

Courage, Conscience and Law

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Address to St. Thomas More Lawyers' Guild

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The 100th anniversary of the Law Society of Alberta is certainly a joyous occasion and we should take a moment to honour those great figures who built up the processes of law in our province. To link ourselves this evening, under the aegis of the St. Thomas More Lawyers' Guild, with the development of law in our midst over a century is a humbling yet reinforcing moment.

There is a natural tendency to indulge in nostalgia and indeed some fond remembrances are in order. Reflecting on the past is actually what I have been doing the past few months in writing my Memoirs. Since coming to Edmonton 42 years ago I have lived a public life as an editor, parliamentarian and diplomat. Now, as I approach my 80th birthday, my publisher has convinced me that I have a story to tell in my long struggle to help build the conditions for peace in the world.

Happily for you, I will not use this occasion to recount the memories of my public career. But I think it would be in order to pay a just tribute to the man who brought me to Edmonton in 1965 – Archbishop Anthony Jordan – to start the *Western Catholic Reporter*. Archbishop Jordan, deeply influenced by the outreach of the Second Vatican Council, reposed a faith in me, and his own steadfastness was a source of courage for me as I entered political life.

In many public issues – abortion, capital punishment, nuclear weapons – I faced votes involving my conscience. I must quickly point out that my bravery – as is evident with my head and body still intact – did not match that of St. Thomas More. Nonetheless, my faith and the example of those who have shown great courage in protecting the value of law inspired me.

Where does the courage to stand up for one's conscience come from? In my experience it comes from recognizing that human rights, in all their aspects, must be protected in the living tree of law. To hold firmly to the law, to help develop the law to respond to the new needs of a globalized world, infuses us with a sense of responsibility for human life everywhere and indeed for all of God's creation.

Conscience and the law have had a rough ride through history. If we have learned anything, it is that the white-skinned followers of Christ do not have a monopoly on goodness. And goodness entails considerably more than personal sanctity. This brings us to how conscience and the law in the 20th century have taken on a much wider meaning. The United Nations put a spotlight on conscience when it adopted, in 1948, the Universal Declaration of Human Rights. The first article says:

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.

The Preamble to the Declaration asserts that violations of human rights “have outraged the conscience of mankind,” and Article 18 stipulates “the right to freedom of thought, conscience and religion.” So conscience has moved out of the preserve of religion, though one is tempted to quickly add that religion ought to be the foremost exponent of the universal recognition that every human being, reasonably developed, is called to accountability.

The very existence of the Universal Declaration of Human Rights is an expression of global conscience. It is filled with an uplifting of humanity. It has spawned covenants on civil and political rights and economic and social rights of all peoples. Numerous commissions have explored how these rights can be fully implemented. The development of thinking about humanity fostered by the United Nations, not exclusively of course, reveals that the old thinking – conscience as personal behaviour religiously guided – is far too limiting for what is actually happening in the modern world.

The old questions of personal conduct to determine a moral life have given way to new questions about the well-being of the citizens of the planet and of the planet itself. It used to be that the only thing we thought much

about was ourselves and maybe our relationship with those we came into contact with on a daily basis. But, with science and technology and a new understanding of the inherency of human rights, an integration of humanity is occurring. Not only do we know one another across what used to be the great divides, we further know that we need one another for common survival. There is a new caring for the human condition. This is the awakening of a “global conscience.”

This “global conscience” is thrusting up new, even more stark, questions:

- Why is there so much starvation when there is so much food in the world?
- Why are we polluting the atmosphere and waters when we have the technology to avoid this?
- Why do we tolerate the existence of nuclear weapons, which threaten to destroy the processes of life?
- Why do we have the United Nations and then refuse to empower it to stop wars and end starvation?

The answers to these questions are not yet sufficiently strong to overcome an unjust world economy, world disorder and the undermining of human rights and the rule of law. Perhaps the world will still have to endure

yet more wars, more religious extremism, and a wave of nuclear proliferation. But the very forces of nature, business, communication and world politics are building up a single society. The chief characteristic of the society is its common humanity and the need for a common law.

The global conscience that is now identified in every civilization will help to move humanity forward. By moving forward, I mean reaching the day when it becomes cultural, not counter-cultural, to stand in the public square and demand an end to war, an end to nuclear weapons, an end to massive poverty, and that the full weight of government policies and finances be directed to building the conditions for peace. These thoughts are not just wishful thinking; they are firmly implanted in the minds of the millions of people who are today working for the development of a just world.

Cynicism always seems to be in fashion. But cynics today cannot match the power of a critical mass of people across the planet awakened to a new understanding that can prod governments to move forward on equitable policies for food distribution, clean water availability, decent sanitation, properly equipped medical clinics, and sufficiently funded education systems. Critical thinking can move the leaders of commerce to accept that

sustainable business is good business and that protecting the environment is not a cost issue but a human survival issue.

A new appreciation of the need for a strengthened international legal order is already here. Global conscience keeps driving us forward to a world of greater care and mutual respect. Violence, war, greed still assaults us. But the body of humanity, elevated in its spirit, mind and capacity to act, grows stronger. The stirring and movement of this body provides new hope for humanity.

Here the roles of courage, conscience and law intersect. In the next 100 years, laws based on ever-greater understanding of the human right to peace, will lift up humanity. The law will bring us to a higher state of civilization. And St. Thomas More can take a large share of the credit.