

RECOGNITION OF HUMAN RIGHTS AND SOCIAL JUSTICE

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Abstract

Human rights belong to humanity. Without them, there is no future. The history of civilisations is intertwined with struggles for the recognition of the dignity of specific individuals. Marked by the aspirations of each era, any right that is won guarantees distinct aspects to the same human being. Struggles arise in contexts of demands relating to the emergence of subjectivities that are not yet properly recognised. The urgency of identity politics is a sign of the times. People are mobilising to confront old injustices based on ethnicity, religion, culture, and sexuality. They demand social justice, recognition, and respect. On the one hand, there has been a decline in rights, as evidenced by the increase in LGBTphobia, sexism, racism, and misogyny. The systematic violation of fundamental rights has become so intense that it justifies the spread of groups defending their identities. On the other hand, in the field of human sciences, political philosophy has focused on issues such as multiculturalism, race, citizenship, sexual diversity, and gender identity. This text aims to contribute to the discussion of this issue in theological ethics. From the point of view of the Social Doctrine of the Church, the recognition of human rights expressed in the struggles of women, black people, the LGBT population, and indigenous peoples are also demands for social justice. Policies of recognition and policies of redistribution are not opposed. The relationship between social justice and overcoming economic inequalities and those related to the recognition of identities is close. The importance of collective rights is affirmed. Symbolic/cultural injustice is the other side of social injustice. Rights of equality must be articulated with rights of difference. Thinking about the articulation between human rights, recognition, and social justice, a category proper to moral theology, is no easy task. But this text proposes to do so.

Keywords

Social Doctrine of the Church. Rights of equality. Moral theology.

Summary

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1. INTRODUCTION: NEOLIBERALISM, AN HOSTILE CONTEXT

At the global level, the UN has established 20 February as *World Day of Social Justice*. Pope Francis has been emphatic: the greatest enemy of human rights and social justice is "money deified, which rules with the whip of fear, inequality, economic, social, cultural and military violence that generates ever more violence in a downward spiral that seems to never-ending".²

Neoliberal ideology, based on radical individualism and greed, has a decisive influence on the issue of social justice. Among the developments of the theory³, we find the *neoclassicals* of the *Chicago School* and the *Austrian School*. *Neoliberals* are responsible for attacking the role of the state in the economy and combating the ideals of social justice: Milton Friedman (1912-2006) of the Chicago School, Ludwig von Mises (1881-1973) and Friedrich von Hayek (1899-1992) of the Austrian School influenced the governments of Margaret Thatcher, Ronald Reagan and Latin America in the 1980s and 1990s.

According to Mises, neoliberalism is the theoretical foundation of capitalism. Social inequality, alongside private property, is one of its foundations. "Inequality of wealth and income is an essential feature of the market economy".⁴ Therefore, "its elimination would completely destroy it."⁵ Thus, social justice is incompatible with the free market. The moral principles of Christianity would also be disastrous for capitalism. "It is not possible to establish a satisfactory and effective social order simply by

² FRANCISCO 2016.

³ *vg.* Marginalist/neoclassical school: William Jevons (1835–1882), Carl Menger (1840–1921), Léon Walras (1834–1910), Vilfredo Pareto (1848–1923), Alfred Marshall (1842–1924), Knut Wicksell (1851–1926), Irving Fisher (1867–1947). Cf. GASDA 2017, 573–587.

⁴ MISES 2010, 347.

⁵ MISES 2010, 948.

encouraging people to listen to the voice of conscience and to replace the motivation for profit with considerations pertaining to the general welfare.”⁶ Social justice and Christianity would make the state undemocratic.

The social and economic order that should prevail is that determined by market forces. For Hayek, distributive justice is not only incompatible with the rule of law, but also represents the greatest threat to economic freedoms⁷. There is no code of ethics established in the common good as an organising principle of society and as a basis for social justice. "The so-called 'social ends' are identical goals of many individuals - or goals for the achievement of which individuals are willing to contribute in exchange for the help they receive in satisfying their own desires,"⁸ concludes Hayek.

The justification for egalitarian demands stems from the discontent that the success of some people arouses in those who have been less successful, that is, they are born of envy. Currently, the sentiment that envy disguises itself as is that of social justice, a religious superstition assumed as the official doctrine of the Catholic Church embraced by the clergy.⁹

2. SOCIAL JUSTICE AND HUMAN RIGHTS

The hard battle for rights is part of the struggle for recognition of human dignity. In this sense, it is the updated version of social justice. Human rights stem from an unfinished construction. The emergence of new rights expands the list of challenges to justice. It is possible to go back to the third millennium of the Christian era, in Egypt and Mesopotamia, a period that records instruments for the protection of the individual. The Code of Hammurabi (1690 BC) is perhaps the first repertoire to sanction a

⁶ MISES 2010, 825. "Every attempt to avoid this intervention by appealing to the voice of conscience, charity or fraternity is futile" MISES 2010, 826.

⁷ HAYEK 1987.

⁸ HAYEK 1987, 77-78.

⁹ Cf. HAYEK 1985, 9-85.

table of common rights, such as life, property, and honour. Also in Athens, citizens' rights were recognised, although they did not extend to slaves and women.

From a historical perspective, rights can be divided into four generations: *First-generation* rights belong to the individual. Emerging in the context of the Enlightenment and the struggles against absolutism, these are civil and political rights that reflect the protection of personal attributes, such as the right to life, liberty, security, non-discrimination, private property, privacy, political asylum, freedom of religion and conscience, freedom of expression and association, freedom of movement, residence and political participation.

Social, cultural, and economic rights belong to *the second generation*. The context of the Industrial Revolution ushered in an era of savage exploitation of the workforce. The struggles of the proletariat led the state to adopt policies that ensured the material conditions for workers to access *first-generation* rights. Based on the criterion of *distributive justice*, the rights to security, decent work and protection against unemployment, rest, health, education and unionisation were rectified.

Third-generation rights were solidified at the end of the 20th century. Developed in the post-war context, they are intended for peoples. They are rights to peace, progress and self-determination of peoples. The entire human race is its beneficiary. *Fourth-generation* rights cover biotechnological innovations, biomedicine and biogenetics: the right to democracy, information and pluralism, protection of life and genetic heritage.¹⁰

¹⁰ Among the documents referring to regulations on research related to this topic is the *Declaration on the Rights of Man and the Human Genome*, issued by UNESCO (United Nations Educational, Scientific and Cultural Organisation) in 1997. In 2005, UNESCO approved the *Universal Declaration on Bioethics and Human Rights*.

3. PROTAGONISM OF RECOGNITION

The Preamble to the Universal Declaration of Human Rights states that these rights derive from "the recognition of the inherent dignity of all members of the human family." This idea is already made explicit in Article 1: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."¹¹

The concept of recognition, made famous in philosophy by Hegel, takes on new meaning at a time when capitalism accelerates cross-cultural contacts, destroys systems of interpretation, and politicises identities. The phenomenon inspires a reinterpretation of modernity, of human beings, and of the cultural conditions of individuals and society. The philosophical discussion of social conflicts is based on the contradictions of politics, which are not limited exclusively to class struggle. Currently, it revolves around the issue of cultural, gender, racial and ethnic differences. The struggles for recognition are moral. This perspective is highlighted by philosophers such as Paul Ricoeur, Charles Taylor, Nancy Fraser and Axel Honneth.

Paul Ricoeur¹² places the discussion of recognition within the paradigm of otherness. Violence and contempt, by denying otherness, conceal a desire for solitude through the elimination of the other. Amidst the reality of conflict, peaceful recognition represents an attempt to avoid violence. In this sense, Charles Taylor believes that being recognized in one's identity makes it possible to establish dialogue, the only means that allows for the recognition of intersubjectivity. Language is the essential element in opening up to the cultural, social and moral diversity that exists between individuals,

¹¹ Available at: <http://www.onu.org.br/img/2014/09/DUDH.pdf>. Accessed on 08/04/2018.

¹² RICOEUR 2006.

groups and nations.¹³ Recognition of differences is the only path to justice and social peace.

Nancy Fraser¹⁴ broadened the debate by linking recognition to the concept of distributive justice. The philosopher uses the concepts of *class* and *status*. *Status* is related to the structure of capitalism. In traditional societies, domination occurred because of the ideal of honour derived from the social roles of members linked to family origin. Currently, it is the market that governs *status* differentiation to serve its own ends.

Capitalism has gradually replaced *class* conflicts with *status conflicts*. There is a depreciation of values related to the economy in favour of immaterial values such as symbolic/cultural identities. How can cultural recognition and social equality be redefined so that one demand does not weaken the other? These are two forms of injustice. The struggle for human rights must encompass both redistribution and recognition. The socio-economic dimension embodied in social inequality is perhaps the most visible type of social injustice. The other, of a symbolic/cultural nature, stems from models of representation that do not recognise the dignity of those who are different. This also results in hostility and disrespect, causing serious damage to the self-esteem of those who are discriminated against. For this reason, the great political struggles of the 21st century are centred on recognition. Symbolic injustice has proven to be as aggressive as economic inequalities. The increase in poverty, exclusion and unemployment is comparable to the increase in racism, femicide and LGBTphobia.

According to Axel Honneth¹⁵ the struggle for recognition begins with experiences of disrespect. There are three forms of recognition: love, rights,

¹³ TAYLOR 2000, 241–274.

¹⁴ FRASER 2001, 245–282.

¹⁵ HONNETH 2003.

and solidarity. Disrespect for love is mistreatment and violation that threaten physical and psychological integrity; disrespect for law is deprivation of rights and exclusion, as they harm the integrity of the individual as a member of a political-legal community; disrespect for solidarity is offences that affect the honour and dignity of the individual as a member of a cultural community of values.

Social movements follow the following logic: experience of disrespect, struggle for recognition, social change. It is not a struggle for power. The self-realisation of the subject is achieved when the experience of love generates self-confidence, the experience of rights generates self-respect, and the experience of solidarity generates self-esteem. The first form consists of primary emotions, such as love and friendship. In the symbiosis between mother and child (primary intersubjectivity), there is a unity of behaviour. To broaden the field of attention, the mother begins to break the symbiosis. With this, the child discovers that the mother is part of the world and recognises the other as someone with their own rights.

Love, the most elementary form of recognition, differs from rights. In love, there is emotional dedication. In rights, there is respect. In the 18th century, people fought for freedom rights; in the 19th century, for political rights; and in the 20th century, for human and social rights. In rights, the person is recognised as autonomous. Solidarity, the ultimate sphere of recognition, refers to the mutual acceptance of personal qualities.

4. SOCIAL DOCTRINE OF THE CHURCH: RECOGNITION AS THE FIRST EXPRESSION OF SOCIAL JUSTICE

For the Social Doctrine of the Church, rights encompass the demands of social justice and meet the essential needs of the person in the material,

physical, psychological/emotional, spiritual and cultural spheres¹⁶. For this reason, human rights are one of the most important efforts to respond to the demands of human dignity. Christianity, "by virtue of the Gospel entrusted to it, proclaims human rights and recognises and greatly appreciates the dynamism of our time, which promotes such rights everywhere".¹⁷ In the words of John Paul II: "that profound amazement at the value and dignity of man is called the Gospel, that is, the Good News. It is also called Christianity."¹⁸

The activity of social justice is recognition. Social justice is an ethical concept that encompasses human rights. Human rights encapsulate the main ethical and legal requirements arising from both justice and recognition. "Justice is particularly important in the current context, in which the value of the person, their dignity and their rights are seriously threatened."¹⁹

Truly, love is realised in justice and right: "I cannot 'give' to another what is mine without first giving him what is his by right."²⁰ For justice consists in "giving to others what is theirs, what belongs to them by virtue of their being and their actions".²¹ Thus, "justice is the first path to the recognition and respect of the legitimate rights of individuals and peoples".²² Indeed, justice is not a mere convention, because "what is just is not originally determined by the law, but by the profound identity of the human person".²³ The other is *the living image* of God, redeemed by the

¹⁶ JOÃO PAULO II 1991, n. 47.

¹⁷ *Gaudium et Spes* 1965, n. 41.

¹⁸ JOÃO PAULO II 1979, n. 10.

¹⁹ PONTIFICAL COUNCIL FOR JUSTICE AND PEACE 2005, n. 202.

²⁰ BENTO XVI 2009. n. 6.

²¹ *Summa theologiae*, II-II, q. 58, a. 1.

²² BENTO XVI 2009. n. 6.

²³ JOÃO PAULO II 1987.

blood of Jesus Christ and made the object of the permanent action of the Holy Spirit²⁴

Pope Francis says: "When I encounter a person sleeping rough on a cold night, I can feel that this figure is an unexpected event that stops me in my tracks, an idle delinquent, an obstacle in my path, an annoying thorn in my conscience, a problem that politicians must solve, and perhaps even a pile of rubbish that dirties the public space. Or I can react out of faith and charity and recognise in him a human being with the same dignity as myself, a creature infinitely loved by the Father, an image of God, a brother redeemed by Jesus Christ. This is what it means to be a Christian! Or can holiness be understood without this living recognition of the dignity of every human being?²⁵

The concept of social justice was introduced into moral theology after a long process of maturation. Its first reference is in Sacred Scripture. The second is found in the tradition of Thomas Aquinas, continued by the neo-Thomists of the nineteenth century. God is the origin and end of justice. The practice of justice is a sign of the relationship between God and human beings. God is the first to not tolerate injustice. Justice (*sédeq*) and law (*mishpat*) are inseparable: "Let justice roll down like waters, and righteousness like an ever-flowing stream" (Amos 5:24). *Sédeq* highlights an order based on justice. *Sedaqah* refers to the behaviour of the righteous. And to be righteous, to respect others, is to recognise their identity as creatures of God. The emphasis is on recognising the rights of the wronged.²⁶ Injustice profanes worship, prayers and pilgrimages (Isaiah 58:3-5, Amos 5:21-25; 8:4-8; Isaiah 1:11-17; Jeremiah 7:3-7).

²⁴ JOÃO PAULO II 1987, n.40.

²⁵ FRANCISCO 2018, n.98.

²⁶ Cf. SICRE 1984.

The prophets announced the coming of a Messiah who would restore justice. Jesus takes up this tradition: he offers everyone, but first and foremost the poor and marginalised, a new covenant with God. Social justice is part of the Kingdom of God: "Seek first the Kingdom and its righteousness" (Mt 6:33). Justice is at the heart of the Sermon on the Mount (Mt 5:6, 10, 20; 6:1, 33). Men and women identified as righteous are also faithful to the Kingdom: "Blessed are those who hunger and thirst for righteousness, for they shall be satisfied"; "Blessed are those who are persecuted for righteousness' sake, for theirs is the kingdom of heaven" (5:10).

Thomas Aquinas' biblical-theological reflection takes up Aristotle's concept of justice and complements it with Roman law.²⁷ From *legal justice*, he derives *general justice*. Justice is a disposition of character that makes people act justly and desire what is just (*dikaion*). To be just is to live within the law and respect equality.²⁸ *Dikaion* means both legal (*nomimon*) and equal (*ison*). This distinction points to two types of justice. *General justice* refers to acts performed in accordance with the law and duties in relation to the common good. The *general* term identifies its scope: all acts, regardless of their nature, insofar as they are due to the community so that it may achieve its good. Principle of legality. In short, justice that concerns what is due to others in the community is *Legal Justice*. Its duties refer to all members of society.

Particular justice is governed by the principle of equality and is subdivided into *distributive justice* and *corrective justice*. *Distributive justice* is exercised in the distribution of honours, money and anything that can be shared among the members of *the polis*. Distribution takes into account personal qualities or functions. In *oligarchy*, the criterion for distribution is wealth; in *democracy*,

²⁷ *Summa Theologica* II-II. *Da Iustitia*, qq. 58 to 79.

²⁸ ARISTOTELES. 1991.

citizenship; in *aristocracy*, virtue. *Corrective justice* aims to restore balance in relationships, contracts, and civil and criminal offences.

5. FROM LEGAL JUSTICE TO SOCIAL JUSTICE

Nineteenth-century neo-Thomists felt the need to rethink the concept of justice. Liberalism dismantled hierarchical societies, where the notion of honour was the main basis for identification²⁹. In a hierarchical conception, *distributive justice* will be the ordering principle. The rule of distribution will be to each according to their position³⁰.

Modern society replaces the notion of honour with the "notion of dignity used in a universalist and egalitarian sense that allows us to speak of dignity inherent in human beings (...). The premise is that everyone shares in it."³¹ If everyone possesses the same dignity, fundamental equality is not proportional, but absolute. The organising principle of life in society will be *legal justice*. In a democratic state, the law imposes equal rights and duties on everyone. For this reason, *legal justice* becomes *social justice*, in which each member of society is worth as much as and as any other.

The term *social justice* encompasses various facets of justice. Louis Taparelli d'Azeglio (1793-1862), the first to use the expression, starts from the social nature of the person to presuppose the existence of two rights: *individual and social*. *Individual rights* refer to God and oneself. *Social rights* specify the human relationships that underpin *social justice*: "Social justice is for us justice between man and man. Man here considered as endowed only with the requirement of humanity, as a pure rational animal." Among men considered in this respect, there are "relationships of perfect equality,

²⁹ TAYLOR 2000, 242.

³⁰ *Summa Theologica*, II-II, q. 61, a.2.

³¹ TAYLOR 2000, 242-243.

because man and man means humanity reproduced twice."³² Social justice, therefore, in a society of equals, in which the positions occupied by each person are considered secondary in matters of justice, has as its object that which is due to human beings simply because of their human condition. *Legal justice* is identified with *social justice* in the identity of its object, the *common good*.

The DSI has taken on the category of *social justice*: "Social justice has acquired increasing importance in the Magisterium, representing a true and proper development of *general justice*, regulating social relations on the basis of the criterion of observance of *the law*. *Social justice*, a requirement connected with the *social question*, which today manifests itself on a global scale, concerns social, political and economic aspects and, above all, the structural dimension of problems and their respective solutions."³³

The concept was introduced into DSI by Pius XI in *Quadragesimo Anno*³⁴. *Social justice* considers human beings in their capacity as human persons, their rights and duties as members of society. Thus, the common good is achieved only "when each and every one has all the goods that natural riches, technical art, and good economic administration can provide."³⁵ *Social justice* does not apply only to the economy. Also, "public institutions must adapt the whole of society to the requirements of the common good, that is, to the rules of social justice."³⁶

The Vatican Council provides a theological basis for social justice: "The fundamental equality of all men must be increasingly recognised, since, endowed with a rational soul and created in the image of God, all have the

³² TAPARELLI D'AZEGLIO 1840, 183.

³³ PONTIFICIO CONSELHO JUSTIÇA E PAZ 2005, n. 201.

³⁴ PIO XI 1931.

³⁵ PIO XI 1931, n.75.

³⁶ PIO XI 1931, n. 110.

same nature and origin; and, redeemed by Christ, all have the same divine vocation and destiny. Any social or cultural form of discrimination, contrary to the will of God, must be overcome and eliminated, as regards the fundamental rights of person, on account of sex, race, colour, social condition, language or religion".³⁷ Social justice has a global scope confirmed in the principle of the universal destination of goods.³⁸

Pope Francis, in *Laudato si*, inserts social justice into the paradigm of care for *our common home*: "A true ecological approach always becomes a social approach, which must integrate justice into debates on the environment, to hear both the cry of the earth and the cry of the poor."³⁹ This care points to *intergenerational justice*: "The earth we have received also belongs to those who are yet to come."⁴⁰ Every human person demands respect. In *Amoris laetitia*, Pope Francis "wishes, first of all, to reaffirm that every person, regardless of their sexual orientation, must be respected in their dignity and welcomed with respect, seeking to avoid any sign of discrimination and, in particular, any form of aggression and violence"⁴¹

In line with Francis, the *Aparecida Document* points out that injustice is not limited to the socio-economic dimension: "migrants, victims of violence, displaced persons and refugees, victims of human trafficking and kidnapping, the disappeared, those suffering from HIV and endemic diseases, drug addicts, the elderly, boys and girls who are victims of prostitution, pornography and violence or child labour, abused women, victims of violence, exclusion and trafficking for sexual exploitation, people with different abilities, large groups of unemployed people, those excluded due to technological illiteracy, people living on the streets of large cities,

³⁷ *Gaudium et Spes* 1965, 29.

³⁸ *Gaudium et Spes* 1965, 69.

³⁹ FRANCISCO 2015, n. 49.

⁴⁰ FRANCISCO 2015, n. 159.

⁴¹ FRANCISCO 2016. n. 250.

indigenous and African-American people, landless farmers and miners."⁴² Aparecida presents a type of demand for social justice that links economic equity to the recognition of discriminated groups.

6. THE URGENCY OF RECOGNITION IN THE SPHERE OF LAW

The law is a fundamental tool in the fight against prejudice and social injustice. From a legal point of view, would it be enough to apply existing laws to combat all forms of discrimination, whether socioeconomic or symbolic/cultural? Does the law serve society or does society serve the law? It is necessary for each person to respect in others the rights that they demand for themselves. Every person is worthy of all the goods necessary to fulfil themselves as concrete, individual, rational and social beings. Demands for dignity and social justice encompass the socio-economic sphere and the legal-political order.

Human dignity is the objective principle that underpins the law. It is the founding concept of human rights and also the foundation of social justice. As an expression of being a person, it predates legislation. Dignity does not exist only where it is recognised. The law does not invent it, it merely legislates on it. Human dignity is the basis for the interpretation of all legal norms, that is, it does not allow for relativisation. In the legal-political field, this means that everyone has identical rights and duties. It is up to the public authorities to enable their realisation. Legislation points to progressive advances in the full recognition of the rights and protection of discriminated populations.

⁴² CONSELHO EPISCOPAL LATINO-AMERICANO 2007, n. 402.

These are steps, albeit tentative ones, towards transforming the model of state action in the implementation of social justice.

The extension of the same rights enjoyed by all without exception is based on two principles: equality and non-discrimination. Article 1 of the Universal Declaration of Human Rights is unequivocal: "All human beings are born free and equal in dignity and rights." The principle of non-discrimination is transversal and the obligation on the part of the State is immediate. Its universality admits no exception. Human rights are truly the innate rights of all human beings. In this sense, the UN Human Rights Council approved Resolution 17/19 in 2011, expressing grave concern about violence and discrimination against individuals because of their sexual orientation and gender identity. Ending such discrimination is one of the challenges of social struggles for recognition.

In Brazilian law, the first value protected by the Federal Constitution is the dignity of the human person (Art. 1st). It is the golden thread of every democratic state governed by the rule of law that 'sews' the Magna Carta together. The state is built on the basis of the human person. The consequences of the principle of dignity in Article 1, item III are set out in the five nouns of the legal rights protected in Article 5 of the Brazilian Constitution: life, security, property, freedom and equality. Fundamental rights are the first concrete manifestation of this principle.

The recognition of human rights creates the conditions for the realisation of social justice. However, there are many areas where such recognition is sorely lacking: citizenship, decent work, food and housing, health and education, political participation, protection of children and adolescents, and combating discrimination against black people, indigenous peoples, women and LGBT people. Social justice is achieved not only through the legal recognition of minorities, but also by changing the structures that generate discrimination. Discrimination is understood as any exclusion, restriction or differential treatment based on unlawful grounds

and which has the intention or effect of undermining the equal recognition of guaranteed rights.

The defence of non-discrimination is the immediate responsibility and obligation of the Brazilian State. Those who suffer injustice are workers, black people, gay people, women, immigrants, and members of the Candomblé religion. Social justice equality is absolute equality in dignity. This recognition is an enforceable right in the courts. We reaffirm: human dignity is the supreme principle of the Federal Constitution, the foundation of the entire legal system.

7. CONCLUSION

Human dignity belongs to all people. It pre-exists all theory and legislation. It is the foundation and ultimate purpose of law. Social struggles are also moral struggles. All other rights are realised when the principle of dignity is respected.

Social justice, a central concept of the Social Doctrine of the Church, is the systematisation of the value of human dignity. Therefore, injustice is not limited to socioeconomic inequality. It is about recognising the other as a human being in all their dimensions and characteristics. Any setback in human rights represents a setback in social justice. The SDC is explicitly anti-neoliberal. Pope Francis leaves no doubt about the incompatibility between being Christian and being neoliberal.

The field of social justice is simultaneously socio-economic redistribution and recognition. The two forms complement each other. The poor are not only those who are economically deprived, but also black people, indigenous people, women, homosexuals, transsexuals, migrants, among many other marginalised groups. The fight against socioeconomic inequality is compounded by the struggle to end discrimination. Entities and

movements organised around ethnicity, people, gender and sexuality, and profession fight to be recognised. These are struggles for ethical recognition that contribute to expanding the possibilities for the realisation of human rights. Authentic social justice aims to respond to both demands.

Every person exists as I do in all their uniqueness. By virtue of their human condition alone, they are entitled to rights that must be respected by their fellow human beings. Society has a moral imperative to recognise the most diverse forms of existence. Social struggles emphasise the conditions necessary for the expansion of democracy for all people, with a view to ensuring that exclusionary societies do not become rigid. Every individual has the dignity of being a human being simply by virtue of their existence. Therefore, according to Pope Francis, "it is harmful and ideological to suspect the social commitment of others, considering it something superficial, mundane, secularised, immanentist, communist, populist... The defence of the innocent unborn child, for example, must be clear, firm and passionate, because in this case the dignity of human life, which is always sacred, is at stake... But equally sacred is the life of the poor who have already been born and struggle in misery, abandonment, exclusion, human trafficking, the covert euthanasia of the sick and elderly deprived of care, new forms of slavery, and all forms of discarding. We cannot propose an ideal of holiness that ignores the injustices of this world."⁴³

The category of recognition serves as a theoretical basis for recognising and affirming the right to difference. The controversy surrounding "difference" highlights the difficulty of articulating identity policies. Are we all equal or are we all different? We are different in terms of family and regional origins, traditions and loyalties, we have different gods, different habits and tastes, different styles or lack of style; in short, we are bearers of different cultural belongings. "We have the right to be equal whenever

⁴³ FRANCISCO 2018, 101.

difference makes us inferior; we have the right to be different whenever equality makes us lose our identity."⁴⁴ Recent changes in society call for a reaffirmation of the commitment to the democratic spirit of pluralistic ethics. This reflection highlights the importance of the public sphere for the construction of new social identities; after all, the struggle for rights is historic. The right to difference is an extension, within the culture of law, of the affirmation of forms of struggle for recognition. The struggle for difference goes hand in hand with an uninterrupted struggle for equality.

The struggle for dignity finds its dynamism in the demand for recognition of particularity. Contemporary discourse on social justice has been committed to the recognition of differences. This struggle is motivated by suffering and indignation against discrimination. There is no otherness without diversity. Being different is the right of human beings in their uniqueness. The indigenous, the black, the white European, the Japanese-Brazilian, the woman, the elderly, the homosexual, the child, the artisan, the intellectual, the physically, mentally, hearing and visually impaired, the spiritist, the Pentecostal, the Catholic. The efforts of Christians in defence of human rights must be intensified in order to contribute "to the dignity of all human beings, together with other people and institutions working for the same cause".⁴⁵ Love enables the existence of the other as other.^{Theology} must be capable of articulating the various manifestations of these experiences in order to reveal possibilities for expression. "Christians, moved by solidarity, acting individually or in groups, associations, organisations, pastoral ministries and networks, must know how to present themselves as a great movement committed to the defence of the human person and the protection of their dignity."⁴⁶

⁴⁴ SOUSA SANTOS 1999, 45.

⁴⁵ CONSELHO EPISCOPAL LATINO-AMERICANO 2007 n. 398.

⁴⁶ JOAO PAULO II 1991, 3.

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