

CATHOLICISM AND THE CASE FOR LIMITED GOVERNMENT

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Introduction

Jesus Christ's famous words recorded in Luke's Gospel, 'render to Caesar what belongs to Caesar - and to God what belongs to God' (Luke 20:25), were literally revolutionary in their implications for how we understand the state. With good reason, Luke's Gospel records that Christ's 'answer took [his questioners] by surprise' (Luke 20:26). For, as observed by the nineteenth-century English Catholic historian Lord Acton, 'in religion, morality, and politics, there was only one legislator and one authority' in the pre-Christian ancient world: the polis and later the Roman state (Acton, 1948: 45). Separation of the temporal and spiritual was incomprehensible to pagan minds because categories such as 'temporal' and 'spiritual' did not exist in the pre-Christian world. As the twentieth century's leading historian of Catholic social teaching, Rodger Charles SJ, notes:

... in saying that God had to be given his due as well as Caesar, [Christ] asserted the independence

of the spiritual authority from the political in all matters of the spirit, of faith, worship and morals. This was a new departure in the world's experience of religion. In the pagan world, the State had controlled religion in all its aspects. The kingdom of God that Christ had announced was spiritual, but it was to have independence as a social organization so that the things of God could be given at least equal seriousness to those of Caesar. ... When events led to conflict with the State on this issue, and the Christians faced martyrdom, the political effects in theory and in practice did much to determine the shape of European political culture and through it that of the modern world. (Charles, 1998: 36)

Throughout the Graeco-Romano world, the widespread ascription of divine characteristics to the polis or the Roman state was often paid lip-service. The Roman authorities, recognising the strength of Jewish resentment concerning the token emperor-worship required of all the empire's subjects, exempted Jews from such acts. Yet there were times when the pagan synthesis of religion and state caused immense difficulty for people in the ancient world. People were not, for instance, able to appeal to a divine law that transcended the polis or the state.

By universalising the Jewish belief that those exercising legal authority were as subject to Yahweh's law as everyone else, Christianity achieved the hitherto unthinkable: the de-sacralisation of the polis and the Roman state. From Scripture, we know that early Christianity was respectful of the Roman state's authority. Both St Paul and

St Peter underlined the divine origin of the state's legal authority (Romans 13:1–6; 1 Peter 2:13–17). Nevertheless, Christianity also quietly insisted that Caesar was not a god and might not behave as if he was God. Though Christians would pray for earthly rulers, it was anathema for Christians to pray to such rulers. While Christians regarded the state as the custodian of social order, they did not consider the state itself to be the source of truth and law (Ratzinger, 2006: 59). Thus, as the then Cardinal Joseph Ratzinger once observed, Jews and Christians viewed the state as an order that found its limits in a faith that worshipped, not the state, but a God who stood over the state and judged it (*ibid.*: 240). When Constantine gave religious liberty to the Church in his Edict of Milan (AD 313), he did not subject Christianity to himself. Instead Constantine effectively declared that Caesar was no longer God.

Throughout the centuries, there were instances when the Catholic Church associated itself with the exercise of temporal power to varying degrees. Charles notes that both the post-Constantinian Roman state and its successors used the Church's organisation and personnel to address many social and economic problems. Church courts, for example, were notoriously more efficient than the empire's civil courts, and noted for giving fairer judgments (Charles, 1998: 63). In the wake of the breakdown of political order after the Western Roman Empire's gradual disintegration following the waves of barbarian infiltrations and invasions that began in the late fourth century AD, the Church was perhaps the only institution capable of wielding

significant moral and legal authority throughout much of western Europe during this period. Hence, it was not surprising that Catholic clergy such as St Ambrose of Milan and St Augustine of Hippo found themselves assuming social and political roles once reserved to Roman officials.

And yet despite this association the vital distinction between the claims of God and Caesar, with its implicit limiting of state power, has persisted in Catholic belief and action in ways that are less obvious in some other Christian communities' teaching and practice. The links between a number of the Eastern Orthodox churches and the rulers of the nations in which they dwelled remained exceptionally strong until the twentieth century – so much so that *caesaropapism* became a tendency deeply ingrained in the consciousness of some Orthodox believers. In the West, the doctrine of the Divine Right of Kings enjoyed considerable favour in Anglican communities and some Lutheran confessions, and even received some support from a number of absolutist Catholic monarchs. This doctrine, however, found very few supporters among Catholic clergy and bishops precisely because of the manner in which it diminished the Church's autonomy from the state and blurred the spiritual–temporal distinction. The sixteenth-century scholastic theologian Francisco Suárez SJ, wrote powerfully and strongly against the idea (Suárez, 1944). Another sixteenth-century theologian, St Robert Bellarmine, later proclaimed a Doctor of the Church, specifically refuted the divine right arguments articulated by one of the theory's most famous proponents, James I of

England, and also penned the famous *Tractatus de potestate Summi Pontificis in rebus temporalibus adversus Gulielmum Barclaeum* (1610) in opposition to Galician tendencies (which involved, among other things, the extension of the French state's powers over ecclesiastical affairs) in the Catholic Church in France (Brodrick, 1950: 224). Nor were divine right theories ever accepted by the popes, primarily because of the manner in which they blurred the spiritual and temporal realms.

A great English saint, Sir Thomas More, understood this point very well. His careful but unambiguous opposition to King Henry VIII and Thomas Cromwell as they drove the Church in England into schism was motivated by several factors (Gregg, 2007). But one element was More's conviction that the Catholic Church's authority in religious matters such as the indissolubility of marriage and the Pope's dispensing power was greater than the demands of the state's laws. 'The custom of the Christian people', More wrote, 'in matters of the sacraments and of faith has the force of a more powerful law than has any custom of any people whatsoever in civil matters, since the latter relies only on human agreement, [while] the former is procured and prospers by divine intervention' (More, 1969: 415). More considered patently absurd the claim advanced by the distinguished legal scholar Christopher St Germain that Scripture and conscience should be subject to the demands of English common law as determined by the king-in-parliament. He also recognised that these and other assertions made to legitimise the Henrican legal revolution of the 1530s would expand the state's

power beyond fundamental limits long established in the Catholic Church's authoritative sources of knowledge: Scripture, tradition, magisterial teaching and the natural law.

The very nature of the Catholic Church's own self-understanding therefore means that it cannot accept a state that purports to have no theoretical or practical limits, regardless of whether the absolutist claims are made by an eighteenth-century monarch, a nineteenth-century Jacobin, a twentieth-century Bolshevik or a 21st-century radical secularist. This was dramatically underlined by Pius XI in his encyclical *Mit Brennender Sorge* (1937) protesting about the Nazi regime's treatment of the Catholic Church in Germany:

Whoever exalts race, or the people, or the State, or a particular form of State, or the depositories of power, or any other fundamental value of the human community – however necessary and honourable be their function in worldly things – whoever raises these notions above their standard value and divinizes them to an idolatrous level, distorts and perverts an order of the world planned and created by God; he is far from the true faith in God and from the concept of life which that faith upholds. (MBS 8)

The roots of a Catholic vision of limited state power, however, go beyond the desire to maintain the Church's own rightful autonomy and its understanding of the correct relationship between the spiritual and temporal realms. It also owes much to (a) the Catholic understanding of the human person as a free, social, sinful and responsible creature, called to choose moral

greatness but capable of profound degeneracy; and (b) the Church's stress on the importance of each person pursuing human flourishing by choosing to live in the Truth definitively revealed by Christ to His Church and rejecting the path of evil.

Freedom and the call to perfection

Each human person, it appears, is designed by nature to want to be free. But what, we should ask, is so special about human freedom? Why is it *worth* being free? Responding to such questions, the Catholic Church maintains that human freedom is important because, as the Second Vatican Council taught in its Declaration on Religious Freedom, *Dignitatis humanae* (1965), 'man's response to God in faith must be free ... The act of faith is of its very nature a free act. Man, redeemed by Christ the Saviour and through Christ Jesus called to be God's adopted son, cannot give his adherence to God revealing Himself unless, under the drawing of the Father, he offers to God the reasonable and free submission of faith' (DH 10).

Freedom is not only important because it allows people to respond to God's grace. Catholicism underlines human liberty as an essential prerequisite for people freely choosing and acting as they ought to act. In his encyclical on the Church's moral teaching, *Veritatis splendor* (1993), John Paul II stressed that God made man free not only so that each person can find God, but so that we might 'freely attain perfection'. The Pope immediately added, 'Attaining such perfection means *personally building up that perfection in himself*. Indeed, just

as man in exercising his dominion over the world shapes it in accordance with his own intelligence and will, so too in performing morally good acts, man strengthens, develops and consolidates within himself his likeness to God' (VS 39). The perfection to which John Paul II – consistent with the entire Catholic tradition – states all people are called is one which the Swiss theologian Servais Pinckaers OP, describes as 'freedom for excellence' (Pinckaers, 1993: 354–78). This is the 'self-command' that comes when a person, having discerned the moral goods knowable through reason and the Catholic faith, directs his will to these goods and acts freely and consistently to realise them in his life, aided by God's grace. It amounts to a freedom that Christ's call to each person to live the life of the Beatitudes is both possible and enriching, and a foretaste of the beatific vision that is God.

Liberty, then, in the sense of liberty from unreasonable coercion, is – from the Catholic standpoint – not an end in itself. It is a means for attaining the higher freedom that is called self-mastery: that is, when we discern through faith and reason what is and is not compatible with Christ's call to perfection, and then, through exercising our rational free will, we choose morally good acts and assimilate the truth about the good into our very being.

While Catholicism holds that humans need to be free to choose the higher freedom to which Christ calls everyone, it also teaches that we are social creatures who need other people and who have real concrete responsibilities to others. This much is evident from our everyday experience. From the

moment of our conception, we depend upon our mother for sustenance. As babies we are helpless, utterly dependent upon others' goodwill, especially that of our families. As we grow, our associations become less exclusively familial. They increasingly become the outcome of human reason and choice. This reflects our condition as a social being whose capacity for self-reliance is limited. St Thomas Aquinas highlighted this truth when he wrote:

It is not possible for one man to arrive at knowledge of all these things by his own individual reason. It is therefore necessary for man to live in a multitude so that each one may assist his fellows, and different men may be occupied in seeking, by their reason, to make different discoveries – one, for example, in medicine, one in this, another in that. (Aquinas, 1948: I, 6)

Nor did Aquinas imagine that our dependence upon associational life is confined to our immediate circumstances. When we engage in shaping material, be it physical or intellectual in nature, we almost always draw upon a common stock of human knowledge. This can range from something as fundamental as language to a specific technique developed over time by particular professions.

At the same time, the Church teaches that these same free and associational human beings sometimes make sinful choices that damage themselves and others around them. As Thomas More wrote, we all possess the capacity to abuse our liberty and concoct many 'worldly fantasies' of our own making (More, 1976: 226). While Catholicism does not teach that we are somehow 'free from' the demands of truth, it acknowledges that, as

creatures marked by sin, we have the capacity to rebel against the truth revealed by faith and reason. Such rebellion, however, only leads us to neglect what is reasonable and true – and therefore reality – and enter into the prison of untruth and escapism. In More's words, 'Is it not a beastly thing to see a man that has reason so rule himself that his feet may not bear him, but ... rolls and reels until he falls into the gutter?' (More, 1931: 495).

The situation is further complicated by the fact that in any given society of persons, the range of different, sometimes incompatible, possibilities for reasonable choice by individuals and associations continues to expand. It therefore becomes increasingly difficult to reconcile all choices with each other. Decisions thus need to be made concerning the rules and policies that reconcile different reasonable choices and address problems arising from unreasonable choices.

In certain areas, various procedures emerge to resolve particular problems. Though no serious Catholic would sacralise the market economy, John Paul II noted that the market economy has thus far proved to be the most efficient human means for meeting the basic material needs of entire societies (*Centesimus annus*, 32, 34). Likewise, the price mechanism's ability to reflect the supply-and-demand status of goods and services provides people with some of the information they need in order to choose what to purchase. But even here, judgements need to be made concerning what to do when, for example, a person reneges on their promise to pay the agreed-upon price.

The legal philosopher John Finnis observes that

there are only two ways to resolve such conflicts: unanimity or authority (Finnis, 1980: 231–3). The voluntary undertakings agreed upon in a contract, for example, are grounded upon unanimity inasmuch as the contracting individuals adhere to the original agreement. When there is a breakdown of unanimity, the parties to the contract must either decide to dissolve the contract (unanimity), or admit to the authority of a law demanding completion of agreed undertakings, or be held to their undertakings by some organisation wielding a recognised authority (*ibid.*: 232).

The ongoing increase of possible reasonable and unreasonable choices in most societies decreases the possibility of achieving unanimity on a range of questions. While this may mirror increasing dissension about the proper ends of people, it also reflects an increase in the incompatible but nonetheless reasonable ways of pursuing incompatible but reasonable ends. It is true that traditions, customs and other non-governmental mechanisms often assume a role in providing resolutions to some of these issues. In other cases, however, there may be need for recourse to an authority that can bind people with the force of law – something which markets cannot do. This especially concerns deterring and prohibiting, for instance, criminal behaviour, and more particularly the administration of justice. The very nature of legal justice is such that it involves investing a particular community (the state) with authority, giving particular institutions of that community the responsibility of exercising that authority (legislatures, executives and judiciary), and defining

and delimiting the powers of these institutions (constitutions, statute law and common law).

The preceding analysis makes it clear that, from a Catholic and natural law perspective, the legitimacy of the state and political life as a whole is rooted in two elements. The first is each person's natural call – whether they realise it or not – to freely pursue human flourishing and the subsequent need to resolve what might be called 'coordination problems'. The second is the administration of justice, most particularly legal justice (right relations between the individual and the community) and commutative justice (voluntary relations between individuals, especially as mediated through the form of contract). As Benedict XVI reminded his readers in his encyclical *Deus caritas est*, "The just ordering of society and the State is a central responsibility of politics. As Augustine once said, a State which is not governed according to justice would be just a bunch of thieves: "*Remota itaque iustitia quid sunt regna nisi magna latrocinia?*" (DCE 28).

In both theory and practice, however, the two often overlap. This becomes clear when we think of instances of legal coercion that may be legitimately exercised by state authorities. On one level, the use of state coercion against, for instance, thieves and murderers is rooted in society's need for an institution to be charged with realising restorative and retributive justice. But the deterrent effect of these powers is such that they help people to understand the moral evil involved in such acts and discourage them from choosing these actions. To this extent, the state's coercive powers help people to choose good rather than evil acts. In other words,

Catholic teaching holds that even the coercive powers associated with the state are grounded in the state's responsibility to assist people to pursue perfection. Nevertheless, the Church recognises that these considerations need to be balanced against the fact that people can assimilate the good only if they can freely choose the good for themselves.

We see, then, that Christ's call to all people to choose freely the higher freedom of human perfection is central to understanding how the Catholic Church understands the state's role as well as its limitations. This becomes clearer when we reflect upon Catholic teaching about what is described in Church teaching as the 'common good' of a political community (i.e. a sovereign nation).

The state and the common good

The phrase 'the common good' is regularly referenced by popes, bishops and theologians when discussing the nature of the state and the purposes of politics. The expression is not, however, a paraphrase for collectivism or socialism. It does not equate with the tenets of any particular ideology, precisely because the Catholic Church grounds the political community's common good in Christ's call to all to pursue human perfection.

In its *Pastoral Constitution on the Church in the Modern World, Gaudium et spes* (1965), the Second Vatican Council defines the political community's common good as embracing the 'sum of those conditions of the social life whereby men, families and associations more adequately and readily may attain their own perfection' (GS 74). As a form

of human association, the political community may thus be understood as existing to assist all its members to realise human perfection. Its ways of doing so might include interacting with other political communities, protecting its members from hostile outsiders, vindicating justice by punishing wrongdoers, and defining the responsibilities associated with particular relationships, such as contractual duties. What these activities have in common is that they are all conditions that *assist*, as distinct from directly cause, people to achieve self-mastery. It is harder, for example, to choose to pursue the good of knowledge in a situation of civil disorder. Likewise, we know that the incentives for us to work are radically diminished if there is no guarantee that our earnings will not be arbitrarily confiscated through taxation or otherwise.

These conditions thus constitute a political community's common good. A particular characteristic of this common good is that it is not the all-inclusive end of its members. Rather it is instrumental as it is directed to assisting the flourishing of persons (Aquinas, 1997: III, ch. 80 nn. 14, 15). The political community's common good thus helps both to define its legitimate authority and to limit it. For the political community's authority does not derive its power from itself. It always proceeds from the responsibility of state institutions to serve a political community's common good, which is in turn directed to a higher end – assisting rather than supplanting people as they pursue human flourishing and disdain evil.

Given the state's responsibility for the political common good, it would be easy to conclude that

the state bears direct responsibility for protecting all the conditions that constitute this common good. Such assumptions are, however, unwarranted. This becomes apparent when we reflect upon a principle much articulated in Catholic social teaching: the concept of subsidiarity. This idea was partially formulated by Aquinas when he commented, ‘it is contrary to the proper character of the state’s government to impede people from acting according to their responsibilities – except in emergencies’ (ibid.: III, ch. 71, n. 4). A fuller definition of subsidiarity was articulated by John Paul II, following Pius XI, in his 1991 encyclical *Centesimus annus*: ‘a community of a higher order should not interfere in the internal life of a community of a lower order, depriving the latter of its functions, but rather should support it in case of need and help to co-ordinate its activity with the activities of the rest of society, always with a view to the common good’ (CA 48).

The interventions of higher communities, such as the state, in the activities of lower bodies ought therefore to be made with reference to the common good: i.e. the conditions that enable all persons to fulfil themselves. Subsidiarity thus combines axioms of non-interference and assistance. It follows that when a case of assistance and coordination through law or the government proves necessary, as much respect as possible should be accorded to the rightful autonomy of the assisted person or community.

The significance of this principle thus lies not so much in the autonomy that subsidiarity confers upon people, but in the fact that this autonomy is

essential if people are to choose freely basic moral goods. Subsidiarity has therefore less to do with efficiency than with people attaining perfection under their own volition. A basic requirement for realising this perfection is to act and do things for ourselves – as the fruit of our own reflection, choices and acts – rather than have others do them for us. The principle of subsidiarity also reminds us of the fact that there are a host of free associations and communities that precede the state and which establish many of the conditions that assist people to achieve perfection. They thus have a primary responsibility to give others what they are objectively owed in justice, tempered, Catholics will add, by mercy.

Provided that the political community's common good is understood in the terms stated above, we can be confident it will not become the basis for authoritarian tendencies. For one thing, the state's responsibility for the political community's common good is to help people to make choices for virtue – not to force them to do so. Secondly, the common good, properly understood, does not necessarily require uniformity. It actually creates room for pluralism insofar as it seeks to enable as many people as possible to pursue basic moral goods in a potentially infinite number of ways.

Prudence, sin and love

This understanding of the political community and its common good provides us with the basis for reflecting upon the principles that determine what state authorities may do in a society that

values human freedom and human flourishing. Far from constituting an open-ended invitation to expanded government, it points in the direction of limited government. It indicates, for example, that the political community is only one of a number of communities and should not therefore displace or absorb the proper responsibilities of other individuals and associations. Considered in this way, the Catholic understanding of the political community's common good is incompatible with totalitarianism of any kind, precisely because the totalitarian state attempts to absorb all other groups within itself.

The state's ability to perform this assistance role is complicated by a number of factors. One is the knowledge problem. Attempting to determine the conditions that constitute a political community's common good is a difficult exercise. Though some elements are constant – such as the protection of innocent life – the totality of these conditions is never static. The state authorities cannot know everything about all the conditions that constitute a political community's common good at any one point in time. Neither legislators nor judges are, for example, in a position to know the number and particular character of obligations incumbent upon all individuals and associations.

Another significant problem is the fact that the people occupying positions of state authority, be they in the executive, legislature or judiciary, are not perfect. From a Catholic standpoint – not to mention everyday human experience and the lessons of history – state officials are also fallen creatures marked by the stain of original sin and,

like the rest of us, sometimes choose evil rather than good. They are just as prone as anyone else to making mistakes, to acting outside their area of competence, or even to abusing their position for personal interest. There is a tendency on some Catholics' part (though the problem is hardly confined to Catholics) to imagine that state officials, be they elected or appointed, will always act in the interests of the common good. The lesson of every study of bureaucracy from Max Weber onwards is that the real, as opposed to stated, goals of such organisations and officials often have very little to do with the common good and far more to do with the bureaucracy's self-interest and its desire to preserve and expand its powers.

We are thus faced with dilemmas. If we are to flourish as human beings, we need to act under our own volition. Yet we cannot do so if our decisions are constantly pre-empted for us by the state. On the other hand, our opportunities for free choice may be unreasonably limited if certain prerequisites such as the rule of law which rely heavily upon state authority for their efficacy are absent. At the same time, we know, given man's fallen nature, that a considerable proportion of those people in positions of political and legal power have little interest in the common good and, in some instances, have ceased to be able to distinguish between their own self-interest and a given society's common good.

On one level, the sheer difficulty of resolving these dilemmas is a good reason to ensure that the powers of state institutions are defined as unambiguously as possible and limited in their

application. This may limit, to some extent, the effects of the misguided, mistaken and sometimes sinful choices of state officials. At the same time, the same dilemmas underline the importance of the Church reminding government officials that they have a special responsibility to cultivate a special type of human wisdom if they are to perform their responsibilities for a society's political common good. This wisdom consists of discerning what the political community can reasonably contribute towards the liberty and flourishing of its members, and what it cannot (Finnis, 1998: 186). Aquinas underlined this point when he specified three levels of prudential wisdom: individual *prudentialia*; domestic practical reasonableness; and political practical reasonableness. 'The good of individuals, the good of families, and the good of civitas', he wrote, 'are different ends; so there are necessarily different species of *prudentialia* corresponding to this difference in their respective ends' (Aquinas, 1963: II, II, q. 48).

One way of prudentially discerning the role of government institutions in a given situation is to ask ourselves what the state can and cannot generally do well. This may be determined by identifying other groups' deficiencies and asking when no other community, save the state, can render the assistance that will remedy the deficiency until the ailing non-state organisation can reassume its appropriate role.

Reason and experience tell us that no family is capable of securing public order or administering justice within a political community. Nor can any private person, local association or church

successfully undertake such a role. The same reason and experience suggest, however, that the state is a very inadequate child-raiser. In normal circumstances, this function is properly performed by a family that knows and loves its children. When the family experiences problems beyond its control, it should normally be the case that the extended family or neighbours are the first to render assistance. When no other group can render the appropriate form of assistance, it may then be necessary for the state to act.

Hence the fact that children are best raised by their families does not rule out, in principle, any possibility of state intervention in particular circumstances. Examples might be when the police are summoned to stop an incident of spousal abuse. The urgent need to protect the goods of life and health in such cases makes it imprudent to wait for other family members or other intermediate groups to intervene. Normally, however, direct state intervention in family matters is unwise because it involves the application of political wisdom – and power – to a sphere where domestic wisdom and authority ought to prevail. The state's responsibility to maintain an order of justice will nevertheless occasionally necessitate such intervention, precisely because failure to act coercively against spousal abuse may contribute to a deterioration of the public order essential for a political community's common good. Though it is impossible for the state to prevent all cases of, for instance, stealing and intentional killing, such actions should always be prohibited by state authority. Unless such practices face the ultimate

sanction of state punishment, a fundamental condition that assists all to fulfil themselves will not prevail.

This principle is central to Catholic teaching concerning, for example, the subject of intentional abortion. The Catholic Church teaches that it is neither possible nor desirable for the state to forbid all evil acts. The Church's teaching in favour of legally prohibiting intentional abortion is, however, partly derived from its awareness that the common good is directly damaged by the removal of any protection from lethal force from innocent human beings who, though *in vitro*, enjoy – as science and reason demonstrate – the same fundamental characteristics of being human as all other members of the human species.

This suggests that, in principle, state institutions may act in ways that contribute to the moral-cultural dimension of a society's common good. Yet the same common good demands that the state should not attempt to protect or alter a society's moral ecology in ways that seek to force people to acquire virtuous dispositions. This point is well explained by the Catholic theologian Germain Grisez. Though recognising that a political community will not be well ordered unless most of its members are encouraged to freely choose acts that contribute to human flourishing, Grisez insists that it is not the state's direct responsibility to demand virtue in general:

even though a political society cannot flourish without virtuous citizens, it plainly cannot be government's proper end *directly* to promote virtue in general ... both the limits of political society's

common good and its instrumentality in relation to the good of citizens as individuals and non-political communities set analogous limits on the extent to which government can rightly concern itself with other aspects of morality, especially insofar as they concern the interior acts and affections of heart rather than the outward behaviour which directly affects other people. (Grisez, 1993: 850)¹

The important word in Grisez's reflection is *directly*. This indicates that the state's legitimate concern for public order is not limited to upholding the law and procedurally adjudicating disputes. Rather it is a question of state institutions indirectly supporting the efforts of individuals to choose the good freely.

In his first encyclical letter, *Deus caritas est* (2005), Benedict XVI integrated many of these points into a reflection upon the role played by the Christian theological virtue of love in limiting state power. The state – and, by extension, law – is, Pope Benedict noted, primarily concerned with the realisation of legal justice. But Pope Benedict reminded his readers that 'There is no ordering of the State so just that it can eliminate the need for a service of love. ... There will always be suffering which cries out for consolation and help. There will always be loneliness. There will always be situations of material need where help in the form of concrete love of neighbour is indispensable' (DCE 28). *Deus caritas est* also explains that a state attempting to take care of all problems would inevitably degenerate into a soulless bureaucracy

¹ Emphasis added.

that treats people as things rather than persons: 'The State which would provide everything, absorbing everything into itself, would ultimately become a mere bureaucracy incapable of guaranteeing the very thing which the suffering person – every person – needs: namely, loving personal concern' (DCE 28). This does not mean, Benedict maintained, that society does not need a state. What, the encyclical comments, '[w]e do not need [is] a State which regulates and controls everything' (DCE 28). Instead society requires 'a State which, in accordance with the principle of subsidiarity, generously acknowledges and supports initiatives arising from the different social forces and combines spontaneity with closeness to those in need' (DCE 28).

The encyclical's emphasis on the state's supporting and assisting role is thus linked by Pope Benedict to the priority that ought to be given to the spontaneous activities that emerge from the rest of society. This, the Church teaches, should shape the state's activity in the economic realm. While John Paul II's *Centesimus annus* noted that one of the state's tasks 'is that of overseeing and directing the exercise of human rights in the economic sector', the encyclical immediately added that 'primary responsibility in this area belongs not to the State but to individuals and to the various groups and associations which make up society. The State could not directly ensure the right to work for all its citizens unless it controlled every aspect of economic life and restricted the free initiative of individuals' (CA 48). Reflecting on this point, the Catholic moral theologian

Joseph Boyle suggests ‘there is a significant limit on the extent to which the polity can provide welfare rights’ (Boyle, 2001: 218).

Conclusion

Much more could be written on the Catholic case for limited government than the preliminary analysis contained in this chapter. What is perhaps most striking, however, is the extent to which its argumentation differs from contemporary secular arguments for limited government. Though not indifferent to issues of efficiency and utility much stressed by economists, the Catholic case for limiting the state proceeds primarily from concerns for human liberty, human flourishing, the instrumental nature of the political community’s common good, the demands of Christian love, and the critical moral and social importance of non-state organisations (ranging from the family to intermediate associations), as well as a deep awareness of the power of sin and its effects upon our fallen world.

At an even deeper level, Catholicism rejects the notion that the state – or any other human institution – constitutes the final horizon of human existence. The Church refuses to place its hope of each person’s ultimate salvation in the state. Though Catholicism’s fundamental attitude to government and law is not negative, the Catholic Church points to a hope that goes not just beyond the state but beyond political activity in general. ‘Fear God and honour the Emperor’,

proclaims the First Letter of Peter (2:14). And yet, as Joseph Ratzinger once preached in a sermon for Catholic German politicians, ‘Christian faith has destroyed the myth of the divine state, the myth of the state as paradise’ (Ratzinger, 1988: 151). Put more simply, the infinite necessarily limits the finite.

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Appendix

MAJOR CHURCH DOCUMENTS TO WHICH THE AUTHORS REFER

Author	Document	Date
Benedict XVI	<i>Caritas in veritate</i>	2009
John Paul II	<i>Centesimus annus</i>	1991
Benedict XVI	<i>Deus caritas est</i>	2005
Second Vatican Council	<i>Dignitatis humanae</i>	1965
John Paul II	<i>Dives in misericordia</i>	1980
John Paul II	<i>Ecclesia in America</i>	1999
John Paul II	<i>Ecclesia in Europa</i>	2003
John Paul II	<i>Familiaris consortio</i>	1982
Second Vatican Council	<i>Gaudium et spes</i>	1965
Second Vatican Council	<i>Gravissimum educationis</i>	1965
John Paul II	<i>Laborem exercens</i>	1981
Second Vatican Council	<i>Lumen gentium</i>	1965
John XXIII	<i>Mater et magistra</i>	1961
Pius XI	<i>Mit Brennender Sorge</i>	1937
Paul VI	<i>Octogesima adveniens</i>	1971
John XXIII	<i>Pacem in terris</i>	1963
Paul VI	<i>Populorum progressio</i>	1967
Pius XI	<i>Quadragesimo anno</i>	1931
John Paul II	<i>Redemptor hominis</i>	1979
Leo XIII	<i>Rerum novarum</i>	1891
John Paul II	<i>Sollicitudo rei socialis</i>	1987
Benedict XVI	<i>Spe salve</i>	2007
John Paul II	<i>Veritatis splendor</i>	1993

Documents can be obtained from the Vatican website: www.vatican.va