

## THE SOURCE OF HUMAN RIGHTS

*George E. Sokolsky*

(Columnist, author, lecturer; LL.D., University of Notre Dame, 1946; Editor, Russian Daily News, Petrograd, 1917; Assistant Editor, North China Star, Tientsin, China, 1918; Editor, Far Eastern Review, 1927-1930; Author of *Outlines of Universal History*; *Tinder Box of Asia*; *Labor's Fight for Power*; *We Jews*; *The American Way of Life*. Contributor to New York Herald-Tribune, 1935-40; columnist, New York Sun and other newspapers since 1940).



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**W**HEN Dean Manion proposed that I should be present today to discuss so broad a topic as has been assigned to me, "The Source of Human Rights," my secretary, who joins my wife in impeding my peregrinations in space and thought, asked:

"What will you do among all those philosophers and theologians?"

In effect, she posed the problem of my butting into your business which is to discover the truth.

But are human rights not also my business? Are they not everyone's business? Each day, my little missive of 700 words or thereabout goes to some 20,000,000 readers, who are at liberty to look at it, to reject it, or even to read it. The responsibility inherent in the task of speaking to so many is surely to try to discover what the truth may be and even what the source of the truth may be.

There are, of course, those who always know precisely what the truth is and forecast it as though they were prophets. Not being Israelites, the gift of prophecy is not in them and only too often they substitute bias, prejudice and even bigotry for truth. Not being restrained by the wisdom of the ages, which always counsels caution, they rush speedily in all directions until they meet themselves moving from left to right.

Our task today is to commune with each other in the hope that out of our labors may come some insight into

the meaning of that divine intelligence which must guide us or we are lost. Perhaps we shall only see the light through a keyhole; perhaps the door will be opened full and wide to us. Whichever it may be, let us approach our problem in the spirit of search and in due humility. For we cannot be sure that we know the path, although we are certain of the goal we seek.

I am not of your communion and therefore I must approach our problem from my own position. It is a glorious day in our land when a Roman Catholic university invites me, a Jew, to speak to you on a subject so dear and close to your hearts and minds. It is symbolic of our country that in these days when intellectual and spiritual darkness fills so much of the earth — and makes it a void — children of God of differing faiths gather under this roof to investigate His revealed words and to seek a common conclusion as to His immediate guidance for our nation and our times.

Recognizing fully my unfitness and lack of preparation for such a task, I nevertheless accepted the invitation, not as a scholar but as a journalist; not as a man of letters but as a reporter; not as a Christian but as a Jew.

## I

The problem posed before us is obviously the meaning of the first two paragraphs of the Declaration of Independence, of July 4, 1776, which announced the creation of a new nation upon our soil. These paragraphs, as you well know, read:

“When in the course of human events, it becomes necessary for one people to dissolve the political bands

which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness . . ."

We speak in the inspiration of those words, and if we apply them to these days, we never depart from the original concept of our nation.

## II

Others will speak on life, liberty and happiness. My task is to deal with "the laws of nature and of nature's God."

It must seem curious that the revolutionists of 1776 wrote such a declaration at all. Why did they go to all the trouble of basing their claims for independence upon a philosophy of life? Why did they not shriek:

"Down with the king!"

"Hang King George III!"

"No taxation without representation."

"Murder the tax collectors!"

"All power to the workers and peasants!"

"Kill the priests!"

Similar slogans have been the battle cries of revolutions from Spartacus to Lenin. The masses have been aroused by politicians to change rulers, or to substitute

one class for another, or to redistribute wealth or to divide property, in times of revolution. How different, for instance, was this American revolution from the French revolution, or from the 1848 revolutions in Europe, or from the Russian or Chinese or Turkish revolutions in our century!

Compare, for instance, these two paragraphs from the Declaration of Independence with the Communist Manifesto of Marx and Engels in 1848, where it is said:

"The history of all hitherto existing society is the history of class struggles.

"Freeman and slave, patrician and plebeian, lord and serf, guild-master and journeyman, in a word, oppressor and oppressed, stood in constant opposition to one another, carried on an uninterrupted, now hidden, now open fight, a fight that each time ended, either in a revolutionary reconstitution of society at large, or in the common ruin of the contending classes."

Or consider these paragraphs in the Manifesto:

". . . Let the ruling classes tremble at a Communist revolution. The proletarians have nothing to lose but their chains. They have a world to win.

"Working men of all countries, unite!"

First, then, we need to grasp and understand the philosophic calm of our historical ancestors, who could, when men were already dying for a cause, sit down to write a document which did not exhort to violence but rather to an appraisal of man's place in the cosmos, to an understanding of his relationship to nature's law and nature's God. It is impossible, in view of what they wrote and what they placed first and uppermost in their statement, to doubt that theirs was a world of

noble ideas — they fought for what in these days of rather twisted language, we call an ideology. They related themselves to natural law — to the law of God, revealed to all mankind, to all who would listen to the word and who would be guided by it.

This we cannot doubt or deny, for it is there for all to see in the first fifty words of the Declaration of Independence. We need not quarrel over whether Jefferson and Franklin were Deists and not Christians; these words relate them to the vast body of human beings, no matter how divergent their paths seem to be, who walk in the same direction toward the same goal. Perhaps Alexander Hamilton best expressed the thought of all when he wrote:

“The sacred rights of mankind are not to be rummaged for among old parchments or musty records. They are written as with a sunbeam, in the whole volume of human nature, by the hand of divinity itself and can never be erased or obscured by mortal power.”

Or, when arguing for a political conclusion, Hamilton wrote:

“ . . . Of this nature are the maxims in geometry, that ‘The whole is greater than its part; two things equal to the same are equal to one another; two straight lines cannot enclose a space; and all right angles are equal to each other.’ Of the same nature are these other maxims in ethics and politics, that there cannot be an effect without a cause; that the means ought to be proportioned to the end; that every power ought to be commensurate with its object; that there ought to be no limitation of a power destined to effect a purpose which is itself incapable of limitation. And there are

other truths in the two latter sciences which, if they cannot pretend to rank in the class of axioms, are yet such direct inferences from them, and so obvious in themselves, and so agreeable to the natural and unsophisticated dictates of common-sense, that they challenge the assent of a sound and unbiased mind, with a degree of force and conviction almost equally irresistible."

Then he said:

" . . . The infinite divisibility of matter, or, in other words, the infinite divisibility of a finite thing, extending even to the minutest atom, is a point agreed among geometricians, though not less incomprehensible to common-sense than any of those mysteries in religion, against which the batteries of infidelity have been so industriously leveled."

It could not have been thought otherwise in the American colonies, for those who came to them from Europe, foreswore material comfort to associate themselves with a life devoted to God, as they, in their day, understood such a life. Although in 1776, they had been on this continent more than a century and a half, they had not yet been conquered by the world of things, nor had their spirit been subdued by comforts and securities. They still sought God's guidance and resting their political case, not upon the laws of parliament or the laws of nations, but upon the laws of God, they were able to think in terms of the value of human life, the essence of human liberty which is free will, the power to choose between good and evil, and happiness which is only attainable in the pursuit of the good and orderly life.



## III

We, in our day, are purse-proud in our vast discoveries. We know so much. We know that the greatest physical power is lodged in the small, unseeable atom. We know how to explode what we cannot see, hear or feel. We can measure and weigh these imperceptible objects and we can contain them, convey them and use them. We have discovered how to transmute that which has one form and character into something altogether different. We do not quite understand what we are doing, but we do them and the results are as anticipated in the calculations. It is a notable achievement and you here at Notre Dame have contributed your share to the attainment of unbelievable goals—much of it, of course, on faith, in which realm the scientist is not very remote from the theologian.

But what does all this tell us about living? We have discovered how things live through the natural sciences, but we have not found the good life by that process. In fact, during this century when science has moved so rapidly that from Darwin to Einstein, more progress has been made than during the remaining seven or eight thousand years of written history, we have not even budged in the extremely important fields of morals and ethics.

Matthew Arnold caught the error of a science without moral direction when he said:

“ . . . Culture is then properly described not as having its origin in curiosity, but as having its origin in the love of perfection; it is a study of perfection. It moves by the force, not merely or primarily of the scientific

passion for pure knowledge, but also of the moral and social passion for doing good. As, in the first view of it, we took for its worthy motto Montesquieu's words: 'To render an intelligent being yet more intelligent!' so, in the second view of it, there is no better motto which it can have than these words of Bishop Wilson: 'To make reason and the will of God prevail!'

From Darwin to Einstein, we have gathered together billions of facts; yet the relations of man to man, of son to father, of brother to brother, of neighbor to neighbor, of citizen to state, of nation to nation, still stand upon the great thought and revelation of such minds as Hammurabi, Moses, Jesus, Plato, Aristotle, Confucius, Gotama, Maimonides, Thomas Aquinas.

How does it happen that little Palestine and Syria and Greece understood so much and we so little? Is it possible or believable that in the realm of human relations all that needs to be known has forever been known?

That is, indeed, a curious question. Yet, this also is curious: That when we move away, in any civilization, from certain basic precepts of living, long ago enunciated, that civilization withers on the vine, and often dies. Why is it that nearly all peoples, of whatever state of development, even savages, approach one aphorism in much the same language? The question is, what is the fundamental relationship of man to man? And no matter how that is pondered, the answer comes out the same. Let me give you a few examples:

" . . . In the Indian Mahabharata . . . , it is said: —'Let no man do to another that which would be repugnant to himself; this is the sum of righteousness; the

rest is according to inclination. In refusing, in bestowing, in regard to pleasure and to pain, to what is agreeable, a man obtains the proper rule by regarding the case as like his own.'

"Similar words are ascribed to Confucius. When Tsze-Kung asked if there is any one word which may serve as a rule of practice for all one's life, the master answered, 'Is not reciprocity such a word? What you do not want done to yourself, do not do to others.' And in another utterance Confucius showed that the rule had for him not only a negative, but a positive form. He said that, in the way of the superior man, there are four things to none of which he himself had as yet attained; to serve his father as he would require his son to serve him, to serve his prince as he would require his minister to serve him, to serve his elder brother as he would require his younger brother to serve him, and to set the example in behaving to a friend as he would require the friend to behave to him.'"

". . . Love of man was considered by Hillel as the kernel of the entire Jewish teaching. When a heathen who wished to become a Jew asked him for a summary of the Jewish religion in the most concise terms, Hillel said: 'What is hateful to thee, do not unto thy fellow man: This is the whole law; the rest is mere commentary . . .'"

And all this culminates perhaps in these three statements of the case, in a crescendo of simplicity and affirmation:

"Jesus said . . . Thou shalt love the Lord Thy God with all thy heart, and with all thy soul, and with all thy mind.

"This is the first and great commandment.

"And the second is like unto it, Thou shalt love thy neighbour as thyself.

"On these two commandments hang all the law and the prophets."

This we call the Golden Rule.

It is universal, unchangeable, eternal. It is reasonable and full of logic. From it there can be no plausible deviation. It is complete.

But its universality is what is so amazing. We speak of races as savage, wild, uneducated, uncivilized. Yet, they discovered this rule of life, even as they discovered mother-love and the stars and the periodicity of life. As man began to think and believe, this rule of life came to him and with it, gradually, other rules which were finally incorporated in what my ancestors called the Ten Commandments. This is the essence of revealed truth.

#### IV

Millions of laws have been written by rulers and legislators based upon the Ten Commandments; and then they had to write millions of other laws providing penalties for their infraction. Somehow the spirit of man is never bound by the laws that man makes, the imagination always playing upon the prospects, and even joys, of evasion. It is like the income tax which everyone calculates from the premise of deductions which often are euphemisms for evasions or avoidances.

Capital punishment is still imposed for murder as it used to be for theft, but men murder and steal without fear of punishments, trusting that their own ingenuity

or their lawyer's wiles will save them. Adultery has ceased to be a crime; it has rather become a source of great pride, particularly when noted and amply advertised by some of my colleagues. As for bearing false witness, it happens in the best of places and has even become the most used weapon of statecraft.

Your bishops recently said:

"In recent decades, striking advances have been made in meeting the child's physical, emotional and social needs; but his moral and religious needs have not been met with the same solicitude and understanding. As a result, many of our children today betray confusion and insecurity because these un-met needs are fundamental to the harmonious development of their whole nature."

But why limit this judgment to the child, for is he not father of the man? The child, who factually provides the generations that must succeed us upon this soil, has suddenly become a national problem. We emphasize juvenile delinquents, but how many mothers have wept bitter tears over their daughters in our colleges who have taken Kinsey's book as their bible and how many fathers have wondered at the products of an amoral education which brings forth their sons as grown men but not as gentlemen in the sense that they know right from wrong absolutely?

And so we come to the crux of this problem which is that the family system, the hard core of the American civilization, as it has been of every great civilization, has collapsed. Too many divorces, too many broken homes, too much comparative morality, too great uncertainty — these have so confused both parents and children that they are at a loss to understand the proprieties of

human relations. They literally know not what they do.

This uncertainty in the husband-wife and the parent-child relationship appears in almost all phases of our social lives. We literally do not know what we are doing. We act without direction. We move without guidance. We possess the charts, but we either read them as though they were of strange and even dead languages or we preserve them as curiosities. We do not live by them.

Even many who assume that they are devoted to the laws of life only too often separate thought from action; that is, they do not apply what they believe to be true to their private and public lives. It is possible, not only possible but almost usual, to encounter a devout politician who has perhaps studied philosophy at a Catholic university, yet who does what other politicians do who are neither devout nor knowledgeable.

With such, devotion has become routine; prayer mere ritual: education a duty performed. They have not learned to apply the laws of life to life itself. They engage in corruption; they practise fraud and deceit; they abandon truth because they are able to separate what they call the practical from the impractical, which is as much an error of commission as it is of terminology.

For what can be more practical in every day application than the guidance of God, as expressed in Natural Law, the abandonment of which produces chaos and confusion. A politician may find some personal advantage in the deception of the electorate, but the truth will out. The author of confusion is soon enough identified. If alive, he is defeated by his deceptions; if

dead, he becomes an object of historic vilification. The Korean war is a proof of that axiom.

## V

For truth is eternal and unchangeable and is applicable to all times, places and circumstances. Truth is the law of nature and of nature's God and is immutable and everlasting.

Is this too broad an assertion?

Let us think in terms of historic transactions, made by practical men to achieve some immediate purpose, but based upon deceit not only of those who were parties to the transactions but of the peoples they represented.

Munich, Teheran, Yalta, Potsdam — these are but a few of the conferences which since 1938 have brought upon mankind war and tyranny and death. We are today reaping the thorns and thistles sown at these meetings from which the law of God was always absent. Who can say that what was done at Teheran in November 1943 can be justified by the blood and death of December 1950? Who can say that the rape of Poland and the abandonment of China — both denials of the sworn word — will pass into history as forgotten sins?

Yet, those practical men did not fear the consequences of their own positiveness. They risked greatly because they risked nothing that was important to them — namely the truth. And to the world, their retreat from principle has brought nothing but tears and mourning throughout the world.

The test of their system came with the arrest of Archbishop Stepinac, not because he is a Roman cleric

nor even because he is a man of religion, of any religion. The test came because no government, no major nation protested the impropriety of his trial and imprisonment as a violation of truth. So practical had we all become that nothing really mattered except the avoidance of responsibility. So the betrayal of Poland, of China, of Czechoslovakia, of Hungary set the stage for the slaughter of our sons in Korea. Nations, like men, cannot betray the law of God, without suffering the consequences of their errors. For an historical error sets a course which only a moral response can alter.

## VI

And so I come to the end of this discourse, but I am still faced by the problem of bringing it together into a statement of the relationship of man to the law of life.

Were man inanimate, he could, like the mountain, suffer erosion. The mountain possesses no will. It cannot move to a climate where it can control wind and weather. Its status is determined by its environment.

Man is not only an animate creature, but he possesses personality and will and conscience. He is close to God, for he is a moral creature who can know right from wrong and can do what is right and wrong. Even more, he possesses that fierce check-valve, conscience, which fights him at every turn. He is capable of cleansing himself and of contrition. He can start anew and build anew. He possesses such qualities as hope, ambition, humility. He can cultivate the gentle nature of charity and compassion. He may be mean, petty, unfor-



giving, vindictive. He may grow into a glorious creature so capable of love that even his enemies are beloved, for is not God the father of the foe as of the friend?

Such a creature of mind and spirit requires guidance, lest his very qualities consume him. The brilliant may be evil. The competent may be thieves. The strong may be murderers. The genius may be an adulterer. Guidance alone can save man from the excesses of his own nature.

But what guidance? Whose guidance? Shall I listen to the creature who like myself is blindly seeking the answer and who experiments with this or that? Shall I say that out of laboratory or clinic will come my answer? Whom can I trust? Whose formula has been tested? Who can lead me forward to the good life? Whose wisdom can lead our beloved country back to its very sound foundations which so many have experimentally deserted?

And there is the answer in the Declaration of Independence: To nature's law and nature's God, to the Natural Law. Natural — because it is the rule of the cosmos, eternal and constant: Law — because it is the total history of man, the application of all human experience, everywhere and at all times. God's law — because it was revealed by Him to man as a guide to life, to all men on whatever level of development.

This is our chart. This is our guide. This is the beam upon which we can soar to safety, to a sure and happy landing.

