



# HOLY SEE

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**Statement by  
H.E. Archbishop Dominique Mamberti  
Secretary for the Holy See's Relations with States**

**67<sup>th</sup> session of the  
United Nations General Assembly**

**High-level Meeting  
on the Rule of Law at the National and International Levels**

**New York, 24 September 2012**

Mr. President,

I wish to begin by expressing appreciation for the references in the Secretary-General's Report and in the draft Outcome Document to the unbreakable link between the rule of law and respect for human rights. The Holy See wishes above all to underline the need to go beyond a simple fixation on procedures which will guarantee a democratic origin for norms to one which seeks to promote true justice. Formal respect on its own is insufficient to guarantee effective national and international rule of law, especially when, through the proliferation of norms and procedures, the certainty of law itself may be placed in jeopardy. Juridical disorder on the one hand and anthropological reduction on the other compromise the ultimate and essential goal of all law: to promote and to guarantee the dignity of the human person.

In order not to be reduced to a sterile tautology, to a mere "rule of rules" (cf. BENEDICT XVI, *Speech to the Bundestag*, 22 September 2011), the rule of law must be based upon a unified and comprehensive vision of man, appreciative of the richness of how people relate to each other, and granting certainty and stability to juridical relationships.

Moreover, the concept "law" should be understood as "justice" – what is just, what is a just thing, an element which is proper and inalienable to the nature of every human being, family and state. The achievements and declarations on human rights offer us important points of reference in that direction, but they are not of themselves sufficient unless they are read in the spirit in which they were formulated.

Indeed, such declarations are the result of a lengthy juridical and political process, which began with the encounter between the theoretical and philosophical reasoning of Greek culture and the juridical and practical reasoning of the Romans, to which were added other elements, such as Judaeo-Christian wisdom, the laws of other European peoples, canon law and its developments, the mediaeval and Renaissance work of Jewish, Arab and Christian philosophers and lastly contribution of the thinking of the Enlightenment and of the political developments due to the revolutions of the 18<sup>th</sup> century. It is only in the light of this complex, rich and intricate edifice, which is simultaneously historical, juridical and philosophical, that the inviolable and inalienable rights of the human person can and must be appreciated as the essence of the law, and to which the rules must refer.

The United Nations Charter underlines the need to "reaffirm faith in fundamental human rights". The word "faith" usually indicates the transcendent, which may however be grasped by philosophical reasoning, a process where we ask ourselves about the meaning of human existence and of the universe and about what offers a true and solid basis to the rule of law.

Faith in the transcendental dignity of the human person thus becomes the fundamental and indispensable key for understanding the rights codified in the founding documents of the United Nations; it offers a secure basis to the rule of law, because it corresponds to the truth about man as a creature of God's making, and it allows the rule of law to pursue its true purpose, that is, the promotion of the common good.

These conclusions lead to the unavoidable premise that the right to life of every human being – from conception to natural death - be considered and protected as an absolute and inalienable value. To this right should be added all the other components of human rights, without distinction, as envisioned by the principles of indivisibility and universality, thus making it possible to say that the integral promotion of all people, without any exception as to time or place, is the true guarantee of the full respect for everyone.

Among these rights, freedom of religion merits a particular mention, as the “right to seek the truth in matters religious” (Vatican Council II, *Dignitatis Humanae*, 3), without coercion and in full freedom of conscience. The guarantee of such freedom, apart from its actual use, is an inalienable hinge of the rule of law for believer and non-believer alike.

Mr. President,

This High-Level Meeting on the Rule of Law is an important opportunity to reaffirm the will to find political solutions applicable at the global level with the aid of a juridical order solidly based upon the dignity and nature of humanity. This is the best path to follow if we wish to realize the grand designs and purpose of the United Nations Charter and the Universal Declaration of Human Rights.

Thank you, Mr. President.