gentlemen, represents a particular State, system and political structure, but what you represent above all are individual human beings; you are all representatives of men and women . . . each of them a subject endowed with dignity as a human person. . . .¹⁶

The new pope drew attention to a “systematic threat” to world peace that he found in “the various forms of injustice in the field of the spirit.”¹⁷ He knew full well that humanity abuses liberty. Man can choose to do wrong because he is free. That is both the risk and the beauty of freedom. As he had previously explained, “God also bestowed upon man understanding and

13. Pope Paul VI, Address to the United Nations Organization (Oct. 4, 1965) (transcript available at Vatican, https://www.vatican.va/content/paul-vi/en/speeches/1965/documents/hf_p-vi_spe_19651004_united-nations.html).

14. *Id.*

15. See generally Pope John Paul II, *Redemptor Hominis* [Encyclical Letter on the Redeemer of Man] pt. 2, sec. 10 (1979).

16. Pope John Paul II, Address to the 34th General Assembly of the United Nations ¶ 6 (Oct. 2, 1979) (transcript available at Vatican, https://www.vatican.va/content/john-paul-ii/en/speeches/1979/october/documents/hf_jp-ii_spe_19791002_general-assembly-onu.html).

17. *Id.* ¶¶ 17, 19.

conscience to show him what is good and what ought to be done, what is wrong and what ought to be avoided.”¹⁸

John Paul II had long recognized a universal aspiration for freedom. In 1976, as Cardinal Karol Wojtyla, he had explained, “[t]he hunger for freedom passes through the heart of every man. . . . The hunger for freedom passes also through the history of the human race, through the history of nations and peoples. It reveals their spiritual maturity and at the same time tests it.”¹⁹

Wojtyla proclaimed that “Christ is the true prophet of men’s freedom and also of the liberty of nations and peoples, of all the oppressed who suffer from hunger for true freedom. . . . And so, the hunger for freedom continues to be unsatisfied.”²⁰ This statement, of course, came at a time when Poles and others were still very much victims of Soviet colonialism and its atheistic policies.

The pope saw the United Nations as an institution designed to guard human rights. This became most evident in his second address to the U.N. General Assembly, which took place 16 years later, on October 5, 1995. There, he said:

In coming before this distinguished Assembly, I am vividly aware that through you I am in some way addressing the whole family of peoples living on the face of the earth. My words are meant as a sign of the interest and esteem of the Apostolic See and of the Catholic Church for this Institution. They echo the voices of all those who see in the United Nations the hope of a better future for human society. . . .

The Holy See, in virtue of its specifically spiritual mission, which makes it concerned for the integral good of every human being, has supported the ideals and goals of the United Nations Organization from the very beginning. Although their respective purposes and operative approaches are obviously different, the Church and the United Nations constantly find wide areas of cooperation on the basis of their common concern for the human family. . . .

18. Karol Cardinal Wojtyla, Homily at International Eucharistic Congress in Philadelphia: The Eucharist and Man’s Hunger for Freedom (Aug. 3, 1976) (transcript available at EWTN, <https://www.ewtn.com/catholicism/library/eucharist-and-mans-hunger-for-freedom-3085>).

19. *Id.*

20. *Id.*; See also PAUL KENGOR, A POPE AND A PRESIDENT: JOHN PAUL II, RONALD REAGAN, AND THE EXTRAORDINARY UNTOLD STORY OF THE 20TH CENTURY 159 (2017) (ebook).

It was precisely outrages against human dignity which led the United Nations Organization to formulate, barely three years after its establishment, that Universal Declaration of Human Rights which remains one of the highest expressions of the human conscience of our time. . . .

If we want a century of violent coercion to be succeeded by a century of persuasion, we must find a way to discuss the human future intelligibly. The universal moral law written on the human heart is precisely that kind of “grammar” which is needed if the world is to engage this discussion of its future.²¹

Clearly, in the realm of international legal institutions, St. Pope John Paul II recognized that significant progress could be made for the dignity of the human person with accords and agreements on matters such as the Universal Declaration of Human Rights. At the same time, he knew that the efforts could be frustrated when the procedures are misused or the agreements are interpreted improperly.²²

“The [UN] is a man-made institution; as such it is far from perfect.”²³ It has failed to assure peace, it has been misused to advance espionage and disinformation,²⁴ and it has been at the center of a great deal of scandal.²⁵ In

21. Pope John Paul II, Address to the Fiftieth General Assembly of the United Nations Organization (Oct. 5, 1995) (transcript available at Vatican, https://www.vatican.va/content/john-paul-ii/en/speeches/1995/october/documents/hf_jp-ii_spe_05101995_address-to-uno.html).

22. See Robert John Araujo, *John Paul II and the Rule of Law: Bringing Order to International Disorder*, 45 J. CATH. LEGAL STUD. 293, 304 (2006) (noting the problem when the Universal Declaration is read in such a way that abortion is not only justified but claimed to be a “human right”).

23. See Rychlak, *supra* note 1, ¶ 38.

24. See, e.g., Calder Walton, *Soviet Espionage Under the Cover of Diplomacy*, CIPHER BRIEF (Mar. 16, 2022), <https://www.thecipherbrief.com/soviet-espionage-under-the-cover-of-diplomacy> (“Immediately after Russia’s invasion of Ukraine last month, the US government expelled 13 Russian diplomats working at the United Nations. It did so on the grounds they were Russian intelligence officers or operatives working under diplomatic cover.”); Ian Davis & David Isenberg, *The Long History of UN Espionage*, GUARDIAN (Mar. 8, 2003, 10:12 PM), <https://www.theguardian.com/world/2003/mar/09/iraq.unitednations>.

25. See, e.g., Mukesh Kapila, *Scandal Shakes the UN and Gives Us Lessons in How to Reform It*, NATIONAL (May 20, 2022), <https://www.thenationalnews.com/opinion/comment/2022/05/20/scandal-shakes-the-un-and-gives-us-lessons-in-how-to-reform-it/> (“Over the years, misconduct, mismanagement, fraud and corruption were uncovered in several UN agencies.”); UN News, *Fresh Allegations of Sexual Abuse Made Against UN Peacekeepers in Central African Republic*, AFR. RENEWAL, <https://www.un.org/africarenewal/news/fresh-allegations-sexual-abuse-made-against-un-peacekeepers-central-african-republic> (last visited July 5, 2022); Ian Williams, *The True UN Scandal: Who Pocketed the \$10 Billion for Iraq?*, 23 WORLD POL’Y J. 27, 31-32 (2006/2007).

fact, the Church has criticized the United Nations on numerous occasions, particularly on family-related themes.²⁶ Still, the UN seeks international peace and security; friendly relations among nations; and cooperation on economic, social, cultural, and human rights issues. That is completely consistent with the spiritual and moral mission of the Holy See.

Today, the United Nations needs the Holy See's presence perhaps more than at any other time in history. At the beginning of the twentieth century, a bare majority of the world's population (50 percent) were Catholic, Protestant, Muslim, or Hindu. "At the beginning of the twenty-first century, however, nearly 64 percent of the world's people belonged to one of these four religious groupings."²⁷ Moreover, many of today's most important political and international issues surround issues of religion.

In 2005, I went to Israel as part of a program studying counter-terrorism. Also on that trip were many professors who taught counter-terrorism courses. They told me that too many diplomats did not understand religion.²⁸

26. Archbishop Diarmuid Martin of Dublin was former Secretary of the Pontifical Council for Justice and Peace and Permanent Observer of the Holy See to the United Nations Office in Geneva. At a study seminar in the Vatican City in 2004 he noted the artificial role played by Non-Governmental Organizations in orchestrating mass support for anti-life policies. He spoke of how new terms which promote radical individualism and moral anarchy, like birth control, population explosion, free choice, family planning, reproductive choice, individual reproductive rights, gender and family in all its forms, were promoted aggressively. He showed how the neologisms replace traditional terms like man, woman, family, conjugal love and education and protection of women. John Paul II's encyclical letter *Evangelium Vitae* (The Gospel of Life) is especially relevant to these issues: "Finally, one cannot overlook the network of complicity which reaches out to include international institutions, foundations and associations which systematically campaign for the legalization and spread of abortion in the world. In this sense abortion goes beyond the responsibility of individuals and beyond the harm done to them, and takes on a distinctly social dimension. It is a most serious wound inflicted on society and its culture by the very people who ought to be society's promoters and defenders. As I wrote in my Letter to Families, 'we are facing an immense threat to life: not only to the life of individuals but also to that of civilization itself.' We are facing what can be called a 'structure of sin' which opposes human life not yet born." Pope John Paul II, *Evangelium Vitae* [Encyclical Letter on the Value and Inviolability of Human Life] ¶ 59 (1995). Pope Benedict XVI, *Caritas in Veritate* [Encyclical Letter on Integral Human Development in Charity and Truth] ¶ 28 (2009) (stating categorically that many NGOs are positively working to promote abortion; they exploit the uneducated in the Third World; their rhetoric abuses of the consciences of the weak, promoting contraception as a mandatory carrot in exchange for investment).

27. See ROBERTA GREEN, BLIND SPOT: WHEN JOURNALISTS DON'T GET RELIGION 15 (Paul Marshall et al. eds., 2009); Timothy Samuel Shah & Monica Duffy Toft, *Religion's Flame Burns Brighter Than Ever*, BALT. SUN (Aug. 20, 2006), <https://www.belfercenter.org/publication/religions-flame-burns-brighter-ever>.

28. See generally Piotr Mazurkiewicz, *What Should a Political Scientist Know About Religion?*, 23 J. CATH. SOC. THOUGHT 11 (2019).

Moreover, even if they did understand, they were constrained in what they could say due to national issues of separation of Church and State.²⁹ Still others had been intimidated into silence.

The Holy See can and does talk to these issues. In 2006, at Regensburg University, Pope Benedict spoke about the spread of Islam by the sword.³⁰ Many people thought he made a mistake or that he did not know what he was getting into. Those people were wrong. Pope Benedict well understood that someone had to put these issues out on the table. He was perhaps the only world leader who could do so, and he did it in the context of inviting a dialogue. That is another reflection of why the Holy See is so important in peace negotiations—it can help us develop shared values.³¹

From Stalin to Hitler, all totalitarian dictators and totalitarian ideologies on the far left know that the Catholic Church is their most serious opponent.³² Thus, as explained by the late Ion Pacepa, one-time head of foreign intelligence for communist Romania and the highest-ranking defector from the Soviet bloc, the Kremlin determined that covert work within the Church was necessary to usurp and misuse the influence of the Church.³³

They used it in particular to spread the influence of Liberation Theology.³⁴ That doctrine, which is often presented as a marriage of

29. One author of a textbook was told by his publisher he could not mention Islam or the book would not be printed.

30. See *Those Danish Cartoons*, N.Y. TIMES (Feb. 7, 2006), <https://www.nytimes.com/2006/02/07/opinion/those-danish-cartoons.html>; see also Richard John Neuhaus, *What the Pope Gets Right . . .*, TIME (Nov. 19, 2006), <https://content.time.com/time/subscriber/article/0,33009,1561148-1,00.html> (discussing the riots that took place following the Pope's comments at Regensburg University); Richard John Neuhaus, *The Regensburg Moment*, FIRST THINGS (Nov. 2006), <https://www.firstthings.com/article/2006/11/the-regensburg-moment> (same).

31. See Ronald J. Rychlak, *A War Prevented: Pope John XXIII and the Cuban Missile*, CRISIS MAG. (Nov. 11, 2011), <https://www.crisismagazine.com/2011/preventing-war-pope-john-xxiii-and-the-cuban-missile-crisis>.

32. See, e.g., JOHN E. O'NEILL & SARAH C. WYNNE, *THE DANCER AND THE DEVIL: STALIN, PAVLOVA, AND THE ROAD TO THE GREAT PANDEMIC* 104-07 (2022) (regarding the 1947 Soviet poisoning of a Catholic saint from Ruthenia, Theodore Romzha); Ion Mihai Pacepa, *Moscow's Assault on the Vatican*, NAT'L REV. (Jan. 25, 2007, 12:40 PM), <https://www.nationalreview.com/2007/01/moscows-assault-vatican-ion-mihai-pacepa/>.

33. Pacepa, *supra* note 32.

34. Richard John Neuhaus, *Foreword* to POPE JOHN PAUL II ET AL., *THE POPE AND THE REVOLUTION: JOHN PAUL II CONFRONTS LIBERATION THEOLOGY*, at viii (Quentin L. Quade ed., 1982). See also ION MIHAI PACEPA & RONALD J. RYCHLAK, *DISINFORMATION: FORMER SPY CHIEF REVEALS SECRET STRATEGIES FOR UNDERMINING FREEDOM, ATTACKING RELIGION, AND PROMOTING TERRORISM* 106-07 (2013).

Marxism and Christianity,³⁵ was not the product of Christians who pursued Communism. Rather, it was Communists who actively pursued Christians.³⁶ They did this by converting economic differences into class warfare.³⁷

Pope John Paul II, who knew the Communist playbook well, was not taken in by liberation theology.³⁸ He warned Catholics in South America, “Do not follow those who affirm that social injustices can only disappear through class hatred or recourse to violence or other anti-Christian methods. Violence engenders violence and degrades man.”³⁹ The Vatican’s Congregation for the Doctrine of Faith under John Paul II, then headed by Joseph Cardinal Ratzinger (later Pope Benedict XVI), labeled the idea that class struggle was fundamental to history as “Marxist.”⁴⁰ Ratzinger “called

35. Mark Engler, *Toward the “Rights of the Poor”: Human Rights in Liberation Theology*, 28 J. RELIGIOUS ETHICS 339, 342 (2000). As one commentator explained: “[L]iberation theologians understand the poor as a social class, a group whose destitute circumstances are the product, not of chance misfortune, but of systematic exploitation. Using a combination of social-scientific analysis, religious reflection, and practical activity, liberationists attempt to fully understand this oppression, to appreciate the structural causes of poverty as well as the power of the poor to transform the situation. They argue that in a world that presents such stark inequality—in a system of winners and losers—one is ethically obligated to struggle on the side of the losers, to assert a ‘preference’ for the poor.” *Id.* at 352 (citation omitted).

36. Its genesis was part of a highly classified Party/State Disinformation Program, formally approved in 1960 by KGB chairman Aleksandr Shelepin and Politburo member Aleksei Kirichenko, then the second in the party hierarchy after Nikita Khrushchev. *See* PACEPA & RYCHLAK, *supra* note 34, at 106.

37. The “preferential option for the poor” is a very well-known aspect of Catholic Social Teaching, but Liberation Theology tends to use it almost to promote class warfare. PLINIO CORRÊA DE OLIVEIRA, NOBILITY AND ANALOGOUS TRADITIONAL ELITES IN THE ALLOCUTIONS OF PIUS XII, at xxvii (1993) (introductory material). Pope Pius XII devoted much effort and many words to the obligation of Christians to help the poor. *Id.* In fact, during World War II, he went on wartime rations and lived in solidarity with the poor and suffering. *Id.* At the same time, he saw the consequences of class warfare with the rise of communism and oppression of the masses and the Church in the Soviet Union. *Id.* As such, he also devoted attention to those who were well off, so much so that one author approvingly wrote of Pius XII’s preferential option for the nobility. *Id.* (noting that the preferential option for the poor and the preferential option for the nobility “are by no means mutually exclusive”). *See also* Rychlak, *supra* note 9, at 108.

38. Michael Novak, *Liberation Theology and the Pope*, in THE POPE AND THE REVOLUTION: JOHN PAUL II CONFRONTS LIBERATION THEOLOGY 73, 74-76, 85 (Quentin L. Quade ed., 1982).

39. Don A. Schanche, *John Paul Escalates His Counteroffensive Against Theology of Liberation*, L.A. TIMES (Feb. 3, 1985, 12:00 AM), <https://www.latimes.com/archives/la-xpm-1985-02-03-mn-13233-story.html> (“Pope John Paul II escalated his counteroffensive against radical elements among the followers of liberation theology Saturday, warning a new generation of Roman Catholics in South America to steer clear of religious leaders who advocate freedom from poverty and oppression through class war and violence.”).

40. Congregation for the Doctrine of the Faith, *Instruction on Certain Aspects of the “Theology of Liberation”* (1984) (“[A]theism and the denial of the human person, his liberty and his rights, are at the core of Marxist theory.”).

liberation theology a ‘singular heresy’ and blasted it as a ‘fundamental threat’ to the Church.”⁴¹

Of course, the theologically subversive character of Marxism, together with its principled hatred of all religion, is rarely acknowledged by Catholics enamored by liberation theology. While that doctrine tries to divide people over economic differences, authentic Catholicism works to bring people together over shared values. Unfortunately, shared values can be hard to identify.

One important American value is liberty in speech. In 2005, I was a member of a delegation representing the United States at a meeting in Paris of the Organization for Security and Cooperation in Europe (OSCE). My job was to defend the American position on free speech, which protects even hate speech.

Suffice to say that my talk did not go over well with the predominantly European crowd.⁴² Robert Badinter, the Socialist former French Minister of Justice and then-president of the OSCE Court of Arbitration and Conciliation, in a keynote address, appealed to the United States to “stop hiding behind the First Amendment.”⁴³ Another American speaker was complimented because he did not exhibit “typical American arrogance,” implying that I had exhibited it.⁴⁴

The following year, I was part of a delegation that met in Rome with Iranian Ayatollahs. Pope Benedict greeted us. My job at that time was to talk about free speech in context of riots that had been inspired by Danish cartoons.⁴⁵ The result of my presentation was an Ayatollah shaking a finger

41. Ion Mihai Pacepa, *The Secret Roots of Liberation Theology*, NAT'L REV. (Apr. 23, 2015, 8:00 PM), <https://www.nationalreview.com/2015/04/secret-roots-liberation-theology/>.

42. See Ronald J. Rychlak, *Compassion, Hatred, and Free Expression*, 27 MISS. C. L. REV. 407, 424, 428 (2007-2008).

43. See Christopher Wolf, *A Comment on Private Harms in the Cyber-World*, 62 WASH. & LEE L. REV. 355, 360-61 (2005) (“While many constructive ideas were expressed, many speakers at the fifty-five nation gathering harped on how the First Amendment impedes global efforts to reduce the incidence of online hate. The United States was labeled a free-speech Wild West—a place where speech has no limitations or legal consequences. Europe was portrayed as a place populated by those who have learned wisely from the horrors of World War II that dangerous speech can lead to real violence, and therefore it must be stopped in its earliest stages. A number of Europeans bragged that their governments regularly censor harmful content on the Internet, and that the world is a better place for it. The “Atlantic Divide” perception was reinforced by Robert Badinter, former French Minister of Justice and current president of the OSCE Court of Arbitration and Conciliation, who, in a keynote address, dramatically appealed to the United States to ‘stop hiding behind the First Amendment.’”).

44. Rychlak, *supra* note 42, at 424.

45. See *id.* at 427-28.

in my face and saying (in a raised voice) that if free speech meant tolerating insults to the Prophet Mohammed, Islam would never agree.⁴⁶

So, does humanity have shared values? Obviously, fundamental differences remain. Maybe the best thing we have is the United Nations. We need to talk. We need to develop shared values, and the Holy See has a crucial role to play in that development.

Summit meetings and international negotiations cannot resolve all of our problems, but British Prime Minister Ramsey MacDonald expressed it well to a British foreign office secretary who had derided such conferences, saying: “‘The desire for peace . . . does not necessarily insure peace.’ ‘Quite true,’ said MacDonald. ‘Neither does the desire for food satisfy hunger. But at least it gets you started toward a restaurant.’”⁴⁷

The United Nations cannot assure peace to the world, but it starts us on the way. We, as individuals, and the Holy See, as a representative of humanity, are obliged to finish the job. We are all in this human condition together, but those of us who can do more have a special calling. Luke 12:48 says “to whom much has been given, much will be required.”⁴⁸ The Spider-Man version is: “With great power comes great responsibility.”⁴⁹

Lawyers, judges, and academics have special training and special status. We must use those talents to work for justice, for what is right. That is how and why the Holy See has a permanent relationship with the United Nations.

In closing, I’d like to call to mind the Address of the Holy Father, Pope John Paul II, to the Diplomatic Corps from January 2001. This was the first such address after I started working with the Holy See mission at the U.N. He said:

The light of Bethlehem, shed upon “men and women of good will,” also imposes upon us the duty of combatting always and everywhere poverty, marginalization, illiteracy, social inequalities or the shameful treatment of human beings. None of these is beyond redress, and it is pleasing to note that various international meetings and agencies have brought at least a partial remedy to these wounds which disfigure humanity. Egoism and the

46. *Id.* at 428.

47. JAMES C. HUMES, *PODIUM HUMOR: A RACONTEUR’S TREASURY OF WITTY AND HUMOROUS STORIES* 48 (1975).

48. *Luke* 12:48.

49. Brian Cronin, *When We First Met - When Did Uncle Ben First Say “With Great Power Comes Great Responsibility?”*, COMIC BOOK RES. (July 15, 2015), <https://www.cbr.com/when-we-first-met-when-did-uncle-ben-first-say-with-great-power-comes-great-responsibility>.

will to power are humanity's worst enemies. In some way, they are at the root of every conflict

Believers—and especially Christians—know that another approach is possible. I will formulate it in words which may seem too simple: every man is my brother! If we were convinced that we are called to live together, that it is wonderful to come to know one another, to respect and help one another, the world would be radically different.⁵⁰

That was the vision of St. Pope John Paul II, and he called upon us to share in it.

50. Pope John Paul II, Address of the Holy Father at the Exchange of Greetings with the Diplomatic Corps ¶ 4, 5 (Jan. 13, 2001), in *Weekly Edition*, L'OSSERVATORE ROMANO (English ed.), 2001, at 1-2.