



REMARKS
OF

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Your Excellency, Most Reverend Bishop Hoban, Very Reverend Monsignor Hochwalt, Reverend Clergy, Delegates to the National Convention of The National Catholic Educational Association, Distinguished Guests, Ladies and Gentlemen:

I deem it a very unique honor and a distinct privilege to be here this noon and to participate with you in the discussion of a subject that is of such vital import in the world crisis of today. It is most fitting that you made the theme of your Convention "Human Rights and Education." It is a timely subject. For there was never a period in history when this topic merited more careful consideration of intellectual, cultured and influential groups such as yours.

You have invited me to speak on "American Freedom and Human Rights." With a deep sense of humility I venture to discuss this extremely important theme before such an eminent and distinguished group of scholars, educators and churchmen. Steeped as most of you are in the doctrines of Church philosophy, world history, and political science, there is little that I can add to your erudition on this subject. I shall, however, endeavor in the few minutes allotted to me to touch on the fundamentals of this comprehensive human problem from the point of view of one who has been in public life for many years and is now privileged to be the chief law enforcement officer of the United States.

Our efforts to chart the road to the permanent peace which we all seek is dependent on the extent of man's ability to preserve true freedom and to respect human rights the world over. American freedom and human rights are mutually dependent. Either without the other will collapse. If American freedom disappears, human rights everywhere will disappear. Conversely, if human rights are permitted to die elsewhere in the world, American freedom may soon perish.

It is now recognized that human rights are a challenge to all peace-seeking men, and that the preservation of those rights must be the constant concern of our citizens if our present civilization is to be rescued from the tentacles of the octopus that rules behind the Iron Curtain. Unless the world promotes universal respect for and the observance of human rights and fundamental freedoms for all without distinction as to race, color or creed, and unless, as is stated in the Declaration of Human Rights by the United Nations, a "common standard of achievement for all peoples and all nations" is established, the attainment of basic rights for men and women everywhere which is essential to peace will never be successful. The Declaration of Human Rights made by the General Assembly of the United Nations must continue to be the yardstick for the attainment of freedom.

The international crisis has produced a state of emergency within our Nation that has had an impact upon every phase of our society. We are girding ourselves today to meet the threat of physical aggression, but that alone will not satisfy the needs of this crisis. The preservation of fundamental and inalienable rights for all peoples must become a major weapon in our present and future struggle to maintain freedom. We must become not only the arsenal of physical weapons, but also of those that are moral and spiritual.

Americans must realize the importance of human rights for the world at large. While the concept of the universality of human rights has always been urged strongest in Catholic teaching, the world at large has begun to appreciate it only recently. Mechanical and technological progress has so narrowed the face of the earth that all people on this earth have now become neighbors. No place is any longer very far away. Whatever happens in one part of the earth affects us. We know now that the conquest of Manchuria in 1932

did have a relation to our security in this country. We know also that the sound of marching feet and the harsh rumble of tanks in the invasion of Poland, as well as the dropping of bombs on London, were aimed at us. Yet many of us at the time felt we were so far away, so safe and protected.

Because of the character of modern society and the absolute economic interdependence of people, it is next to impossible to localize most internal conflicts. Neutrality in world affairs has already become a fiction. As the Catholic University Commission on American Citizenship has so well said, "No nation can isolate itself from the rest of the world; because its interests are far-flung, they are bound to become involved in any large scale conflict." Today, no matter what any nation does, it is obliged to act in global terms. Our Holy Father observed in his historic Christmas message of 1944, "the unity of mankind and of the family of peoples is the goal that the leaders of democracy must keep before their minds in all their deliberations."

Moreover, it is an American tradition to champion resolutely the cause of human freedom everywhere. In addition, we have now committed ourselves to give relentless opposition to all those forces which would deny to man his God-given rights, and we have pledged all our resources to do all possible to free people from those who would enslave them.

Because of our world leadership today, what we do counts for more than anything that can be said. Today human rights are everybody's business. It is not a new thing in American history to be concerned with what happens to human beings throughout the world. What is significant is that we Americans have accepted the principle that by reason of agreeing to the United Nations Declaration of Human Rights, we have a legal as well as a moral concern for the freedom of people everywhere.

It is hardly necessary for me to indicate to you the importance of the international Declaration of Human Rights. It represents a stupendous milestone in human relations and will serve to further and strengthen the democratic way of life. Although only a blueprint of the house of peace yet to be built, it was a colossal step in the progress toward world tranquility. It was an historic achievement. It is a sensitive and human document, written in a tone of morality, of conviction, spiritual elevation, and keen insight.

In this connection, it is well to recall with pride the great contribution made to the formulation and adoption of this document by the Catholic Association for International Peace. As early as April 14, 1941, that Association published a pamphlet entitled "America's Peace Aims," which contained an international bill of rights and which gained wide circulation. Later, the exhaustive report of its Ethics Committee, under the chairmanship of Reverend Wilfrid Parsons, S. J., and the Very Reverend John A. Driscoll, O.P. played a weighty part in the final formulation of these sacred principles. Most noteworthy of all was its influence in procuring the characterization of human rights as moral and inviolable.

The Declaration culminated the first important step in the march of a lofty idea, namely, the dignity and worth of the individual human, intimations of which had emerged from time to time since the earliest days of history, and which always has been the hallmark of our Catholic Faith.

The desire for freedom of conscience, speech and press has been the theme of some of the noblest writings of human history. These formed the essence of the Four Freedoms. World War II brought to all of us a fresh realization of the need to assert and safeguard human rights. During that catastrophic period in world history, the sharing of hardships and the working together for

victory made all aware of the great benefits of a partnership of all people of the human race. It was then definitely recognized that denial of these basic human rights was a cause for war. When the articles of the United Nations Charter were adopted in San Francisco in 1945, human rights were referred to, not only in the preamble but in six of its articles.

The significance of this Declaration of Human Rights cannot be over-emphasized. In the words of General Marshall, it served as "a new declaration of human rights for free men in a free world." It has been properly said that with this Declaration of Human Rights the law of international society has caught up with the conscience of mankind. As President Truman observed in speaking of this Declaration:

"The member nations have learned from bitter experience that regard for human rights is indispensable to the solution of political, economic and social problems. They have learned that destruction of human rights is the beginning of tyranny and too often the beginning of war."

What is of tremendous import is the recognition that these human rights are declared to be not the free gift to people of their legislators, but a gift of God. To be sure, that Declaration, regretfully, does not say so in so many words, but it is certainly implied in the term "inalienable." As was reported by the aforementioned Ethics Committee, "They are inalienable in the sense that they are beyond the reach of men or governments . . . They come from God. God confers these natural, inalienable rights on us."

Equally momentous is the recognition by the nations of the world that men are to be governed by a rule of law and not by the whims of any individual or group of individuals. Law is made the guide of man's action. Only the written

law, which has been defined as a finding of human reason promulgated for the common good, can preserve human rights and liberties. That impliedly presupposes obedience to the law of God as found by such human reason. The conscience of mankind as inspired by Divine revelation, and the effort of a free people in the world to establish an international rule of law must go hand in hand.

It is not amiss to point out that the Catholic Church has always taught that an international bill of rights is the irreducible guarantee of "unity, peace and prosperity, law, justice, and tranquility." As a matter of fact, the success of the campaign to produce the international bill of rights can be mainly attributed to the efforts of the religious forces of the Country. It was through such forces that public opinion was roused and moulded to provide the pressure needed to attain the official expressed recognition of such rights in the international organization of the United Nations. In this program, I am happy to say, the Catholic Church played a very prominent part.

Such action on the part of our Church leaders is in accord with Catholic tradition. Our Church has ever proclaimed the importance of liberty and freedom to all mankind and the preservation of the dignity of the individual. It was Pope St. Gregory The Great who, as early as the sixth century, stressed that "by nature all men are equal." Indeed, the supreme contribution of our Church in the darkness of the Middle Ages, when absolutism was the rule, was its militancy for the cause of human liberty.

It is worthy of note that of the eight nations which did not dare to vote against the Declaration of Human Rights but abstained from voting thereon, six were of the Soviet bloc. This is understandable. Communism is the very antithesis of human freedom and liberty. It is godlessness. It has no respect

for the individual. To the communist there is no God, and religion is but a delusion; man is a mere cosmic accident rather than a universal creation of God's love. To them man is a beast and God is a myth. Communism has no morality except what is good for the state, and the state consists of a small group of diabolical, power-greedy, self-appointed harbingers of evil. In the communist state there is no eternity, no reward or punishment, no free will, no truth, no compassion, no striving for Divine perfection. Every act of good will, of tolerance, of conciliation and mercy, of magnanimity, is utilized only to bring about the ruin of all who dare oppose. Violence is its tool and enslavement is its goal.

Lofty as this Declaration of Human Rights is, it is only the first hurdle in the path of progress in man's effort to solve the great and endless problem of human freedom. It will become meaningless unless implemented by practical application. A proposed draft of a Covenant of Human Rights has already been made. This Covenant of Human Rights, when finally ratified by treaties between nations, will constitute tangible proof of definite progress. Let us pray for its ratification by all nations.

As of this date, we have completed the first part of the projected three-part program of the International Bill of Rights. All efforts must now be directed to the drafting of the second and third parts of the program, the Covenant for Human Rights and the measures for its implementation.

I have spoken on liberty and freedom. I hasten to stress that liberty and freedom do not mean license. There must be a limitation to all rights. Article 29 of the Declaration of Human Rights specifically provides for such a limitation.

True liberty in a human society does not permit every man to do what he pleases. As our Holy Father told a Committee of our United States Congress studying conditions in Italy in 1947:

"A just government recognizes that its own power is limited by the basic human liberties of those who are governed and it succeeds only when each one is ready for personal sacrifices in the interest of all."

Rights of one person always imply duties in others to respect those rights. As Father Walter Farrell, in his "Companion to the Summa" indicated, "Freedom is man's badge of responsibility . . ."

That definition of freedom and liberty is in accord with our own constitutional doctrines. Our Supreme Court has constantly stressed that our traditional freedoms exist only under law and not independent of it. That Court never accepted the principle that civil liberty means the removal of all restraints. The clear and present danger test of Mr. Justice Holmes in free speech cases is an excellent illustration.

But American freedom must also be made more secure, and for many reasons. World events have hurled the United States into a position of world leadership. The hopes of enslaved humanity are centered on our democratic institutions and ideals. We must set an example of an efficient democracy in action.

Throughout our existence as a Nation we have demonstrated to the world that people of various creeds and nationalities can work harmoniously. We have manifested to the world that no race, creed or group has a monopoly on genius. Each group that came to our shores brought its own particular genius, and though cultivated in the civilization and customs of their native land they found a way of working together and proving "the richness that is born of

variety." To be sure, we have not as yet reached perfection in the protection of civil rights of our own citizens, but we are making good progress.

For example, true American freedom would not countenance the bias that we of the Catholic faith have been subjected to in books by Canon Stokes, Paul Blanshard, and their like; also by meetings such as those held recently in Washington by the P.O.A.U. (Protestants and Others United for Separation of Church and State). All these have in a spirit of bad taste and bigotry created much bitterness. An amendment which was intended to prevent the creation of an established church, and a phrase in a letter of Thomas Jefferson have been distorted to create, in the words of Mr. Justice Black in the famous McCollum case, a "wall between church and state which must be kept high and impregnable." It may be that in some respects Mr. Justice Frankfurter's quip that in relation with church and state "good fences make good neighbors," is true, but not in all. If anything, the state and the church must not have any fence between them. Did not the framers of the Declaration of Independence invoke for the support of their declaration the protection of Divine Providence? As the late Cardinal Gibbons, of blessed memory, said:

"American Catholics rejoice in separation of Church and State and I can conceive no combination of circumstances likely to arise which would make a union desirable to either Church or State. We know the blessings of our arrangements; it gives us liberty and binds together priests and people in the union better than Church and State."

Yet the same churchman emphasized in a later sermon:

"It is true, indeed, that we have no official union of church and state in this country, but we are not to infer from this

fact that there is any antagonism between the civil and religious authorities nor does it imply any indifference to religious principles. Far from it. Church and state move in parallel lines."

It is elementary, of course, that freedom and respect for human rights cannot be preserved unless their significance, their meaning and their importance are inculcated in the minds and intellects of our people. Only through the process of education can we hope to reconstruct society, and it must be started with the child. Catholic educators are doing it when, in the words of Father Robert C. Hartnett, S.J., they plan the instruction of the child "with religion as the central concern of human existence."

It is most regrettable that nowhere in the preamble or the Declaration of Human Rights is there any reference to Divine Providence. History has proved that human solidarity can only be brought about as a result of that charity and teaching which Christ taught and exemplified during his life on earth. The best worked-out form of government in the world cannot operate without the dynamic motivating force of the spirit. Democracy without a spiritual, religious content cannot ultimately become an effective force in world government. All concede that the world crisis of today has resulted from the failure of the spiritual and moral forces to match the rapid progress of the material, mechanical and technical. We must concentrate on the education of the heart and soul. If religion is not permitted to participate in any peace plan, there will never be any peace. Mr. Donald J. Pierce, in the most recent issue of "America," has referred to this age as one of public education. That is true, but something is wrong somewhere. When our college student athletes can become so morally bankrupt as to gamble away, for material gain, their future, there is a glaring deterioration in the tissues of our moral fibres.

You as Catholic educators are providing the true answer to the present moral paralysis. That is why meetings of this sort are so important. Here you have the opportunity of interchanging the views and exploring the ways in which the general educational principles, as developed by Catholic educators, can be made more successful and beneficial to those dependent upon it. If nothing else, Catholic education in this country has focused the attention of all on the importance of moral and spiritual instruction in our schools. In the words of His Excellency, Bishop Wright, of Worcester, you can do much to create "an aristocracy of the Soul."

The road ahead to freedom is going to be difficult and hard. Let me remind you, however, that even in our country, American freedom, as we know it now, was not attained too easily. When the Constitution of the United States was adopted, a substantial number of the thirteen original states had an established religion which denied many rights to those outside it. The basic civil liberties such as freedom of religion, freedom of speech and press, were not guaranteed by the Federal Constitution against the limitation by the state or Federal Government. Our Bill of Rights, which guaranteed against invasion of such rights by the Federal Government, is included in our first ten Amendments. Even when the Fourteenth Amendment was enacted, it was held in the Slaughterhouse cases, decided in 1873, that the privilege and immunities therein protected were only those which flowed from the National Constitution. Had this remained the law, there would have been no ground for the Society of Sisters to contest the Oregon School Bill, which fortunately was invalidated 52 years later in *Pierce vs. Society of Sisters*. It was not until the *Gitlow* decision in 1925 that it was definitely established as the law of our land that a State of our Union cannot by its act restrain or restrict our traditional

civil liberties. I am happy to say that the language of Justice McReynolds in the Oregon Sisters case, that a State cannot interfere with the parents' right in education, has not been challenged. The doctrine of that case is an important element of American freedom.

I know that as a result of your deliberations at this convention you will go back to your schools and colleges better equipped to impart to your students those eternal truths which religion, as the central concern of human existence, teaches us.

We are now going through a very trying period in the annals of mankind. Trying times try men's souls. Let us then recall the words of St. Paul, "We glory in tribulation; knowing that tribulation worketh patience; and patience, experience; and experience, hope." With God's help we shall meet the challenge of this day successfully.