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**CATHOLIC PUBLIC REASON:
John Rawls and Catholic Social Teaching.
From Vatican II to Pope Francis**

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*In loving and grateful memory of
Mother Teresa Gospar
and Father Santiago Bretòn SJ.*

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GENERAL INTRODUCTION

1. What Could be the Place of Religion in the Contemporary World?

In relation to the fundamental questions of human life such as its meaning, its origin, its destiny *inter alia*, it is estimated that approximately 84% of the world's population belongs to some religion in contemporary times. This figure was obtained in 2010 via the Pew Research Center's Forum on Religion and Public Life¹ and it highlights the saliency of religion in the world and the extent to which we must take this into consideration for political discourse.

It goes without saying that religion is a complex, universal phenomenon (Filoramo 2004), which is linked to the most fundamental questions on the meaning of human life. Thus, it is as 'old as humanity' and its centrality cannot be ignored in the modern world. Religion has exerted great cultural influence over the ages and continues to permeate a myriad of societies. In doing so, it has always engendered various questions, positive and negative, which lead to different answers in our secular society. One of the more pressing questions in our times concerns the role of religion in the *public domain*.²

In this context, is religion a resource or a problem for human beings living together?

This leads also to the fundamental and controversial issue of the role of religion in the public/political sphere, which across time has either been denied or accepted as a basic feature within society that contributes to the maintenance or loss of peace.

¹ "In order to have data that were comparable across many countries, the study focused on five widely recognized world religions – Buddhism, Christianity, Hinduism, Islam and Judaism – that collectively account for *roughly three-quarters of the world's population*. The remainder of the global population was consolidated into three additional groups: the religiously unaffiliated (those who say they are atheists, agnostics or nothing in particular); adherents of folk or traditional religions (including members of African traditional religions, Chinese folk religions, Native American religions and Australian aboriginal religions); and adherents of other religions (such as the Baha'i faith, Jainism, Shintoism, Sikhism, Taoism, Tenrikyo, Wicca and Zoroastrianism)." See, <http://www.pewforum.org/2014/04/04/global-religious-diversity/> (last access: 17/07/2014).

² "Public domain" is a complex and multifaceted concept: it could be conceived as a synonym of "public sphere", "public square" and "public space". In my thesis, I will focus especially on the "public discourse" (and "public justification"), as "the ability to reason and debate with others" (Himes – Himes 1993: 6).

Whether religious freedom is necessary or not for peaceful coexistence,³ the question of ‘the religious’ in today’s political life is taking a new place in the general legal and political discourse. There is new political pressure on the lively issues concerning the relationship between politics and religion, which makes it extremely important to respond to the changing cultural and demographic environments in our pluralistic societies. This is especially so in the context of the West, specifically, the USA and Europe. For instance, due to increases in global migration trends, even Europe is becoming more religiously and culturally diverse in the current global context.

Europe has its own tradition and its history has shaped socio-political organization on the continent as a whole and at the national level. Similarly, the concept of “secularity”⁴ in Europe has its own configuration, which differs from how this trend is manifested in other contexts such as, for example, in America and in India.

Secularity⁵ – specifically the separation between the church and the state – is the final result of a process⁶ which begun in Europe during the 16th and 17th centuries as a consequence of the ‘failure’ of the established order of medieval *Christianitas* and which followed from the treaties of Oxford (1643) and Westphalia (1648): *one king, one law, one faith*.⁷ The role of religion in society was reconfigured from its position

³ According to Craig Calhoun, in fact, religion could be both “a way to make peace and a reason to make war” (Calhoun 2011).

⁴ The concept “secular” is very heterogeneous and it has been object of many different interpretations. Jose Casanova has proposed that there are at least three different meanings of the word “secular” (the *mere secularity*; the *self-contained secularity*; and the *secularist secularity*) and also three types of “secularism” (or *secularization*): a) as differentiation of the secular spheres (state, economy, science) from religion; b) as decline of religious beliefs and practices in modern societies; c) as privatization of religion. On this distinctions, see: Casanova 2013: 27-48.

⁵ Following the distinction made by Frank Turner SJ, I will regard “secularity” as “the procedural impartiality of the state and of civic institutions: between religions, and between religious and non-religious groups. Public debate may occur freely and vigorously between world-views, but no such world-view may claim state sponsorship;” and “secularism” as “the exclusion of religious belief and expression from public debate: ultimately, on the ground that it is deemed anti-rational and superstitious, a form of consciousness that humanity needs to outgrow, as well as a perennial source of social conflict” (Turner 2015: 47).

⁶ Jose Casanova has termed this process the “de-confessionalization” of state, nation, and peoples (Casanova 2013: 38).

⁷ During the period of religious wars on our continent the ordinary destiny for religious minorities was to be killed or expelled. 16th and 17th century Europe was roughly divided into two kind of confessional states: Catholics and Protestants of different denominations. What happened at the time of the reformation was the appearance of confessional states. There was no secularism in that period: it emerged much later, when intellectuals, disappointed by massacres made “in the name of God,” started to look for another foundation for human society, beyond God, possible to be recognised by all, and it was identified with “human reason.” Generally speaking, to avoid conflicts, a new vision began to be shared by educated people: religion had to be contained into the private sphere and excluded by the

as the foundation of society to a big problem that was conceptualised as a source of conflict. This change in conceptualisations of religion ultimately contributed to the proliferation of ‘secularity’, through which many have tried to relegate religion as a phenomenon of the past that had to be “privatized.”⁸

Nevertheless, for the first time, Christians are living together with pre-Christian (such as Hinduism and Buddhism) and post-Christian (Islam) believers and with those who do not believe in any God or religion at all (CBCEW 2010). Amidst the current, massive phenomenon of migration and the challenges of what has become a multi-religious society, we are seeing new developments in the way in which the pressure of religion in civil life – in both society and politics – is evolving. This relationship between religion, society and politics is even more controversial than in previous years, especially in facing the so called ‘return’ of religions⁹ in public life and political debate,¹⁰ whereby religion is perceived as a powerful force in international-global politics (Philpott 2002; Himes 2013; Thomas 2005). This recalls the problem of the relation between religion and modernity, religion and pluralistic societies, and religion (or religions) and the secular State (Hoelzl-Ward 2006: 269).

affairs of the state. The secular state retained the power to intervene into the affairs of the religious institutions, while religion had to be kept away from the political arena. The creation of a democratic public sphere – and the clear separation between the political and the religious – has been seen as the response to the horrors of the early-modern events. See: Skinner 1978; Shakman 2007.

⁸ “Privatization refers to the tendency to restrict religious faith to the category of the individual while ruling out any engagement of religion with society. (...) Privatization must be distinguished from secularization and secularism” (Himes – Himes 1993: 2-3).

Jose Casanova affirms that the thesis of the decline of religion is mainly referred to the modern Western European experience and it is not a worldwide phenomenon (Casanova 1994).

⁹ On the resurgence of religion and its persistence and salience, not only in “less developed countries” but also “industrialized countries” see: Norris 2011; Haynes 2007; Hatzopoulos – Petitto 2003; Bell 1977; Berger 1999. On Headley’s point of view, religion has never been and will not be entirely removed from politics and public realm. He also argues that “the identifiably Christian component [in the Western environment] *never entirely disappears* but is transmuted and continues to exercise *potentially beneficent effect* upon the more aggressive, expansive, ramifying manifestations of the universalizing principle” (Headley 2002: 311; emphasis added).

¹⁰ “The twilight of the idols has been postponed. For over two centuries, from the American and French revolutions to the collapse of Soviet Communism, political life in the West revolved around eminently political questions. We argued about war and revolution, class and social justice, race and national identity. Today we have progressed to the point where we are again fighting the battles of the sixteenth century – over revelation and reason, dogmatic purity and toleration, inspiration and consent, divine duty and common decency. We are disturbed and confused. We find it incomprehensible that theological ideas still inflame the minds of men, stirring up messianic passions that leave societies in ruin. We assumed that this was no longer possible, that human beings had learned to separate religious questions from political ones, that fanaticism was dead. We were wrong” (Lilla 2007: 3).

Given the coexistence of so many different people or “the fact of pluralism”¹¹ as it was called by John Rawls, the role of religion in the public square is crucial for political philosophy in a globalised world, where different cultures that share the public arena so evidently do not accept the relegation of religion only to the private sphere.¹²

It is in this line of (re-)considering this social and political phenomenon that we can pose a few concrete questions: What “type” of secularity – or rather, what type of relationship between the Church and the State, religion and politics¹³ – is possible in Western countries today,¹⁴ with the ever new religious diversity? Is it worthwhile to confine religion only to the private conscience? Is it possible nowadays to conceive the presence of religion in the public sphere with “old models”, or do we need a different approach? What “kind” of religion – or “religious reason” – could access the public sphere in modern, secular countries?

I will concentrate on offering and answer to the last question in order to formulate an argument also for the previous questions posed.

¹¹ Defining “pluralism”, David Hollenbach suggests that it means “that there is no agreement about the meaning of the good life”, and this is the starting point of Rawls’ latest ideas on religious involvement in public-political deliberation (Hollenbach 2003: 3).

¹² “(...) religious traditions throughout the world are refusing to accept the marginal and privatised role which theories of modernity as well as theories of secularisation had reserved for them. Social movements have appeared which either are religious in nature or are challenging in the name of religion the legitimacy and autonomy of the primary secular spheres, the state and the market economy. Similarly, religious institutions and organisations refuse to restrict themselves to the pastoral care of individual souls and continue to raise questions about the interconnections of private and public morality and to challenge the claims of the subsystems, particularly states and markets, to be exempt from extraneous normative considerations” (Casanova 1994: 5).

¹³ Generally I will refer both to the relationship between “religion and politics” or “church and state” in synonymical terms. However, even though they are strictly interconnected, there is a difference between the two. “Politics” is a broad concept, which refers to how a society is organized, how people govern themselves, which rules, practices and institutions are chosen by a certain society. Miller suggests that it has to do with knowing “who can do what with whom, who owns which parts of the material world, what happens if somebody breaks the rules” (Miller 2003: 4). The “state” – which is also distinct from “government” – “is the institution concerned with the law, the real of public order, and the administration of public life” (Himes 2013: 3). Similarly, “religion” is different from the “church” (that in this work will refer specifically to the Roman Catholic Church): it is a very complex and multifaceted concept, which generally refers to the human experience of the sacred or transcendent. But this understanding has been recently challenged; see: Dworkin 2013.

¹⁴ I will deal with the general concept of the West, which is highly controversial and complex, “incorporating numerous cultures and states that are often in conflict with one another” (Wilson 2012: 4). It refers generally to the geographical and cultural area that includes USA, Europe, and former British colonies (such as Canada, New Zealand and Australia). I will also refer to the West as liberal societies and meaning those countries in which “liberal constitutional democracy” is the favored political system. By “liberal societies”, Gascoigne means those “in which the invocation of tradition is not sufficient to constrain or limit individual freedom” (Gascoigne 2009: 7); they are generally characterized as *secular*, *democratic* and *pluralist*.

2. Which Separation?

“Church-state” issues could be considered from many different perspectives: theological, sociological, legal, and – obviously – political.

Kent Greenawalt, in 1990, suggested at least two main fields that are interested in these issues:¹⁵ the legal – namely, the constitutional, federal (with specific reference to religious clauses of the first amendment) or state constitutions –, and the political. As already mentioned, it is not possible to address all of these approaches as this would exceed the scope of my research, but I work specifically from the second point of view, approaching these issues from a mainly theoretical-political perspective.

When we think about the relationship between religion and politics, we usually think of a modern concept of *separation* between two main spheres:¹⁶ the “private” and the “public,”¹⁷ which generally encapsulates two levels: “civil society” and the “political”.¹⁸ But what does this separation mean? What kind of relationship exists between the two spheres? These are not easy questions to answer, especially if we consider the various conceptions of liberal democracy and the diverse models of the relationship between the church and the state in the various areas, or even countries, of the world.¹⁹ In fact, today, the concept of separation seems to be strictly connected

¹⁵ Kent Greenawalt offers a list of six basic questions. The first five “staples the constitutional adjudication”, while the last one concerns the political debate (that at that time was only at its beginning). The questions he poses are: “[1] How close should relations be between government and religious organizations? [2] May government sponsor religious positions and practices? [3] May government aid activities of religious organizations that promote the common good? [4] When, if ever, should religious expression and worship be restricted? [5] When should those with a deeply felt religious objection be exempt from ordinary regulations? [6] Should religious understandings be a self-conscious basis for political choices and dialogue?” (Greenawalt 1990: 1019; numbers added).

¹⁶ At least, since the early modernity when “the citizens, having achieved economic independence, though at the cost of being forced into private domains, cannot be excluded indefinitely from civil rights and political participation” (Habermas 2011: 20).

¹⁷ The Modern idea of creating dichotomies (or rather a *dualistic* approach) – like public/private or secular/religious – is highly criticised in its limiting effects by Wilson. Alternatively, he proposes a “*relational dialogist* mode of thought”, which would look at the relationship between religion and politics not as a permanent separation of two spheres (or institutions) and their mutual irrelevance, but as a dynamic, fluid relationship: “a both-and model of thought that acknowledges and makes space for multiple influences, positive, negative and neutral from religion in politics and highlighting the multifaceted nature of religion itself” (Wilson 2012: 97; 117; also Wilson 2010). This seems to be also the approach favored by the Catholic Church since the Second Vatican Council. See: Part II.

¹⁸ “(...) it is better to distinguish between three spheres of action in the political life of a country: the public sphere, the social sphere and the private sphere. The reason for establishing this distinction is twofold. On the one hand, the public (state) and social spheres do not coincide and, on the other hand, religions have and inherent collective component (they are not only a “private” subject practiced at home or in churches” (Requejo 2014: 210).

¹⁹ In this regard David Hollenbach proposed three general positions in the debate of the relation of religion and political life: “the first is the liberal democratic stance with secularist implications. (...) The second endorses the fundamental presuppositions of liberal democratic theory while seeking to provide greater public space for religion. (...) The third offers both a philosophical and theological

to the American idea of Jefferson's "wall of separation" (Cohen – Arato 1992). It could be interpreted as an independent-basis position (or, a neutrality – or impartiality – postulate), and understood also as a one-sided exclusion of religion from the public domain in other words, *laïcité à la française*, or "assertive secularism."²⁰ This refers to a separation system *par excellence* and its privatization.²¹ Nevertheless, as David Hollenbach has noted, "the privatization of religion is not, however, the only alternative to such a coercive outcome if religion appears in public" (Hollenbach 1993: 880). Other solutions could be, and have been already proposed,²² "to overcome the quasi-liberal understanding of secularism which sees religious belief as private, equalizing 'personal' and 'subjective'" (Troy 2013: 66). For this reason, Rawlsian theory, which does not directly promote an exclusion of religion from the public *per se* (as some seems to suggest),²³ will be central to my dissertation, but it is important to look at other possible alternatives.

With regard to religion, from a political-theoretical point of view, it is not possible to make a direct association between the two relationships: religion-politics and private-public. In fact, we can distinguish at least three main levels (Casanova 1994; Casanova 2012).²⁴ These levels firstly include, the "private"; secondly, the "social-public" (in a broader sense, *civil society* – or the 'public sphere');²⁵ and thirdly, the public as the 'political-public' (or 'institutional'), which could be considered in a distinct way from the second.

critique of standard liberal democratic theory and seeks to justify a much greater public role for religious convictions" (Hollenbach 1991: 87).

²⁰ Wilson distinguishes between "assertive secularism" and "passive secularism": while the first type "actively advocates for total exclusion of religion from public life", the second does not attempt to expel religion, but rather "requires the secular state plays a 'passive' role in avoiding the establishment of any religions, allow[ing] for public visibility of religion" (Kuru 2007: 571, in Wilson 2012: 30).

²¹ "All those who advocate this total secularization are not just demanding the separation between Church and state but they intend to disconnect entirely religion from politics and want to ban religion from the public sphere" (Hoelzl-Ward 2006: 269-270).

²² One of those is, for example, the Jose Casanova's third meaning of secularization that Hollenbach cites as "the functional differentiation of the role of religion from other spheres of human activity, primarily the state, the economy and science" (Hollenbach 1997: 291-306).

²³ On this issue see: Weithman 1994.

²⁴ Casanova actually distinguishes between three ideal-types of "the public": state (established state churches: e.g. UK), political society (religious political parties, social movements or lobbying agencies) and civil society (the undifferentiated public sphere of civil society: open public debates on different spheres of the *res publica*, such as public issues, public affairs public policy, and the common good).

²⁵ A definition of what is actually 'public', or what does constitute public, is highly controversial, but it seems to be fundamental for a better understanding to try to give an answer here.

Thus, the first level, the ‘private’, does not create too many disagreements among scholars, as in fact, individual fundamental rights including religious freedom,²⁶ are fully recognized and guaranteed by all liberal democracies. On the contrary, the second level could pose some challenges. Firstly, the concept of “publicity” itself could be understood in different ways and to different extents, and the same applies with a definition of “civil society.”²⁷ I will conceptualise it as an intermediate level between what could be considered merely private (regarding the individual) and the state.²⁸ According to Rawls, civil society coincides with the ‘background culture’ and thus, religion also or rather, religious reasons could easily find their place here. Secondly, it could be difficult to distinguish the second level, ‘civil society,’ from the third one, the merely ‘political’²⁹ that actually presents its own specificity. In fact, the ‘political’ level refers to the state, a legal and political system, and its government and institutions, as well as its political powers. Rawls would call it the “political (or official) forum” in which, in his view, it is specifically necessary to apply the limits of “public reason” in order to guarantee peaceful coexistence in plural societies, a *respectful* political debate,³⁰ the stability of the political system and the guarantee of state’s authority.

These two ‘public’ levels could be problematic for religious participation: in fact, while almost no one would deny religion the chance to be part of civil society and its public debates,³¹ there are many who would reject the same possibility at the third

²⁶ As Audi has underlined, in fact, “it is plain that a society without religious liberty is simply not adequately free. Moreover, freedom is required for democracy (...)” (Audi 1989: 265).

²⁷ “Civil society” is a complex concept: in a traditional (rather jusnaturalistic) sense the *societas civilis* is opposed to the *societas naturalis* (natural society), and it is a synonym of “political society”, namely the State (Bobbio-Matteucci-Pasquino 2004: 893). When opposed to the State, civil society means the sphere of relationships between individuals, groups, social classes, and the place of economic, ideological, social, religious conflicts that the State is called to solve and regulate (Bobbio-Matteucci-Pasquino 2004: 896pop). Michael Walzer defines it as: “the place of uncoerced human association and also the set of relational networks – formed for the sake of family, faith, interest and ideology – that fill this place” (Walzer 1991: 293). It involves associational life of citizens, which is political and public (Thiemann 1996: 152). See also: Keane 1988: 35-71.

²⁸ The Catholic Social Teaching identifies this level as qualified by the important principle of *Subsidiarity* (Sangalli 2014).

²⁹ In this regard, for example, D. Hollenbach proposes a broader conception of the term “political” stating that “if we agree that the political sphere encompasses all human activities that occur in public life of society, then it is surely a mistake to limit it to the policy decisions reached in legislative, executive, or judicial fora. The *res publica* is much larger than the sphere of government” (Hollenbach 1993: 878).

³⁰ Stout doubts that proposing any sort of reason (thus, even religious ones) would be necessarily disrespectful, if it is done honestly and without the intention of manipulation (Stout 2005: 165).

³¹ For example, Habermas affirmed that “as long as religious communities play a vital role in civil society and the public sphere, deliberative politics is as much as product of the public use of reason on the part of *religious* citizens as on that of *non-religious* citizens” (Habermas 2011: 24).

level,³² assuming that “no religion should be present in the public (state) sphere in a twenty-first century liberal democracy” (Requejo 2014: 210).

Thus, the first complication comes from the difficulty in giving a clear distinction and thus a definition between what is ‘private’ and what is ‘public,’ as well as between what is public as ‘civil society’ and what is public as ‘strictly political. It is also important to remember that these spheres can be differentiated but sometimes converge.³³

Another problem arises because of the idea that is peculiarly widespread in the West³⁴ that religion is merely a matter of intimate and therefore, merely private choice. While there are certain religions that would be theologically in accordance with this position, there are many others – including Catholicism – that affirm that “religious faith isn’t primarily a private affair: It is constitutive of a form of public membership in a particular body – the church, the temple, the mosque, the synagogue. Out of the house but into not only the *polis* but the *ecclesia*” (Elshtain 1997: 253).³⁵ This assertion further complicates the debate.³⁶

Is an attitude of opposition between ‘the religious’³⁷ and ‘the public’ reasons still a valid way of reasoning about the political debates? Or, should we rather think about the fact that society is socially and politically constituted by individuals each of whom will bring his or her own identity (and thus, also the distinctive way of reasoning, religious or non-religious) into the public domain? Certainly, it is not possible to keep a peaceful and respectful environment without an agreement, a

³² A similar argument is articulated by Jonathan Quong by distinguishing between two conceptions of “public reason”: the narrow view and the broad view, propending for the latter, which means that “the idea of public reason ought to be applied, whenever possible, to all political decisions where citizens exercise coercive power over one another”, and it should not be limited only to the questions of constitutional essential and matters of public justice, as Rawls suggests (Quong 2004: 234).

³³ On this, Hollenbach holds that «it is nevertheless neither possible nor desirable to construct an airtight barrier between politics and culture» (Hollenbach 1993: 900; footnote n. 12).

³⁴ “Across the globe, in both Christian and non-Christian states, religion continues to be a potent force” (Sandberg – Doe 2007).

³⁵ Similarly, also Marty’s conviction according to which “purely private faith is incomplete” (Marty 1986: 1); and Elshtain who says “(...) a private religion makes no sense. One must have public expression of a faith in order for it to be faith” (Elshtein 1999: 744).

³⁶ “In political society, the closer the political society is to the state apparatus (e.g. political parties) the more problematic public-church engagement. The closer political society is to civil society, the more legitimate church-public action in that domain” (Coleman 1997: 289).

³⁷ For example, Andrew March tries to offer a non-final typology of religious contributions distinguishing between four types: “1. A command extracted from a revealed text, religious authority, or personal mystical or revelatory experience; 2. A theological or moral doctrine that is not clearly attributed to a specific claim from a revealed text, but is derived from certain theistic claims and revealed knowledge; 3. An appeal or reference to traditional religious commitments or practices; 4. An appeal to practical wisdom or moral insight found in traditions of religious thought” (March 2015: 100).

consensus of some sort between the social and political forces that take part in the public discussions. In this sense, Rawls was right that “only a consensus among different comprehensive reasonable doctrines, or, rather, between citizens who believe in such different doctrines, will ensure the possibility of a public justification based on liberal legitimation” (Maffettone 2010: 212).

It is also necessary not to confuse the church and the state: the two must remain distinct, as also the Catholic Church clearly affirms, for the good of both institutions.

However, the idea of a ‘pure’ public reason (or a ‘naked public square’),³⁸ ‘freestanding’ or ‘neutral’ (or even ‘secular’) regarding any ultimate conviction,³⁹ seems just a chimera. This is especially so given the reality of our fragmented social milieus which are already so highly pluralized and which are not “self-contained, closed societies” with no relations with other societies (Rawls 2005: 12). The so-called ‘fact of reasonable pluralism’ itself recognises that citizens’ reasons will always be plural in modern liberal-democratic societies.

The ‘right reason for the public’ is a vague concept that necessarily involves an evolution of human understanding. Historically, it has also cost so much suffering, injustice and even deaths and it is not easy to conceptualise *ex ante*, but rather *ex post*.

Religions in the public sphere could be either factors of destabilization or factors of pacification. For this reason, the approach to the public presence of religion is changing: if the conception of a confessional state seems to be even more historically unacceptable, then the idea of a *fully-secularist* model of state could be conceived as a non-favourable utopia. I argue that a desirable option is a model of ‘*healthy secularism*’⁴⁰ that is able to not only guarantee religious freedom, but is also interested in respecting the contribution that religion can offer for the construction of societies (Melidoro 2016; Driessen 2014). My claim in this dissertation is that there are reasonable faiths, or ‘religious denominations,’ which could be identified using Rawls’ definition: “reasonable doctrines” are those that “do not reject the essentials of a constitutional democratic polity.” Reasonable faiths, due to their specific characteristics, their history and evolution, are capable of taking part in the ‘public

³⁸ Richard Neuhaus criticized this idea as, in fact, he considers impossible to see any engagement in public life, which would not be somehow connected to citizens’ moral commitments. He describes the “naked public square” as the body public that excludes «all particular religious and moral belief» from public life and deliberation (Neuhaus 1984: 89).

³⁹ The term “neutrality” is usually confused with “secularity”, while actually “political neutrality can be violated just as easily by the secular or laical side as by the religious camp” (Habermas 2004: 14).

⁴⁰ This concept has been highly contested: in particular, see Zagrebelsky 2009.

sphere,' intended not only at the level of 'civil society' (or, according to the Rawlsian terminology, a "background culture") but also at the 'political' level. They would operate within some limitations such as the respect for principles of democracy, the recognition of human rights, the acceptance of a certain Church-State 'separation,' mainly intended as a 'distinction' or 'non-confusion', but which could be 'cooperation,' *inter alia*. However, the religion/church itself would guarantee these limitations, ensuring that its activity is consistent with 'public order,' 'public security,'" and so on.

Catholicism could prove to be a good example of a 'reasonable comprehensive doctrine' because the Catholic Church,⁴¹ especially through the specific role of the Pontiff and the Holy See, presents a specific evolution of its social teachings. It has a characteristically 'double nature' due to the fact that the Church has both the spiritual and the 'state components,' and it has a clear institutionalization which facilitates any possible legal and political relationship with the State, thus, even a 'cooperation' between the two. Moreover, it is a recognized international actor, which has signed international conventions and has stipulated treaties and agreements (e.g. concordats).⁴² It also has a specific role within international relations, and it has intervened many times and in many ways in global political affairs and, at the national level.

3. *Why Choose a Catholic Perspective?*

The main objective of this research is to analyse the present changes that are quickly emerging in a more-and-more globalized society. Increasing globalisation processes are concomitant with important questions that must be addressed in order to understand the new place and role that the Catholic Church could propose and outline within its religious and political life, through its doctrine.

I chose to study the Catholic perspective because of its specific theological, political, and historical characteristics (e.g. the double nature of the Catholic Church, its involvement in socio-political affairs, etc.).⁴³ I intend to analyse how this tradition,

⁴¹ The term 'Church' refers both to the institution and to the community of individual believers. See: Part II, Chapter 5, §3.

⁴² See: Prieto 2008.

⁴³ As Hollenbach has noted, in fact, "the involvement of the Roman Catholic Church in social and political affairs (...) is nothing new. (...) [T]he Church has long been deeply involved in responding to pressing social ills through direct Christian service" (Hollenbach1987: 113). I will refer to the history of Church's relations to politics in Part II, Introduction.

which has decisively contributed to the formation of Western culture, has deepened in the last century. I also aim to gain an understanding of its role in democratic societies especially in terms of how it has emerged as an important global actor having “a great influence on the world’s political stage” (Troy 2008: 65).

In my view, Christianity, and in this case, Catholicism in particular as it has been since the beginning of its history with the apologetic Fathers at the time of the Roman empire, has always had to accept the challenge of an on-going relationship with the world. From the Second Vatican Council, it has openly accepted to dialogue with the modern world and secular positions. Indeed, Christianity is a religion of ecclesiological ‘tradition,’ thus it always has to look at its own history and evolution, which could be described as an hermeneutical process of “reform within continuity”, a principle which permits the realization of “new views always in harmony with the old” (*Dignitatis Humanae*, 1a).⁴⁴

Mentioning J. Ratzinger’s position, we should say that it is not properly a “religion of the book”, but the “religion of *Logos*”.⁴⁵ Thus, it is “a religion in keeping with reason” (Ratzinger 2006: 47), and it means that for Christianity there cannot be a separation between faith and reason. Rather, “religiously inspired reason can play an equally important role in the public debate as secular reason does” (Jonkers 2012: 80). The Catholic view has always understood itself in relation with the world – society and politics, sometimes with an approach of self-defence. Today, the Church is constantly in need of dialogue with the world, because it seeks to be within the world and not opposed to it.

According to certain scholars, the Church “is not only affected and challenged by changes from the outside world. The Church itself is promoting all sorts of changes. As a result, a new Catholic Church is emerging in the West, one that is, in many respects, very different from the Church before 1960” (Hellemans – Wissink 2012: 7). The time of the Second Vatican Council should be looked at as an important turning point, even though it was not only a moment in the Church’s history, but rather more a result of a process within the Church itself. Thus, I will deal with Roman Catholicism considering it “as a religious community that is carrying into the twenty-first century a distinctive set of proposals for the right-ordering of societies

⁴⁴ On the evolution of Catholic teaching see: Noonan 2005.

⁴⁵ *Logos* is a complex term, referring to different philosophical and metaphysical concepts: literally, it could mean the “word” (the word of God, the word of prophets, the word of the Bible), or the “reason”.

and indeed of international life” (Weigel 1999: 21). Moreover, as it has been considered:

what makes contemporary Catholic social teaching on international politics interesting is not that it now conforms to some [external] standard of correctness or that it continues a rich (though in many respects discredited) past, but rather that it expresses the life and concerns of an exceptionally large and diversified community present in many countries and at all levels of society and does so in a way that is shaped by a complex tradition and given definite form by the governing authority of the church. (Langan 1998: 243)

Rather than studying the Catholic point of view from the perspective of a certain political philosopher, I would prefer to look at the core of Catholic thought on social issues, its principles and application, and its development through the teaching of Popes. Thus, my focus will be on the highest, universal level (mainly the Council and the papal teachings), excluding the local level (Bishops’ teachings and Bishops’ Conferences).

The sources that will be used include the documents of the Second Vatican Council – *Gaudium et Spes* and *Dignitatis Humanae*, in particular – and the major social encyclicals of Paul VI (1963-1978), John Paul II (1978-2005), Benedict XVI (2005-2013), Francis (2013-), and main public discourses.

The purpose is to offer a recognition of the essential elements of Catholic social teaching that are relevant for the issue of the public participation of the church in the public-political square. How can the Church theoretically and practically take part in it? I will try to find a way of ‘dialogue’ between Catholic thought and the Rawlsian theory on public reason and political liberalism. This will be to address the problem faced by Christian citizens in Western societies: how can “they relate their faith to public life while also affirming the importance of civility and respect for the religious convictions of non-Christians in our diverse world?” (Hollenbach 2003: 6).

4. The Aim of the Research and Structure.

This research aims to consider how the Roman Catholic vision regarding what is known as ‘public reason’ is able to offer some pertinent perspectives in our contemporary political debate. This objective entails a preliminary analysis of Rawls’ political theory and the fundamental, current political problems within Western societies on the issue of religion in the public sphere.

Thus, the relationship between religion and politics will be the central focus of this research and it will be considered within the context of civil society and the public sphere; concepts that must be understood and defined in the ensuing parts of this dissertation. As the subject of the role of religion in the public sphere is very broad, it will not be possible to deal with it in an exhaustive way.

Liberal political theories have been almost always perceived as opposed to Catholic thought, and *vice versa*.⁴⁶ However, it is worthy to try to look at it not only as a challenge for the Church, especially since the Second Vatican Council has shifted its approach from that of opposition to one that is open to dialogue.⁴⁷ Entering into debate with liberal political theorists also lends an opportunity to develop a political and theological understanding of the role of religion, specifically Catholicism, in the 'public' realm.

I will accomplish this here firstly by analysing Rawls' political theory with a focus on the concepts of reasonability, public reason/background culture, comprehensive doctrine, and the proviso. Rawls' theory has been the basis for many further liberal approaches to this issue. Secondly, I will establish linkages between those concepts and the updated Catholic Social teaching on this matter. As regards this second objective, there are two levels that should be considered. The first level concerns how those theories affect the life of the Church intended as the *societas fidelium*, thus believers in their role of citizens of a pluralistic liberal democratic state. The second level concerns the Church in its institutional (universal/international) character, with specific attention to the worldly recognized role of the Pontiff as the head of a spiritual, but still political, reality.

The substantive heart of this work consists of two main parts: the first part pertains to an in-depth discussion of public reason in contemporary political theory from a Rawlsian perspective, and in the second part, I establish linkages between the concept of public reason and Catholic Social Teaching in the public sphere.

5. Concluding Remarks

⁴⁶ In this regard, Paul Weithman has synthesized (and given an answer) to three major criticisms that Rawlsian theory has faced from Christian theologians (specifically by: Timothy Jackson, David Hollenbach, and John Langan). See: Weithman 1994.

⁴⁷ "(...) And though the Church resisted the liberal discovery of modern freedoms through much of the modern period, liberalism has been transforming Catholicism once again through the last half of our own century"(Hollenbach 1993: 891).

I am aware that this is not a new subject of research; my voice will be only one among many others. However, as a Catholic, these issues are very important and touching to me. There has always been a discrepancy within the life of a believer who finds himself and his social and political life⁴⁸ as practically divided between “the two cities.”⁴⁹ As a caveat, there may be once exception during that period of our history in which there was a coincidence between religion and politics, but then there was not the chance of speaking about freedom as we intend it today. I have had the opportunity to study many different positions; some of them were radical, some others were more moderate, and I have had the chance of engaging many different theorists and their thought by reading their works, or by meeting with them. Thus, with this work, I would like not only to synthesize all the research I have done in the last three years but I would also like to contribute to the literature by submitting another point of view in this field. I will do so certainly within the context of my own religious identity, but I hope to offer an approach of a Catholic scholar who – by joining in this discussion – will continue thinking and deepening the general understanding.

⁴⁸ “For the Christians are distinguished from other men neither by country, nor language, nor the customs which they observe. For they neither inhabit cities of their own, nor employ a peculiar form of speech, nor lead a life, which is marked out by any singularity. (...) They dwell in their own countries, but simply as sojourners. As citizens, they share in all things with others, and yet endure all things as if foreigners. Every foreign land is to them as their native country, and every land of their birth as a land of strangers. (...) They pass their days on earth, but they are citizens of heaven. They obey the prescribed laws, and at the same time surpass the laws by their lives. They love all men, and are persecuted by all. They are unknown and condemned; they are put to death, and restored to life. They are poor, yet make many rich; they are in lack of all things, and yet abound in all; they are dishonored, and yet in their very dishonor are glorified. They are evil spoken of, and yet are justified; they are reviled, and bless; they are insulted, and repay the insult with honor; they do good, yet are punished as evil-doers. (...)” (*Epistle to Diognetus*. Chapter V: 1-11).

⁴⁹ Augustine (426 D.C.). *De civitate Dei*.

PART I

The Concept of Public Reason in Contemporary Political Theory: The Rawlsian Contribution.

Introduction

John Rawls' (1921-2002) theory, which is deeply influenced by his personal religious experience,⁵⁰ is extremely important for my research as he devoted much effort to the question of the presence of religion in the public space and its role in democratic discourse.⁵¹ Moreover, his theories have been extremely influential in the field of political philosophy, particularly in the United States but also in Europe, in the last decades.

Throughout his works, John Rawls, especially in his late thought,⁵² offers his understanding of and proposes answers to, the question of what would be the place of religion and religious liberty to an extent.⁵³ This is in the context of the public (democratic) sphere as not simply a *privatization* of the religious, but as a liberal ethics of the reciprocal (and *reasoned*) respect (Weithman 1997).⁵⁴ In fact, he specifies that “political liberalism does not dismiss spiritual questions as unimportant, but to the contrary, because of that importance, it leaves the space for each citizen to

⁵⁰ In this regard are highly important works by Rawls like “On my religion” (see Nagel 2009: 263).

⁵¹ Rawls' approach is certainly based on classical liberalism. He surely looked back at Hobbes and Locke as models for his liberal political theory. However, he is also critical on this regard, and he shows his intention of moving a step forward from that type of liberalism. This is also what makes his liberalism original. On this regard, Sebastiano Maffettone has identified that: “it is significant, from this point of view, that Rawls' vision of liberalism and religion is different from the traditional liberal one. For traditional liberals religion always appears like the antechamber of conflict. This suspicious attitude invites liberal traditional scholars to confine religion to the private sphere. ‘Be religious at home but keep off religion when in the public sphere!’ could be their motto. Rawls nourishes an evidently different attitude toward religion. For him, religion is and should be a constituent part of the liberal-democratic *respublica*» (Maffettone 2012: 911). In this regard, see also: Maffettone 2010.

⁵² Although I am aware of the importance of all the works published by John Rawls (*A Theory of Justice*, in particular), I have chosen to focalize my attention especially of *Political Liberalism* in which the author offers his most complete thought on “public reason”.

⁵³ It is important to specify that Rawls tends to refer to the general concept of “comprehensive doctrines” (religious and non-religious) more than to religions exclusively.

⁵⁴ Also David Rasmussen noticed that “what is unique about Rawls' defense of liberalism is that it is conceived neither as an enlightened triumph over religion nor as a secular undermining of religion. Rather Rawls would construct an orientation toward liberalism that would *accommodate religion*” (Rasmussen 2014: 112; emphasis added).

decide for himself or herself. This is not to say that religion is somehow privatized; instead, it is not politicized” (Rawls 2001: 127).

Thus, he also opens the path for a wider discussion on the problem within the situation of religious *pluralism*,⁵⁵ which is one of the main characteristics of contemporary liberal democracies.⁵⁶

Some of the questions Rawls has tried to answer still remain pressing today and they could also be posed again as a starting point for further consideration. For instance, he poses the question “how is it possible that there may exist over time a stable and just society of free and equal citizens profoundly divided by reasonable though incompatible religious, philosophical, and moral doctrines?” (Rawls 2005: xviii; 4), or similarly, “how is a just and free society possible under conditions of deep doctrinal conflict with no prospect of resolution?” (Rawls 2005: xxviii). Also “can democracy and comprehensive doctrines, religious or nonreligious, be compatible?” (Rawls 1997: 803). Posed from another point of view, the central question would be “whether all religions due to their absolute convictions are naturally antidemocratic” (Hoelzl-Ward 2006: 270), or not. If not, what kind of public space would be assigned to them in a pluralistic liberal democracy?

Many scholars have tried to give an extensive interpretation of Rawls’ thought, and many have chosen to start from his point of view in order to move a step forward from his own position. While, I will not consider all of these viewpoints as this would exceed the scope of our discussion here, I will employ a similar approach.

The chapters of this dissertation will be divided as follows. Chapter 1 pertains to each specific concept related to the idea of ‘public reason.’ It further establishes the distinction between ‘public forum’ and ‘background culture.’ Chapter 2 deals with the concept of ‘comprehensive doctrine’; Chapter 3, the ‘proviso,’ and Chapter 4, understanding ‘reasonability.’ In this Chapter, I will offer a diachronic and synchronic analysis of key texts, mainly, *Political Liberalism*, and *Justice as Fairness: A Restatement, The Law of Peoples*. I will further offer a hermeneutic of the texts (its main interpretations and/or critics) and this will be subsequently followed by

⁵⁵ The sociologist Peter Berger also suggests that “religious pluralism produces two distinct political problems: [1] how the state defines its own relation to religion, and [2] how the state sets out to regulate the relations of different religions with each other. In practical terms, this leads to a search for what I propose to call *formulas of peace*” (Berger 2014: 79; emphasis added).

⁵⁶ Rawls’ primary focus is certainly on modern Western societies, but some scholars are aware that political liberalism could be extended also beyond that specific type of democracies. See: Nussbaum 2015.

concluding remarks. This approach will allow me to propose a reconstructive, interpretative and critical analysis of John Rawls' account of the role of religion in the public sphere.

1. *The Idea of "Public Reason"*.

Rawls bases his theory on the presupposition of *pluralism* and a related deep, and apparently irreconcilable, disagreement,⁵⁷ as inevitable in our contemporary societies.⁵⁸ It is not an accidental element, but "a permanent feature of the public culture."⁵⁹ In fact, he assumes that persons; the members of a well-ordered society, specifically, 'free and equal citizens' seen as 'reasonable and rational,'⁶⁰ follow their 'comprehensive doctrines.' These doctrines can be religious or non-religious worldviews, reasonable or unreasonable, though not necessarily liberal. This differentiation, an achievement of liberal society while and "a natural outcome of the activities of human reason under enduring free institutions," (Rawls 2005: xxiv) ought to be protected though it is problematic. In fact, many of the differences that arise in a state of pluralism present implications for the social and political life of citizens with their different worldviews, who must live together and also agree on, affirm and accept a political conception of a constitutional regime which specifies a set of political values. Only from a non-comprehensive common ground of a conception of justice will a society be able to establish legitimate laws and a stable political government. Despite all the disagreements about their deeper moral and philosophical views, this concept of justice should be shared by everyone (or at least, it should be 'widely shared'), in order to serve as the basis for a consensus and to be applied to the basic structure of society.⁶¹

⁵⁷ It recalls Samuel Huntington's idea of a "clash of civilization" which sees religious and cultural identities as the main sources of conflict (See Huntington 1996).

⁵⁸ "There is no politically practicable way to eliminate this diversity except by the oppressive use of state power to establish a particular comprehensive doctrine and to silence dissent, the fact of oppression" (Rawls 2001: 84).

⁵⁹ This is a starting point for Rawls; in fact, along his works he always reminds this fundamental fact to the reader.

⁶⁰ When Rawls moves from a comprehensive to a political liberalism, the idea of citizen becomes the center of his analysis; thus, from the "free and equal person" in *Theory of Justice*, he now concentrates his attention on the concept of "free and equal citizen". However, the two concepts seems very similar, as in fact "many of the attributes that Rawls attributes, in *TJ*, to "persons" are attributed to "citizens" in *PL*" (Mandle-Reidy 2014: 98).

⁶¹ "A society's basic structure is the network or system of institutions, taken as a whole and in dynamic relation to one another, that forms the institutional background within which individuals and associations interact with one another. It includes political and legal structures, economic systems, civil

In Rawls' view, pluralism is neither a 'disaster' nor a 'threat' for modern democracies.⁶² His primary objective is not to eliminate the problem caused by a reasonable diversity, but to suggest a political solution in order to ensure that the state – a *liberal democracy* – has a certain *stability* (described in *two stages*) (Rawls 2005: 141) by avoiding conflicts between citizens as much as possible, thus assuring an approximately *just* society.⁶³ It is possible, from his point of view,⁶⁴ to go beyond disunity and attain stability simply by living according to a *political conception of justice*.⁶⁵ The ideal of 'justice as fairness,' based on the two principles of justice—freedom and equality— which govern the basic structure of society. This stability should not be a mere compromise, a temporary settlement, or a *modus vivendi*,⁶⁶ which would be "hostage to the fortune of shifting power alliances" (Finlayson 2011: 14). Rather, it would be what Rawls calls the "overlapping consensus" of *reasonable doctrines*.⁶⁷ This approach demands that citizens give priority to the political over the

society, the family, and so on. *It is the total institutional structure of a society as an ongoing cooperative venture carried out by a particular people*" (Mandle-Reidy 2014: 55; emphasis added).

⁶² "To see pluralism as a disaster is, in effect, to see the free use of human reason itself as a disaster" (Dombrowski 2001: 5).

⁶³ Rawls recognises at least three kinds of conflicts that could occur between citizens, but only the first one is concerned with political liberalism: "[1] those deriving from irreconcilable comprehensive doctrines; [2] those deriving differences in status, class position, or occupation, or from differences in ethnicity, gender, or race; and finally,[3] those deriving from the burdens of judgment" (Rawls 2005: 487; and Rawls 1997: 805; numbers added).

In an Hobbesian approach, stability is strictly linked with the reasons why citizens should act justly; and he explains that they can obey the law either out of fear of punishment, or because they provide security (thus, for self-preservation). But "in none of Rawls's work is stability simply a practical problem of compliance, to be solved through coercion or proper socialization. Rather it is a matter of showing that we have good reason to respect what would be chosen in the original position" (Mandle-Reidy 2014: 809).

See also: Martin 2001.

⁶⁴ At least, he says that it is central to begin "with the assumption that a reasonably just political society *is possible*", otherwise «one might ask with Kant whether it is worthwhile for human beings to live on the earth" (Rawls 2005: lxii).

⁶⁵ Rawls distinguishes political conceptions of justice for three main features: "1) they are *freestanding* from comprehensive doctrines in society; 2) they articulate a conception of distinctly *political, moral values*, pertaining specifically to the political domain; 3) they are laid out with reference to certain basic, intuitive ideas implicit in a democratic society's public, political culture" (Mandle-Reidy 2014: 612; emphasis added).

⁶⁶ "A 'mere' *modus vivendi*, according to Rawls, is one that would provide a way for conflicting factions of people to get along despite their conflict, but which would not be a way that either side would be disposed to carry on if the conflict disappeared" (Hampton 1989: 80). The idea behind this rests on the Peace of Westphalia (1648)'s solution: *cuius regio, eius religio*. Westphalian option, however, led also repression and subordination of minority groups, which today is not acceptable any more. The approach of a *modus vivendi* is just rooted in a 'prudential calculation', and even though there is the chance that the co-existence between the groups might develop in something more, there is no guarantee of that (Plant 2004: 162-163).

⁶⁷ It is the "second stage" of the application of justice as fairness, and it comes after the stage of the "freestanding [and independent] political (but of course moral) conception for the basic structure of society". The overlapping consensus "is a consensus in which a diversity of conflicting comprehensive

non-political values, which entails their comprehensive doctrines, or conceptions of the good, whenever the two come in conflict within the political sphere.⁶⁸ However, each citizen is separately free to make his own evaluation on how to satisfy this priority.

Rawls himself distinguishes “political liberalism,” which he proposes not in evident contrast to religions, from the Enlightenment Liberalism (or “comprehensive liberalism”) – conceived as a comprehensive doctrine, or rooted in a doctrine that is, at least, partially comprehensive – which in fact “historically *attacked* orthodox Christianity” (Rawls 2005: 486; Rawls 1997: 804).⁶⁹ Rawls is interested in the flourishing of a *reasonable pluralism*: otherwise, in his view, society would not be a ‘liberal’ society. This, however, does not amount to encouraging particular comprehensive doctrines. Reasonable pluralism, in fact, would be possible only on the basis of an agreement about a political conception of justice that has to be justified in *purely political* terms. Such reasonable pluralism has to be ‘freestanding,’ that is neutral among competing (reasonable) comprehensive doctrines, because in this case citizens adhering to different comprehensive doctrines could endorse it. This means that even though there can be agreement on a political conception that is supported by philosophical and moral reasons,⁷⁰ it does not imply that everyone should endorse the same ‘supporting reasons.’

First, Rawls deals with the “idea of public reason,”⁷¹ which is a key innovation in the last period of his work and which is central to his theory. Rawls deals with this concept, for example, in: “The idea of public reason” (Rawls 1997a), “Reply to Habermas” (Rawls 1995), and “The idea of public reason revisited” (Rawls 1997), all of these articles being incorporated respectively in “Lecture IV”, “Lecture IX”, and “Part Four” of *Political Liberalism* (Rawls 2005: 212-254; 372-434; 435-590). This

doctrines *endorse* the same political conception, in this case, justice as fairness” (Rawls 2005: 133-172; emphasis added).

⁶⁸ This is the most “critical” problem that Rawls’ theory poses with respect to the Catholic social teaching. . It will be object of analysis in Part II of my dissertation.

⁶⁹ “Rawls’s conception of liberalism should not be viewed as a metaphysical system or comprehensive world view in competition with religious or theological schemes. Rather, as a descriptive inquiry into the basic structure of constitutional democracy, political liberalism should harbor no implicit philosophical bias against religion or theology” (Thiemann 1996: 80).

⁷⁰ “The political conception is a module (...) that fits into and can be supported by various reasonable comprehensive doctrines that endure in the society regulated by it” (Rawls 2005: 12).

⁷¹ Rawls’ concept of “public reason” echoes Kant’s, who in fact called “public reason” the free use of (practical) reason that every person has in common with the others, in public (rather, the political domain), appealing to an unrestricted audience (it is opposed to the concept of “private reason” which appeals to a restricted audience). See Kant in Reiss (ed.) 1991: 55, 57.

idea is also rearticulated in §26 of Part III in *Justice as Fairness: a Restatement* (Rawls 2001) as well as in *The Law of Peoples* (Rawls 2001). I will refer primarily to these texts.

‘Public reason’ is a means of public-political deliberation through mutually acceptable justifications; it is a shared form of reasoning. However, in order to understand what Rawls conceived as a ‘public reason,’ it is important to analyse the two terms by asking the following questions: firstly, what is ‘reason’? And, secondly, what is ‘public’? After responding to these two questions, we will be able to offer a synthesis of their content.

To answer the first question Rawls defines *reason* as an intellectual and moral power of human members of society expressed in formulating plans, in putting ends in an order of priority, and in making decisions accordingly. He also adds that “not all reasons are public” (Rawls 2005: 212-213; Rawls 1997a: 93; Rawls 1997: 767). Additionally, Rawls holds that “in a democratic society public reason is the reason of equal citizens who, as a collective body, exercise final political and coercive power over one another in enacting law and in amending their constitution” (Rawls 2005: 214).

Regarding the second question, Rawls affirms that the ‘public reason’ – which is unique, and which characterizes democratic people as subjects that share the status of equal citizenship – is *public* in three ways. Firstly, 1) it is the reason of citizens (reasonable and rational persons), that is, of those who share the status of free and equal citizenship and who exercise final political and coercive power over one another in enacting laws and in amending their constitution (it is the “reason of the public”). Secondly, 2) its subject is the good of the public and matters of fundamental justice. Thirdly, 3) its nature and content is public. Accordingly, public reason is the reason of ‘the public,’ and therefore the ‘reason of citizenry,’ meaning, the ‘reason of citizens *as such*.’ It imposes certain obligations on all citizens *as citizens* (not only to limited categories) with regard to their public role as citizens for instance, when they vote.

Rawls proposes that, because of the fact of a ‘reasonable’ pluralism (namely, “a plurality of conflicting reasonable comprehensive doctrines”), which does not permit society to reach an agreement, or to approach a mutual understanding, “in public reason comprehensive doctrines of truth or right be replaced by an idea of the *politically reasonable* addressed to citizens as citizens” (Rawls 2005: 441; Rawls

1997: 766; emphasis added). It means that political power must be publicly justifiable.

There are, at least, five main features of ‘public reason’ to consider: 1) the political questions involved; 2) persons to whom public reason applies; 3) its content; 4) its limits and, 5) the criteria of reciprocity (Rawls 2005: 252-254; Rawls 1997a: 123-124). According to the first feature and based on the brief description offered above, it is possible to understand that what Rawls calls ‘public reason’ engages with what could be defined as ‘the political.’ In fact, it is necessary to appeal to and balance ‘*political values*.’ Rawls defines ‘political values’ as limited to those questions that involve the ‘constitutional essentials’⁷² and questions of ‘basic justice.’ Thus, not all the political questions are implicated (Rawls 2005: 214; Rawls 1997a: 94; Rawls 1997: 767).

What does Rawls mean by ‘constitutional essentials’? His definition is fairly narrow, and he recognizes two main types: 1) those that “specify the general structure of government and the political process” and 2) those that “specify the equal basic rights and liberties of citizens.”⁷³ It is only when laws and public policies are determined that legislatures fall under the political conception of justice. When a coercive use of political power is involved then it necessitates a *public justification*.

According to the second feature, public reason “always applies to public and government officers in official forums, in their debates and votes on the floor of the legislature (...) [and] especially to the judiciary in their decisions” (Rawls 2005: 252-253; Rawls 1997a: 123). Thus, courts should always limit themselves only to public reason, while the other categories could also bring other justifications on non-fundamental issues (Greenawalt 1994). But in Rawls’ view, it is not enough that the public reason would be respected only in the *official forum* or ‘public political forum’,⁷⁴ which refers to the three main categories of governance, legislative, executive and judiciary. It is also where fundamental political issues are discussed

⁷² Constitutional essentials could be understood as those basic individual rights and liberties, as well as the general structure of government and political process, which are fixed in a (written or unwritten) Constitution (Mandle-Reidy 2014: 141).

⁷³ Rawls defines them in these ways: “a) fundamental principles that specify the general structure of government and the political process: the powers of the legislature, executive and the judiciary; the scope of majority rule; and b) equal basic rights and liberties of citizenship that legislative majorities are to respect: such as the right to vote and to participate in politics, liberty of conscience, freedom of thought and of association, as well as the protection of the rule of law” (Rawls 2005: 227; Rawls 1997a: 105).

⁷⁴ This concept will be specifically analysed below. See: Part I, Chapter 1.

and authoritative decisions are made.⁷⁵ Rawls ‘extends’ the limits of public reason also to the citizens as ‘voters’, when they are called to vote for ‘fundamental political questions’ or ‘basic matters.’ Indeed, their role is equalized to the role of the legislator who are considered indirect authors of the law, to the extent that they exercise their vote.⁷⁶ They are asked to provide their decisions on public policies or legislation for instance, and to justify their beliefs about political matters not by relying on non-public reasons, but by referring to public reason.⁷⁷

As both an idea and an *ideal*, it includes ordinary citizens.⁷⁸ In fact, according to the *principle of liberal legitimacy*, the political relationship between democratic citizens is conceived as a mutual and equal exercise of coercive political power,⁷⁹ equally shared, which has to be rationally “exercised in accordance with a constitution the essentials of which all citizens may reasonably be expected to endorse in the light of principles and ideals acceptable to them as reasonable and rational” (Rawls 2005: 217; Rawls 1997a: 97; Rawls 1999: 485). He also adds: “... on matters of constitutional essentials and basic justice, the basic structure and its public policies are to be justifiable to all citizens, as the principle of political legitimacy requires” (Rawls 2005: 224; Rawls 1997a: 102). In this regard, the kind of justification required is that of “presently accepted general beliefs and forms of reasoning found in the common sense.” This means that there is to be no acceptable appeal to comprehensive religious or philosophical doctrines. Nevertheless, it is clear that “the principle extends beyond publicly stated advocacy and justification” (Greenawalt 1994: 677). The following condition must be satisfied: that “citizens be

⁷⁵ Public reason applies in a special way to judges and especially to the Supreme Court justices who are called to interpret the law and the constitution. They should always and only use public reason. In this regard, Rawls suggests that to “check whether we are following public reason we might ask: how would our argument strike us presented in the form of a Supreme Court opinion? Reasonable? Outrageous?” (Rawls 2005: 254).

⁷⁶ “(...) *as if* they were legislators” (Rawls 2005: 444; Rawls 1997: 769; emphasis in original).

⁷⁷ This approach has been strongly criticized by Habermas who stated that: “We cannot infer from the secular character of the state a direct personal obligation on all citizens to supplement their publicly expressed religious convictions by equivalents in a generally accessible language. And certainly the normative expectation that all religious citizens when casting their vote should *ultimately* let themselves be guided by secular considerations is to ignore the realities of a devout life, an existence *guided by faith*” (Habermas 2008: 129).

⁷⁸ “(...) Rawls argues that restrictions on public reason must be observed so that all can see that justice is being done and that their fundamental interests are being respected. The availability of such assurance to each and every citizen promotes civility, mutual trust, and mutual respect” (Weithman 1994: 20).

⁷⁹ “(...) the political power exercised within the political relationship is always coercive power backed by the state’s machinery for enforcing its laws. In a constitutional regime political power is also the power of equal citizens as a collective body” (Rawls 2005: 217-218; Rawls 1989 in Freeman 2001: 482).

able to explain their vote to one another in terms of reasonable balance of public political values, it being understood by everyone that of course the plurality of reasonable comprehensive doctrines held by citizens is thought by them to provide further and often transcendent backing for those values” (Rawls 2005: 243; Rawls 1997a: 116). Here both the concept of ‘reasonable comprehensive doctrine’ and the concept of an ‘inclusive view’ are engaged, but they will be the object of a specific discussion below.⁸⁰

The fundamental distinction between public and non-public reasons does not immediately coincide with the dichotomy between ‘religious’ and ‘non-religious reasons.’ In fact, from his point of view, though no religious reasons would be generally acceptable, it does not follow that any non-religious reasons would be acceptable “just by virtue of being *secular*”.⁸¹ Only a certain kind of non-religious reasoning is generally acceptable: the “public,” or “properly political” kind of reasoning (Lafont 2013: 232). Such reasoning is “based on those political values and ideals that are the very *conditions of possibility for a democracy*: the ideals of citizens as free and equal, and of society as a fair scheme of cooperation, which find expression in the constitutional principles to which citizens are bound in liberal democracy” (Lafont 2013: 233).

For a better understanding of this distinction, Rawls characterises the category of ‘non-public reasons,’ which is not only one reason, but can be multifarious, as those including churches, universities and the other associations of civil society such as scientific societies and professional groups. They are those that “comprise the many reasons of civil society and belong to (...) the “background culture”, in contrast with the public political culture” (Rawls 2005: 220; Rawls 1997a: 99). He differentiates these reasons specifically as *social* and not private. In fact, Rawls specifies that there are no private reasons, but the non-public reasons can be either “social reason” (the many reasons of associations in society) or “domestic reason,” which is a different non-public and non-social category, being the reason of family and small groups in society (Rawls 2005: 221; see footnote 8).

Regarding the “content of public reason,” it is roughly equivalent to the two principles of justice that emerge out of the original position (Rawls 2005: 223), and it

⁸⁰ See Part I. Chapters 1 and 2.

⁸¹ Rawls does distinguish between “secularism” and “secular”. In fact, by “secular” he means “not to affirm any particular doctrine in the political life” (Audard 2011: 228).

is given by principles and standards of a family of reasonable, liberal, political conceptions of justice (Rawls 2005: 442, 450-451; Rawls 1997: 767), not only one,⁸² which satisfy the *criterion of reciprocity*.

‘Public reason’ is a purely political concept like ‘justice as fairness’,⁸³ which is ‘the most egalitarian’.⁸⁴ Only a reasonable political conception of justice, one which all citizens might be reasonably expected to endorse, could be the basis for public reason and justification (Rawls 2005: 137). This is because only a reasonable conception of justice would specify civil rights and liberties (constitutional essentials) that limit the statutes provided by legislation. This is the reason why “public reason” is not a “secular reason,” which would rather belong to a comprehensive doctrine and “fall outside of the domain of the political” (Rawls 2005: 458; Rawls 1997: 780). It seems that public reason imposes a restriction on the type of justifications that citizens can use in support of coercive laws, either when they are directly lending support to such laws by expressing their votes, or when they are arguing in favour of a law within the public forum.

However, as regards the “limits of public reason,” Rawls distinguishes between what he calls the “exclusive view” and the “inclusive view.” According to the first, “exclusive” view means that “*on fundamental political matters*, reasons given explicitly in terms of comprehensive doctrines are *never* to be introduced into public reason” (Rawls 2005: 247; Rawls 1997a: 119; emphases added). However, it is possible to offer “public reasons” (rather, reasons in accordance with “public reason”, that is only one!) that are *supported* by comprehensive doctrines but not comprehensive doctrines themselves. It would apply only in the case of a well-ordered society.

The second, ‘inclusive’ view is more flexible and allows “citizens, *in certain situations*, to present what they regard as the basis of political values rooted in their comprehensive doctrine, provided they do this in ways that *strengthen the ideal of public reason itself*” (Rawls 2005: 247; Rawls 1997a: 119; emphases added). It

⁸² However, in particular time and concrete conditions, there is only one most reasonable choice.

⁸³ But not the one presented in *Theory of Justice*, which is actually a comprehensive doctrine; rather “justice as fairness” is a political, and no longer a “philosophical”, conception.

⁸⁴ Rawls affirms that in the footnote n. 5 of *The Law of Peoples*, where in the same page he gives three characteristic principles of reasonable political conceptions of justice: “the first enumerates basic rights and liberties of the kind familiar from a constitutional regime; the second assigns these rights, liberties, and opportunities a special priority, especially with respect to the claims of the general good and perfectionism values; and the third assures for all citizens the requisite primary goods to enable them to make intelligent and effective use of their freedoms” (Rawls 2001: 14).

means that in certain situations the duty to use public reason may be restricted in order to permit the promotion of a more just society, with respect to the political conception of justice. It would be applied in the case of both a nearly well-ordered society, and in a not well-ordered society.

This formulation of the inclusive view indicates two important features: 1) comprehensive, religious or non-religious justifications can take part in the public sphere only in certain cases: in particular, “when a society is not well ordered and there is a profound division about constitutional essentials.” An example of such a scenario would be, for example, the abolition of slavery in the 1830s, and the case of Martin Luther King Jr. and the civil rights movement in the 1960s⁸⁵ which “supported the clear conclusions of public reason” (Rawls 1993: 250) in the midst of a society that was not well-ordered (Rawls 2005: 249; Rawls 1997a: 121). Another feature of the formulation of the inclusive view is that 2) those doctrines can take part in the public sphere only if they are not opposed to the public reason and if they are useful for ‘strengthening’ this public reason. Both of these conditions are necessary on Rawls’ account if religious views or other comprehensive views are to be allowed to play a role in public.

It is important to note that Rawls himself recognizes that whether to understand the idea of public reason according to one or the other view depends on the presence of a ‘well-ordered society’; that is, the recognition of one or the other view depends on social and historical conditions. But the state of a well-ordered society is usually recognized as ‘extraordinary’. Most often, reasons given as supported by public reason arguments are accepted only when they become part of the historical background of a society (mostly, *ex post*). It means that, if the public reason should always be understood in its restrictive interpretation (*ex ante*), it would never be possible for any comprehensive doctrine to give a contribution in the public sphere on crucial issues related to the public domain as, conversely, it happened for the abolition of slavery and racial discrimination. Where they do offer such a contribution, it would suggest that public reason would be violated.

However, this formula changes slightly in the revised version of “The Idea of Public Reason”, in which Rawls’ account of public reason to accommodate or be informed by non-public reasons seems to be more flexible and to expand even in the

⁸⁵ They seem to be examples of *dissent* grounded in genuine religious convictions, as it could be for Catholics to protest against abortion (Thiemann 1996: 138-139).

context of a well-ordered society.⁸⁶ In fact, this revised version of the idea of public reason states:

To engage in public reason is to appeal to one of these political conceptions – to their ideals and principles, standards and values – when debating fundamental political questions. This requirement still allows us to introduce into political discussion *at any time* our comprehensive doctrine, religious or nonreligious, provided that, *in due course*, we give properly public reasons to support the principles and policies our comprehensive doctrine is saying to support. (Rawls 2005: 453; Rawls 1997: 776; emphasis added).

This is the ‘wide view’, which deals with the *proviso*, and it will be specifically discussed later.⁸⁷

It is important to underline the most significant changes in the conception of public reason: 1) the formula is broader than the previous one; in fact, 2) there is not the restriction to “*certain situations*” (the exceptional cases of profound political crisis or situations of deep contrast); 3) the notion seems to make reference to a possibility of a replacement of those comprehensive doctrines with public reasons, especially when Rawls asserts that: “public reason requires us to justify our proposal in terms of proper political values” (Rawls 2005: 456; Rawls 1997: 778). Instead of a translation of religious claims into political claims, as Habermas would propose,⁸⁸ Rawls suggests that religious values, to be morally valid for the public-political discourse, should be *related* to political values. However, the formula remains partially problematic as it is not clear what Rawls would intend with the expression “*in due course*.”⁸⁹ In this context, it seems that even in maintaining his central idea of ‘public reason’ for public justifications, Rawls understands and to some extent even affirms that some comprehensive views (the reasonable ones), not only are not necessarily dangerous, but could also be (at least, exceptionally and instrumentally) ‘beneficial’ in the public sphere to the extent that they enable the society to become more politically just.

Thus, it is possible to have two interpretations of Rawls’ ‘inclusive view’: one is more restrictive and it would be open only to ‘certain situations’, while the other is broader, allowing comprehensive doctrines ‘in any case’ to take part to the public

⁸⁶ This category presents three main features: 1) it is the society in which every citizen recognizes “the very same principles of justice”; 2) the basic structure is in accordance with those principles; 3) “its citizens have a morally effective sense of justice and so they generally comply with society’s basic institutions, which they regard as just” (Rawls 2005: 35).

⁸⁷ See Part I. Chapter 3.

⁸⁸ See Part I. Chapter 3.

⁸⁹ It will be discussed below: see Part I. Chapter 3.

In this regard, see also: Bailey Gentile 2014.

debate. This apparent ‘ambiguity’, which is linked to a sort of *duality* in Rawls’ conception of the role of religion,⁹⁰ has opened the door to different approaches of liberal contemporary scholars who argue for differing opinions as whether to allow for or deny the religious presence in the public and political domain.

2. *Concluding Remarks.*

Rawlsian theories have been interpreted and criticized both by religious people generally, because his criteria are considered too narrow as regards religion. His theories have also been criticized by liberals usually because of the opposite reason, that this theory would allow too much space for religious convictions. Political philosophers have tended to divide into two main groups: *exclusivists* and *inclusivists*,⁹¹ with regard to the presence of religious arguments in the public sphere, specifically in the ‘political deliberation’.⁹² I will make reference to this, but it is not the purpose of my dissertation to treat all of these perspectives. My intention here is to identify with precision, Rawls’ understanding. In the following chapters, I will analyse each of the central concepts that are correlated to the idea of ‘public reason’. Evaluating both Rawls and some of his critics, I will outline the conception of public reason with a focus on its most important characteristics. This will be the basis for the next part of my dissertation. All the authors that will be discussed; Hollenbach, Greenawalt, Weithman, Eberle, George, Wolterstorff, Audi, Perry, Habermas, *et al.*, will help to test and reflect critically on Rawls’ theory.

The final aim of my work will be to offer a comprehensive understanding of the concept of ‘public reason’ as Rawls has offered in his works, with the objective of identifying how a more procedural/formalistic approach – as some kinds of Rawlsian interpretations would propose – seems to be limited. Rawls affirms that a political conception of justice should be “freestanding”, namely it is “not dependent on any particular comprehensive doctrine, including even agnostic ones.” In Rawls’ view,

⁹⁰ On the one hand, Rawls shows his interest on affirming – and “accommodating – religion in the political liberal setting; on the other hand, however, he also come to a “rigorous circumscription of religion”. See Rasmussen 2014: 118.

⁹¹ Another possible distinction would be between *separatist view* and *integrationist view*. On this regard, see: Clanton 2009.

⁹² To describe the two approaches it is possible to understand the exclusivist view as exclusion of any comprehensive doctrine (religious or non-religious) from the public deliberation (a soft version admit this presence in the so called “background culture” – civil society – while a more strict interpretation criticize the presence of religious arguments in any public space). Inclusivists, on the other hand, think that the exclusivist approach is too narrow and it discriminates religious citizens over the non-religious people. See: Zackariasson 2009: 12.

“that does not mean that it cannot be *embedded* in various ways – or mapped into, or included as module in – the different doctrines citizens affirm” (Rawls 2005: 387; Rawls 1995: 143; emphasis added). However, Rawls seems to fail to explain the moral basis of a citizen’s moral obligation to adhere to the idea of public reason.

Firstly, Rawls himself explains that the concept of ‘public reason’ cannot be fixed “once and for all in the form of one favoured political conception of justice,” even if he believes that ‘justice as fairness’ has a special place within the possible political conceptions. Rather, “the forms of permissible public reason are always several.”⁹³ Secondly, it seems that any theory of justice should be based on certain essential moral presuppositions, which in Rawls’ theory, results in his conception of *society* as a “system of equal cooperation between free and equal persons,” and in his conception of the *person* as a “moral agent”⁹⁴ and the *citizen* as a moral person. In this sense, it would not be completely ‘neutral’, neutrality meaning the absence of any moral foundation and indifferent to moral contents.⁹⁵ This is different from the idea of ‘impartiality’ which perhaps would base a principle of equal respect more efficiently (Rawls 1988).

In “Priority of the Right and Ideas of the Good”, Rawls distinguishes between three main types of neutrality: *procedural neutrality*, *neutrality of effect* (or influence), and *neutrality of aims*. He claims that political liberalism is neutral only with respect to the aims of basic institutions and public policies:⁹⁶ thus, neither one of the first two kinds of neutrality is considered. It means that political liberalism is not neutral in a purely procedural sense, because it does not rely on a procedure that is legitimated without an appeal to moral values.⁹⁷ Rather, political liberalism is neutral insofar as it is a political system that offers equal opportunities to its citizens and that

⁹³ Rawls, John (1993, 1996, 2005). *Ibid*: 451-452; and Rawls, John (1997b). *Ibid*: 774-775.

⁹⁴ Persons are considered as subjects “capable of exercising their moral rights and fulfilling their moral duties and as being subject to all the moral motivations appropriate to each moral virtue the doctrine specifies” (Rawls 2005: xlv).

⁹⁵ Robert Audi has suggested that “even if a liberal state could be neutral toward the good, it could not be neutral toward the bad”: it is not “value-neutral” (Audi 2005: 207).

⁹⁶ He specifies that political liberalism is neutral in two ways: 1) “the state is to secure equal opportunity to advance any permissible conception”; 2) “the state is not to do anything intended to favor or promote any particular comprehensive doctrines rather than another, or to give greater assistance to those who pursue it” (Rawls 1988 in Freeman: 459).

⁹⁷ Rather it includes both procedural and substantive values; there is a moral foundation of the political conception of justice that is expressed especially by the idea of the overlapping consensus. Moreover, he clearly affirms “the object of consensus, the political conception of justice, is itself a moral conception”. He intends a conception as “moral” because “its content is given by certain ideas, principles and standards; and that these norms articulate certain values, in this case political values” (Rawls 2005: 147; and 11).

equally considers all reasonable comprehensive doctrines, religious or non-religious, in the public political sphere. However, Rawls always affirms that his political conception of justice is somehow ‘neutral’ (not ‘secular’) as it is *political* and not metaphysical. That is, his conception of justice is neutral toward competing worldviews and is thereby ‘freestanding’ because it is not a comprehensive doctrine itself (this is something Habermas denies in Rawls’ theory). Critics of Rawls, including Habermas and his followers, have asserted that the idea of public reason runs the risk of impeding religious citizens’ ability to take part in public deliberation or to vote in ways consistent with their religious beliefs which are considered by definition, ‘non-public’. In this way a sort of ‘inequality’ and the possibility of ‘insincerity’ between citizens could occur since religious citizens seem to be ‘practically’ excluded, or at least constrained, from the public political domain.

Rawls’ intent is to show that the purpose of public reason is to apply the political conception of justice in a unitary way, to specify principles for the conduct of public debate in a liberal democratic state, and to provide a standard for the practice of advancing partisan political judgments as if they flowed from impartial reason. In order to avoid the risk of divisiveness and lack of respectfulness among citizens, Rawls offers, by means of the ‘idea of public reason’, a framework or ‘guideline of inquiry’ by which public political discussion can be conducted fairly and civilly.

However, it has been noticed that “public reason, as Rawls briskly applies it to one of the most difficult and divisive issues of the day [abortion],⁹⁸ goes well beyond providing the principles for conducting public debate between pro-choice and pro-life opinions. For Rawls it functions as the *final arbiter* of the debate (...)” (Berkowitz 2006: 124; emphasis added). Because of this, it is important to note that political liberalism would not be ‘neutral’, or non-influential, with respect to comprehensive doctrines; in fact, public reason could still be respected by comprehensive doctrines too, when they are ‘reasonable’ or when they accept the fundamental principles of liberal democracy. I believe that this approach, which will be presented in its details, can be adopted with regard to the Catholic Church’s social teaching and its engagement in public life.

In the following chapters, I will offer a complete understanding of Rawls’ idea of ‘public reason’. In order both to identify precisely what its boundaries are in terms of

⁹⁸ This is a recurrent example of the application of his theory.

what it permits and prohibits, and to also determine what the quality and limits of his conception are, I will look briefly at the major criticisms and interpretations Rawls' theory has faced and that have been also the source of its evolution over time.

My starting point is liberal democracy, a political system in which the people hold the sovereignty, directly or indirectly, as free and equal citizens. For the purpose of my research it does not matter whether it is true or false, better or worse than other political regimes, but only that it is largely shared in contemporary societies.

Later, I intend to illustrate that in the contemporary world where 'religious reasons', which are mainly suspicious of intellectual 'neutrality', have taken a central political role, it is actually possible to have some kind of compatibility between a 'public reason' (as intended by 'soft' liberal democratic theories) and religious politically active life within society. Particularly, I will look at the actual role of the Roman Catholic Church with the purpose of clarifying whether its self-understanding is, or could be related to Rawls' position. In fact, for Rawls, Christianity – as a 'reasonable' comprehensive doctrine – would be able to play an important role in the public sphere, and its legitimate places seems to be both the debates of the background culture and "among citizens' sources of motivation for allegiance to democratic ideals" (Gascoigne 2009: 125). But still a question seems to remain unanswered: "In what ways could it also be expressed by elected officials or those seeking office, subject to the proviso?" (Gascoigne 2009: 125). This question would involve, for example, the role of lay Christians and specifically, Catholics in politics, and it will be object of interest in Part II of this work.

Chapter 1

Distinguishing between “Public (Political) Forum” and “Background Culture”

1. Understanding Rawls’ Theory

Rawls poses a clear distinction between what he calls “public forum” and what he calls “background culture.” It echoes Rousseau’s differentiation between the *private* and the *public* domains,⁹⁹ but remains clear that Rawls’ dichotomy is very different: in fact, he clearly makes the opposition between public and non-public, rather than public and private.

The latter concept, the *background culture*, is very wide. It is conceived as the “culture of civil society” in which “plainly, religious, philosophical and moral considerations of many kinds may here properly play a role” (Rawls 2005: 215; Rawls 1997a: 95). Many and diverse, voluntary agencies and associations, including the media of any sort, form the ‘background culture’. It is here exclusively that all *non-public reasons* can take part without restrictions, of course, always within the limits of the law: the legal framework that ensures rights and liberties, such as freedom of thought and speech, and the freedom of association and so on. Rawls specifies that “in a democracy, this culture is not, of course, guided by any one central idea of principle, whether political or religious” (Rawls 2005: 443; Rawls 1997: 768): it is the place for a “full and open discussion” on public and political issues but not those that are specifically indicated as burdens of public reason.¹⁰⁰ It appears clear how “Rawls’ holds an extremely inclusive view of the forms of reasoning that can and should occur within the background culture” (Nussbaum – Brooks 2015: 32). Any aspect of any comprehensive doctrine, and at any time, with no moral restrictions (a part from those of mutual respect and reciprocity), could be appealed by citizens in the background culture. Thus, it is in the context of the background culture that “believers in a comprehensive worldview instruct new generations, explain their doctrines, and debate with others open-endedly about their respective

⁹⁹ This distinction is very important because the “public reason” is applied in different ways in each sphere.

¹⁰⁰ See Part I. Introduction: §1.

views” (Mandle-Reidy 2014: 173), and it is in the background culture that citizens freely discuss reasonable, liberal political conceptions of justice, as well.

As the background culture could always change, *reflective equilibrium* (Rawls 1999: 48-51) – the result of a deliberative process in which we reflect on and revise our beliefs – is always operative and overlapping consensus should be adjusted.

The former concept – the *public forum* –, on the other hand, is more ambiguous. It is contained in the more general concept of ‘public political culture’, namely the society’s political institutions, and it results in being “the sole, discursive forum to which Rawls’ idea of public reason applies, and then again, only to discussions of constitutional essentials and matters of basic justice therein” (Mandle-Reidy 2014: 172). As we have already mentioned,¹⁰¹ Rawls divides the *public forum* into three parts: “the discourse of judges in their decisions, and especially of the judges of the supreme court; the discourse of government officials, especially chiefs executives and legislators; and finally, the discourse of candidates for public office and their campaign managers, especially in their public oratory, party platforms, and political statements” (Rawls 1997: 767). These parts refer to what Rawls calls ‘official forums’¹⁰² or legislators and the executive officials, as well as the judiciary counterparts (the supreme court, above all) and any government officials in their daily acts and speeches. All of these ‘public officials’, as well as the citizens when they are asked to view themselves as ‘ideal legislators’,¹⁰³ should fulfil what Rawls calls the *duty of civility*.¹⁰⁴ This duty is based on a mutual respect – the *criterion of reciprocity* – between fellow citizens that would permit a peaceful coexistence and political stability.

However, between the two realms, Rawls recognizes another level, the ‘non-public political culture’, which includes media of all sorts such as newspapers, magazines, radio and television, and which does not require the application of Rawls’ idea of public reason.

¹⁰¹ See Part I. *Ibid.*

¹⁰² Habermas calls it the “formal public sphere”. See Chapter 3.

¹⁰³ This point seems to be quite controversial as, in fact, “the *privacy* of the voting booth and its *secret* ballots are not public discussions and do not seem appropriately situated in the *public political forum* as opposed to, say, political culture (although Rawls never comment on this)” (Mandle-Reidy 2014: 172; emphasis in original).

¹⁰⁴ “The duty of civility refers to the set of moral requirements that are associated with Rawls’s idea of public reason and its corresponding view of liberal-democratic political legitimacy. (...) It applies to both government officials and ordinary citizens in the public political forum when they are resolving constitutional essentials and matters of basic justice” (Mandle-Reidy 2014: 229).

Many other authors – and I will refer to some of them in due course of my dissertation – use similar categories to distinguish between at least two spheres of publicity.¹⁰⁵

2. *Interpretations and Critiques*

Rawls attempts to offer a general philosophical reasoning by which he intends to offer a universally valid theory of ‘political liberalism’ that is not reducible to the configuration of any specific country but which nevertheless, reflects the form of such liberalism in Western society in general. Taking a different approach, Michael Perry focuses his theory explicitly on his cultural and legal context: the United States and its constitutional framework. The American environment is conceived of as a valid case study to discuss ‘liberal democracy’. In fact, the problem of justification in political debate has emerged mostly in the Anglo-American environment, especially in the 1980s, but it does not mean that it is irrelevant as regards other liberal-democratic contexts. Rather, the same questions “arise also in any democratic political community that, like the States, is religiously pluralistic” (Perry 1997: 43).

In “The Political Morality of Liberal Democracy”, Perry holds that most of citizens in the United States are religious believers “and for most of them, their religious faith gives them a powerful reason to hold liberal democracy within their embrace” (Perry 2010: 27). Perry’s position has changed over the years. Like Rawls, he had always considered himself an exclusivist until the mid-1990s when he started to consider himself an inclusivist. Therefore, beginning with his work “Love and Power” (Perry 1991), he raised objections against the exclusivist position by affirming that “a simple belief that acts are morally wrong, whether religiously based or not, is never an appropriate ground of prohibition” (Perry 1991: 115). Therefore, any such beliefs should be excluded by the political discussion. Perry’s objective is to ‘publicize’ religion, not ‘privatize’ it.¹⁰⁶ In fact, the main issue is not whether to allow religious claims in public debate, but rather *how* they should be “brought to bear (e.g. dogmatically)” on the debate (Perry 1997: 49). This same question is valid with regard to secular (fundamentalist) claims.

¹⁰⁵ I make reference to this aspect in the *Introduction*.

¹⁰⁶ This is mainly in contrast with Richard Rorty’s idea of “privatization” of religion. For example, see: Rorty 1999.

The famous model that Perry proposes is the ‘ideal of ecumenical politics’ (Griffin 1996). He describes it both as an *ecumenical* politics “in which beliefs about human good, including disputed beliefs, are central” (Perry 1991: 43) and also as a *religious* politics “in which persons with religious convictions about the good or fitting way for human beings to live their lives rely on those convictions, not only in making political choices but in publicly deliberating about and in publicly justifying such choices” (Perry 1991: 112).

This approach is based on the idea of an ‘ecumenical political dialogue’ which is possible only with two main attitudes that Perry recognizes. The first of these is *fallibilism*, which means “to embrace the ideal of self-critical rationality” (Perry 1991: 84) since each citizen should be able to conceive himself as possibly wrong and open to learn from others. The second attitude is that of *pluralism*, which means to recognize the presence of a variety of ways of life that “can always be a more fertile soil for dialogue leading to deepening moral insight than can a monistic context” (Perry 1991: 100).

According to his view then, in overwhelmingly religious societies such as the United States, religious moral arguments should be presented and discussed in *all areas* of public culture, “including public debate specifically about contested political choices” (Perry 1997: 47). These arguments should not only be accepted, but indeed encouraged. This is possible because, in his view, religious moral discourse is no more sectarian or divisive than secular moral discourse; rather it could be potentially even less problematic than secular discourse.¹⁰⁷

3. Concluding Remarks

According to Perry’s view, public justification is mainly a question of *public morality*,¹⁰⁸ which is distinguished by matters of *constitutional legality*.¹⁰⁹ The controversy about the proper role of religious arguments centres around two questions. The first is “a debate about the *constitutionally* proper role of such

¹⁰⁷ This is contested by Robert Audi. See: Part I, Chapter 4.

¹⁰⁸ Perry conceives as “moral” the role that should be “permissible or proper for religious arguments to play in politics” (Perry 1997: 43).

¹⁰⁹ From the legal point of view, Perry refers especially to religious freedom, which is not an absolute right (rather, it could be limited by the law), but “government should not ban a religious practice unless it can provide at least a plausible justification for doing so, a justification to the effect that the ban is necessary to serve a legitimate and sufficiently weighty governmental interest” (Perry 2010: 74).

arguments in politics.” The second is “a related but distinct debate about their *morally proper role*” (Perry 1997: 43). In fact, similar to Rawls, Perry holds that:

...the inquiry here is not about what citizens should be legally permitted to do: permitted to do as a matter of constitutional (or other) law. Rather, the inquiry is about *what*: within the confines of what citizens are (or should be) legally permitted to do *as a matter of political morality* (...) [That] citizens should be legally permitted to do something (e.g. use racial epithets) is not to say that, as a matter of morality, political or otherwise, they should do it. (Perry 1993: 706; Perry 1997: 44)

Perry’s early suggestion was that political debates needed to be founded on justifications that are both intelligible and accessible, and only in this case can the arguments offered be admissible. The two requisites of such justification are: 1) “to elaborate one’s position in a manner intelligible or comprehensible to those who speak a different religious or moral language – to the point of translating one’s position, to the extent possible, into a shared (‘mediating’) language;” and 2) that one develop “the habit of trying to defend one’s position in a manner neither sectarian nor authoritarian” (Perry 1991: 106). Perry argues that fundamental convictions that are not shared by the general public are not necessarily inaccessible or unimportant to the public. Therefore, such convictions are not necessarily to be excluded from public debate. This holds whether these convictions are religious or not. Indeed citizens, both ordinary people as well as legislators and public officials, are constitutionally free to offer religious arguments on “political choices about the morality of conduct” (Perry 1997: 44). The idea that Perry has in mind is that the validity and strength of those arguments would be *tested* in public political debate along with secular arguments (Perry 1997: 45).

However, Perry eventually altered his position in favour of a “political self-restraint” approach (Perry 2003: 62), which means that religious citizens, even though they are constitutionally allowed to, are morally though not legally obligated to avoid making appeal to their religious convictions when the arguments are controversial within the religious traditions, suggesting uncertainty and possibility of mistake. Such self-restraint would limit the risk of divisiveness without privatizing religion. On this point, it must be noticed that, as Rawls suggests, a high margin of error as well as

divisiveness on controversial issues is a problem for any kind of comprehensive view, religious or non-religious alike.

Perry's concept of self-restraint is applied only to coercive laws, but all citizens are involved in it *in all spheres of public discourse*. In his view, it is not possible to build an "airtight barrier" to divide between "on the one side, public culture generally – in which religiously based moral discourse is undeniably proper – and, on the other, public debate specifically about controversial political issues" (Perry 1997: 61). This is very different from Rawls' strict position in which public reason applies to all citizens, both ordinary people (only "when they are engaged in political advocacy in the public forum") and representatives (judiciary, legislators and public and government officials in "official forums" which involve parliamentary discussions and public acts and pronouncements), but only in case of *fundamental questions*, such as those involving constitutional essentials and basic justice. Thus, this is why this division between political fundamentals and other matters suggests also another distinction between "political deliberation that touches on these fundamental matters and other political debates that go on in what Rawls calls "the background culture"" (Nussbaum – Brooks 2015: 8).

Chapter 2

The Notion of “Comprehensive Doctrines”

1. *Understanding Rawls’ Theory*

In Rawls’ theory the notion of *doctrine*, sometimes also used as synonym of *perspective*, is “a historically established and ongoing exercise of practical reasoning about the nature of the good” (Mandle-Reidy 2014: 808). It is referred to “comprehensive views of all kinds” thus, it can be religious, philosophical or moral.¹¹⁰ It specifically refers to those views that express a “*comprehensive* conception of the good” (Rawls 1997a: 139, footnote 9; Rawls 1997: 766, footnote 2). A view is defined as *comprehensive* because its conception of the good does not present “other values that compete with, or even complement, the values it identifies.” Such a view is distinguished from *generality* that indicates the relevance “for all parts of human life, and not limited to one or a few spheres” (Zackarlasson 2009: 16).

The notion of ‘doctrine’ is different in its extent from the notion of ‘conception’ of the good, which is “an ordered family of final ends and aims which specifies a person’s conception of what is of values in human life or alternatively, of what is regarded as a fully worthwhile life” (Rawls 2001: 19). But the idea of a conception of the good is also related to, and embedded in, the idea of one’s comprehensive doctrine, which in fact “includes conceptions of what is of value in human life, ideal of personal character, of friendship and family, and much else” (Mandle-Reidy 2014: 130). Both religion and philosophy tend to generate both general and comprehensive conceptions,¹¹¹ as they apply to a “wide range of subjects”, informing much of non-political conduct (Rawls 1999: 480).

In his position Rawls affirms that religion, in offering comprehensive views, is not different from any other doctrine of belief that individuals may embrace.¹¹² Rawls

¹¹⁰ Habermas seems to criticise this concept as, in fact, “Rawls’s notion of a comprehensive doctrine is *too wide*, for it conflates religions and world views, moral doctrines, moral theories (both normative moral theories and meta-ethical theories) and philosophical theories generally” (Finlayson 2007: 155).

¹¹¹ It is important to underline here that Rawls uses the term “comprehensive” by meaning “metaphysical”, as opposed to the “political” (see Rasmussen 2014: 116).

¹¹² This aspect can be problematic for those religious believers who hold that religion is not just a part of their life (or identity), but it is actually something that inspire the entire life of individuals, as believer-citizens (see Neal 2000: 185-188).

makes a distinction between comprehensive doctrines or conceptions of the good that can be either ‘partially’ or ‘fully’ comprehensive. He affirms that: “A conception is *fully comprehensive* if it covers all recognized values and virtues within one rather *precisely articulated system*; whereas a conception is only *partially comprehensive* when it comprises a number of, but by no means all, nonpolitical values and virtues and is rather *loosely articulated*” (Rawls 2005: 12; emphasis added).

However, it is important to point out that, in Rawls’ view, the so-called ‘political conception of justice’ would not be a comprehensive doctrine as an ‘already elaborated moral doctrine’, but rather a political conception that formulates its values as a ‘freestanding view’. As we saw above, a ‘freestanding view’ is one which is formed independently from non-political values; those that apply to the associational, the personal and familial relationship. Moreover, such a view involves only those values that are of ‘a special domain’, namely the *political*. Thus, it is necessary to understand where Rawls draws the line between the political conception and comprehensive doctrines.

Citizens are usually *voluntary*¹¹³ committed to various comprehensive doctrines which involve views and conducts, and they are committed in very different ways and in varying degrees. Citizens also seem free to embrace no comprehensive doctrine at all (“null doctrine”) (Rawls 2005: 386).¹¹⁴ According to the freedom of conscience, they are free to choose how to settle the merely political values in relation to the values of their comprehensive doctrines. But when there is a conflict between religious claims and the political claims in the political domain, especially in the public and official *fora*, the political claim *should have priority* over the comprehensive doctrine, as in fact “the values of the political outweigh the values of the comprehensive.” Because of this, “the political will always circumscribe the comprehensive” (Rasmussen 2014: 123, 125).

Comprehensive doctrines are also distinct from the political conception of justice because of their extension: in fact, they inform a wider range of concerns (Rawls

¹¹³ This is the main characteristic that distinguishes comprehensive doctrines from the political conception which can be legitimately coercive. This is the reason why Rawls says that “only a political conception of justice that all citizens might be reasonably expected to endorse can serve as the basis for public reason and justification” (Rawls 2005: 136).

¹¹⁴ According to critics this is problematic: if a comprehensive doctrine is generally a conception of the good, then it would mean that those citizens who embrace “null doctrines”, lack a conception of the good. Perhaps, Rawls means instead that those citizens don’t embrace any religious or philosophical conviction. On this see: Zackriasson 2009: 22.

1988, in Freeman 1999: 450). From the notion of “reasonable comprehensive doctrine” that Rawls gives, it is possible to understand that his idea of comprehensive doctrines does not necessarily refer to fundamentalist approaches, which would actually be defined as “unreasonable comprehensive doctrines” (Rawls 2005: 59).¹¹⁵ He does not conceive of ‘comprehensive doctrines’ as individuals’ organized set of beliefs and worldviews, but more specifically as doctrine tied to a tradition of thought, shared by a certain number of people over time. Given what *is* a comprehensive doctrine, what remains somewhat obscure in Rawls’ theory is determining what *is not* a comprehensive doctrine.

In any case, Rawls’ intent is not to deny ‘comprehensive doctrines’ to citizens. Rather, he acknowledges that “citizens usually have both political and non-political aims and commitments” (Rawls 2005: 30). Both of these aspects of citizens’ *moral identity* are important: “(...) it is central to political liberalism that free and equal citizens affirm both comprehensive doctrine *and* a political conception” (Rawls 2005: 482; Rawls 1997: 800; emphasis added). His intention is not to assert whether comprehensive doctrines, religions and worldviews, are true or false either.¹¹⁶ Rather, as already mentioned, his scope is to found public institutions on political values and principles that all can share, *beyond* any religious (or philosophical) affiliation.

2. *Wolterstorff’s Critics and the Role of Citizens in a Liberal Democracy*

Nicholas Wolterstorff has also posed questions regarding the debate about the public presence of religions and the use of religious arguments in public-political disputes. He inquires: “Is it indeed a requirement of being a good citizen in a liberal democracy that one’s religion not be determinative of one’s decisions on political issues, and/or that it not be determinative of the case one makes to others in favor of one’s decision?” (Wolterstorff 1997a: 69). Moreover, “how should citizens espouse their religiously-based political views in the public space and act thereon?” (Wolterstorff 1997b: 163). He is clearly wrestling with a new element that was not considered before at least, not directly—not only the public-political expression, but also the public-political *action* of religious people has to be taken into account.

Wolterstorff, distancing himself from Rawls and Habermas, expresses his doubts regarding the liberal foundation of a certain type of separation, or religious-neutrality,

¹¹⁵ See Part I. Chapter 4.

¹¹⁶ On this see: Part I. Chapter 5.

of the state. The basis of such a foundation is ultimately the religious wars in Europe of the seventeenth century, which ultimately brought about a certain tolerance and religious freedom.¹¹⁷ However, the days of the seventeenth century are now behind us and, according to Wolterstorff, it is time to move forward and to recognize that “liberalism’s myopic preoccupation with religious wars is outdated” (Wolterstorff 1997a: 79-80; Wolterstorff 1997b: 167). Whether this is true or not (at least, it seems true when we take seriously the history of the West), Wolterstorff suggests that actually “the slaughter, torture, and generalized brutality of our century has mainly been conducted in the name of one and another secularism” (Wolterstorff 1997b: 167). It means that intolerance and injustice is not merely an issue of religious convictions over and against each other, or religion against the state.

Wolterstorff shows how both the postulates of liberalism – *neutrality* and *separation* – actually “have consequences in our society which violate the freedom of and equality of citizens” (Wolterstorff 1997b: 176). Such a violation is in conflict with the very idea of liberal democracy. This is the locus of the dispute regarding the just interpretation of the First Amendment and of the ‘non-establishment clause’. Certain authors such as Audi¹¹⁸ and Larmore¹¹⁹ would suggest that ‘separation’, the term employed by Jefferson and many subsequent Supreme Court decisions, should be understood in the sense of a moral *neutrality* of the state toward any religious doctrine. However, Wolterstorff, among others, prefer to conceive of separation as *impartiality*.¹²⁰ He aims to avoid that one category of citizens – namely, the religious ones – would be actually restrained from formulating their claims in public by making appeal to or deciding in accordance with their convictions. Such a restriction on the convictions of an entire category of citizens, even though presented as the way of preserving equality of freedom, would be contrary to this very ideal of equality.¹²¹

¹¹⁷ “For seventeenth-century England (...) social peace did depend on getting citizens to stop invoking God, canonical scriptures, and religious authorities when discussing politics in public (...)” (Wolterstorff 1997a: 79).

¹¹⁸ See: Part I. Chapter 4.

¹¹⁹ Charles Larmore holds that “Political liberalism [is] the doctrine that (...) the state should be neutral. The state should not seek to promote any particular conception of the good life because of its presumed intrinsic superiority – that is, because it is supposedly a truer conception” (Larmore 1996: 43).

¹²⁰ For example, “the impartiality position says that if the state aids any school, it must aid all schools, and aid them all equitably – no matter what their religious orientation, if any. The separation position says that the state is to aid no school whose orientation is religious” (Wolterstorff 1997a: 76).

¹²¹ A similar appreciation was the basis also for Habermas’ criticism of Rawlsian theory. See: Part I. Chapter 3.

Wolterstorff's inclusivist approach shows the other side of the debate on the role of religion in the public sphere within a liberal democratic context.¹²² In fact, as remarked by Cristina Lafont,¹²³ this opposition could be interpreted “as a debate between the liberal emphasis on the citizens’ obligation to provide reasons acceptable to everyone in support of coercive policies to which all must comply, and the critic’s insistence on the right of religious citizens to adopt their own religious stance in public deliberation about such policies” (Lafont 2013: 232). While Rawls’ position is certainly summarized in the former attitude described above, Wolterstorff is clearly an expression of the latter. In fact, by defending what he calls the “*consocial position*,” Wolterstorff affirms that his opposition is not toward the ‘idea of liberal democracy’ but rather toward the so-called ‘liberal position’ that seems *paradoxical* to him and inconsistent with liberal principles.¹²⁴ It is “the thesis that the role of citizen in a liberal democracy includes a *restraint on the use of reasons*, derived from one’s religion, for one’s decisions and discussions on political issues, and a requirement that citizens instead use an independent source” (Wolterstorff 1997a: 81). He also adds that “the role of citizens of a liberal democracy requires that one refrain from supporting coercive legislation until such time as one believes that one’s own reason for thinking the legislation a good thing is shared by all one’s fellows” (Wolterstorff 2007a: 141).

After having identified the problems involved with not permitting an appeal to one’s religious convictions, Wolterstorff shows how it is not a violation of another’s freedom and equality to make use of even religious reasons in a public discussion or in the act of voting. Rather, such use of one’s religiously informed reason is an expression of freedom.¹²⁵ From this perspective, if someone were not permitted to

¹²² By “liberal democracy” he clearly means an ideal type which is described as: “that mode of governance that grants to all people within the territory of its governance *equal protection* under the law, that grants to its citizens *equal freedom* in law to live out their lives as they see fit, and that requires of the state that it be *neutral* as among all the religions and comprehensive perspectives represented in society” (Wolterstorff 1997a: 70; emphasis added).

¹²³ Her approach is proposed as an alternative that stands in the middle of the two main positions. She suggests the so called “mutual accountability” policy. According to this policy, citizens are free to offer any kind of reason (religious or non-religious) in support of coercive policies, but they are asked to be prepared to show the compatibility with the basic democratic commitment to treat all citizens as free and equal. See: Lafont 2013: 235.

¹²⁴ “(...) given that it is of the very essence of liberal democracy that citizens enjoy equal freedom in law to live out their lives as they see fit, how can it be compatible with liberal democracy for its citizens to be morally *restrained* from deciding and discussing political issues as they see fit?” (Wolterstorff 1997a: 94).

¹²⁵ “But it cannot be the case that we are violating those concepts of freedom and equality which are ingredients in the political culture of constitutional democracies, since it is characteristic of all

debate a political issue, to base his decisions on, or even to vote because of his religious convictions, it would be a clear violation of his free exercise of religion (Wolterstorff 1997b: 176).

Two main premises support his position: firstly, that rational citizens, even when fully informed, can still disagree about political issues and secondly, that citizens can also disagree on “what is rational to believe” (Wolterstorff 1991: 87). Thus, from a “*consocial* position,” Wolterstorff argues that no moral restraint should be imposed on citizens,¹²⁶ all of whom should be free to use any kind of reason in the public square both in law-making and decision-making (the so called “equal political voice interpretation”) (Wolterstorff 2012: 126). Wolterstorff affirms: “Citizens allowing and enabling each other to exercise their *equal right to full political voice* – that’s what it is for citizens to respect each other as political equals. What else could be?” (Wolterstorff 2012: 133; emphasis added). Obviously, religious reasons could be excluded, but it would be acceptable only when a liberal democratic state has a *strong rationale* for that.

The second defining issue of Wolterstorff’s theory is that the concept of ‘neutrality’ should be interpreted more in line with the promotion of ‘impartiality’ rather than a strict separation between church and state.¹²⁷ In Wolterstorff’s view, liberal democracy should point “as much as liberty as possible to live out [citizens’] lives as they see fit” (Wolterstorff 1997a: 115).¹²⁸ The criteria for a liberal democratic polity, according to Wolterstorff, is that “the state must not differentiate in its treatment of citizens on account of their religion or lack thereof, and there must be no differentiation among citizens in their right to voice in the conduct and personnel of the state on account of their religion or lack thereof” (Wolterstorff 2009: 34). Moreover, this treatment would probably result in a general (internal and external) insincerity and a lack of *integrity* for religious citizens, whose reasons may be

constitutional democracies to take votes and act on the will of majority” (Wolterstorff 1997b: 175; emphasis added).

¹²⁶ Similarly: Stout 2005.

¹²⁷ This is the so called “consocial position”. See: Woltersorff 1997a: 114-116.

¹²⁸ On this he makes the example of a professor who asks to his students to choose the rules for the classroom, all of them with an equal voice, and after the discussion a vote takes place. Wolterstorff asks: “does not the fact that everybody in the class has equal voice in setting the rules of the classroom and the course mean that everybody is respected as free and equal in setting the rules?” This example was clearly made in order to affirm his position of a free participation of all citizens with their own (religious and non-religious) claims. See: Wolterstorff 2012: 88.

founded on their religious convictions but who will have to provide reasons supposedly derived from another source independent of those religious convictions.¹²⁹

Wolterstorff offers a more sensitive approach, which looks at religious comprehensive views and religious reasons as a complex reality.¹³⁰ Because of this he affirms that, for religious citizens, “their religion is not (...) about *something other* than their social and political existence; it is *also* about their social and political existence” (Wolterstorff 1997a: 105). Thus, setting such limits on the use of one’s religious convictions in the public sphere is tantamount to a violation of one’s right to the free exercise of religion.

3. Concluding Remarks

I began my discussion with the fundamental question of whether religious doctrines or, more broadly, any kind of comprehensive doctrine could be a source for a liberal pluralistic society. At first sight, the answer seems to be “no;” it led us to consider the obligation of citizens in such a political ‘religiously-neutral’ order. According to Rawls, in brief, if the ‘political’ – at least, on the ‘official’ and constitutional level – must be ‘freestanding’, it is possible only if the rules that organize public relationships (between institutions, between citizens, or between institutions and citizens) are based on a “neutral” political conception “with respect to all the comprehensive perspectives present in society” (Wolterstorff 1997a: 93). It is evident that Rawls intends to impose the same constraint with regard to both religious and non-religious comprehensive doctrines, and surely he did not expect to discriminate against religious citizens.

According to Wolterstorff, on the other hand, from the fact that institutions have to remain ‘neutral’ – or rather, ‘impartial’ – it does not follow that religious citizens (and *de facto*, only them) ought to be constrained. Rather, Wolterstorff affirms that citizens should hold their political views also for religious reasons, without facing a social disapproval. Thereby, no formal restriction should be applied. Rather, the

¹²⁹ “Many members of society would hold their political views for religious reasons; then, in public, they would conceal this fact about themselves and offer quite distinct reasons” (Wolterstorff 1997a: 79).

¹³⁰ Wolterstorff defines religion as “highly complex components of human existence” and he holds that “adherence to a religion and participation therein typically incorporate such actions as worship, prayer, meditation, self-discipline, commemorating certain persons and events, treating certain writings as canonical, allowing one’s beliefs and actions to be formed by one’s own and other’s interpretation of those writings, *acting in certain characteristic ways in society*, and associating with one’s fellow adherents for all the above activities” (Wolterstorff 2007b: 245) .

virtues of respect and civility, of listening to others, of acting in accordance with the law, and of seeking for the goal of political justice should regulate the application of religious reasoning (Wolterstorff 1991: 114).

In the end, Wolterstorff argues for two principle theses: firstly, 1) an inclusivist approach is better and more democratic than exclusivism because it aims for an *equal respect* of citizens' beliefs. Secondly, 2) inclusivism permits a higher degree of variety and richness in political debate, leaving space for those citizens who do not view their religious convictions as merely exchangeable options among others.

However, we should consider that Rawls, in response to criticisms, has revised his idea that "comprehensive and political spheres should be strictly separated," allowing that "citizens can draw on reasons that are exclusively framed by their comprehensive doctrines and offer these in public debate" (Mandle-Reidy 2014: 128).¹³¹

Moreover, Rawls' main intent has never been to bind all comprehensive doctrines *per se*, rather his concern is mostly about those comprehensive doctrines that could be classified as "unreasonable":¹³² in fact, according to his view, some of them would be irrational, but even aggressive, or they would "reject one or more democratic freedoms" (Rawls 2005: 64). Fundamentalisms are of this kind. Thus, Rawls holds that liberal democracies should contain such doctrines "so that they do not overturn political justice" (Rawls 2005: 64).

¹³¹ See: Part I, Chapter 3.

¹³² See: Part I, Chapter 4.

Chapter 3

The “Proviso”

1. Understanding Rawls Theory

The concept of *proviso* is introduced by Rawls in his ‘wide view of public political culture’, distinct from the ‘exclusive view’ and the ‘inclusive view’ – which ought to be considered according to its two main aspects. The first one pertains to the ‘proviso’ itself while the second concerns the possibility of a ‘positive reason’ in introducing comprehensive doctrines, religious or nonreligious, into public political discussions which will need the application of ‘proviso’.

As already mentioned,¹³³ ‘proviso’ extends the application of ‘inclusive public reason’ to a well-ordered society, while in its earlier formulation, it was restricted only to non-well-ordered societies. In doing so, the ‘proviso’ contributes to a more open and robust conception of the public sphere.

‘Proviso’ is described as follows: “*reasonable* comprehensive doctrines, religious or non-religious, may be introduced in public political discussion *at any time*, provided that *in due course* proper political reasons – and not reasons given solely by comprehensive doctrines – are presented that are *sufficient* to support whatever the comprehensive doctrines introduced are said in support” (Rawls 2005: 462). Thus, it affirms that citizens may initially use non-public reasons in the public political forum, even to support a coercive law. However, when comprehensive doctrines enter into the public political discussion, ultimately they are required to provide in due course, “proper political (public) reasons” for their support, “and not reasons that are given solely by comprehensive doctrines” (Rawls 2005: 462; Rawls 1997: 784), otherwise they would violate the ‘duty of civility’.

The fact that Rawls adds ‘in due course’, without specifying further its meaning is problematic and it has generated strong criticism and doubts. However, I argue that Weithman has offered a plausible interpretation of what Rawls might have intended by that phrase. In fact, he holds:

On my reading, Rawls allows ordinary citizens to rely on their comprehensive doctrines without adducing public reasons in support of their positions, so long as their doing so does not lead others to doubt that they acknowledge the authority of the public conception of justice. If doubts never arise, then the proviso is never triggered

¹³³ See Part I. Introduction: §2.

and they need do nothing more. Only if doubts arise, and others need assurance of their allegiance, must citizens provide assurance by actually adopting and reasoning from the ‘unified perspective’ the public conception of justice provides. That, I believe, is why Rawls says that ‘the details about how to satisfy [the] proviso must be worked out in practice and cannot feasibly be governed by a clear family of rules given in advance. (Weithman 2015: 88)

According to this approach, reasons drawn from citizens’ own comprehensive views are not banned from political forum and satisfying the proviso is sufficient for the fulfilment of the duty of civility. Rawls’ aim is to encourage a relationship of mutual trust and civic friendship among citizens who adhere to different comprehensive doctrines.

The proviso’s option seems to be allowed, for example, in cases where there is not a public reason in support of or against the advocacy of a law, or where public reason concerns a new sort of issue. In such cases, appealing to comprehensive doctrines could be practically necessary for citizens. It happened, for example, during the time of Dr. Martin Luther King and his speeches for the promotion of civil rights. In one of his speeches, Dr. King asserted:

Let us march on segregated housing, until every ghetto of social and economic depression dissolves and Negroes and whites live side by side in decent, safe and sanitary housing. Let us march on segregated schools until every vestige of segregated and inferior education becomes a thing of the past (...). Let us march on ballot boxes, march on ballot boxes until race baiters disappear from the political arena (...). Let us march on ballot boxes, until we send to our city councils, state legislatures, and the United States Congress men who will not fear to do justice, love mercy, and walk humbly with their God. Let us march on ballot boxes until all over Alabama God’s children will be able to walk the earth in decency and honor.¹³⁴

Some uncertainties remain insofar as Rawls does not provide a clear indication of when and how the proviso should be satisfied. Since he provides no rules for its application, its criteria seem vague and applicable to only certain cases.

However, there are at least three aspects to consider: a) the ‘proviso’ has to be “appropriately satisfied in *good faith*”; b) it “does not change the nature and content of justification in public reason,” and c) “there are no restrictions or requirements on how religious or secular doctrines are themselves to be expressed” (Rawls 2005: 462). Rawls specifies that “public reason aims for public justification” (Rawls 2005: 465; Rawls 1997: 786), which entails proceeding from premises to conclusions that

¹³⁴ This is Martin Luther King’s speech in front of the state capitol building in Montgomery (Alabama). The full text can be found in: King Jr. (1965) in Washington 1986: 229.

one thinks others would reasonably accept or ‘public reasoning’.¹³⁵ If such reasoning is not provided, the duty of civility is not respected.

This approach, according to Rawls, even if it apparently inverts the priority of the ‘right’ (common political values) over the ‘good’ (values promoted by comprehensive doctrines), would provide citizens with a “*mutual knowledge* of one another’s religious and nonreligious doctrines” that would also strengthen citizens’ allegiance to the democratic ideal of public reason. Certainly, it can happen only with those comprehensive doctrines, religious or nonreligious, that are committed to the constitutional democracy and that support basic constitutional values and society’s reasonable political conceptions “as those conceptions’ vital social basis” (Rawls 2005: 463; Rawls 1997: 785): namely, *reasonable* comprehensive doctrines.¹³⁶

Rawls’ inclusion of ‘reasonable’ comprehensive doctrines and reasonable disagreement, does not extend to the acceptance of unreasonable comprehensive doctrines (and thus unreasonable disagreement) as a kind of doctrine to be accommodated by political liberalism. Rather, unreasonable comprehensive doctrines should be contained by justice (Freeman 1994: 643).

The proviso seems to clarify and support the wider approach regarding comprehensive doctrines, as presented above.¹³⁷ Thus, citizens can both be internally motivated by religious reasons and express externally, those reasons in the public debate. However, ambiguities have paved the way for certain criticisms of the Rawlsian public reason theory, such as those put forward by Habermas and his followers.

2. Habermas and the “Theory of Public Deliberation”¹³⁸

Habermas, like Rawls, is certainly one of the most influential figures in the discipline (Bernstein 1998: 287).¹³⁹ His approach is characterised by the so-called

¹³⁵ Beside “public reasoning”, Rawls mentions also other two types of discourses: “declaration” and “conjecture”.

¹³⁶ On the distinction of reasonable and unreasonable comprehensive doctrines see: Part I, Chapter 2. On the concept of “reasonability” see: Part I, Chapter 4.

¹³⁷ See Part I. Introduction.

¹³⁸ This understanding of Habermas’ thought is very important also with regard to his well-known dialogue with Cardinal Joseph Ratzinger in 2004, at the Katholische Akademie in Bayern (see: Habermas – Ratzinger 2007). I will refer to that especially in the second part of my dissertation.

¹³⁹ Habermas himself has affirmed that “the public sphere as a space of reasoned communicative exchanges is the issue that has concerned me all my life” (Habermas 2008: 12). It is important to note that Habermas’ book titled “Between Naturalism and Religion” collects his main essays on the issues related to the public role of religion.

‘post-secular’ stance.¹⁴⁰ In fact, he reveals a positive approach to religions and religious claims in public,¹⁴¹ that today play an important role in western civil societies. According to Habermas, religions contain ‘indispensable cognitive-semantic contents’ and are therefore an important moral resource particularly inasmuch as they are fundamental ‘sources of meaning’.¹⁴² However, while religious expressions should not be banned from the public discourse, they should be made accessible to all through a process of *mutual translation*: the ‘translation proviso’ (Habermas 2011) to develop a constructive dialogue. Religion and modern secular society, as well as faith and reason are interdependent. In Habermas’ thought, this interdependence is expressed dialogically, offering an opportunity to both “sides” of the “discussion” (religious and non-religious citizens) for an open *learning*.¹⁴³ Habermas recognises the paradox for religious citizens in a liberal democratic culture: they have on one hand, the freedom to profess their beliefs and live in accordance with that in the civil society. On the other hand as citizens, they are simultaneously asked to participate in a democratic process without “contaminating” it with religious claims (Habermas 2013: 371). The difficulty that religious citizens face is to choose between being faithful to their religious belief or being political-morally correct.

¹⁴⁰ Habermas explains that by “post-secular” he intends: “(...) a sociological description of a shift in consciousness in largely secularized of “unchurched” societies that by now have come to terms with the continue existence of religious communities, and with the influence of religious voices both in the national public sphere and on the global political stage” (Habermas 2013: 348).

¹⁴¹ It is important to underline here that also Habermas thought on these issues has faced a substantial evolution over the years. On this regard, see: Calhoun 1992: 35-36.

Also Charles Taylor has pointed this “considerable evolution” of Habermas’ position; however, he still believes that “the *basic epistemic distinction* [between secular reason and religious thought] still holds for him”, and this is the reason why the official language of the state should not reference the religious. According to Taylor, in fact, there is no doubt that there should be a “zone of the official language of the state”, that would involve especially legislators, judges, and administrative officials; however, it does not mean, in his view, that all the democratic decisions should be “framed in a way that gives special recognition” only to non-religious convictions, or rather the so called “reason alone”. On this regard, see: Taylor 2011: 34-59.

¹⁴² It could be read in two possible ways: 1) suggesting way of life as “one existential ethical orientation among many”; 2) supporting the idea of a special place for religion in the public sphere. The latter is surely very problematic and highly criticized. These interpretations are suggested in: Herrera 2013: 66.

¹⁴³ Josef Schmidt – quoting an important passage from *Ein Bewusstsein von dem, was fehlt* (2007) – shows the two presuppositions of the faith-reason dialogue according to Habermas who states: “the religious side must accept the authority on ‘natural’ reason in both its theoretical and practical respects, that is, both the fallible results of universalistic egalitarianism in law and morality. Conversely, the secular side must take religion seriously as an intellectual formation; it may not set itself up as the judge concerning the politically rational content of religious traditions, even though in the end it can accept as reasonable only what it can translate into its own, in principle universally accessible, discourses” (Schmidt 2010: 66).

Indeed, in the event of a conflict between religious and non-religious reasons, they should give priority to the latter instead of the former.

Habermas' account of public reason, at first glance, is different from Rawls' idea. He proves to be both "critical and appreciative" of Rawls' work (Medieta – Vanantwerpen 2011: 1-14). First of all, Habermas' thought and his *dialogical* approach show that institutional mechanisms of *deliberation* could ideally create a political agreement.¹⁴⁴ According to Habermas, "the democratic procedure is able to generate legitimation by virtue of two components" (Habermas 2006: 5): the equal political participation of all citizens, seen as 'authors of the laws', and the epistemic dimension of deliberation as the basis for rationally acceptable results. Habermas starts from the idea of equal citizens who, because of their specific characteristics, are also equally free to deliberate according to their *communicative power*¹⁴⁵ which consists of the sum of their ethical, moral, political, and pragmatic discourses (Habermas 1996: 207).

Thus, it is the rationality of democratic deliberation that can create a common ground—that is, a 'public will' or 'public reason'—among different comprehensive doctrines. Such deliberation is thereby able to 'democratize' political society.

The Habermasian view on public reason moves from and differentiates itself from an account based on the Aristotelian idea of the *unique social nature* of human beings. Man is conceived of, by Aristotle, as the "*zôon politikon*." However, Habermas understands it in a literal way: "man is a *political animal*, that is, an animal that exists in a public space. To be more precise, human beings are animals that, by virtue of being embedded from the outset in public networks of social relationships, first develop the competences that make them into persons" (Habermas 2008: 13-14; emphasis added).

In contrast to the Rawlsian account, Habermas looks at public reason as a constitutive *collective will* of citizens within a certain political society. Consensus is the result of society's communicative interaction, which has to be rationally and

¹⁴⁴ "(...) what is important for this notion of deliberation (...) is less that everyone participate – or even that voting is made public – than that there be a warranted presumption that public opinion be formed on the basis of adequate information and relevant reasons and that those whose interests are involved have an equal and effective opportunity to make their own interests (and the reasons for them) known" (Baynes 1995: 216).

¹⁴⁵ Habermas bases his theory on the idea of *communicative action* "which states that communicatively acting persons reach agreements concerning their normative validity claims through *rational argument* (...)" (Reder – Schmidt 2010: 4; emphasis added).

universally acceptable. It is formed by the ‘encounter’ and ‘cooperative translation’ (namely, the *cooperative*¹⁴⁶ *acts of translation*) of different comprehensive views, specifically, ‘ethical reasons’, or ‘conception of the good’ in an open, free, and deliberative environment. This competition between different perspectives and the exchange of points of views, would lead to the formation of “cooperatively negotiated interpretations” (Habermas 1998: 361) for the formation of a ‘public opinion’. Habermas elaborates the notion of ‘communicative rationality’ that would allow us to ‘reach an understanding’. It would also lead to “a rationally motivated agreement among participants that is measured against criticizable *validity claims*” which he differentiates as “propositional truth”, “normative rightness and “subjective truthfulness” (Habermas 1987: 75; emphasis added).

However, while Rawls suggests that a mere political compromise does not undermine the stability of right reason for society, Habermas thinks that a *modus vivendi* is not enough for the legitimate use of state power (Habermas 1996: 306). What is necessary is a real consensus;¹⁴⁷ a convergence of individual wills onto that of a single collective will. Though he believes that only an *abstraction* of people’s particular ethical reasons on a universal moral level would be able to ground a constitutional consensus, Habermas differs from Rawls in saying that general decisions, which do not deal with constitutional essential, would rely on a compromise as a result of a fair procedure of deliberation. Thus, Rawls argues that in modern, liberal, democratic societies, given a reasonable pluralism, a compromise would not guarantee any stability for the right reasons and the type of deliberation that Habermas suggests would not lead to a real convergence of judgment, rather, it would risk to effect more in a divergence within the (strictly) political realm—even if with a greater mutual understanding among citizens.

Moreover, Habermas recognizes a specific risk in Rawls’ approach: there is an *asymmetry* in the distribution of cognitive burdens and obligations between religious and nonreligious citizens. Habermas writes:

¹⁴⁶ It means that it is not imposed on citizens as individuals, but it should be satisfied by all citizens “cooperatively”.

¹⁴⁷ In his answer to Charles Taylor, Habermas affirms: “without the presumption of such a consensus on constitutional essentials, citizens of a pluralist society couldn’t go to the courts and appeal to specific rights or make arguments by reference to constitutional clauses in the expectation of getting a fair decision” (Habermas 2011: 65). In this regard, see also: Bernstein 2009: 1040.

For the liberal state guarantees the equal freedom to exercise religion not only as a means of upholding law and order but also for the normative reason of protecting the freedom of belief and conscience of everyone. Thus it may not demand anything of its religious citizens which cannot be *reconciled with a life that is led authentically “from faith.”* (Habermas 2011: 21; emphasis added).

Even though Rawls recognizes the same burden both for religious and nonreligious citizens, Habermas believes that a ‘practical’ inequality remains. Thus, “the liberal state must not transform the requisite *institutional* separation of religion and politics into an undue *mental* and *psychological* burden for those of its citizens who follow a faith” (Habermas 2006: 9; emphasis in original).

This does not mean, however, that Habermas holds the *split-identity objection* according to which religious citizens are asked to ‘split their identities’ or ‘bracket’ them¹⁴⁸ into a public and private part along the axis of ‘religious’ and ‘secular’ or ‘public’ claims.¹⁴⁹ The only requirement is the basic acceptance of political authority to be ‘neutral’ which necessitates an ‘epistemic ability’ to relate one’s own faith to secular views.

Moreover, Habermas affirms that religious citizens “should therefore be allowed to express and justify their convictions in a *religious language* if they cannot find secular¹⁵⁰ “translation” for them” (Habermas 2006: 10; emphasis added). Otherwise, they would be silenced in the public-political sphere, especially in the legislative process. Habermas is convinced that, given the impossibility of doing otherwise, “for functional reasons, we should not over-hastily reduce the *polyphonic complexity of public voices*” (Habermas 2006: 16). Allowing religious citizens, both as persons and communities, to express themselves politically ‘as such’ would also encourage them to enter into dialogues for a mutual learning (the “complementary learning process”)

¹⁴⁸ Habermas clearly affirms: “I have in mind the more *open procedure of an argumentative practice* that proceeds under the demanding presuppositions of the “public use of reason” and does not *bracket* the pluralism of convictions and worldviews from the outset” (Habermas 1995: 118-119; emphasis added).

¹⁴⁹ “[the liberal state] must of course expect of them that they recognize the principle that political authority is exercised with *neutrality* towards competing world views. Every citizen must know and accept that *only secular reasons* count beyond the institutional threshold that divides the informal public sphere from parliaments, courts, ministries and administrations” (Habermas 2006: 9; emphasis added).

¹⁵⁰ Habermas does not intend “secular” as a “comprehensive doctrine”, but as a “modern term” (in contrast with Taylor’s position, who would call it “neutral” instead). He understands it as an “agnostic, but non-reductionist philosophical position” (Habermas 2006: 16). According to Habermas are “secular” those reasons that transcend the semantic domain of particular religions.

and the flourishing of different resources of meaning and identity.¹⁵¹ In fact, he clearly affirms that “we cannot at any rate exclude the thought that they [the world religions] still bear a *semantic potential* that unleashes an inspiring energy for *all of* society as soon as they release their profane truth content” (Habermas 2006: 17; emphasis added). And it is so because post-metaphysical thought, as well as the epistemic attitude that secular citizens should adopt, is ambivalent: “[it] is prepared to learn from religion, but remains agnostic in the process” (Habermas 2006: 17).

Behind this there is the idea of “the assimilation of genuinely Christian ideas,” which means that philosophy can and ought to learn from theology, and that both secular and religious approach are required to pursue a “reflexive transformation” (Habermas 2006: 44, 47). This does not lead Habermas to recognize the ‘institutional thresholds’ (a sort of ‘filter’) to be fundamental: thus, in case of ‘formal proceedings within political bodies’, only secular or public contributions should be permitted (the *neutrality principle*).¹⁵² These contributions are characterized as “reasons that have the power to convince also beyond the boundaries of a particular community” (Habermas 2008: 245). Moreover “those who hold a public office or are candidates for such” have the “duty to remain neutral.” Thus, the “institutional threshold”—like the Rawlsian “public reason” – separates the *informal* public sphere (namely, civil society) from parliaments, courts, ministries, and administrations (namely, the mere political or *formal* sphere) (Habermas 2008: 128). But, it is very important to note that Habermas does not extend the application of this “duty of neutrality” to all citizens, as Rawls does.¹⁵³

In summary, according to Habermas’ position, 1) on the public institutional sphere (what Rawls would call “official forum”) all members of society should accept the neutrality of institutions according to which only ‘secular reason’ and a secular language count. In this case, religious citizens are asked to accept the ‘translation’ (the reformulation – when it is possible¹⁵⁴ – of religious claims into secular reasons) in order to justify their views in terms of values that are neutral among different

¹⁵¹ “In the event of the corresponding political debates, this potential makes religious speech a serious candidate to transporting possible *truth contents*, which can then be translated from the vocabulary of a particular religious community into a generally accessible language” (Habermas 2006: 16).

¹⁵² According to the “neutrality principle” “all enforceable political decisions *must be formulated* in a language that is equally accessible to all citizens, and it *must be possible to justify them* in this language as well” (Habermas 2006: 12; emphasis in original).

¹⁵³ See Introduction: § 1.

¹⁵⁴ In fact, not all religious citizens’ convictions are “translatable”. Those positions that are not, are always accepted in the informal public discourse.

worldviews. At this level, Habermas accepts the Rawlsian proviso. But, on the other hand, 2) regarding the public, informal sphere, the “pre-parliamentary space” (that seems to coincide with Rawlsian “background culture”), religious citizens would have the right to express their claims also in a comprehensive language whenever ‘public reasons’ are not available. The two conceptions, the Rawlsian and Habermasian, seem to diverge at this point; however, if we accept a “wider” interpretation of Rawls’ proviso, they look much more compatible.

From Habermas’ perspective, the cooperative translation, which involves all members of a society, would be needed in order to elaborate secular reasons from the religious or generally comprehensive language. In any case, in order to ensure a *complementary burden* to secular citizens in their role as citizens, it is requested “not to deny *a priori*” religious argumentation (Habermas 2013: 372). This means that it is important “not to publicly dismiss religious contribution to political opinion and will formation as mere noise, or even nonsense, from the start” (Habermas 2011: 26). In this way, both religious and secular arguments rest on a “demanding epistemic mindset:” citizens must take the reasons and arguments of their fellow citizens seriously when they “could make potentially meaningful contributions to the political debate in principle” (Habermas 2013: 327).

In addition, Habermas seems to keep distinguished the role of ‘officials’ as the *institutional formal level*, from the role of ‘citizens’ as *the public informal level*, while Rawls assumes that both citizens, seen as authors of the law, and officials should honour the idea of public reason, especially on fundamental political questions. According to Rawls, they should base their decisions on reasons and arguments that they sincerely believe other citizens might accept as at least reasonable. But we also must recall that citizens, according to the proviso, can include religious reasons, with the only clause to offer political reasons ‘in due course’.¹⁵⁵

3. Concluding Remarks

Habermas and Rawls’ exchanges on these issues have been a subject of great interest among scholars in this field. The first important dispute between the social theorist and the political philosopher appeared in the *Journal of Philosophy* in 1995. James Gordon Finlayson describes it as “a dispute within political theory” about two

¹⁵⁵ Part I. Chapter 1, p.1.

different points of view. For Habermas the debate is located in the context of a theory of democratic legitimacy and the rule of law, for Rawls, the debate is fundamentally a defence of justice as a political conception (Finlayson 2007: 145). Initially, the two theorists seem to move toward a “shared centre ground”.

The two positions could be summarized as follows: “On Rawls’s view, good democratic citizens achieve public justification by *filtering out* ethical reasons from the political process, whereas on Habermas’ view democratic institutions aim to secure political justification by incorporating as many ethical reasons in the democratic procedure as possible” (Finlayson 2007: 158; emphasis added).¹⁵⁶ Thus, Habermas seems to give more space to people’s ethical-religious reasons than Rawls’ position.¹⁵⁷ However, the two approaches – especially if considering Rawlsian ‘proviso’ – are not so reciprocally divergent. Certainly, Rawls maintains the purely *political* not metaphysical, but still *moral*¹⁵⁸ character of ‘public reason’ which is not derived from people’s comprehensive doctrines in both ethically and philosophically *non-comprehensive* terms. Therefore, on his account, public reason rests on an *a priori* standard of public justification. For this reason Rawls criticizes Habermas’ theory for being comprehensive itself (Rawls 2005: 373).¹⁵⁹ However, as mentioned above, in his last account Rawls widens his approach in a more inclusive way.

Habermas’ approach considers public reason as an *a posteriori* result of the deliberative power of citizens within society. It is external to the state, but the actual moral consensus, based on publicly sharable reasons, is still independent of comprehensive doctrines. On the contrary, the Rawlsian position looks at public reason as an *a priori*, ‘freestanding’ standard – almost a ‘state’s reason’ independent of all kind of comprehensive doctrines, religious and nonreligious, that creates constraints for citizens, at least within the public political setting.

¹⁵⁶ However, the indication seems not precise as, in fact, Rawls holds that, in due course, citizens have to offer reasons in addition to those drawn from their comprehensive doctrines.

¹⁵⁷ Habermas affirms that: “I defend Hegel’s thesis that the major world religions belong to the *history of reason* itself. (...) On these premises, it would be irrational to reject those “strong” traditions as “archaic” residua instead of elucidating their internal connection with modern forms of thought” (Habermas 2008: 6; emphasis added).

¹⁵⁸ By “moral” Rawls means that “its content is given by certain ideals, principles and standards; that these norms articulate certain values, in this case political values” (Rawls 2005: 11).

¹⁵⁹ But Habermas has answered this critic by affirming that it was only a misunderstanding. In fact, he says: “Rawls seemed to differentiate the political conception of justice from “comprehensive doctrines” in terms of the principle of the priority of the right over the good, which I also shared. In this sense any theory of political justice as to claim a “freestanding” status vis-à-vis religion and metaphysics” (Habermas 2011a: 289).

While Rawls holds that not only public officials like parliamentarians or judges have to justify political decisions, but also, any citizen when making use of coercive political power, Habermas thinks that “ordinary citizens argue politically only in the informal public” (Andersen 2009: 28).

Both the late Habermas and the late Rawls lend attention to the issue of religious language in public political discussion and deliberation. They are convinced that a ‘metaphysical’ approach is not appropriate in the public realm anymore. Both of them seem to suggest the need for a sort of ‘translation’¹⁶⁰ – the ‘cooperative act of translation’ for Habermas, and the ‘public use of political reasons’ for Rawls – of religious claims into a public discourse, in a language universally acceptable which would be both accessible and agreeable to all members in western modern societies. While Habermas’ position places the burden of ‘translation’ on the whole society without any further differentiation, Rawls imposes burdens of ‘public justification’ on all of those who present any position in the public sphere. However the requirement Rawls proposes seems to affect more significantly, those who join the public square through their comprehensive doctrines.

Rawls and Habermas make use of different terminology: Habermas uses the category of ‘public sphere’¹⁶¹ where Rawls adopts the concept of ‘public reason’. Are they referring to the same thing? Rawls himself argues that they are not. It seems that the main difference would be that the first aims with a domain of political action – a proper ‘space’¹⁶² of discursive interaction – which is distinct both from the state and from the ‘religious’ domain: it is the *communicative action*. The second term creates

¹⁶⁰ This term is surely more appropriate for Habermasian position than the Rawlsian one.

¹⁶¹ “The bourgeois public sphere may be conceived above all as the sphere of private people come together as a public; they soon claimed the public sphere regulated from above against the public authorities themselves, to engage them in a debate over the general rules governing relations in the basically privatized but publicly relevant sphere of commodity exchange and social labor. The medium of this political confrontation was peculiar and without historical precedent: people's public use of their reason” (Habermas 1991: 27).

¹⁶² The (equivocal) concept of “sphere” refers more to the Weberian theory of the distinction of “societal spheres” (political, economical, intellectual, etc.) and “values sphere” with the respective ethics. Weber talks of a *differentiation* and *autonomy* of these spheres that, in fact, are distinctive and mutually exclusive. This is requested also to the “religious sphere” that should be restricted to a proper sphere of conduct.

However, Habermas uses also the word “worlds” (as collections of shared contents). He distinguishes three worlds: the “objective world”, the “social world” and the “subjective world”. While “mythical” worldviews present a fusion, what he calls *disenchantment* with the world – a process of “demythologization” – is characterised by a differentiation between nature and culture in a double way: the “desocialization of nature” and the “denaturalization of society”. (see Habermas, Jürgen (1984-1987). *Ibid.* Vol. 1: 48). Each world presents an institutionalized discursive practice. Habermas considers the process of “secularization” both as “disenchantment” and “desacralization”. (see Habermas 1984-1987, Vol. 2). See: Weber 1958a; Weber 1958b. Also: Calhoun 1992.

norms which function as standard formed independently of non-public comprehensive views of any kind.

In conclusion, both Rawls and Habermas have one other characteristic in common: their late works offer a more inclusive approach with regard to religion and its 'return' in the public domain. In fact, Habermas talks about a 'post-secular' and 'post-metaphysical' public sphere in which all citizens are involved in a mutual understanding process that would save semantic sources for a cosmopolitan democratic ethic. Rawls thinks of religion or, any *reasonable* comprehensive doctrine as a possible source for strengthening 'public reason' itself.

Thus, "the challenge of proviso for any Christian politician is to be able to use Christian religious language in ways that can evoke shareable human experiences as a hermeneutical stimulus to exploring the sign of hope in a particular political context, so that the use of such language will *not exclude but rather invite the citizens of a pluralist society to reflect on their common human situation*" (Gascoigne 2009: 126-127; emphasis added).

Chapter 4

Understanding “Reasonability”

1. Understanding Rawls’ Theory

The ‘idea of public reason’ is clearly based on the idea of the ‘reasonable’, that is of reasonability or reasonableness,¹⁶³ all of which are “obscure notions” (Rawls 2005: 48). What is reasonable is theoretically different and complementary to the ‘rational’, which involves capacities of judgment and deliberation in seeking ends and interests, through selecting the more probable alternatives, setting priorities, and choosing the most effective means to an end. Understanding reasonableness in its distinctiveness from rationality firstly means recognizing that citizens, in a free society, inevitably will come to different conclusions about fundamental moral, philosophical, and religious questions. In fact, disagreement within a democratic society is ‘reasonable’, and it would rather be ‘unreasonable “not to recognize [and expect] the likelihood – indeed the practical certainty – of irreconcilable reasonable disagreements on matters of the first significance” (Rawls 1999: 478).

Thus, Rawls deals with ‘reasonable disagreement’ as a permanent fact in modern liberal societies. This disagreement is ‘reasonable’ because it happens between ‘reasonable persons’, namely those “who have realized their two moral powers to a degree sufficient to be free and equal citizens in a democratic regime, and who have an enduring desire to be fully cooperating members of society over a complete life” (Rawls 1999: 476). Accordingly, if in the private sphere one is free, in the public, one is ‘obliged’ to be ‘reasonable’.

According to Rawls’ theory, the reasonable – as a moral-political and normative standard – applies primarily to citizens rather than to their particular beliefs and doctrines. “Persons are reasonable in one basic aspect when, among equals say, they are ready to propose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that other will likewise do so” (Rawls 2005:

¹⁶³ This concept is not presented in Rawls’ early work – *A theory of justice* – but it appears already in 1951 in “Outline of a decision procedure for ethics” where reasonableness is described as an intellectual virtue. It is distinguished from “reason” (or “rationality”), in fact «reasonability is defined as the kind of thinking that takes the other into account, while reason is oriented toward one’s own well-being» (Rasmussen 2014: 123).

49). Thus, these are the three basic features of reasonable persons as citizens:¹⁶⁴ 1) “their willingness to propose and to abide by, if accepted, what they think others as equal and citizens with them might reasonably accept as fair terms of social cooperation;” and, 2) “their willingness to recognize the burdens of judgment and accept the consequence thereof” (Rawls 2005: 394; Rawls 1995: 149).¹⁶⁵ Moreover, reasonable people are willing, and ready to a) enter discussion, b) credit others with “good faith”, and c) accept significant difference of opinions “as the normal state of the public culture of a democratic society” (Rawls 1999: 479). Thus, reasonability is first and foremost a characteristic that describes citizens and their attitudes.

As already mentioned, the concept of ‘reasonableness’ is also applied to citizens only when “viewing one another as free and equal in a system of social cooperation over generations, they are prepared to offer one another fair terms of cooperation according to what they consider the most reasonable conception of political justice; and when they agree to act on these terms, even at the cost of their own interests in particular situations, provided that other citizens also accept those terms” (Rawls 2005: 446; Rawls 1997: 770). The distinction between unreasonable and reasonable comprehensive doctrines is explained in these terms, by offering three features of *reasonableness*, these being:

(...) [1] reasonable doctrine is an exercise of theoretical reason: it covers the major religious, philosophical, and moral aspects of human life in a more or less consistent and coherent manner. It organizes and characterizes recognized values so that they are compatible with one another and express an intelligible view of the world. (...) [2] [It] is also an exercise of practical reason. (...) [3] [W]hile a reasonable comprehensive view is not necessarily fixed and unchanging, it normally belongs to, or draws upon, a tradition of thought and doctrine. Although stable over time, (...) it tends to evolve over time in the light of what, from its point of view, it sees as good and sufficient reasons. (Rawls 2005: 59; numbers added)

Thus, those who hold a reasonable comprehensive view are also “open to the persuasive discourse essential to democratic politics” (Thiemann 1996: 84).

¹⁶⁴ This seems similar to what Habermas calls the “modernization of religious consciousness”. He notices that religious citizens must develop three epistemic attitudes: 1) “toward other religions and world views that they encounter within a universe of discourse hitherto occupied only by their own religion”; 2) “toward the independence of secular from the sacred knowledge and the institutionalized monopoly of modern scientific experts”; 3) “toward the priority that secular reasons enjoy in the political arena”. But he also affirms that only religions themselves can confirm whether a “modernized” faith is still also “true” (Habermas 2006: 14, 19).

¹⁶⁵ The burdens of judgment are obstacles to agreement between reasonable persons, and through them, Rawls justifies the persistence of reasonable disagreement (or “the fact of reasonable pluralism”), and motivates parties to obey the constraints of public reason in the face of this disagreement. Thus, “to accept the burdens of judgment, he argues, is *to commit oneself to the shared task of seeking standards of justification* that can be accepted by a plurality of reasonable comprehensive doctrines” (Mandle-Reidy 2014: 74).

With regard to religions, Rawls is optimistic and holds that he can suppose, except for certain kinds of fundamentalism, which “all the main historical religions admit of such an account and thus may be seen as reasonable comprehensive doctrine” (Rawls 2005: 170).

Moreover, for a comprehensive doctrine to be considered as ‘reasonable’ it has to recognise the distinction between the political and the non-political, and to satisfy a basic requirement which is to accept “a constitutional democratic regime and its companion idea of legitimate law” as well as the authority of political power that could also prevail over personal comprehensive worldviews (Rawls 2005: 441; Rawls 1997: 766). Thus, “those comprehensive doctrines that cannot support such a democratic society are not reasonable” (Rawls 2005: 483; Rawls 1997: 801). Indeed, in such a case, they do not even satisfy the *criterion of reciprocity* and “reasonable political values are overridden” (Rawls 2005: 483; Rawls 1997: 801).

To be ‘reasonable’ means to be able to use ‘public reason’, that is, to be able to offer justifications in a language that is ‘universally’ accessible. ‘Reasonableness’ functions as a *discrimen* for comprehensive doctrines that ought to have a role in the public or not. “Political liberalism never denies or questions these [comprehensive] doctrines *in any way*, so long as they are *politically reasonable*” (Rawls 2005: 377-378; Rawls 1995: 136; emphasis added). Rawls considers ‘reasonableness’ as a way of toleration that does not involve the concept of the ethical *truth*;¹⁶⁶ it not only has to be independent from the truth, it also has to take priority over it. By recognizing the burdens of judgment, ‘reasonableness’ always permits – and *must* permit – liberty of conscience and freedom of thought.

It is important to notice that Rawls clearly distinguishes what is ‘reasonable’ from what is ‘true’. In fact, reasonableness should be understood as an epistemological idea. By affirming that somebody, or some views, are ‘unreasonable’ he does not intend to imply a judgment on the truth or correctness of certain doctrines (political liberalism does not question this aspect), but only that it is unreasonable to use public political coercive power to enforce a specific comprehensive – religious or philosophical – moral view, apart from whether we could affirm them as true and correct (Rawls 1999: 483). However, this does not mean that Rawls wants to endorse a kind of relativism and moral-philosophical scepticism. What Rawls suggests is that

¹⁶⁶ In this regard, see also Habermas’ position in Part I, Chapter 3: Habermas 2008: 245; Habermas 1998: 88.

religious truth can contribute to the process of overlapping consensus, “so long as they are *politically reasonable*” (Rawls 2005: 378; Rawls 1995: 136; emphasis added). Nevertheless, such religious truths do not contribute to producing a political conception of justice. In fact, they are not part of “justification *pro tanto*”, that is, the justification “without looking to, or trying to fit, or even knowing what are, the existing comprehensive doctrines” (Rawls 2005: 389; Rawls 1995: 142).

The problem that always rises is whether being reasonable means also to accept – and tolerate – unreasonableness (namely, the ‘extreme views’ such as any kind of *fundamentalism*).¹⁶⁷ This is the *paradox*¹⁶⁸ of liberal democracy on the issue of toleration. The same question was posed also by Habermas in these terms: “a democratic order that guarantees tolerance also in terms of political freedoms, such as free speech, must take preventive protection against the enemies of that very core of the constitution. (...) *How tolerantly may a democracy treat the enemies of democracy?*” (Habermas 2004: 7-8; emphasis added). It seems that Rawls suggests that the concept of ‘reasonability’ or ‘reasonableness’ could be understood, at least ideally, as an *a priori* term of comparison for a proper exercise of political power (*civic friendship*). But is it the same in non-ideal conditions? For example, it seems tautological¹⁶⁹ when Rawls says that “to be reasonable, political conceptions must justify only constitutions that satisfy *this principle*” (Rawls 2005: 447). He is referring to the principle of ‘reasonability’, or rather, the *principle of reciprocity* which requires one to offer reasons for one’s political actions that “we *reasonably* think that other citizens might also *reasonably* accept those reasons” (1997: 771; emphasis added).

¹⁶⁷ The same question was also discussed by Martha Nussbaum, according to whom these views – when they contradict and threaten the basis of the liberal constitutional order, as well as fundamental rights – should be “resisted” (Nussbaum 2008: 24).

¹⁶⁸ “The ostensible paradox is that each act of toleration must circumscribe the range of behavior everybody must accept, thereby drawing a line for what *cannot* be tolerated” (Habermas 2004: 6).

¹⁶⁹ Bruce W. Brower proposes a critic, which however is not on the “circularity”, but on the “weakness” of Rawlsian definition: “suppose we say that a reason is a public reason just in case it could be reasonably accepted by everyone, using standard of justification reasonably acceptable by everyone. This would entail that a reason is public if and only if it is acceptable to everyone with a highest-order desire to act on fair terms of cooperation. But this is the desire to treat everyone equally by giving them public reasons. Thus, if we define public reason in terms of the reasonable, we define it in terms of the desire for public reasons” (Brower 1994: 9).

2. Robert Audi and the Secular Reason.

Robert Audi joins the discussion about the public stance of religious citizens within the public-political realm. Like Michael Perry,¹⁷⁰ Audi starts his considerations from an analysis of the American context and the ‘institutional separation doctrine’, as stated by the First Amendment of the American Constitution.¹⁷¹ However, some of the questions he wants to answer are very similar to those posed by Rawls. For example: “(...) should there be, in our conduct as citizens, a related *separation* between religious and secular considerations?” (Audi 1997: 2; emphasis added). Audi holds that “there is a particular urgency about achieving a *sound conception of liberal democracy* today” (Audi 2005: 197; emphasis added). Thus, like Rawls, Audi’s thought is founded, firstly, on the idea of liberal democracy¹⁷² and the related two main aspects of freedom and equality as the best form of government. Secondly, Audi finds his thought on the fact that, as religion and politics are mixed, the issue is to understand “what might constitute a *good mixture* of the religious and the political”, and “how to achieve a *democratic harmony*” (Audi 1997: 2).

Instead of the Rawlsian ‘public reason’, Audi defines “secular reason”¹⁷³ as “one whose normative force (...) does not (evidentially) depend on the existence of God” (Audi 1989: 278; Audi 1997: 26; Audi 1993: 677). However, he specifies that this reason is not “consciously held in contrast to a religious one, nor is there anything antireligious implicit in a proper use of the term” (Audi 1989: 278).

Audi notes that the fact of disagreement within a pluralistic society assumes a special intensity when it presents a religious character.¹⁷⁴ 1) “the authority structure

¹⁷⁰ See: Part I, Chapter 2.

¹⁷¹ “In speaking of the *separation doctrine*, then, I am not referring to something codified for our scrutiny, but to the general view that in free and democratic society the state should neither establish a church nor impair religious liberty” (Audi 1989: 260).

¹⁷² Audi defines *liberal democracy* as “one that promotes liberty, as opposed to maintaining the minimum level of freedom required for autonomous voting by the populace” (Audi, Robert (2005). *Ibid*: 199).

¹⁷³ Rawls clearly considers Audi’s “secular reason” as an ambiguous concept (Rawls 1997: 148; footnote n. 40). Audi explains that his concept of “secular reason” is “broad enough to encompass both” the Rawlsian idea of “public reason” and “comprehensive reason” (Audi 2000: 232; footnote n. 8).

¹⁷⁴ Perry does not agree on the different degree of divisiveness caused by religious and non-religious claims. He holds that: “Religious discourse about the difficult moral issues that engage and divide us citizens of liberal democratic societies is *not necessarily more problematic – more monologic*, say – than resolutely secular discourse about those issues. (...) religious discourse in public culture is *not less dialogic – not less openminded, not less deliberative* – than is, at its best, secular discourse in public culture” (Perry 1997: 46; emphasis added).

common in many religions can make a desire to dominate other groups (...) and can provide a rationale for it;”¹⁷⁵ 2) “the dictates of a religion often extend to the religious as well as secular conduct of persons, so that if domination occurs it undermines even religious freedom;” 3) “where religious convictions are a basis of disagreement, it is, other things being equal, less likely that the disputants can achieve resolution or even peacefully agree to disagree” (Audi 2000: 68-69). For this reason, what he proposes is that the state should be ‘neutral’, which means that “the state should neither favor nor disfavor religion or the religious *as such*, that is give positive or negative preference to institutions or persons simply because they are religious” (*principle of neutrality*) (Audi 1997: 4).¹⁷⁶ This principle is essential for a liberal democracy, and it is understood under two aspects: 1) the state should be neutral *among* religions, but also 2) it should be neutral *toward* religion. Otherwise, it would face at least four main problems: 1) interests and views of a majority affiliation are likely to dominate legislation and policy affecting religion; 2) “religious disagreements are likely to polarize government”; 3) the preference of the religious over the non-religious would result in an influence of the state over churches; 4) there would be no equal treatment among all citizens (religious, of any kind, and non-religious) (Audi 1997: 8). However, when speaking of neutrality Audi does not have in mind “the view that a liberal democracy cannot presuppose any large-scale view of the good” thus, he does not conceptualise a strong neutrality thesis – that would rather be too restrictive, but a kind of neutrality that is “not indifferent to religion” (Audi 2005: 210-211; 218). It appears clear that Audi and Rawls’ conceptions of ‘neutrality’ are different. On one side, Rawls’ political conception pretends to be freestanding regarding all comprehensive doctrines, both religious and secular, and with any conception of the good. On the other side, Audi contests Rawls’ perspective, arguing that a fully value-neutral liberal democracy seems “excessive” and unlikely to be achieved from his point of view (Audi 2000: 60). However, Audi agrees with Rawls that among presuppositions about the good – which are necessary for an effective function of public institutions – no religious conceptions should be involved. Thus, while Audi’s

¹⁷⁵ The authority structure is identified by the author as a distinctive element of religion. In fact, Audi affirms that: “(...) not every nonpublic source of views and preferences poses the authority problem, or the special threat to religious freedom, that can arise from certain kinds of unconstrained religious convictions” (Audi 1993: 691).

¹⁷⁶ The “principle of neutrality”, with also the “libertarian principle” (toleration) and the “equalitarian principle” (impartiality), characterize the institutional theory of separation of church and state (Audi 1997; Audi 1989: 262-265; Audi 2000: 32-33).

position seems less restrictive than the Rawlsian view, this is not so given the introduction of the ‘proviso’ into Rawls’ thesis.¹⁷⁷

Audi distinguishes two main principles that apply both to private citizens and public officials (Audi 1989): the *principle of secular rationale* and the *principle of secular motivation*. According to the first principle, “one has prima facie obligation not to advocate or support any law or public policy that restricts human conduct, unless one has, and is willing to offer, *adequate secular reason* for this advocacy or support (say for one’s vote)” (Audi 1997:25; Audi 1989: 279; Audi 1993: 691; Audi 2000: 86; emphasis added). It is important to note the elements that are in common with a Rawlsian approach such as the use of coercive power¹⁷⁸ on citizens that stipulates that they offer ‘secular reasons’, which Rawls calls ‘public reason’, namely those reasons that can be accessible to everyone. In other words, the level of ‘reasonability’ or the strictness of the requirement of ‘secular reasons’, is directly proportional to the level of coerciveness of the law. This principle has a counterpart in the second, the *principle of religious rationale* that is accorded to religious citizens, thus not *all* citizens, whose religious ethical standards apply “to large segment of sociopolitical conduct.” “In liberal democracies, such religious citizens have a prima facie obligation not to advocate or support any law or public policy that restricts human conduct, unless they have, and are willing to offer, *adequate religiously acceptable reason* for this advocacy or support” (Audi 2001: 251; emphasis added).

Audi not only holds that secular reasons “tend to be acceptable to people of differing religious convictions” (Audi 2000: 212), he also holds that his view is not as restrictive as the Rawlsian one. In fact, he claims that his position:

allows (apart from special reasons to the contrary, such as the danger of producing violence or alienating an otherwise sympathetic audience) that comprehensive views, for instance a general set of moral and volitional standards, may figure crucially both evidentially and motivationally, and both in general public discussion and in advocacy and support of laws and public policies, provided (evidentially) adequate secular reasons play a sufficient important role. (Audi 1997: 35)

¹⁷⁷ It has been highly contested by Audi who, in fact, considers it not very clear in some aspects (such as the terms “due course” and “reasonable”) with the risk to make the whole construction “too permissive” (Audi 2000: 160).

¹⁷⁸ Audi adds the distinction between “primary coercion” and “secondary coercion” and he holds that “other things equal, primary coercion is more in need of justification than is secondary coercion” (see Audi 1997: 25-26).

The second principle¹⁷⁹ says that “one has a (prima facie) obligation to abstain from advocacy or support of a law or public policy that restricts human conduct, unless one is sufficiently *motivated* by (normatively) adequate secular reason” (Audi 1997: 28-29; Audi 1989: 284; Audi 1993: 692; Audi 2000: 96). Like Rawls did with the example of the law on abortion, Audi proposes here a similar example on the debate about the personhood of the zygote. Audi, taking a position different from Rawls, holds that citizens should examine their *motivations*, and only if they can find “adequate secular reason” can they vote for a coercive law. Thus, religious citizens are required to find a “secular rationale” that would motivate them “in the same direction” (Audi 2000: 98). This would provide a certain degree of transparency and sincerity among fellow citizens.

The requirement that Audi proposes is that conscientious citizens (mature and rational people) should be both able and willing to provide at least *one secular reason*, which could be somehow also “religiously *inspired*,” but which has to be “motivationally sufficient” and “evidently adequate” (Audi 1989: 279).¹⁸⁰ In other words, Audi points out that “comprehensive doctrines may figure crucially, both evidently and motivationally, in support of public policies *provided* adequate secular reasons play a sufficient important role” (Dombrowski 2001: 115). This seems very similar to the Rawlsian ‘proviso’. However, while ‘public’ in Audi’s view¹⁸¹ would refer to a common accessibility and communicability, he prefers to use the term “secular” to refer to “adequacy”, that is, making an argument understandable to an “appropriately educated person” (Audi 2000: 98). This requires that such an argument be at least minimally ‘reasonable’. He clearly asserts that this requirement is asymmetrical, as he does not propose any counterpart condition regarding religious reasons (Audi 1997: 123). Moreover, he also holds that “in practice the only reason satisfying this description are of a kind that would belong to an overlapping consensus (...) among plausible comprehensive views to be found in a pluralistic society” (Audi 1997: 125).

¹⁷⁹ Audi defines also two weaker versions of this principle: 1) the *principle of essential secular motivation*; and 2) the *principle of partial secular motivation*. For the purpose of my dissertation I will not discuss them extensively. On this, see: Audi 1989: 285-286.

¹⁸⁰ “To say that a reason is *adequate* for a position or action is roughly to say that the reason (if true) justifies it, as the proposition that without inoculations we will have a deadly epidemic might justify requiring (minimally risky) inoculations” (Audi, Robert (2000). *Ibid*: 90; emphasis added).

¹⁸¹ Audi considers his view different from Rawls’, in fact Audi does not exclude *a priori* some (non-religious) comprehensive conceptions of the good in the public sphere, like Rawls seems to suggest.

These two principles are conceived to provide a measure of protection against religious domination “in [the] context in which they should be constrained”, and not to “rule out” religious considerations from public-political advocacy (Audi 1993: 694). As also in contrast to the Rawlsian approach, Audi believes that religious arguments should not be eliminated from the public policy context, but only ‘constrained’. It is not a limitation of civil rights, but an accomplishment of civic virtue.

There is also another principle, the *principle of secular resolution*, which is related to the first principle: that of providing a secular rationale. This principle of secular resolution requires that, “particularly in discussing laws or policies that would restrict human conducts, final resolution should be made along secular lines.” Moreover, “a final decision to adopt a policy should be fully warranted by secular considerations and promulgated in that light” (Audi 1989: 280; emphasis added).¹⁸² This principle presents a double goal: 1) to protect religious liberty and 2) to ensure respect for the nonreligious (Audi 1989: 295).

Even though there are some similarities between Audi’s and Rawls’ approaches, there are also important differences. For example, Audi’s view seems more restrictive than the Rawlsian view, especially the latest one (Sterba 2000: 36). In fact, Audi maintains the dichotomy *secular vs. religious reasons*, with the prevalence of the first over the second, but this is so because Audi’s “secular” concept is conceived as “common to all the major religions” (Audi 2005: 218, n. 30). Audi also specifies that the principle he proposes is addressed “to citizens as voters and supporters of laws and public policy, to legislators in their official capacities, to judges in making and justifying decisions, and to administrators, especially government officials, laying down and interpreting policies” (Audi 1993: 701). However, it applies *differently* to people depending on their roles such as governmental officials or ordinary citizens, different contexts, and on the degree of coercion involved (Audi 2005: 216, n. 26). On the other hand, Rawls – at least formally – poses the same constraints both on religious and non-religious claims, *de facto* independently from their roles. This means that his thesis requires the same burdens to all citizens when they use their coercive power in particular, through their votes.

¹⁸² On this see: Jordan 1997. See also: Schmidt 1999.

3. Concluding Remark: From the Secular” to the Natural” Reason

In his last book, “The Separation of Church and State”, Audi’s position starts from a general concern for an historical, but not necessarily logical, and inextricable link between religion and ethics; this can be also considered in their theoretical autonomy. However, religion and ethics can present a ‘fruitful interaction,’ especially in modern pluralistic and liberal democracies that are generally based on liberty and equality.

It is important to note what the author, following a long philosophical tradition, states about the relative independence of ethics from religion: specifically, “knowledge of moral truths does not depend on *knowledge* of God or of religious truths (or on justification for religious or theological propositions)” (Audi 2014: 12). In the history of moral thought there have been many attempts to demonstrate that ethics, and possibly also religions, contain important truths that are naturally and hence secularly, knowable. Examples include knowing not to injure or kill others, not to lie or break promises, and other real obligations intrinsic to the human condition. For these reasons, according to Audi, “what is supported by reason and everyday facts may be reasonably viewed as having *prima facie* epistemic priority over moral claims based only on religious grounds” (Audi 2014: 18). The priority of ‘evidential authority of perception’ rationally acquired and verified is stronger than any other. Audi’s view is that a “person can be moral without being religious and that there could be no religious truths that support them” (Audi 1989: 291). It means that moral truths can be independent from religious ones, and they can be knowable also without religion. This conviction does not collide with ethical rational norms that a believer could find also in divine revelation, due to the fact that, for the same believer, God is at the origin both of revelation and reason. If we do sincere rational investigations, a believer assumes that *a good use of reason*, although always difficult in its practical exercise, would not find any ethical norms eventually in contrast with what was revealed by God himself. One might be perfectly aware that this assumption is, on the one hand, a real challenge but, on the other, is also a true hope for the task of living together in a plural, multicultural, globalized world.

As one person could be “differentially motivated by one of two compatible aims [both religious reasons and secular motivation; civic virtue as well as religious virtue] depending on the situation” (Audi 1997: 36), the author suggests that there is the possibility to reach a “*theo-ethical equilibrium*” between the two sources of ethics,

which is described as “a *rational integration* between religious deliverances and insights and, on the other hand, secular ethical considerations [drawn from secular thought and discussion]” (Audi 1997: 21; Audi 1993: 699; emphasis added). This is considered as a “higher-order principle” in which: “religious considerations appropriately bear on matters of public morality or of political choice, religious people have a prima facie obligation – at least insofar as they have civic virtue – to seek an *equilibrium* between those considerations and relevant secular standards of ethics and political responsibility” (Audi 1997: 37; emphasis added). Thus, it would result in a “balance between religiously and secularly based moral beliefs and attitudes.” This can only happen by taking into account, both religious commitments and secular ethical views, as well as one’s scientific outlook. In “balancing all these elements, then there will be found a *rationale* for good practical and moral conduct as well as for a clear dialogue with those who hold a different religious or ethical view” (Audi 2014: 21-22; emphasis added). Religious and non-religious views, from this perspective, are equally possible source of the agents’ ethical conduct.

The principle of theo-ethical equilibrium is conceived of also from an *institutional* point of view. “Religious institutions, at least insofar as they are committed to citizenship in a free and democratic society, have a prima facie obligation to seek such equilibrium in deciding to advocate or support laws or public policies that restrict human conduct” (Audi 1997: 38). This principle is valuable as churches and religious institutions in general, are not necessarily motivated only by religious reasons. However, in this vein – which is a new approach to religion, here intended as its institutional character – Audi adds the *principle of ecclesiastical political neutrality* which states: “in a free and democratic society, churches committed to being institutional citizens in such a society have a prima facie obligation to abstain from supporting candidates for public office or pressing for laws or public policies that restrict human conduct” (Audi 1997: 39). The principle is extended also to churches’ official representatives ‘acting as such’, as the individual *principle of clerical political neutrality*. Thus, religious leaders as such should respect the obligation to: 1) to “observe a distinction (...) between their personal political views and those of their office;” 2) to “prevent any political aims they may have from dominating their professional conduct as clergy;” and, 3) to “abstain from officially (...) supporting candidates for public office or pressing for laws or policies that would restrict human conduct” (Audi 1997: 48).

However, as Audi himself notices, this principle would not prevail *in every social condition* for example, in the case of tyranny (Audi 1997: 48). Moreover, he still recognizes the possibility for churches or clergy to promote religious ideals *in general* such as the Catholic social teaching, “especially *if broadly moral*” (Audi 1997: 44; emphasis added). A very crucial notion is that of the ‘natural moral reason’, or the ‘rationality of moral standards’, which can be referred both to the religious and secular ethical approaches. They would not necessarily be in conflict but, if reasonable, they can even cooperate with and integrate into one another.

One fundamental distinction between Audi’s and Rawls’ points of view is their different conception of the ‘political’. In fact, Audi’s notion of what is ‘political’ seems narrower than the Rawlsian idea. Audi does not include any moral issue such as abortion, or euthanasia in his concept while Rawls does not exclude it. Indeed, according to his view, they are political matters. However, it must be noted that, in these cases, the state would not remain agnostic with respect to competing comprehensive doctrines for example, regarding the definition of ‘personhood’. For this reason, Audi asserts that “the separation of church and state does not require (...) that churches should not publicly take moral positions, even if there is political controversy on them” (Audi 1989: 274; Audi 1997: 41). But the way in which churches could support moral positions can differ and it cannot be object of a definite codification.¹⁸³

Audi suggests, however, that his position does not significantly differ from Rawls’ view “in implying that the reasons for which one actually makes political decisions, especially those involving coercion of fellow citizens, should justify those decisions by *secular standards*” (Audi 1997: 135; emphasis added). This is what Rawls might intend by the criteria of ‘being reasonable’ and civil (namely, respectful of the duty of civility).

¹⁸³ On this, Audi distinguishes between *internal* and *external* political activities, and between *official* and *unofficial* political statements. This distinction is very important especially with regard to the Catholic Church, Catholic social teaching, and the various categories of documents.

Final Considerations (Part I)

1. General Concerns.

The main problem that could be posed is whether and to what extent people with religious convictions could participate in public debate by offering a religious-based reason/justification for certain fundamental political issues. Thus, in summarizing Rawls' theory on public reason, we have to respond to this question: can 'religious reasons', that is, justifications that are based on religious comprehensive doctrines, be directly involved (so as they are) in the 'public' sphere?

According to Rawls, the 'ideal of democratic citizenship' – at least, in a 'deliberative democracy'¹⁸⁴ – requires an 'intrinsically moral' (not legal) duty,¹⁸⁵ the so-called 'duty of civility'. As mentioned above, this duty entails one to be able "to explain to one another on *fundamental questions* how the principles and policies they advocate and vote for can be supported by the political values of public reason" (Rawls 2005: 217; Rawls 1997a: 97; emphasis added). This requirement is based on the so called *liberal principle of legitimacy* according to which "(...) our exercise of political power is proper and hence justifiable only when it is exercised in accordance with a constitution the essentials of which all citizens may reasonably be expected to endorse in the light of principles and ideas acceptable to them as reasonable and rational" (Rawls 2005: 217).

Since in a democracy, the power is exercised by the collectivity of citizens who are mutually free and equal, and equally *co-sovereigns* (it is a society that is also described as 'a fair system of cooperation over time'); and since the result of their political activity would be generally coercive for all the members of that collectivity, it follows that every political decision on fundamental questions should be justified by those reasons that are 'sufficient', or rather 'generally acceptable'. Thus, not all reasons are acceptable, but only those that are essentially and merely *political*:

¹⁸⁴ Weithman defines it as that political democratic system that «conceives of citizens as equal participants in public debate who help to set political agendas and who control the political processes in which they participate» (Weithman 2002: 75).

¹⁸⁵ The "duty of civility" – the duty to use "public reason" – is not legal; in fact, it does not impose any punishment or prosecution for not living up to it. Rawls is not the only scholar who poses this moral obligation in order to guarantee a support to the basic institutions of a just and liberal democracy (Audi, Robert (1989). "The separation of Church and State and the obligations of citizenship". *Philosophy and public affairs*. Vol. 18: 259-296).

namely, those reasons that honour the idea of *public reason* and pursue *public justifications*. Such reasons must go beyond personal (religious or non-religious) belongings and beliefs. Thus, Rawls would call the ‘political conception of justice’ the only legitimate base for the exercise of the ultimate political power and thus, of *coercion*, in order to avoid an arbitrary use of the power.

Rawls’ view is democratic, but non-majoritarian: the risk of majoritarian democracy, in fact, is that when majority wins, minorities risk not being respected. In this case, the force of the number of members would justify the imposition of certain ideas or comprehensive doctrines.¹⁸⁶ Rawls wants to prevent this from happening, and for this reason, he suggests a freestanding public ground of agreement, the political—as opposed to a metaphysical—conception, as the basis for a public common culture.¹⁸⁷

As I have already mentioned, Rawls maintains a strict separation between ‘political and social institutions’ and ‘civil society’ with its many and diverse associations. However, he seems to distinguish three main categories within the ‘public realm’, and he clearly says that the public reason does not apply to all of them in the same way. He further asserts that the duty of civility does not apply in the same way for all citizens in all situations.¹⁸⁸

The first realm is the *public political forum*, which is a specific part of the ‘public political culture’, and which seems to engage an official level of publicity such as the legislative and juridical powers, public officials and judges, and involves issues of constitutional essentials and basic justice.¹⁸⁹ In this realm, ‘public reason’ is *binding* and absolute and without exception. This level entails the use of no comprehensive language, religious or non-religious. The second realm, which is not always clearly

¹⁸⁶ Also Robert Audi has noticed that “(...) where a state establishes or prefers a given religion, we may anticipate (though it is perhaps not inevitable) that certain laws will significantly reflect the world view associated with that religion” (Audi – Wolterstorff 1997: 6).

¹⁸⁷ «It is important to remember that the function of public reason is not simply to build working majorities behind judicial decision of legislative programs, but also to assure *all* citizens that exercises of public power are just and legitimate and that the fundamental interests of each and every citizen are being respected» (Weithman 1994: 25).

¹⁸⁸ “A supreme court charged with resolving constitutional controversies should reach its decisions only by means of public reasoning; the court is in this sense the “exemplar of public reason” (PL 233-234). Other government officials may sometimes turn to forms of nonpublic reasoning, depending on the circumstances and the issues under consideration. Yet these officials must still satisfy their duty of civility by explaining to others how their choices on fundamental questions are justified in terms of reasonable political conception of justice’ (Mandle-Reidy 2014: 231).

¹⁸⁹ This is what Habermas would call the “institutional” sphere, which involves an “institutionalized practice of deliberation and decision-making”. He distinguishes it from what he calls the “pre-parliamentarian domain” which is the “political public sphere itself” (see Habermas 2006: 10).

defined, could be understood as an intermediate level – between the highest, the merely political, and the lowest, ‘civil society’. It is a public forum rather, the ‘rest’ of the ‘public political culture’, in which the competition of political powers takes part, and in which ‘other issues of justice’—non-fundamental legislative questions, or ‘ordinary legislation’—are advocated. It is thus a kind of ‘pre-parliamentary’ area. The restrictions of ‘public reason’ could apply also at this level, and actually, it seems that Rawls, in an early stage, would argue for it as ‘highly desirable’. However, Rawls himself seems to have opted for a wider approach (at least, in the revisited version of his “Public Reason”), allowing that public reason may not apply here. Thus, at this level, the proviso is *not strictly* required.¹⁹⁰ The third level is called ‘background culture’ that Rawls specifically identifies with the ‘culture of civil society’. At this level, it is important, especially for the preservation of pluralism, to admit a ‘full and open discussion’. This means that non-public reasons are always allowed to enter into play here. These reasons can be divergent and are not subjected to any restriction by the public reason, within the limits of the law. The same is also valid for mass-media.

However, it is important to bear in mind that historical contingencies may make it difficult to define clearly the borderline between religion and politics, between political public sphere and background culture.

Public reason seems to be a much-particularized idea, more than a general theory, and this may cause a few problems in its concrete application.

2. The Idea of Public Reason in The Law of Peoples.

Rawls’ theory on ‘public reason’ is conceived in the context of a liberal democratic, well-ordered society. It surely applies at the ‘domestic level’, and thus it poses burdens to citizens of a specific political collectivity. However, in *The Law of Peoples*, Rawls briefly describes the idea of public reason – and thus, a political conception as a basis for public justification – for a ‘global domain’ as well. Here he proposes a theory, which is broader than the application he formulates in *A Theory of Justice*. In *The Law of Peoples*, he argues that, “justice as fairness” is extended to the international level only with regard to the aims and limits of the war.

In *The Law of Peoples* Rawls raises a new fundamental question:

¹⁹⁰ See Part I. Chapter 1.

What can be the basis for a Society of Peoples given the reasonable and expected differences of peoples from one another, with their distinctive institutions and languages, religions and cultures, as well as their different histories, variously situated as they are in different regions and territories of the world and experiencing different events? (These differences parallel the fact of reasonable pluralism in a domestic regime). (Rawls 2001: 54-55).

Rawls specifies that “Law of Peoples is developed within political liberalism and is *an extension of a liberal conception of justice* for a domestic regime to a Society of Peoples” (Rawls 2001: 9, 55; emphasis added). In fact, even at the international level, Rawls’ aim is to think of a theory that would lead to ‘social unity’. Even at the international level it is important to maintain *mutual respect* between peoples and to ensure that all people maintain *self-respect*, “not lapsing into contempt for the other, on one side, and bitterness and resentment, on the other” (Rawls 2001: 122). Furthermore, at the international level, comprehensive doctrines play only a reduced role as it is in liberal democratic politics. The starting point is always the idea of the *politically reasonable*.

Rawls distinguishes between five types of “peoples” (Rawls 2001: 4): 1) reasonable liberal peoples; 2) decent peoples; 3) outlaw states; 4) societies burdened by unfavourable conditions; 5) benevolent absolutism. Among them, only the first two are part of the *Society of Peoples* according to Rawls’ definition: “all those peoples who follow the ideals and principles of the Law of Peoples” (Rawls 2001: 3). At the conclusion of this part of my dissertation, I would like to recall the *four basic facts* that Rawls has often evoked. The “four basic fact”, as Rawls calls them (Rawls 2001: 124-125), are: 1) the fact of reasonable pluralism; 2) the fact of democratic unity in diversity; 3) the fact of public reason; 4) the fact of liberal democratic peace.

The first fact along with the idea that pluralism is the result of the culture of free institutions, and that different and irreconcilable comprehensive doctrine should “be united in supporting the idea of equal liberty for all doctrines and the idea of separation of church and state” (Rawls 2001: 124). The second fact that Rawls speaks of, affirms that political and social unity does not lead to homogeneity under a single comprehensive doctrine, religious or non-religious. The third fact holds that, in order to guarantee mutual respect between free and equal citizens, they should be able to offer each other reasons that could be ‘reasonably’ acceptable by the collectivity. Reasons based on comprehensive doctrines, when given, should be supported by

‘public reason’. Lastly, the fourth fact states that, between peoples, offensive war should be banned, and only defence war should be allowed (Rawls 2001).

3. *Concluding Remarks.*

Rawls’ theory seems to struggle with the difficulty of reconciling two elements in his political theory. There is, on the one hand, the problem of ‘diversity’, which comes from pluralism and should be preserved in a liberal democracy. On the other hand, there is the problem of the ‘unity’ of a political system. While he recognizes that all citizens, thus religious ones included, within a democratic context, must participate in public-political debate with no discrimination; reasons that citizens offer to each other should be publicly or reasonably ‘accessible’. For this reason, Rawls intends to allow for ‘reasonable disagreement’ but by proposing that citizens adopt ‘agnosticism’ with respect to any religious claim. Rawls affirms that one honours the idea of public reason if three conditions are satisfied:

a) we give very great and normally overriding weight to the ideal [public reason] prescribes; b) we believe that public reason is suitably complete, that is, for at least the great majority of fundamental questions, possibly for all, some combination and balance of political values alone reasonably shows the answer, and finally c) we believe that the particular view we propose, and the law and policy based thereon, expresses a reasonable combination and balance of those values. (Rawls 2005: 241)

However, rejecting the ‘exclusive view’ and, partially, the ‘inclusive view’ as well, thus taking into account the formulations of ‘public reason’ from the ‘wide view’ and the ‘proviso’, there are some other fundamental elements to be considered. ‘Public reason’, which strictly applies only in the case of ‘official forum’ and for issues concerning ‘constitutional essentials’ and ‘basic justice’, is open to comprehensive doctrines, religious or non-religious, both in ideal and non-ideal conditions (*wide view*). This openness to comprehensive doctrines can be observed not merely in specific situations, but ‘at any time’. Moreover, when comprehensive doctrines are ‘reasonable’, meaning that they are not in contrast with constitutional fundamental principles but are rather committed to the constitutional democracy and thus coherent with the ‘public reason’, then such comprehensive doctrines could even help to ‘strengthen’ such a democracy. Lastly, such comprehensive doctrines should be able ‘in due course’ to attain two criteria: a) firstly, that they give public reasons in support of their claims and that they justify their proposal “in terms of proper political

values;” and, b) secondly, it is necessary that these doctrines, without any restrictions or requirements, be expressed (*proviso*).¹⁹¹ Opening to the possibility for a political use of comprehensive doctrines seems to suggest that “there are positive reasons for introducing nonpublic reason into political discussion, such as a mutual recognition of how reasonable comprehensive doctrines can nourish allegiance to liberal-democratic values” (Mandle-Reidy 2014: 231).¹⁹²

In this way, it is possible to understand how, in fact, religion is not merely ‘privatized’¹⁹³ – or completely prohibited – from the public and political debate by Rawlsian theory, but is *constrained* (Weithman 1994: 21), or ‘restrained’. However, when the values of civility, mutual trust and respect, and security are not endangered, and thus, when there are not conditions for a political division, Rawls himself leaves room for religious argument, even leaving it some *limited* role (only auxiliary or marginal) in political deliberation (Williams 2000: 199-211).¹⁹⁴

A famous example offered by Rawls for his argument on public reason is the much-discussed footnote on the question of abortion.¹⁹⁵ In the first edition of *Political Liberalism* and *The Idea of Public Reason* Rawls seems to reject any position that would deny the right of abortion (in the first trimester of pregnancy), considering them ‘unreasonable’ and citizens holding them would violate requirements of public reason. However, in the second edition and in *The Idea of Public Reason Revisited* – although still considering abortion as a “duly qualified right” – he accepts that “political opposition to abortion rights does not necessarily violate requirements of public reason” (Mandle-Reidy 2014: 4). Thus, “citizens who oppose abortion on religious or moral grounds may indeed advocate against abortion rights politically, but only if they satisfy the proviso and identify sufficient public reasons for their judgements” (Mandle-Reidy 2014: 4). In support of the consideration that issues with political relevance, such as the Abortion case, may have good arguments both for and against it within public reason, Rawls cites the argument in denial of the right to

¹⁹¹ See: Part I, Chapter 3.

¹⁹² Something similar was suggested by Weithman by affirming the positivity of Churches in educating citizens to a full and active political participation (Weithman 2002).

¹⁹³ This is the thesis of Richard Rorty who has suggested that religion should be privatized “keeping it out of (...) ‘the public square’, making it seem bad taste to bring religion into discussion of public policy” (Rorty 1994: 2).

¹⁹⁴ In this sense, it has been noted that “Rawls’s position marks an important advance beyond those liberal theorists who propose a simple and rigorous ‘separation of church and state’, one that prohibits all religious discourse within public affairs” (Thiemann 1996: 86).

¹⁹⁵ See: Wolfe 2009.

abortion as articulated by Cardinal Joseph Bernardin in his essay “The Consistent Ethic: What Sort of Framework?” (1986).¹⁹⁶ In Rawls’ view, the position offered by the Cardinal – even though, perhaps, not the best – is still “*clearly cast in some form of public reason*” (Rawls 2005: 788, footnote n. 82; emphasis in original); thus, it is politically acceptable. From this point, Rawls seems to agree that, within the limits of “public reason”, it is possible to recognize (and accept) different “public reasons”.¹⁹⁷

As already mentioned, Rawls’ theory has been very influential over the last decades from the time of *A Theory of Justice*, which was published in 1971, to the present. However, it leaves some ambiguities that have engendered different interpretations. Rawls himself has had the chance to respond to some of the major criticisms, but others have remained the subject of further considerations. As his major intent was to propose political liberalism as the best option for a fair political system, and not to solve all the problems raised by the presence of religious convictions in the public sphere, some questions remain unanswered by his work. For example: are the limits (the burdens of public justification) imposed on religious claims merely formal and procedural, or are they rather substantial? Is there only a problem of accessibility of their formulation, or they are unacceptable also in their contents?

The restrictions that Rawls suggests in order to guarantee a peaceful coexistence of citizens who belong to different comprehensive doctrines does not apply only to these doctrines, but also involves practices, institutions and religious authorities. From the political point of view, an intervention of churches, religious communities and religious authorities should be possible if it is not distressing. Using specific examples (namely, Dr. Martin Luther King’s speeches, or the abolitionists case), Rawls himself and other scholars, like José Casanova and David Hollenbach, have noticed that Catholic social teaching was a fundamental source of meaning during the processes of democratization in Eastern Europe or Latin America.¹⁹⁸ They have also noted that the Catholic Church has provided “an important reinforcement for

¹⁹⁶ See: Bernardin 1988.

¹⁹⁷ See also: George 2001: 63-74.

¹⁹⁸ The same was observed by Huntington, who has held that the democracy’s ‘Third Wave’ (Huntington 1991b) “was overwhelmingly a ‘Catholic’ one” (Troy 2011: 53). For a general account on democratization processes in which religions played a role, see: Toft – Philpott – Shah 2001.

democracy and an institutional refuge for human rights activists in times of oppression” (Sigmund 2002: 238; Haynes 2010).

In the next part of my dissertation, by taking into account the recent evolution of Catholic thought regarding social and political issues, I will show how the Church approximates the conditions proposed by Rawls. However, the Church offers her own approach to these issues, insofar as she is ‘one’ (*unam*) and ‘universal’ (*catholicam*),¹⁹⁹ and thus it is also necessary to ‘translate’ her general principles into different and specific practices all over the world.²⁰⁰

The next part of this dissertation will analyse the Catholic point of view on the role of religion namely, religious citizens and their reasons, in the public sphere with the aim of proposing a dialogue between these two different positions. The aim is to further show if and how the two can be considered in accordance with each other and to offer an understanding of how a ‘reasonable comprehensive doctrine’, like that of Catholicism, can propose alternative solutions to the Rawlsian liberal position.

¹⁹⁹ These are two of the four characteristic of the Roman Catholic Church: “*unam, sanctam, catholicam et apostolicam ecclesiam*”.

²⁰⁰ “(...) [w]hile the Church does teach universally binding moral principles, these principles must be interpreted and applied in the concrete to the civic realm” (Lawler et al. 2014: 173).

PART II

The Catholic Social Teaching in the Public Sphere as a Reasonable Comprehensive Doctrine: The Double Role of the Pontiff as Political and Spiritual Authority.

Introduction

1. Introductory Considerations.

Today's historical period is marked more than ever, by the privatisation of the 'religious' and by the consequent accentuation of a move toward the secularization of the Western world. Juxtaposing this dynamic is the proliferation of religious pluralism. Against this backdrop, I believe it is important to engage in a discussion, which involves the academic and political worlds and which occurs at the international level, about the role of religion in the public sphere. Therefore, I want to attempt to offer a reflection from the Catholic point of view, taking as the specific historical periodization, the 'contemporary' age from the Second Vatican Council to today. I will follow the thought of those who understand religion not as a static, but rather as a *dynamic* phenomenon; not as permanently separated from politics, rather *in dialogue* with different political aspects; as always present and influential in the public realm, "manifesting and being interpreted in different ways" (Wilson 2012: 6). In this sense, "what is "religious", just like what is "secular", is not fixed and constant, but continually shifting and altering" (Wilson 2012: 39). And this seems even truer with respect to Catholicism.

The relationship between the Church and the State has been a fundamental issue in the history of the Catholic Church since its early stages,²⁰¹ in the time of the Church Fathers. This relationship, which has taken different forms throughout history,²⁰² necessarily affects the public, political, life of citizens-believers who are called to live with respect to two different 'authorities'; on one side, their moral

²⁰¹ For a recent analysis of the issue, see: Filoramo 2009.

²⁰² The relationships between Church and state could be synthesized in three major systems: 1) forms of commixture between the religious and the civic power, with mutual interference; 2) regimes of separation of the two spheres, with either hostility or indifference; 3) a system of mutual recognition of independence and autonomy, with efforts of cooperation (it seems to be the preferred type today). See: UCSC 2004: 183-184.

convictions and on the other, the laws of the state as well as the rules of a ‘public reason’ in a Rawlsian terminology.

On the other hand, we can look at the thought of the Church on the public role of religion through the lens of the public – moral and political – role of the Church as an institution, and the Pontiff as its highest head and leader. Even though it does not provide a specific political theory,²⁰³ the Catholic Church “has often been intensely involved in the political life of the societies in which it finds itself” (Himes 2013: 230), and it has a role and therefore important consequences, directly or indirectly, on the greater social arena. However, whether religion and politics interact, they certainly cannot be confused. *Should* the Church be involved in temporal politics? And, if so, *why* and *how*?

If certain ‘restrictions’ on the acceptability of religious reasons could be posed in the ‘public sphere’ (*strictu sensu*: the ‘political’) for citizens, it appears difficult to affirm the same for the Pontiff who, as the head of a state and Supreme religious authority of the Roman Catholic Church, speaks both as a political and as a spiritual leader. The Pontiff exercises this role both when he speaks for the Catholic faithful (in this case he might employ simply ‘religious reasons’ and even a theological language) and for all others, in which case he may use also ‘secular’, rather ‘public’ reasons,²⁰⁴ and it happens in particular when it engages social questions.

Especially since the events of September 11th 2001, the discussion of a ‘public role of religion has escalated. Roman Catholic Pontiffs (Benedict XVI in particular) have taken part in this discussion. Certainly, their interpretation of ‘the political’ is largely theological, even though it does not necessarily expound a real ‘political theology’. The contemporary Catholic Social Teaching or *Catholic Social Doctrine*, and *Magisterium*,²⁰⁵ through the official documents of II Vatican Council and Popes’ positions, has offered principles that, according to its own nature (Sangalli 2014: 17-19), are effectively ‘political’, having also political-ideological, or political-practical consequences.

²⁰³ “The New Testament is not a revelation about polity. Politics is not revelation’s object. We will look in vain in the Gospels for a description on how to organize the state or how to promote polity” (Schall 2004: 52).

²⁰⁴ In these cases, Marty suggests to speak of the Church as a ‘public church’ (Marty 1981), while Casanova indicates with “public religion” the “one that has, assumes, or tries to assume a public character, function or role” (Casanova 2003: 111).

²⁰⁵ For the purpose of my thesis, I will use these terms as synonyms.

The example of the positions of the last three pontificates—John Paul II, Benedict XVI, and Francis—could help to acknowledge how the Catholic Church understands the concept of ‘public reason’ and how she can have an effect on, or influence the political realm, nationally and internationally.

The history of the relationship between the Church and the State, or the relation between the Christian-Catholic religion and the political realm, extends to its ancient roots. The exchange between religion and politics has characterized the life of the Roman Catholic Church since the early stages of the Fathers of the Church, at least until the French Revolution when the two spheres, the religious and the political, were institutionally separated in an irrevocable way. However, the role of the Church in public life, and thus also the juridical model of relationship between Church and state, is *variegated* and it changes among the different countries and areas of the world, as it is profoundly determined by the “structural location any church accepts between state and society” (Casanova 1994: 70).

In the following paragraph, I will summarise the main historical turns that have shaped the state-political relationship until the present time. The intent is only to offer a general account of what has concerned the Catholic Church in the last two centuries, in order to place the Catholic thought in a more consistent way.

2. *A Series of Historical Events.*

In the ancient world, religion was essentially understood as a “public/political” phenomenon. Up to the famous Edict of Milan (the “Edict of Constantine”) in 313 A.C., Christians, ‘the people of Christ’ were persecuted by the Roman political power – faithful to its pagan religion – as adherents of a *religio illicita*. In that period, “the church was not only driven away from the state; it was also drive out of the political community altogether” (Forster 2008: 38). This meant that Christians could not be linked with any specific political ideology or support any particular political group; rather it developed an apolitical sense of the Church’s own identity.²⁰⁶

Only by following upon the Edict was Christianity then accepted as *religio licita* or a ‘tolerated religion’. In 380 A.C., after the Edict of Theodosius, the situation

²⁰⁶ In this regard, Giuseppe Diez Alegria observes that as Christianity is a ‘personal’ religion (the center of the message is the faith in the person of Christ as the Son of God), this represented a de-politicization of religion and the overcoming of Israelite theocracy. It is still a ‘social-interpersonal’ religion, but not ‘political’, at least since the time of Constantine’s conversion. See: Diez Alegria 1967: 52-53.

radically reversed and it became the “sole legitimate religion” of the State, the empire (Ventura 2011: 949), and thus it became the guarantee of stability and unity. In this way, after the short period of the two mentioned imperial decrees, the ancient interconnection between religion and state continued in the so-called time of ‘Christianity’.

In 494, Pope Gelasius I, in his *Epistolam ad imperatorem Anastasium* (PL 56 col. 633) (Cottrell 1993), introduced the idea of a ‘Christian dualism’, meaning that Christians were subject to two powers: the spiritual, the papal authority or *auctoritas sacrata*, and the temporal, the imperial power or *potestas regalis/imperium*. These two powers were distinct, independent and supreme, but both of them were derived from God, meaning that the Emperor’s power was derived from the Church, thus it was not equivalent to the *auctoritas*. The Christian attempt was to create a unity and homogeneity of Christianity under the formula: *one Christianity, one Church, one Empire* (Ventura 2016: 949). For Pope Gregory the Great (540–604), in fact, the political power is subordinated to – and in service of – the religious power. This is because there is only one order, the *salvation*. The role of the Church, in this sense, is merely spiritual and sacred. The process of *re-sacralization* of the state started with the alley between the papacy and the French kings in 752 and it was consolidated through the IX century until the erection of the *Holy Roman Empire* – later named the “Holy Roman Empire of German Nation” in the *Diet of Cologne* in 1512, which ended in 1806.

However, in the eleventh century, from the strict link between the Church and political authority arose the problem of the inference *interna Ecclesiae* – especially on the appointments of bishops – which was then solved at first by the reform of Pope Gregorius VII (1073-1085). With the *Dictatus Papae* (1075) (Henderson 1910: 366-367), he wanted to preserve the Church by posing the basis for a centralization of the religious power in the Pope’s hands and his supremacy over the temporal power (Camastra 2006). This is the act that for the first time totally ousted the political authorities from the administration of ecclesiastical investiture (especially the Pontiff) and it is known as “political Augustinism” (Rhonheimer 2013:204).²⁰⁷

²⁰⁷ “Political Augustinism stems from a misreading of Augustine’s idea of the duality of the two cities and the corresponding superiority of the spiritual over the temporal. The fundamental idea of political Augustinism was, expressed in the famous words of Pope Gregory the Great (509-604), that “who governs has received his power over all men from above, so that the earthly city be in service of the heavenly” (Rhonheimer 2013: 204).

However, a real division of the ‘two swords’²⁰⁸ (or the ‘dualist power’),²⁰⁹ and possibly a germ of a nation-based sovereignty then confirmed with the *Treaties of Westphalia* in 1648,²¹⁰ was introduced with the *Concordat of Worms* (1122). It was also the beginning of a series of agreements between the Church and the political power (Leziroli 1998). During the period of the Protestant Reformation and the subsequent Catholic counter-Reformation and the *Council of Trent* (1545), while political authorities were more involved in the religious life in various countries (for example, in England with the *Act of Supremacy* and the recognition of the king Henry VIII as the head of the Church of England), the Catholic Church affirmed the supremacy of the Pontiff as ‘*Vicarius Christi*’ (this title passed from the emperor to the pope) and his *plenitudo potestatis*.²¹¹ This was the end of a religious homogeneity in Europe with Christianity uniting into one Church, and also the beginning of religious contrasts or the ‘wars of religion’ in Europe.

The Imperial *Diet of Augsburg* (1555) and the *Peace of Westphalia* (1648) ended the Thirty Years’ War (1618-1648) posing the principle *cuius regio, eius religio* (or ‘whose realm, his religion’) in order to permit a political, but not theological reconciliation between Protestant denominations and the Roman Catholic Church, and a sort of acceptance of the multiplicity of different Christian denominations. It started also a new modality of relationship between the Church and the State (Onnekink 2009), mainly based on the political concept of ‘toleration’. It was only with American independence on July 4, 1776 and the introduction of the Constitution that a real concept of the ‘secular state’ was born with the idea of the *separation* between the Church and the State, as well as the modern concept of religious freedom.

In the seventeenth and eighteenth century, meanwhile the Church was basically pursuing her political doctrine, on the sacrality of both the Kings and the Roman

²⁰⁸ The doctrine of the “two swords” was originally proposed by S. Bernard (1090-1153), in his *De Consideratione* and in his letter to Eugenius III (1146) where he wrote: “now whilst Christ is enduring a second passion where He also endured His first, both swords, the material as well as the spiritual, must be unsheathed. And by whom but by thee? For the two swords are Peter’s, to be drawn whenever necessary, the one by his own hand, the other by his authority.”

²⁰⁹ According to the doctrine, “the state wields the physical sword, and the church wields the spiritual sword” (Forster 2008: 130).

²¹⁰ The Peace of Westphalia is “often presented as one of the fundamental moments of modern international politics” (Wilson 2012: 47).

²¹¹ The Doctrine was solemnly defined in 1302 by Boniface VIII (1294-1303) in the bull *Unam Sanctam* “which insisted that all individuals, including kings and other rulers, were subject to the temporal authority of the pope” (Coppa 2014: 10).

Pontiffs, the Enlightenment and the French Revolution generated the idea of a new political power and its freedom with respect to any supreme authority, and the ‘cult of reason’ as a ‘secular religion’. But it was also the beginning of a strong opposition to religion including Catholicism, with the spread of an anti-religious and anti-clerical attitude.

The weakening of the Roman Catholic Church’s political role started during the period of the *Risorgimento* and the unification of the Italian states, which was seen as an attempt of ‘stealing’ the papal state. This *Risorgimento* reached its peak in 1870 with the dissolution of the Pontifical states and the confiscation of all its properties, which was also the interruption of the papal power over a physical territory, restored only in 1929 with the creation of the Vatican State.

3. *Towards the Second Vatican Council. An Historical Framework.*

I will refer to the Second Vatican Council, hereafter also ‘the Council’, as a ‘turning point’ for the Catholic Church, especially regarding her role and teachings on politics as presented in the ‘Catholic social teaching’, or Catholic social doctrine. However, it would be reductive to talk about that even avoiding to consider, the process that actually has led to it.

In order to understand the main reasons that supported those that are considered as ‘innovations’ of the Council, I would like to offer a brief historical enquiry of what in the contemporary time the Catholic social teaching is.²¹²

In the *Compendium of the Social Doctrine of the Church* (PCJP 2004: 44), it is written:

The term “social doctrine” goes back to Pope Pius XI and designates the *doctrinal “corpus”* concerning issues relevant to society which, from the Encyclical Letter *Rerum Novarum* of Pope Leo XIII, developed in the Church through the Magisterium of the Roman Pontiffs and the Bishops in communion with them. *The Church’s concern for social matters certainly did not begin with that document*, for the Church has never failed to show interest in society. (n. 87)

Its beginning is usually associated with the publication of the first social encyclical *Rerum Novarum* (1891) by Leo XIII (1878-1903), which “grafting itself onto a tradition hundreds of years old, it signals a new beginning and a singular development of the Church’s teaching in the area of social matters” (n.87). Moreover, it “became the document inspiring Christian activity in the social sphere and the point

²¹² For a comprehensive understanding of the Catholic social teaching see: *Compendium of the Social Doctrine of the Church* (2004).

of reference for this activity” (n. 89), dealing with the central theme of the “just ordering of society.” It was mainly devoted to the *labour question* and the industrial revolution, but it also became a paradigm for the following documents and developments. Probably the most famous affirmation in the *Rerum Noverum* that has been quoted along the later tradition is: “man precedes the state” (n. 7). This has marked the fundamental thought of the Catholic social teaching: *human person is the foundation and purpose of political life*. It means that “politics and law are to serve persons” and “the human person is never simply of functional or utilitarian value” (Hollenbach 1979: 43-44). By talking about the rights of workers, Leo XIII also affirmed the *equal dignity* of all persons. From a Catholic point of view, the intrinsic dignity of the man and his *sacrality*, is strictly linked to the central biblical-theological affirmation that *the man is created at the image of God (imago Dei)* (Erhueh 1987). But it is from the dignity and equality of human persons that many socio-political derives, such as: the right to an adequate remuneration; the right of private property, that has to be extended to the greatest number of people; the rights of adequate food, clothing and shelter; as well as the rights to organize associations or unions and so on. But it is important to underline that, in the Catholic thought; any right has also a related duty.

The end of the XIX century still had seen the Church in its approach of opposition of those that were considered as ‘contemporary errors’ of modernism, such as: liberalism and nationalism, toleration and indifferentism (both part of the so-called “religious liberty”, or the freedom to choose any religion), and the de-Christianization of society. All of them, conceived as an attack on the Church and religion, have been the focus of two important previous documents: the encyclical *Mirari Vos* (1832)²¹³ of Gregory XVI²¹⁴ and the encyclical *Quanta Cura* and the “*Syllabus* of errors”

²¹³ In the encyclical *Mirari Vos* is written: “13. Now We consider another abundant source of the evils with which the Church is afflicted at present: **indifferentism**. This perverse opinion is spread on all sides by the fraud of the wicked who claim that *it is possible to obtain the eternal salvation of the soul by the profession of any kind of religion, as long as morality is maintained*. (...)14. This shameful font of indifferentism gives rise to that absurd and erroneous proposition which claims that **liberty of conscience** must be maintained for everyone. It spreads ruin in sacred and civil affairs, though some repeat over and over again with the greatest impudence that some advantage accrues to religion from it. “But the death of the soul is worse than freedom of error,” as Augustine was wont to say. (...)20. Nor can We predict happier times for religion and government from the plans of those who desire vehemently to **separate the Church from the state**, and to break the mutual concord between temporal authority and the priesthood. It is certain that that concord which always was favorable and beneficial for the sacred and the civil order is feared by the shameless lovers of liberty”.

²¹⁴ Gregory XVI was the first Pope who condemned liberalism using merely theological reasons (not political). See: Regoli 2006.

(1864)²¹⁵ by Pius IX. These documents condemned specifically, the separation between the Church and the State, the relativism caused by religious liberty, and democracy²¹⁶ –all of them were the core elements of liberalism. But the later approach started by Leo XIII, opened a new path for the Church and the papacy refusing to carry on the negativism that had characterized his predecessors and proposing a positive and active approach to the new problems that had arisen during his time.²¹⁷ Even though he had not abandoned his predecessors' conservatism, he was considered the first pope who attempted to reach an accommodation with the modern world and liberalism revived among Catholics after his election (Steinfelds 1994: 20). In this time, “the Church began to move from a stance of adamant resistance to modern Western developments in political social life to a stance of critical participation in them” (Hollenbach 1989: 43); it will take a clearer shape of the dialogical approach with the Second Vatican Council's *aggiornamento* or ‘updating’.

Then, was Pius X (1903-1914) who prospected cooperation between Catholicism and the moderate liberal position held by the Italian politician Giovanni Giolitti. Only during the first years of the Twentieth century was the *Non Expedit* (1874) – which since Pius IX prohibited to Catholic citizens to vote and take part in politics and national affairs in Italy (Concetti 1989: 28-33) – bypassed through an unofficial recognition by the Church of the Luigi Sturzo's *Partito Popolare Italiano* (PPI).²¹⁸

²¹⁵ Pius IX followed what his predecessor had affirmed and, especially in the *Syllabus*, he summarizes the “errors” of that time, among others: “15. Every man is free to embrace and profess that religion which, guided by the light of reason, he shall consider true; 39. The State, as being the origin and source of all rights, is endowed with a certain right not circumscribed by any limits; 41. The civil government, even when in the hands of an infidel sovereign, has a right to an indirect negative power over religious affairs. It therefore possesses not only the right called that of “exequatur,” but also that of appeal, called “appellatio ab abusu”; 42. In the case of conflicting laws enacted by the two powers, the civil law prevails; 44. The civil authority may interfere in matters relating to religion, morality and spiritual government (...); 54. Kings and princes are not only exempt from the jurisdiction of the Church, but are superior to the Church in deciding questions of jurisdiction; **55. The Church ought to be separated from the State, and the State from the Church**; 77. In the present day it is no longer expedient that the Catholic religion should be held as the only religion of the State, to the exclusion of all other forms of worship; 80. **The Roman Pontiff can, and ought to, reconcile himself, and come to terms with progress, liberalism and modern civilization.**”

²¹⁶ “The main difficulty the church encountered in the nineteenth century was the progressive emergence of new regimes which were moving by fits and starts toward modern democracy” (Besançon 1992: 190).

²¹⁷ “In fact, Leo's pontificate marks the start of the official effort to restate the traditional social teachings of the Catholic Church to confront the problems of a transformed world and have the papacy play a leading role in this effort” (Coppa 2014: 106).

²¹⁸ The Sturzo's ideal was to create a political party which had to present Christian inspirations, but being a-confessional and democratic; thus, he did not aim to create a “Catholic party”, because he understood that Catholicism was religion and a party is politics, and the two things cannot be confused.

However, the adversity of the Church toward ‘modernism’²¹⁹ was still alive, and in fact it was seen as the “synthesis of all heresies” (*Pascendi Dominici Gregis*, 1907).

Benedict XV (1914-1922) was mainly a diplomatic pontiff; his major concern on this field was to stabilize the reconciliation with Italy and move steps forward for the end of the *Roman Question*. Moreover, his interest was directed towards the end of the First World War, invoking a fair and negotiated peace (Koenig 1943: 181).

Pius XI (1922-1939), as then did also his successor Pius XII (1939-1958), devoted his efforts on criticizing any type of totalitarianism including fascism, Nazism and communism.²²⁰ This could be seen as an implicit appreciation of democracy.

Pius XI placed his thought in continuity with Leo XIII’s attempts. He wrote the encyclical *Quadragesimo Anno* (1931), on the occasion of the fortieth anniversary of the encyclical *Rerum Novarum*, in which he criticized liberal, competitive capitalism, but also and foremost, rejected Marxism and socialism in all their forms. These views violated the fundamental principle according to which only man “is an adequate measure of all forms of social organization and interrelation” (Hollenbach 1979: 53). Pius XI also developed the notion of ‘social justice’ and in *Divini Redemptoris* (1937) provided a list of fundamental rights, such as: “the right to life, to bodily integrity, to the necessary means of existence, the right to tend toward one’s ultimate goal in the path marked out by God; the right of association and the right to possess and use property” (Hollenbach 1979: 56).

Pius XII was particularly concerned with the issue of “the moral roots of social, political and economic order” (Hollenbach 1979: 56). He wrote in response to the horrors of his times, specifically, the Second World War, but also the emergence of the Stalinist regime in the Soviet Union and the consequent precarious situation of the Church in the Eastern Europe. All this certainly supported his stronger concern with the importance of constitutional government, which became clear in his famous Christmas broadcast messages in 1942 and in 1944 with which the Pope “dr[e]w direct links between political freedom, democracy, and Christian tradition” (Sigmund 1994: 226). In his view, any socio-political order – and thus also a ‘sound democracy’ – should be based on, and oriented to the full respect of human dignity and on related

He thought of a political party that was Christian but also “secular” (Sorge 1984: 332; 334). For further reading: Bokenkotter 1998: 265-297; Spiazzi 1992 (Part III, Chapter 5).

²¹⁹ It was not a unified philosophical system or a school of thought. In this regard, see: Jodock 2000.

²²⁰ It is very important to remember the encyclicals *Non abbiamo bisogno*, written in 1931 against Fascism, and *Mit brennender Sorge* and *Divini Redemptoris* written in 1937 against Nazism and against Communism.

pre-legal moral criterion. Not an ideal, but a *moral imperative* that is realized in concrete personal, social, economic and political conditions. Thus, he rejected any kind of legal positivism, but he also refused moral subjectivism. What he had in mind was a vision of socio-political life as a “community of morally responsible citizens”, according to which “all forms of social life are conceived of as essentially moral relationships” (Hollenbach 1979: 59). In his Christmas address in 1942, among the fundamental personal rights recognized by the Catholic social teaching, he listed the following:

the right to maintain and develop one’s corporal, intellectual and moral life and especially the right to religious formation and education; the right to worship God in private and public and to carry on religious works of charity; the right to marry and to achieve the aim of married life; the right to conjugal and domestic life; the right to work (...); the right to free choice of a state of life, and hence, too, of the priesthood and religious life; the right to the use of material goods, in keeping with his duties and social limitations. (Hollenbach 1979: 61)

All these rights should be protected by a governmental or juridical system rehabilitated “to the service of human society, to the full recognition of the respect due to the human person and his efforts to attain his eternal destiny;” he also lists a state that “is both based on and limited by these fundamental human rights” (Hollenbach 1979: 61).

It is certainly with John XXIII – known as “The Good Pope”, but also as “the first modern pope” (Coppa 2014: 185-199) – that the Catholic social teaching made a concrete the shift in its approach to modernity that has become the core feature of Second Vatican Council and its program of *aggiornamento*. It is seen as a complete ‘revolution’ of the Church (Hales 1965) as an internal development which changed the image of the Church.

John XXIII envisioned and opened the Council that was then brought to its conclusion by his successor, Pope Paul VI (1963-1978). The main goal was to ensure an “*aggiornamento*, or updating of the church, as well as its *aperturismo* or opening up toward the world” (Coppa 2008: 163).

John XXIII’s social program was elaborated mainly in two central encyclicals: *Mater et Magistra* (1961) and *Pacem in Terris* (1963). While with the first encyclical, which was concerned with social and economic justice, he “repeated the fundamental teachings of his predecessors regarding the social nature of the person, society as oriented to civic friendship, and the state’s obligation to promote the common good,

but he did so by creatively wedding rights with natural law” (Pope 2004: 52). With the other one, he borrowed the human rights language from the UN Declaration (1948). He developed an extensive natural law framework for human rights that in his view had to be considered as the standard against which any civil order is evaluated, providing “a normative framework for a pluralistic world” (Hollenbach 1988: 90), “for international and national peace” (Hollenbach 1979: 64). By doing so, it is said that he ‘reconciled’ the Church with democracy and recognized the need for a broad participation in public life.

In *Mater et Magistra* John XXIII proposed again human dignity as the fundamental value and he defined the common good as “the sum total of those conditions of social living, whereby men are enabled more fully and more readily to achieve their own perfection” (n. 63). In *Pace in Terris* he specifies that “every human being is a *person*, that is, his nature is endowed with intelligence and free will;” moreover, he also added that “precisely because he is a person he has rights and obligations flowing directly and simultaneously from his very nature” (n. 9; emphasis added). From the Catholic point of view, persons are – in Aristotelian terms – ‘social by nature’: they are interdependent. From this, it follows that their rights are rights of persons *in* community, which means that “a well-ordered society requires that men recognize and observe their mutual rights and duties” (n. 31). This is in accordance with Pius XII’s idea of the ‘community of morally responsible citizens’.

Paul VI received the inheritance of the Council from his predecessor and he brought it to its conclusion. During his pontificate, Paul VI made two major statements on social morality in the encyclical *Populorum Progressio* (1967) and the Apostolic letter *Octogesima Adveniens* (1971), with which he commemorated the eightieth anniversary of *Rerum Novarum*. In his first encyclical, *Ecclesiam suam* (1964), he outlined his ecclesiological thought, which has been introduced in the conciliar constitution *Lumen Gentium*.

Paul VI’s social thought is centred on the concept of ‘integral development’, looking at the man as a multifaceted personality. Thus, human development has to take in consideration different and various social, economic, intellectual, interpersonal and religious conditions, in order to be deeply respectful of human dignity. Just societies should provide structures to protect and promote this kind of human development in all its facets.

It is very important that in *Octogesima Adveniens* (OA) Paul VI proposes to distinguish “between the exclusive and ideological use of the values defended by liberalism and Marxism and their use as theoretical explanations of *aspects* of integral development” (Hollenbach 1979: 83; emphasis in original). While liberal-democratic thought usually gives pre-eminence to freedom negatively understood, with a distinctive emphasis to civil and political liberties; Marxism is mostly engaged with the ideas of class conflict and social change, with an emphasis on social and economic needs. The most fruitful way for identifying the conditions of human dignity seems to be, from a Catholic point of view, a combination of the two types of rights stressed by liberal democratic and socialist traditions, and the recognition of different *rights*, each of those which concern the diverse human needs and aspects of human life. Thus, this includes personal and social rights, as well as instrumental rights, and so on and so forth.²²¹

3.1. *Towards the Second Vatican Council. Contents of the Modern Catholic Social Doctrine.*

From what has been said so far, it is possible to summarize the gains of the Catholic Church’s social teaching of contemporary history in four main features that seem to be also the main consequences of modernity or the process of *modernization*.²²²

a) *Human Rights and Integral Human Development*)

The promotion of human rights is central to the contemporary self-understanding of the Catholic Church. However, the acceptance of human rights by the Church – not seen as a product of positivism, relativism and atheism – has been the result of a “long journey” that lasted for almost a century and began with Leo XIII (Grasso 1995: 29;

²²¹ According to Church – as Hollenbach underlines – “personal rights determine the most basic content of both social and instrumental rights” (Hollenbach 1979: 100).

²²² In Wilson’s view, “secularization”, as well as “pluralization”, has been conceived – at least in the 1960s – as a direct consequence of a process of modernization (that involved, in different ways, both Europe and the US). Wilson recognizes four main moves of secularism: 1) “the distinction of church and state/government”; 2) “the actual separation of the two entities” (religion and politics); 3) “the sidelining of religion from state and public life” (the distinction between the private and the public); 4) “the positioning of secularization as central part of modernization and development”. The author has underlined that “according to dominant modes of secularist thinking, as society cannot be considered modern and developed *unless religion has been privatized and subordinated to the public realm of secular liberal democratic politics*”. See: Wilson 2012: 41; 53; emphasis added; also: Berger 2011. We do not agree with these extreme secularist assumptions, nevertheless we take for granted the separation between Church and state.

UCSC 2004: 240).²²³ As already mentioned, it was only with John XXIII and his encyclical *Pacem in Terris* (1963) that the Church has offered its first and most complete understanding of human rights. It offers “the most complete and systematic list” of human rights (Hollenbach 1979: 66) and it receives the UN Declaration, showing its roots in Aquinas, Augustine, the Bible as well as the social thoughts of the Church since Leo XIII. But, as Hollenbach recalls, “looked internationally, the Catholic Church has become one of the most visible non-governmental actors in the struggle for human rights. (...) Catholic social thought has been formulated in the language of rights throughout this period” (Hollenbach 1979: 1; also Hollenbach 1994: 127). It was Paul VI – and the Second Vatican Council – that gave to the Catholic tradition, a deeper theological foundation on this issue.

According to the declaration *Dignitatis Humanae* (DH), religious freedom is the most fundamental human right; it is the centre of the human rights system.²²⁴ But, it was only “the end of the absolutist confessional state [that] therefore entailed a transformation of the Church’s teaching on freedom of religion,” and only since the Second Vatican Council that “the church has upheld religious liberty not as the least worst solution but *in principle*” (Perreau-Saussine 2012: 127; emphasis added).

In DH, religious freedom is conceived in a broad sense both negatively and positively.²²⁵ According to the document, in fact, religious people – individually and in groups, should be free to seek “to show the special value of their doctrine in what concerns the organization of society and the inspiration of the whole of human activity” (nn. 2; 4). From this point of view, religious citizens should be allowed to participate actively in the public life of society, and “they should be free to express their political and religious beliefs in public” (Hollenbach 1994: 142). After DH, religious freedom – as the fundamental human right – has become the main principle for the relationship between the Church and the State.

Human rights issues have become a central part of the social thought of the Church, but also with regard to its international relations. By accepting human rights, the Church has also adopted the *human rights language* as the “language that expresses the demands of the common good when these demands are being ignored or spurned” (Hollenbach 1994: 140). This has been seen as a “neutral language” with which “the

²²³ From being a vigorous opponent of civil rights, the Church has become one of the most important actors for the development and spread of human rights in the world. See: Plongerón 1979.

²²⁴ In this regard, see Part II, Chapter 5.

²²⁵ See Part II, Chapter 5.

Catholic Church seems to enlarge its credibility in the eyes of the political actors” (Voyé 1999: 278). But in the Church’s view, the concept of human rights is fundamentally linked with the belief in the sanctity and sacredness of human beings, made “in the image of God” (Erickson 1998: 518). Thus, the notion of human rights could be conceived as an example of concepts and ideas that are “both ‘religious’ and ‘secular’ at one and same time” (Wilson 2012: 40).

b) Pluralism

When dealing with “pluralism”, it is important to specify that it cannot be confused with “brute plurality” (Davis 1980: 168). Berger has defined “pluralism” as “the coexistence of different worldviews and value systems in the same society” (Berger 2014: ix). Similarly, Murray defines it as “the coexistence within the political community of groups who hold divergent views with regard to ultimate questions concerning the nature and destiny of man” (Murray 1954: 165). I have considered it as one of the main features of politics, and especially of liberal democracy. However, it is also conceived as a direct effect of the process of modernisation (Berger 2011: 13-14; Berger 2014: 51). In particular, the core intent of liberal western democracy is to permit the coexistence of a plurality of cultural and ethnic (thus, also religious) traditions and to prevent the oppression of one group of people by another.

The Church conceives pluralism as one of the challenges of humanity today (Compendium, n. 16), but it has been understood that, among other features of the world in which it lives, it was about time to cope with – or even accept – the ‘fact of pluralism’ (as Rawls has called it), or just the inevitability of religious and cultural pluralism in the modern world. The acceptance of pluralism has happened in concordance with the approval of democracy. Pluralism seems to be inevitable, as an inherent aspect of human beings’ complexity, and especially concerning social issues and questions of personal and individual ethics (Curran 1978: 158-159). For this reason, the state should accept the reality of a pluralistic society, encouraging its positivity as much as possible.

Thus, the period of the Second Vatican Council, in particular, with the Declaration *Nostra Aetate*, has witnessed a *de facto* acceptance of the reality of differentiation and

religious pluralism.²²⁶ In this sense, in fact, *Gaudium et Spes* states: “the people who go to make up the political community are many and varied; quite rightly, then, they may have widely differing points of view” (n. 74). However, the Council “accepts the ideologically pluralistic society not as the ideal case but as normal in present-day conditions” (Vorgrimler 1969: 324). As Weigel has noticed, though, “it might be said that Catholicism, at Vatican II, embraced modernity and pluralism just as modernity was beginning to decompose into post-modernity, and just as the pluralism of contrasting worldviews in a mutually enriching encounter with each other was being deconstructed back into mere plurality” (Weigel 2016: 168).

The dialogical approach chosen by the Church within the context of the Council was referred to other traditions and ways of thought (e.g. a dialogue with the other religions, or generally with culture and sciences) “as potential sources for an ethic that would be more adequate both theologically and in its reasoned understanding of the normatively human” (Hollenbach 2003: 12). Especially within the social context, the Church recognizes that it is legitimate to hold and express different opinions and positions, among Catholics too: “the same Christian faith can lead to different commitments” (OA, 50). Pluralism is conceived as a positive element of social life and also as a legal right.²²⁷ However, for the Church, pluralism does not identify with ethical relativism, according to which all conceptions of the good have the same value (Crepaldi-Colom 2005: 606). Moreover, according to DH n. 2, the Church’s teaching still stresses on the duty to pursue a search for truth accessible both in the present time and eschatologically.

c) *Democracy*

Throughout the nineteenth century, the Catholic Church showed a strong opposition of the emerging democratic order promoted by political philosophies that were hostile

²²⁶ According to Wogaman, the Declaration was very significant not only for Roman Catholics, but for many Christian traditions. In his words, what the Declaration proposed is that “Christian can be full participants in the wider community, and that in that participation they should anticipate learning from non-Christians as well as from those who also belong to the confessing church. They must, in the wider context, expect to find themselves in agreement with the non-Christians about many specific values and political objectives, for which both can work cooperatively together” (Wogaman 2000: 194).

²²⁷ The Canon Law recognizes this right in Can. 227 where it is stated: “the lay Christian faithful have *the right to have recognized that freedom* which all citizens have in the affairs of the earthly city. When using that same freedom, however, they are to take care that their actions are imbued with the spirit of the gospel and are to heed the doctrine set forth by the magisterium of the Church. In matters of opinion, moreover, they are to avoid setting forth their own opinion as the doctrine of the Church.” See: Mazzotti 2007.

to the Church itself. From outside the Church, the impossibility for the Church to be squared with democracy was strictly linked with the “authoritarianism” of its hierarchical structure (Gleason 1994: 63). From the inside, till the Second Vatican Council the Church showed resistance to an approval of democracy as a favourable political system because of its supposed connection with a relativistic approach, which is still opposed by the Church. However, while Leo XIII took only a position of indifference toward democracy; with Pius XI and Pius XII and their stance against totalitarian regimes,²²⁸ it is possible to conceive an implicit approval of *constitutional democracy* (Mondin 1992: 132-137) considered today as, in principle, the *preferable* form of government (Grasso 1995: 32).²²⁹ This new approach toward the democratic system has been stable over the last fifty years, and Pontiffs have usually recalled this appreciation, but always with a critical concern. They have pointed out its limits: that a mere proceduralism, with clear rules, is not enough to ensure societies and political systems to be truly *just*. Democracy needs to be based on, not only *political* but also *ethical common values*. Religion’s role in the public life should be to contribute in order to tie moral and political rectitude and social consensus.

It was certainly with Paul VI and his encyclical *Octogesima Adveniens* (OA) that the Church recognised that in the modern age there are two persistent aspirations, equality and participation, which are forms of human dignity best expressed in a democratic order. Thus, he formulated a more detailed and accurate concept of democracy:

In concrete situations, and taking account of solidarity in each person’s life, one must recognize a legitimate variety of possible options. The same Christian faith can lead to different commitments. The Church invites all Christians to take up a double task of inspiring and of innovating, in order to make structures evolve, so as to adapt them to the real needs of today. From Christians who at first sight seem to be in opposition, as a result of starting from differing options, she asks an effort at mutual understanding of the other’s positions and motives; a loyal examination of one’s behavior and its correctness will suggest to each one an attitude of more profound charity which, while recognizing the differences, believes nonetheless in the possibility of convergence and unity. “The bonds which unite the faithful are mightier than anything which divides them. (n. 50)

²²⁸ Their opposition – and consequent acceptance of constitutional democracy – was in order to protect and support the sacred dignity of each human person, which was a key point of the CSD since Leo XIII, as already mentioned.

²²⁹ In this regard, Maritain’s thought was very influential. See: Maritain 1986.

Paul VI's position was then incorporated in *Gaudium et Spes* (n. 75),²³⁰ in which the Church clearly approves the elements of democracy: the free political participation of all peoples, the division of political powers, and a system of rights and liberties (as well as duties) of persons as citizens.

According to George Weigel (1992), one of the factors that accounted for the shift of the official Catholic teaching toward the acceptance of the democratic political system is, in his view, the “fact of America”, or more clearly, the American democratic system.²³¹ With regards to the democratic system, he refers to its specific type of constitutional separation between the church and the state and its liberal-democratic society that had not led to indifferentism (as it happened in Europe), but to a “vibrant Catholicism” (Weigel 1992: 228).

“Democratic revolutions” and the spread of the democratic systems in world politics has been a central subject in John Paul II's thought, in particular in his encyclical *Sollicitudo Rei Socialis* 1987, and papal political-public actions.²³²

The Church understood that “democracy” was not an univocal concept characterised by the rejection of Catholicism and the imposition of a secular ethos on society; it proposed an “alternative model of democracy rooted in the Catholic understanding of human nature and society” (Grasso-Hunt 2006: xviii), a “personalist democracy” (Maritain 1940: 70-88) rather than an “individualistic democracy”.

It must be highlighted that the Church does not identify with any political system, or any political group or party. In fact, “although an ordered society requires political authority, the form of such authority is not divinely dictated», for this reason «monarchy, aristocracy, democracy have all been suggested as acceptable, and at different times one or the other has been deemed preferable” (Himes 2013: 201; Rommen 1945). In the Church's view, today democracy is the preferable system: it “is the system of government that most coheres with human dignity because democracy allows for the public exercise of moral responsibility by free human persons, who always concretize their freedom in communities – familial, religious, ethnics, civic, political” (Weigel 1999: 31). However, it is not a perfect system, it is not a “moral absolute”, which is “always and under all circumstances the best form of government” (Himes 2013: 228). For Catholicism, democracy “means more than a set

²³⁰ See Part II, Chapter 5.

²³¹ Benedict XVI expressed good consideration on the American model of liberal-democracy. See Part II, Chapter 7.

²³² See Part II, Chapter 6.

of techniques or rules for government” (Himes 2013: 227), but includes a sort of ‘ethos or moral culture’. In fact, it is not only procedural such as the rule of majority, but there are some elements—such as the ideal of human dignity, basic human rights, equality before the law and so on—that are the “building blocks of democracy” (Weigel 1992: 237; Wogaman 2000: 220). In the Compendium, it is written:

An authentic democracy is not merely the result of a formal observation of a set of rules but *is the fruit of a convinced acceptance of the values that inspire democratic procedures*: the dignity of every human person, the respect of human rights, commitment to the common good as the purpose and guiding criterion for political life. If there is no general consensus on these values, the deepest meaning of democracy is lost and its stability is compromised. (Compendium, n. 407)

The Church as always warned against the risk of incurring in “totalitarian democracies”, which in the words of Leo XIII occurs when “the law determining what is right to do and avoid doing is at the mercy of the majority. Now this is simply a road leading straight to tyranny” (encyclical *Libertas*, 1888: n. 16). For this reason, in the Church's view, there are always values and principles that are not available to the majority: they are those incorporated into Constitutions, which should affirm and protect them.

Summarizing, the term democracy could have three meanings: 1) generically, it refers to the participation of citizens for the administration of public affairs—the Church encourages such participation; 2) more specifically, democracy is one form of government—the Church respects the freedom of citizens to choose which set of political systems they prefer; 3) eventually, it refers to the ideology of popular sovereignty, which recognizes exclusively in the people (rather, the choice of citizens' majority) the only and ultimate origin of the political authority. According to the CST this is dangerous and mistaken (Crepaldi-Colom 2005: 177-178).

d) Separation and Cooperation between the Church and the state for the Good of Society and Persons

Sources and norms on the relationship between the Church and the state could be found in many different documents. Surely in the Code of Canon Law (1983) there are canons that deal with the competence of the Church, rights of the Church, competence of the state, privileges of the Church or of the state, religious freedom, and so on. Besides the Code of the Canon Law, however, another important source of regulation are the concordats (or other forms of agreement) that the Holy See has

signed with each country either in general, or for specific spheres. In addition, there are also the documents of the Magisterium (UCSC 2004: 183).

Prior to the Second Vatican Council – and especially the declaration *Dignitatis Humanae* and the pastoral constitution *Gaudium et Spes*²³³ – the Church did not have a similar position on the relationship between church and state. It followed the so-called “Catholic human rights revolution” and “the Church’s new appreciation for and overt support of the democratic revolution in world politics” (Weigel 1992: 234).²³⁴ In the Church’s understanding, it was not only a matter of changing the structures of political life, but also a matter of recognizing the “inner structure,” the “common moral core,” as politics in general “has an irreducible moral content” (Weigel 1999: 28). As Canavan has suggested, “[g]iven the reality of both church and state, however, drawing the line between their proper spheres leads ultimately to the idea of constitutional government – that is, *government limited in its powers*” (Canavan 2006: 73). Government’s powers are “limited” because it has limited goals and functions: its role is *juridical*, “namely the protection and promotion of the exercise of human and civil rights, and the facilitation of the discharge of human and civil duties by the citizens who is fully a citizens, that is, not merely subject to, but also participant in, government” (Murray 1966d).²³⁵

The relationship between the Church and the state, or political community, is mainly characterized by *separation as independence and autonomy* (GS 76): the church and the state are mutually independent and self-governing. Moreover, they pursue different goals, although both serve the wellbeing of the same people.²³⁶ In *Gaudium et Spes*, for example, it is stated that “the church, by reason of her role and

²³³ It will be analyzed more extensively later, see: Part II, Chapter 5.

²³⁴ Weigel uses the notion of “Catholic Human Rights Revolution” (Weigel 1985; Weigel 1989) which is conceived as the “result of a long, gradual evolution that began during the pontificate of Leo XIII, and whose roots extend to the very foundation of the Catholic intellectual tradition” (Grasso 1995: 29-30).

²³⁵ In Murray’s view the juridical state is grounded in four main principles: 1) “the distinction between the sacred and the secular orders of human life” (government is neither the judge nor the representative of transcending’s truth); 2) “the distinction between society and the state” (the state is only one order within society: the order of public law and public administration); 3) “the distinction between the common good and the public order” (the second is just a portion of the former whose care devolves upon the state); 4) the idea of “freedom under the law” (freedom is both a political end and a political method). See: Grasso 2006: 175.

²³⁶ This principle is especially expressed in art. 1 of Lateran Concordat (1984): “the Italian Republic and the Holy See reaffirm that the State and the Catholic Church are, each in its own order, independent and sovereign and commit themselves to the full respect of this principle in their mutual relations and *to reciprocal collaboration for the promotion of man and the common good of the Country*” (emphasis added).

competence, *is not identified with any political community nor is it tied to any political system*. It is at once the sign and the safeguard of the transcendental dimension of the human person” (n. 76; emphasis added). However, the Church understands separation not as a solid “wall of separation”,²³⁷ but as a relationship marked by *cooperation* and mutual respect (Compendium n. 425),²³⁸ which means for the state to give the Church space to carry out her mission (which brings also positive consequences for human society, especially in terms of charity and education), and for the Church “to respect the legitimate autonomy of the democratic order” (Compendium n. 424).²³⁹ In the Catholic view, the reciprocal autonomy of the Church and the state does not necessarily mean a sharp division of the two realities to the extent that they cannot or should not have meeting points. This is especially so because Church and state share the same members (at least, a part of them): the believer-citizens (Crepaldi-Colom 2005: 103). The aims of the two are very different, but they could also interlace, and for this reason, it would be preferable that the Church and the state establish relationships (also through juridical means) that would favour their mutual autonomy and cooperation.

Since the 1950s, thanks to the influence of two very influential Catholic thinkers, Jacques Maritain and John Courtney Murray SJ, within the context of the Catholic reasoning, the distinction between ‘society’ and ‘state’ was affirmed. Both of them are part of the so-called ‘public square’, but while the former indicates a very broad concept, meaning “a rich and overlapping set of human communities” (Churches included) characterised as public and social, the latter is a distinctive reality: the “sphere of government”, that does not identify with ‘civil society’. The two spheres of the ‘public’ (one ‘cultural’, like civil society, and the other merely ‘political’, namely judiciary and legislature) must remain separated, and civil society should not be “dominated by the state”, nor limited in participation (Hollenbach 2003: 155; 169). This is – in the view of the two thinkers – an “anti-totalitarian antidote” for

²³⁷ A proponent of this interpretation was Thomas Jefferson, to whom it is attributable the famous definition the “wall of separation between Church and State”. See: *Jefferson's Letter to the Danbury Baptists of Connecticut*, January the 1st 1802.

²³⁸ The Declaration – commonly referred to as the document on the “the separation of church and state” – “could just as well be called a guide *for creating organic unity between the secular and the sacred authorities in the state*. (...) For the Council the ideal is not a confessional state but a political society in which each authority preserves its own identity and operations but respects and supports the other’s” (Orsy 2014: 9, footnote n. 3; emphasis added).

²³⁹ “Independence does not mean complete separation; it does mean that the Catholic Church or any other church cannot exercise controlling authority over political life” (Himes 2013: 7).

constitutional democracies, but also a way for ensuring – on the other hand – a real plurality of convictions within society. Thus, if on one side religious communities are – and should be – constituent parts of civil society; on the other, it is necessary to find “the *manner in which* believers or churches move from their faith convictions to their conclusions about policy” (Hollenbach 2003: 167; emphasis in original). And it is clear that the Catholic Church (as well as some Protestant traditions) is aware that “religious belief must be complemented by the careful use of human reasoning, both philosophical and social scientific” (Hollenbach 2003: 167). Faith and reason are not in opposition; rather – according to the Catholic tradition – they are *complementary*.²⁴⁰

From the separation – or rather the distinction – between the Church and the state, as conceived by the Council, it is also derived that the central socio-political role of the Church is *moral* and *spiritual*, and not directly political. Thus, also pastors and preachers’ task is to provide a formation of *conscience*²⁴¹ and “not the prescription of political stances” or “detailed, authoritative solutions for all the policy questions society must deal with in public life” (Hollenbach 1988: 207).²⁴² The Church does not conceive politics as the only, or principal, means for Christian witness, but it certainly understands politics as a very important reality, an essential human dimension (Sorge 1973a).

It appears clear how these four main political issues are strictly connected to one to the other. They will be the central features of the Second Vatican Council and the following papal teachings.

²⁴⁰ In this regard, see in particular the John Paul II’s encyclical *Fides et Ratio* (1998). See Part II, Chapter 6.

²⁴¹ According to the Catechism “*Conscience* is a judgement of reason whereby the human person recognizes the moral quality of a concrete act that he is going to perform, is in the process of performing, or has already completed” (CCC n. 1778). The respect of conscience is stated also in GS 16, as Ratzinger has noticed, however, the concern of council Fathers was “not to allow an ethics of conscience to be transformed into the domination of *subjectivism*”, rather “conscience is made the principle of objectivity, in the conviction that careful attention to its claim discloses the fundamental common values of human existence” (Ratzinger 1969: 135).

²⁴² According to the Canon law (285, §3), in fact, “clerics are forbidden to assume *public offices* which entail a participation in the exercise of civil power” (e.g. any political position which involves legislative, executive or judicial power: becoming members of Parliament, or a judge, etc.). Also the Catechism (n. 2442) affirms this rule: “it is not the role of the Pastors of the Church to intervene directly in the political structuring and organization of social life. This task is part of the vocation of the *lay faithful*, acting on their own initiative with their fellow citizens.”

This is valid for the *public behaviors* of priests, but they remain free to hold a personal political opinion in their *private life*.

Chapter 5

The “Turning Point” of the Second Vatican Council

The greatest concern of the Ecumenical Council is this: that the sacred deposit of Christian doctrine *should be guarded and taught more efficaciously*. (...) In order, however, that this doctrine may influence the numerous fields of human activity, with reference to individuals, to families, and to social life, it is necessary first of all that the Church *should never depart from the sacred patrimony of truth received from the Fathers*. But at the same time she must ever look to the present, to the new conditions and new forms of life introduced into the modern world, which have opened new avenues to the Catholic apostolate. (...) *She considers that she meets the needs of the present day by demonstrating the validity of her teaching rather than by condemnations*. Not, certainly, that there is a lack of fallacious teaching, opinions, and dangerous concepts to be guarded against and dissipated. But these are so obviously in contrast with the right norm of honesty, and have produced such lethal fruits that by now it would seem that men of themselves are inclined to condemn them, particularly those ways of life which despise God and His law or place excessive confidence in technical progress and a well-being based exclusively on the comforts of life. They are ever more deeply convinced of the *paramount dignity of the human person and of his perfection* as well as of the duties which that implies. Even more important, experience has taught men that *violence inflicted on others, the might of arms, and political domination, are of no help at all in finding a happy solution to the grave problems which afflict them*. That being so, the Catholic Church, raising the torch of religious truth by means of this Ecumenical Council, *desires to show herself to be the loving mother of all, benign, patient, full of mercy and goodness toward the brethren who are separated from her*.

These were the words of the opening speech for the Second Vatican Council pronounced by John XXIII on October 11th 1962. It made clear the program of *aggiornamento* that John XXIII had in mind, and it was clear since the beginning that the main intent was to follow a renewed way of expressing the content of the Magisterium: to move from the severity of condemnation to the ‘medicine of mercy’.

The Second Vatican Council is the twenty-first of the ecumenical councils’ list, but – as Karl Rahner affirmed – it was for the first time “a Council precisely of the world Church”: “a world-wide Council with a world-wide episcopate” (Rahner 1987: 12). It was a long process of discussion divided into four sessions (Walsh 1990: 35), and all the documents have been the result of a procedure that required unanimity (Palladino 2013).²⁴³

The Council is often presented as having stirred – both inside and outside of the Church – an ambivalent attitude of both enthusiasm and criticisms of that

²⁴³ For the purpose of my thesis, I will not look into all the passages of the documents’ evolution, rather I focalize my attention of the core issues related to the subject matter.

“pastoral”²⁴⁴ character desired by Pope John XXIII for the “updating” of the Church, and the definitive overcoming of a purely doctrinal attitude and an overly juridical vision of the Church.²⁴⁵ The characteristic element of the Council, that would also come to be strongly promoted during the pontificate of Pope Paul VI, was without doubt a push toward openness, dialogue, and encounter;²⁴⁶ an element that all could reach – believers and non-believers alike²⁴⁷ – and which was comprehensible to all.²⁴⁸ The Second Vatican Council, and especially GS, “sought to adapt Catholic tradition *to make it more intelligible and communicable to modern consciousness*” (Hollenbach 1994: 138; emphasis added). It was thus observed that:

The Church has refused to begin with doctrinal considerations of a rational nature (*preambula fidei*), of a moral nature (natural law), or of a theological nature (creation or the Incarnation) in order to approach the world from an empirical and phenomenological view: the society of the times. The Church is not placed in front of the world (and much less against it) so as to speak as a teacher from a cathedra, using a “pontifical” style. She includes herself as a reality making up part of the world, in solidarity with the world, disposed to dialogue. (Longhitano 2007: 27; my translation)

We understand, then, the new approach of the Church toward “the world,”²⁴⁹ in particular toward *modernity*,²⁵⁰ in which *dialogue* (GS 44) – the key word of the

²⁴⁴ The term has been misunderstood and usually used – in opposition of the term “doctrinal” – to denigrate the value of the Council, as if it was not concerning with truth and doctrine (Murray 1966c: 142).

²⁴⁵ See: Alberigo 2012. And also: De Mattei 2010.

²⁴⁶ Sorge synthesizes the “encounter” in three main points: 1) Whom? 2) What? 3) How? The Council – and Paul VI too – clarified that the Church has to dialogue with all men and women (also those who do not accept the truth of the Catholic faith); the object is the man and its complex reality, in all the dimensions of human life; in the end, dialogue is not a result, but a “journey”, not a compromise but a joint search of the truth (Sorge 1983).

Nowadays, these values occupy an important place in Francis’s teachings, who since the beginning has characterised his pontificate with a pastoral approach (what he called “ospedale da campo”, which means “field hospital”).

²⁴⁷ The difference between these categories of people is not placed on the ontological level, but on the level of faith. Christians are called to continue the work of creation of the created world, but at the same time, being configured to Christ, must aim to convey in creating the eschatological fulfillment, which means, Christians are called to be “men in the world and for the world, but not of the world” (Jn 15).

²⁴⁸ In John XXIII’s mind the new approach had to be applied in order to result, at least, in the following four main objectives: 1) the self-awareness of the Church; 2) the renewal of the Church (but not as a rejection of Tradition); 3) the bringing together of all Christians in unity; 4) the dialogue of the Church with the contemporary world. See: Whitehead 2009: 13-15.

²⁴⁹ The Council understands this category “as something that the Church is itself always in the process of constructing and creating because it is integral to her own self-understanding and mission” (Hanvey 2015: 8).

²⁵⁰ “One of the intentions of the Second Vatican Council was to steer the Catholic Church into modernity. The Church had to give up its negative and defensive attitude towards modern

Council which will become central also in Paul VI's encyclical *Ecclesiam Suam* (1964) and in the successive reflections – becomes the place of reciprocal assistance – Pope Benedict XVI will speak of a “purification”²⁵¹ – between the Church and the world, the place in which the Church gives and, at the same time receives, help.²⁵² The GS speaks specifically of a dialogue that “excludes no one,” but actually recognizes and respects a “lawful diversity” (GS 92), or “legitimate pluralism”,²⁵³ inside and outside the Church.²⁵⁴

In this regard, Frank Turner notices: “from now on, therefore, proclamation should become *dialogical*. The Church is a *learner* not only a teacher²⁵⁵ and must strive to understand no less than to be understood (GS 40-45) (Komonchak 1994: 82): the secular realm is to be taken no less seriously than the “religious”, since both are part of the reality to be “scrutinized”: that is, considered with close attention” (Turner 2015: 43). For this reason, the Second Vatican Council is usually conceived as a moment of ‘shift’, a ‘turning point’, a ‘moment for identity transformation’ for the Catholic Church that “made a great advance in perceiving its rightful place in the world, recognizing the limits of its competence, the potential truth contained in other traditions and communities, and the legitimate autonomy of sectors of life (the “temporal realm”) that lay beyond the Church doors” (Massaro 2015: 68). It appears clear how “the debate on the relationship between the spiritual and the natural spheres was greatly advanced by the council: *both spheres were autonomous but related*” (Lawler et al. 2014: 2; emphasis added).

First of all, the documents represent true *doctrinal progress* in the Church's teaching: a progress without reversal, without undergoing contradictory change.

developments and become more open and positive in order to take part in modern society while maintaining its religious identity” (Meijers 2012: 106).

²⁵¹ See Benedict XVI, *Address with Representatives of British Society*, 17 September 2010.

²⁵² Himes holds that “[t]he Church perceived the need to examine contemporary social existence with a new sense of respect for the many non-religious institutions that contribute to the well-being of humanity. New strategies for the church's activity within a pluralistic, secularized society had to be found” (Himes – Himes 1993: 3).

²⁵³ This concept should never be confused with “relativism”. The difference, according to the Church teaching, is that while relativism brings to *false* conclusions; pluralism (or Lonergan's *perspectivism*) leads to different conclusions (usually derived from different perspectives) that are *partially true*. See: Lawler et al. 2014: 7. Also: Lonergan 1972.

²⁵⁴ “As regards the management of earthly affairs, in other words throughout the realm of practical politics, *different and even opposed opinions can legitimately exist*, for example in the programmes of different political parties; *differing opinions and those who hold them should be treated with respect*” (Vorgrimler 1969: 322; emphasis added).

²⁵⁵ O'Malley affirmed: “*dialogue* manifests a *radical shift* from the prophetic I-say-unto-you style that earlier prevailed and indicates something other than unilateral decision making” (O'Malley 2008: 50; emphasis added).

There are the conciliar texts like the dogmatic constitution *Gaudium et Spes* and the declaration *Dignitatis Humanae*, both supported by the teachings posited by the encyclical *Pacem in Terris* (1963), which provide the theological and doctrinal substratum for understanding a theology of the relationship between the Church and political societies²⁵⁶ in the contemporary world, providing, in fact, an approach that is not only new, but which has also contributed to the radical *change* in the Church's position on these topics. A change that does not only concern a certain language or style of expressing positions, but it was deeper and more substantive: it concerned a redefinition of the boundaries of the Church, a rereading of the traditional *extra ecclesia nulla salus*, as well as of the meaning of secularism and secularization, which cannot be detached by the criteria of truth, reason and justice in the achievement of the common good (Hanvey 2015: 10). However, as John C. Murray has stated, this "change" has to be conceived as part of the constant "development" of the Catholic doctrine, as in fact, "the tradition of the Church is *a tradition of progress in understanding the truth*" (Murray 1966a: 677; emphasis added). In fact, according to Catholicism, "a doctrine or a significant Council is never received once and for all; it is constantly received in the light of a new or deeper understanding" (Hanvey 2015: 5).

Moreover, "the Second Vatican Council (1962-1965) expressed a sea change in Catholic thinking about church-state relations, religious liberty, and issues of political participation in the modern world" (Wogaman 2000: 46), these are the aspects that are of interest for the purposes of this work. As Tanner has affirmed, "[t]hey describe the situation in the world and then offer Catholic contributions" (Tanner 2005: 55).

In the following paragraphs I will focus my attention only on these documents, as they are the two documents that have shaped Catholic social thought specifically on the issues related to subjects of interest to this study such as: the relationship between the Church and the State, appreciation of civil society as a new 'partner', religious freedom, democracy, pluralism, *inter alia*.

1. *Gaudium et Spes*.

²⁵⁶ The term is used in the plural because this refers to different "levels" of the State public – political sphere (state, institutional, and social), and differs from *civil society* (in the singular) that indicates the "lowest level" (see: *Introduction*), relating to all social groups (non-institutional) of a State. This aspect will be resumed later, in the course of treatment.

The first document that I have chosen to examine is the longest, the last one that was published,²⁵⁷ and also that which received the greatest number of *non placet* in the seat of discussion. But it was also the most awaited document, the most commented, and that which aroused the interest and the curiosity of the wider public. Although, at least in some parts, it seems already out-dated or not fully clear (Palladino 2013: 13), whether with regard to the method used, or because of historical changes, it is nevertheless, a document of fundamental importance for the complete and overall vision of the Council, as well as for the push toward an ever-renewed evaluation of the (concrete) relationship between the Church, society, political community, and history. The main task was to re-orient the Church to the *world*,²⁵⁸ committing the Church to the history “as a theological requirement not just a transitory existential condition” (Hanvey 2015: 3).²⁵⁹

The intention – proposed by Pope John XXIII – was, first of all, that of overcoming the 18th-century magisterial vision which viewed the world negatively, in an attitude of contraposition (or opposition) with the Church. This, however, is not a slant of blind optimism, but rather keeps present, on the one hand, the goodness of creation on the part of God, but also, on the other hand, the dramatic aspect established by sin. Therefore, the attitude proposed by the Council “must be inspired by the model of Christ: an attitude of respect, of welcome, of love, and of discernment” (Longhitano 2007: 30).

The document is divided into two main parts that have been integrated. The first part, divided into four chapters, has “profound ecclesiastical implications for how we think about the “church” in modern world, as well as important methodological implications for how we think about moral issues in the modern world” (Lawler et al. 2014: 6). The second part offers a great variety of themes, with “a certain lack of coherent development” (McDonagh 1990: 96): it is an analysis of what the conciliar fathers thought to be “the most urgent problems” of modern world (Palladino 2013:

²⁵⁷ For the purpose of my argumentation, I will not follow the chronological order of formation of the conciliar documents. I start analyzing GS as it seems to offer the proper ground for understanding the innovations proposed in DH.

²⁵⁸ The concept of the “world” is the main change in the document, but the “ambiguity, indeed multiguity of the word caused much difficulty for drafters and debaters” (McDonagh 1990: 102). The Church rejects the pre-conciliar conception of the world as a place that is inhabited only by sin and evil, from where the Church and faithful have to escape and defend, rather it is conceived as the place that the history of human beings takes place (Palladino 2013: 61).

²⁵⁹ There is a juxtaposition of two communities, the Church and the ‘modern world’, however they are not mutually exclusive, but rather they are presented in an interaction, which means that “each is likely to influence the other” (Roy 1987: 191).

131-134),²⁶⁰ among them²⁶¹ *political life* or precisely “the life of the political community”²⁶² which is the issue I will consider in particular. It was – and still is – an urgent topic for the Church since it “regards the individual State as its *partner*” (Vorgrimler 1969, Vol. 5: 316; emphasis added). As Himes underlines, in fact, the Document shows three main efforts: “1) [it] explain[s] why the church cannot be indifferent to politics, 2) explored what competence it has in the area, and 3) set a stone for the manner in which it will engage the political realm” (Himes 2013: 241).

Within the “Church-world” category, the interest for “updat[ing] and clarify[ing] the Church teachings in vital areas such as the political area” was one of the reasons why John XXIII convoked the Council (Whitehead 2009: 182). In fact, *Gaudium et Spes* – in chapter IV, “The Life of Political Community”²⁶³ – lingers also on the specific “Church-political community” relationship, affirming that: 1) the Church “must in no way be confused with the political community, nor bound to any political system” (n. 76);²⁶⁴ 2) that “political authority (...) must be exercised within the limits of the moral order and directed toward the common good” (n. 74); also 3) the necessary “collaboration of everyone to public life” (n. 73); and suggesting as an attitude of Christians 4) the “admittance of the *legitimate multiplicity and diversity of temporal options*, and the respect of citizens who, even in groups, defend their points of view in an honest manner” (GS, 75; emphasis added). This statement, among

²⁶⁰ There were many concerns about whether it was proper or to discuss these issues or not in a document that presents the highest level of authority (Palladino 2013: 112).

²⁶¹ Specifically, the second part of the document concerns the following aspects: marriage and family, development of culture, economic and social life, political life, peace and promotion of community of nations.

²⁶² The original text in Latin uses the terms ‘*communitas politica*’, or ‘*communitas civilis*’, and they seem to be interchangeable. *Cives* (citizens) are those who belong to these structures. According to the commentator Vorgrimler, “‘*communitas politica*’ (...) means the State as it still, rightly or wrongly, exists today. ‘*Vita politica*’, or ‘*publica*’ or ‘*civilis*’ means political life in the sense of the activity of the State, and politics in the sense of the life of citizens as citizens” (Vorgrimler 1969: 316).

²⁶³ The document speaks about particular spheres of the modern world such as marriage and family, the world of culture, economic and social life, and the political community, as well as the international community, and in each of them it “attempt to articulate the encounter between fundamental Catholic belief and values and the specific conditions of modern life” (Komonchak 1994: 83).

²⁶⁴ The generality of the document is justified by the universality of the Church. As there is not only one, but many models for the interrelations between the Church and the state, the Church does not offer a definite and precise option. However, Kenneth Himes (Himes 2013: 289) proposed five criteria: 1) “the Church influence politics through *persuasion*, not coercion”; 2) “the Church should have proper respect for the authentic autonomy and pluralistic perspectives of other actors and public institutions”; 3) “the Church’s focus must be to promote human dignity and the common good – not to defend narrow sectarian perspectives or institutional agendas”; 4) “in matters of law and policy the Church’s aim should be to protect public order”; 5) “the Church should defend its political perspectives using *language grounded in reason accessible to all human beings of good will*, rather than relying on language from revelation” (Lawler et al. 2014: 166-167; emphasis added).

others, establishes that – even though the word “democracy” is not expressly used – “the Church fully accepts – but not necessarily prescribes – democracy as a desired form of government” (Whitehead 2009: 182), but it also condemns modern totalitarian governments or oppressive dictatorships of any kind. Accepting the democratic system and a ‘lawful diversity’, the commitment of Christians in politics is thus characterized by a “unity within diversity”, which means “unity on values, but a possible diversity in concrete political choices” (Campanini 1986: 170; my translation).

The document then proceeds to n. 76, declaring:

The Church and the political community in their own fields are autonomous and independent from each other. Yet both, under different titles, are devoted to the personal and social vocation of the same men. The more that both foster sounder cooperation between themselves with due consideration for the circumstances of time and place, the more effective will their service be exercised for the good of all. For man's horizons are not limited only to the temporal order; while living in the context of human history, he preserves intact his eternal vocation. The Church, for her part, founded on the love of the Redeemer, contributes toward the reign of justice and charity within the borders of a nation and between nations. By preaching the truths of the Gospel, and bringing to bear on all fields of human endeavour the light of her doctrine and of a Christian witness, she respects and fosters the political freedom and responsibility of citizens.

To lay people the Council reserves a specific role: “this council exhorts Christians, as citizens of two cities, to strive to discharge their earthly duties conscientiously and in response to the Gospel spirit.” It also adds:

Secular duties and activities belong properly although not exclusively to laymen. Therefore acting as citizens in the world, whether individually or socially, they will keep the laws proper to each discipline, and labour to equip themselves with a genuine expertise in their various fields. They will gladly work with men seeking the same goals. Acknowledging the demands of faith and endowed with its force, they will unhesitatingly devise new enterprises, where they are appropriate, and put them into action. Laymen should also know that it is generally the function of their well-formed Christian conscience to see that the divine law is inscribed in the life of the earthly city; from priests they may look for spiritual light and nourishment. (...) Since they have an active role to play in the whole life of the Church, laymen are not only bound to penetrate the world with a Christian spirit, but are also called to be witnesses to Christ in all things in the midst of human society. (GS, 43)

The citizen-believer is seen in its *integrity*:²⁶⁵ there is no opposition between being faithful to the Church via religious life and being part of the political community in

²⁶⁵ “Persons have integrity when their inner being is transfused by harmony; when their decisions and actions flow from their honest judgment; when they faithfully pursue the values that they comprehend as means to their perfection. In contrast, they lose their integrity when their volitions and operations are divorced from their vision. Should such a disaster happen, the persons in question become traitors to

terms of acting according to the duties, rights and responsibilities of someone's own state. Also due to this reason, there is no dichotomy between the faith professed and its practice.

To sum up, the two main issues regarding the relation of the Church with the modern political world seem to be: 1) both the independence and cooperation between the Church and the state (the Church is not a political party); and, 2) the contribution of lay Catholics who are asked to be actively present in the secular and pluralistic realm (Lawler et al. 2014: 166). Especially regarding the second aspect, the document adds: "the faithful will be able to make a clear distinction between what a *Christian conscience* leads them to do in their own name as citizens, whether as individuals or in association, and what they do in the name of the Church and in union with her shepherds" (n. 76). Thus, it recognizes for citizens two possible (and maybe distinct) ways of behaving in the context of a pluralistic and democratic political community, however, as stated in the Canon Law, "the faithful must have *obsequium religiosum* (religious respect) of intellect and will to authoritative teaching of the pope and bishops, even when they are not proclaiming a doctrine by definitive act or infallibly" (Lawler et al. 2014: 168).

2. *Dignitatis Humanae*.

The positions proposed in *Gaudium et Spes* are found in harmony with the second document referred to above, the declaration *Dignitatis Humanae*, in which, having affirmed the liberty in religious choice as a right of the human person, the goal of the ethical state was marked, and the opportunity was given for the sustenance of a 'healthy' or 'positive' secular political system.²⁶⁶ This more or less established "the bases for the recognition of the pluralistic modern democracy" (Kasper 2005: 94). This "paradigm shift" – as defined by W. Cardinal Kasper – was a very complex process within the Church, which also needed to confront the preoccupations of those who viewed this document with fear and suspicion, holding that openness to the

themselves. Their inner world shatters; it becomes fragmented. (...) Integrity speaks of honesty; it is not the final guarantee of the truth of any proposition or of the prudence of any intended action" (Orsy 2014: 15-16).

²⁶⁶ In particular, it was Benedict XVI who – along his papacy – has repeatedly invoked the concept of "healthy/positive secularism". Reference can be made to his address to the participants of the national conference organized by the *Union of Italian Catholic Jurists* held December 9th 2006. The full text can be accessed at: www.vatican.va/content/benedict-xvi/en/speeches/2006/december/documents/hf_ben_xvi_spe_20061209_giuristi-cattolici.html (last access: 1/1/2016).

legitimation of every religious expression (*religious pluralism*) could bring the Catholic Church, at least at the theoretical level, to become one of many religious realities, thus favour a certain *relativism*.²⁶⁷ In the face of such a proposition, we do well to remember that “if it is true that the document legitimizes every religious expression, whether personal or communitarian, in the name of the dignity of the person, it is likewise true that it explicitly avoids the promotion of a religious *indifferentism* or of a *relativism* such as that which places every form of adhesion to a specific faith on the same plane” (Visioli 2007: 41). In fact, the document is clear in saying that the Catholic Church “has in no way ceased to believe that her teachings *are* true – but it has long since become equally evident that religious belief *cannot* be compelled, however compelling the truth may seem to those who believe it to be the truth” (Whitehead 2010: xi; emphasis in original).

The Council saw itself as “develop[ing] the doctrine of recent popes on the inviolable rights of the human person and on the constitutional order of society” (DH, 1); and in fact, the notion of development was “a real sticking point” (Murray 1966a: 673). The document places itself in line with – but also as the complement of – that which was affirmed in *Gaudium et Spes*, within the holistic approach that characterizes the Council (Orsy 2014). In fact, the object of the declaration regards not only the renewal of the relationship of the Church *ad extra*, but also of the relationship with social liberties and the freedom of conscience, as well as the complex Church-state relationship,²⁶⁸ which, in fact, “were placed beneath a new perspective: that of human centrality and dignity” (Alberti 2012: 309). However, “it is concerned only with the juridical-social order and with the validity, in that order, of a human and civil right to the free exercise of religion” (Murray 1966c: 131). Thus, it concerned religious freedom as a human and civil right, and not the larger issue of Christian freedom, even though the two concepts remain related.

²⁶⁷ Similar criticism had already been leveled at the draft of the Declaration *Nostra Aetate*, which proceeded – and in some way established – the development of the *Dignitatis Humanae*. Particularly critical was what is stated in n. 2: “the Catholic Church *rejects nothing that is true and holy in these religions*. She regards with sincere reverence those ways of conduct and of life, those precepts and teachings which, though differing in many aspects from the ones she holds and sets forth, *nonetheless often reflect a ray of that Truth which enlightens all men.*” In this regard, see: Alberti 2012.

²⁶⁸ John Courtney Murray SJ: “formally, it settles only the minor issue of religious freedom. In effect, it defines the Church’s basic contemporary view of the world — of human society, of its order of human law and of the functions of the all too human powers that govern it... [It] lays down the premise, and sets the focus, of the Church’s concern with the secular world “ (Murray 1966d: 592).

In GS it is stated that “the Church proclaims the rights of the human person” (n. 41), and in DH religious freedom is conceived as the most fundamental of human rights. If in Vatican I the church had defended its own liberty *ad intra*, especially with the dogma of papal infallibility; in Vatican II, the church defended both the liberty *ad extra* and the liberty in general as a principle.²⁶⁹ From mere toleration, with this document, the Church affirmed religious freedom as a *right* (Hahnenbergh 2007: 151),²⁷⁰ and most importantly it is conceived as a right *for all*²⁷¹, and not for the Church herself alone and in a special way (*Libertas Ecclesiae*), as it was held in the previous teachings.²⁷² However, religious freedom is a principle grounded in the value of religion itself, “considered as a basic human good or fundamental aspect of human flourishing,” as “an intrinsic aspect of human well-being” (George-Saunders 2006: 7; 11).

It is generally known, that the American Jesuit theologian John Courtney Murray, who served as a *peritus* or expert, gave a great contribution to the drawing of the conciliar document on religious freedom and church-state theory, even though he was not involved in the discussions of the “fifth schema” (also, the *textus recognitus*) (Hooper 1993; Regan 1967).²⁷³ And, perhaps, this is also the reason why the definition of religious freedom as a human and civil right presents two main aspects: the non-coercion of religious belief and non-restraint of the exercise. These – noticed Hollenbach – are “analogous to the two religion clauses of the first amendment of the US Constitution: non-establishment and free exercise” (Hollenbach 1988: 11).

²⁶⁹ The main preoccupation was whether the doctrine of the Declaration contradicted what was taught by previous popes and, thus, how to reconcile these teachings with the “confessional” teachings, such as those of Leo XIII or those contained in the Pius IX’s *Quanta Cura*. In this regard, Dulles points out: “did these popes teach as matter of divine law that Roman Catholicism should be established as the religion of the state? Did they reject the religious freedom of non-Catholics, individually and corporately, to practice their religion publicly and to propagate their beliefs?” (Dulles 2006: 51). And his answer was the following: “while it is undeniable that a development has occurred, the two documents do not contradict each other. *Quanta Cura* does not call for the universal establishment of Catholicism as the state religion, not does *DH* claim that the civil authority should have no duties at all to the Catholic faith except to maintain public peace” (Dulles 2006: 53). See also: Pavan 1969: 64.

²⁷⁰ “With this Declaration, the Council wishes that this right [religious freedom] belongs to the person as a fundamental right, inherent in the establishment of his dignity; namely, that it would not be a positive law dependent on the will of the state as one of its promulgation or its ruling, subjected, therefore, to historical changes of a parliamentary majority or to other instances, however contingent” (Molinaro 2007: 813; my translation).

²⁷¹ Bea recalls that the Declaration affirms the necessity of a protection of *juridical equality* of all citizens (Bea 1967: 87).

²⁷² Leo XIII, in *Immortale Dei* (1885), had excluded the possibility “to grant false religions the same rights as the true religion” (Davies 1992: 49).

²⁷³ I will not make reference to all the passages of the discussions, but I will refer only to the final text of the Declaration.

The first fundamental novelty of the document – in accordance with the encyclical *Pacem in Terris*,²⁷⁴ and successively clarified also by Pope Paul VI and Pope John Paul II – is therefore that of establishing the *centrality of the human person* as the holder of rights and consequently, of his dignity and no more the law of the Church-institution. This new emphasis is known as the shift “from the truth as the subject of rights to the person as subject” (Schindler – Healy 2015: 40; Schindler 2013: 211). From this is derived, the religious freedom and freedom of conscience of every person, as the fundamental and prior right, and the principle according to which “no truth, not even the most absolute and uncontroversial, finds adequate expression if not in the freedom of conscience of the human person” (Visioli 2007: 49), and which is therefore recognized as the “*moral duty* of seeking the truth, in the first place that which concerns religion” (n. 2). Instead of emphasising the ‘right of truth’ and condemning the ‘right to err’, the prominence was posed on the ‘*search* for truth’ (also presented in GS 16). Thus, the document seems to stress more the “duty of the conscience”, rather than the “freedom of the conscience” (Craycraft 1995: 61). As Nicholas Lobkowicz has stated, in fact, “although error may have no rights, *a person has rights even when he or she is wrong.*” And he continues underlining that “this is, of course, not a right before God; it is a right with respect to other people, the community and the State” (Lobkowicz 2008: 18).²⁷⁵

Religious liberty is *negative* in its content (Murray 1966b: 27–28):²⁷⁶ the object of the right is “freedom from coercion”,²⁷⁷ rather, it is an *immunity* from every type of coercion whether personal, communitarian, governmental, social, or even on the part of the Church.²⁷⁸ Coercion holds a double meaning (UCSC 2004: 416): 1) not being

²⁷⁴ “(...) among man’s rights is that of being able to worship God in accordance with the right dictates of his own conscience, and to profess his religion *both in private and in public*” (n. 14; emphasis added).

²⁷⁵ Pius XII had already supported the idea that neither the state nor anyone else could coerce individuals in matters of religion and religious freedom (allocution *Ci Riesce*, 1953) and, on this account, Murray held that: “the duty of repressing religious and moral error cannot (...) be an ultimate norm of action. It must be subordinated to higher and more general norms which in some circumstances permit, and even perhaps make it appear the better course of action, that error should not be impeded to promote a greater good” (Murray 1960: 62).

²⁷⁶ It is important to note that “in Murray’s terms, in other words, “negative” here implies only a legal-constitutional “indifference,” not a substantive “indifferentism,” with regard to man’s relations to truth and to God” (Schindler – Healy 2015: 44-45; Schindler 2013: 217).

²⁷⁷ “Freedom from coercion” is presented with *two meanings*: 1) “in the religious sphere no man may be compelled to act against his conscience”; and 2) “no one may be prevented from acting according to his conscience” (Pavan 1969: 66).

²⁷⁸ “Therefore, a general principle is laid down: no human person can be the object of coercion or intolerance” (Stransky 1966: 97).

forced to believe and 2) not being impeded of believing. However, this negative element is not enough; besides avoiding compulsion, it is also necessary to help people in the exercise of their rights.²⁷⁹ And this seems to be the interpretation offered by John Paul II who had seen in the merely negative conception of religious freedom, an inadequacy and a lack of understanding this right as an intrinsically positive good owed to all persons (Dulles 2001).

According to the Church's broad meaning, religious freedom includes both liberty of conscience: namely, the internal freedom of choice and the external profession and expression of personal views, and freedom of the cult: namely, the liberty of exercising one's own faith. *Libertas Ecclesiae* becomes part of religious freedom (DH, 13).

Another new element, as has already been mentioned, regards the relationship between the Church and the state, and not only as a mere subdivision of their areas of competence. The necessity of a separation of the Church and the state is confirmed, at least in the promotion – where it is possible and with respect for limits²⁸⁰ – of collaboration between the two institutions. The state is recognised as having a specific role, which is merely *juridical* and *political*: it is that of guaranteeing the

²⁷⁹ “We have moved from the care of religion as freedom from coercion to the protection of religious freedom as a positive commitment of the State to promote a value considered favorably” (De Bertolis, 2005: 697; my translation).

²⁸⁰ “(...) *the right and duty to manifest externally the dictate of conscience is not unlimited, but can be – at times must be – tempered and regulated for the common good*” (Stransky 1966: 98; emphasis in original). In fact, n. 7 of the Declaration recognises the following limits: 1) respect the rights of others; 2) the performance of its duties to other individuals and to the common good; 3) the protection of *public order*.

The limit of “public order” – which is a non-traditional term, chosen instead of “common good” (Harrison 1988: 89) – created some concerns within the conciliar discussions: the criterion for the limitation of the freedom by the state seemed to be too vague (Morero 1967: 21-22; 32), which risked to leave “many possibilities for an arbitrary or generally insufficiently justified limitation of the right” (Pavan 1969: 74). Eventually, it is important to bear in mind that, according to the Council, “public order, rightly understood, bears a substantively just, and not merely negative-juridical, content” (Schindler 2013: 234, footnote n. 36). Murray reminded that the “public order” includes three components: public justice (safeguarding the rights of all citizens), public peace (which – according to DH 7 – occurs “when men live together in good order and in true justice”) and public morality (a minimalist moral code) (Murray 1965). To safeguard the “public order” means to protect the “necessary conditions of social existence”, or to “preserve society’s very existence”. Pius XII had proposed that the limitation had to be justified by criminal law’s violations (allocution, 6th December 1953).

It was underlined that: “(...) the State, in this sense, protects the free expression, and it does it through the laws, that is, through rules limiting (freedom is not free to do what I want, but to do in the rules) only if my free exercise conflicts with social purposes and only if we oppress the freedom of others” (Alberti, 2012: 314; my translation).

conditions for the possibility of a peaceful coexistence among men.²⁸¹ Thus, even though the state has the obligation to protect freedom, “it may not regulate in order to assure that a particular ideology, *whether religious or secular*, becomes normative for all in society” (Hollenbach 1979: 77; emphasis added). It means that the state must abstain from judging the value of truth or falsehood of the contents of a religion (*principle of incompetence*), and cannot – indeed, may not – *promote* or *hinder* the diffusion of a religion (n. 6). As Murray explained, “the constitutional provision for religious freedom is a self-denying ordinance on the part of government” (this is the notion of *limited government*). However, this denial should be conceived neither as indifference to the values, nor as affirmation of the laicist creed that “religion is a purely private matter”, but as the “recognition of the limited functions of the juridical order of society as the legal armature of human rights” (Murray 1966b: 36–37). Here is founded the distinction between a secular state, capable of guaranteeing and promoting the exercise of religious liberty,²⁸² and a secularistic state, which is indifferent to religion and thus relegates it to the private sphere of the individual conscience. However, in this new context, there is also less definitive claim for the construction of a religious state and the installation of a state religion, and the hypothesis of an ‘establishment of religion’ is left only as a matter of circumstances, not of doctrine.²⁸³

Article 3 of the Declaration is central. In fact, it states: “*government* therefore ought indeed to take account of the religious life of the citizenry and show it favor, since the function of government is to make provision for the common welfare. However, it would clearly transgress the limits set to its power, were it to presume to command or inhibit acts that are religious” (DH, 3). The word ‘government’, used in the English version of the Declaration, which seems to refer to the State at the institutional level, is the translation of the Latin “*potestas igitur civilis*,” which could

²⁸¹ “(...) the state has to face up to such a right, not as an entity that defines it but as a social organization that will recognize it, protect it, and make it possible its exercise” (Visioli 2007: 54; my translation).

²⁸² From the Declaration’s perspective the role of the state seems to be twofold: 1) recognition, respect and safeguard of religious freedom; 2) limitation of religious freedom’s exercise when it may compromise the public order. See: Pavan 1969.

²⁸³ Before Vatican II, in fact, Catholic thinking of the subject of religious liberty was founded on some premises which led to two main implications: 1) the legal establishment of Catholicism as “the religion of the state”; 2) limits on religious freedom of non-Catholics (Grasso-Hunt 2006: xiii).

refer simply to the public level of civil society.²⁸⁴ Is the final text thus affirming in this context, the positive obligation of the civil authority (the state) to acknowledge and show favour to the religious life of its citizens (*agnoscere eique favere debet*)? It seems that the Declaration “requires the state to take an active role in promoting the good of religion, thereby avoiding that “neutrality” that is such in name only” (George-Saunders 2006: 13).²⁸⁵ However, Murray seems to understand that the function of the State as “limited to creating *free conditions* wherein religion might be fostered, as distinct from fostering religion itself” (Schindler 2013: 237, footnote n. 40).²⁸⁶

The *Declaration* constitutes “without doubt the most significant change in [the Church’s] political history” (Perreau-Saussine 2012: 127). However, some tensions seem to remain and especially because the Council recognises the right for the Church to actively engage in public, also shaping public policies, it would also “affect the freedom and behavior of non-Catholics” (Hollenbach 1988: 11).

The obvious result is that all these aspects have had – and have still – fundamental practical repercussions, which require a continuing reflection toward an ever-more current application of the contents offered by the Council and by the Magisterium of the Church.

3. *Concluding Remarks.*

In this part of the thesis the aim is to offer the Catholic answer to the general question on whether religious citizens and their religious beliefs should be “allowed any voice in a pluralistic democracy with a constitutional mandated “separation between church and state”” (Thiemann 1996: 2). This deals also with the role that the Church could have in public (national and international) contexts and how it would affect religious citizens.

²⁸⁴ It is important to underline that also in GS the term usually used is “political (or civil) society” or “community” (Congar 1969: 210).

²⁸⁵ Farrow – criticising Murray’s interpretation of the DH – holds that there cannot be real “neutrality”, as in fact, it is always a matter of (theological) choice (in favor of God’s existence or not). In fact, he says that “a neutral state means a state without religious convictions or allegiances”. However, he follows: “it is not a state guided by no principles, in search of no particular good” (Farrow 2015: 87). Farrow’s position seems similar to Cohen’s view according to which political liberalism cannot hold an “anti-metaphysical” approach (Cohen 2009). As Ferrara explains, in Cohen’s view «“God does not exist” is as metaphysical a statement as “God exists”» (Ferrara 2014: 191).

²⁸⁶ Thus, according to Murray, the only thing the Church seeks in the political realm is “the freedom of the Church: this is the fundamental principle in what concerns the relations between the Church and governments and the whole civil order” (Murray 1966d: 593).

What the Council clarified is that the Church cannot use politics for religious purposes and the State cannot use religion for political purposes (Sorge 2008: 327). Thus, the Council – through these two documents – “has made the church ‘less political’ in its juridical relationship to the state”, as its social role “must always be *religious* in nature and finality” (Hollenbach 2003: 89; emphasis added) which does result in an ‘indirect’ engagement in the political spheres. However, the content and the limits of this engagement are the real puzzles of contemporary liberal political theory.

As Davies has recalled the traditional Catholic teaching about religious freedom, which involves both the *internal forum* – what a man does in private – as well as the *external forum* – the public exercise of religion (offering religious reasons is also included) – holds that: 1) “no one must be *forced to act against* his conscience in private;” 2) “no one must be *forced to act against* his conscience in public;” 3) “no one must be *prevented from acting in accordance with* his conscience in private;” and, 4) “*the right of acting in accordance with* one’s conscience in public *can be restricted*” (Davies 1992: 19; emphasis added). Catholicism and liberalism agree on these four points, but they differ “on the criteria for restricting the expression of private belief in the external public forum” (Davies 1992: 19). In fact, while the limiting criterion from the Catholic point of view is ‘public good’ or ‘common good’, for liberals it is ‘public order’. However, as mentioned above, in DH n. 7, the Church has recognized ‘public order’ as legitimate criterion for restraint.

At the end of this chapter it is important to remark that “the liberalism with which the church aligned itself in the Declaration on Religious Freedom [and the Second Vatican Council in particular] was not exactly the same as the liberalism that it had previously condemned” (Perreau-Saussine 2012: 129). The liberalism that Pius IX condemned in the *Syllabus*²⁸⁷ was in the name of an absolute neutrality of the state, in trying to separate religion from politics in order to privatize the former and make the latter free from any moral obligation,²⁸⁸ as some liberal theories still suggest today. It was the attempt of creating “a *laicized state* of rationalist or atheist

²⁸⁷ According to John C. Murray, the Church correctly condemned a specific form of liberalism, that he identifies as “continental liberalism” – which is distinct from the Anglo-Saxon liberal tradition – and it is conceived as an ideology, “heir of the absolutism of *ancien regime*” (Komonchak 1994: 86).

²⁸⁸ ““Liberalism” (...) was the theoretical and practical system which denies religion significance for the public sphere. (...) It was this privatizing of religion that the church consistently opposed since the time when, so it was thought, it first displayed its true colors in the French Revolution” (Komonchak 1994: 77).

inspiration, whose function was the *laicization of society*” (Murray 1966c: 136; emphasis added). The Declaration, on the contrary, is not founded on the *neutrality* of the state, but on a priority of conscience and its religious obligation.

The engagement of the Church into political realms has two options: through institutions, or through Catholic citizens’ reasons (or justifications) offered in public. When we talk about the Church, it is important to distinguish between two main meanings: 1) the Church-institution which entails the Holy See and the Vatican State; or the clergy including Pope, Bishops and priests; and 2) the ‘People of God’ which encapsulates the community of baptized people: clerics and laity, who have different roles and duties inside and outside the Church. Thus, it is important to make clear that there are also two different levels of the relationship between the church and the state or religion and politics: the relationship between the ecclesiastical institutions, the Church-institution, and the public-political institutions, the state, and the political commitment of lay people as citizens (Sorge 2008: 326). Catholic intellectual tradition, and more specifically Catholic social teaching, is proposed as an alternative position in the realm of political philosophy. It takes into account this complexity involving both the levels: 1) the institutional-universal particularly, the role of the Pontiff in its double nature: head of the state and religious authority and, 2) the individual-personal level, namely, the role of lay Catholics who live in their political communities.

3.1. The Institutional-Universal level: The Role of the Pontiff.

From the first point of view, it is fundamental to understand the role of the Pontiff itself within the context of global politics, as popes have been committed to give their magisterial counsel in the face of the ever-new challenges, which span the Church’s journey in the world. The particularity of their involvement in public affairs is linked with the implications that their decisions and teachings will have globally over the Catholic believers all over the world. The Magisterium presents a diversified binding force, which depends on the nature and authority of what is thought or its repetition and the type of words used. Not all the statements of the social teaching have the same value and authoritativeness (Crepaldi-Colom 2005: 59).

The Church and the Catholic community is hierarchically structured. At the top of the Church’s hierarchy there is the pope, who is the successor of St Peter, Bishop of Rome, head of the College of Bishops, the Catholic Church and also of the Vatican

state. The Pontiff holds a double-nature role, which is strictly linked with the double nature of the Church-institution itself. The Church as institution presents two main elements: the Holy See, which is a juridical/legal person,²⁸⁹ and an active member of the international community, subject of rights and duties (Araujo 2001); and the Vatican State, which is a territorial reality (a true sovereign state), established to guarantee absolute independence to the Church for the fulfilment of its exalted mission in the world and to assure absolute and visible independence of the Holy See for the accomplishment of its activities (Crepaldi-Colom 2005: 698-699; Buonomo 2004).

As already mentioned, in the course of history – beginning already in the middle ages,²⁹⁰ but more particularly, from the end of the 19th century until the constitution of the Vatican City State (1929) – the diplomatic relationships with the different nations and international powers have characterised the presence of the Church in the global political context, even in the years of the wounding *Roman question*, or in the absence of a territory and therefore the absence of an effective political power. These relationships ensured that the Holy See maintained her quality as a subject of international law.²⁹¹ In fact, this subjectivity was not diminished when the Papal States became extinct in 1870, because the Church's international subjectivity does not depend on territory. It is rather strictly linked to the active and passive right of legation (can. 362) of the Pontiff himself as the head of the Catholic Church,²⁹² who is the primary diplomatic agent of the Apostolic See (Ferrara 2016). This is one of the peculiarities of the Holy See. Furthermore, it will be remembered that, due to historical reasons and because of its international and universal organisation, “the

²⁸⁹ Juridical person means that it is an *ens (entitit)* that has been given personality by law (juridical/legal persons).

²⁹⁰ However, it is important to remember that “as the national diplomacy, also the pontifical diplomacy has acquired well-defined institutional and organizational characters only in the XVI century. (...) Pope Leo V (1513-1521) is commonly believed as the founder of the modern diplomacy of the Holy See” (Barberini 2003: 144, 147; my translation).

²⁹¹ In this regard, see: Brezzi P., *La Diplomazia Pontificia. Milano: Istituto per gli Studi di Politica Internazionale*, Istituto per gli studi di politica internazionale, Milano 1942; Graham R. A., *Vatican Diplomacy*, Princeton University Press, Princeton 1959; Ferlito S., *L'attività internazionale della Santa Sede*, Giuffrè, Milano 1988; Fanto P., *Una diplomazia per la Chiesa nel mondo*, Coletti, Roma 1990; Feldkamp M. F., *La diplomazia pontificia da Silvestro I a Giovanni Paolo II. Un profilo*, Jaca Book, Milano 1998; Barberini G., *Chiesa e Santa Sede nell'ordinamento internazionale. Esame delle norme canoniche*. G. Giappichelli Editore, Torino 2003; Mugnaini M., *Stato, Chiesa e relazioni internazionali*, Franco Angeli, Milano 2003; Fabris C., “presenza della diplomazia pontificia,” in: *Rivista di studi politici internazionali*, 73 (1), 2006: 69-70.

²⁹² Since the Congress of Wien in 1815 (Cantori 2016: 46).

Roman Catholic Church is the only religious faith which has access to diplomatic relations” (Tauran 2004: 183; Tauran 2008).²⁹³

A central element of the Church’s social doctrine, which was often reaffirmed by the Pontiffs, is that of *fraternity*, understood as the chain which links the international community together, thus rendering it a ‘family of nations’. According to such a principle – already beginning in the papacy of John XXIII – the Church promotes the achievement of diplomatic relations even with ‘non-Catholic’ countries (like she had, for instance, with the Soviet Union, beginning in 1989), considering all nations as equal. Nowadays, the Holy See entertains diplomatic relations with 180 countries and participates in different International Organizations and Organisms.²⁹⁴

It is possible to distinguish two roles of pontifical diplomacy: one *ad intra* (can. 364), for the questions that are universal in character and more properly regard the life of the ecclesial communities; and one *ad extra*, which is put at the service of the relations between the Holy See and the States, not only at the bilateral level, but within the entire international community (Re 2016: 117).

The task promoted by the Holy See within the international but also the national context is essentially ‘moral’ and ‘spiritual’,²⁹⁵ insofar as its mission is of the *religious* order and not political or economic; but at the practical level its intentions is, above all, that of maintaining a *super partes* position in order to be able to bring about the most interventions possible related to actions of peace and the promotion of fundamental rights. This is so that these rights – religious liberty in particular, understood in the broad sense²⁹⁶ – might be not only proclaimed, but also applied, thus pursuing the interest of Catholic believers, but also the defence and the respect of every person and every people (Bertone 2013).

²⁹³ However, it is important to affirm that Catholicism is not the only religion that tries to advance interests in the global political context. In fact, it is possible to recognize the presence of a certain religious pluralism that - as transnational actors - influences the global political landscape by pursuing “religious soft power” (Haynes 2012).

²⁹⁴ For an updated list of the agreements of the Catholic Church see: www.vatican.va/roman_curia/secretariat_state/documents/rc_seg-st_20010123_holy-see-relations_it.html (last access: 1/1/2016).

²⁹⁵ The canon 747 §2 says: “it belongs to the Church always and everywhere *to announce moral principles, even about the social order, and to render judgment concerning any human affairs* insofar as the fundamental rights of the human person or the salvation of souls requires it.”

²⁹⁶ Religious freedom should be understood in a broad sense as an expression of both a personal and collective dimension, private and public (that is, the ritual, worship, education, dissemination of information, and the freedom to profess and choose religion) in regard to unity (integrity) of the person, citizen and believer, who cannot be required to have to renounce their faith in order to be active citizens and to assert their rights.

It is the universal nature of the Church – with her singular traditional structure – which renders her most capable of situating herself above particular interests and thus able to ensure that “whether these interests are specific and proper to individuals or whether they are the general interests of the international community, they are considered within the humanitarian, moral, and spiritual profile” (Barberini 2003: 128).

On the other hand, within the national context, the role of the Church – and its extent – varies depending on the specific political system of each country. What remains always clear is that the Church cannot make a direct intervention in the State’s political realm. As mentioned above, in accordance with the principle of distinction of spheres of competence, clerics (at any level of hierarchy) can neither hold any public office, nor be involved in politics at the institutional level. This does not preclude, however, the possibility for the Church to be actively present in the public space – especially, the civil society, as Rawls himself seems to suggest –, offering her contribution regarding socio-political issues.

3.2. *The Individual-Personal level: the role of the lay believers in the world.*

Because of her autonomy and incompetence in merely political affairs, the Church does not ally with any political party, and Catholics in politics hold their own autonomy (Crepaldi-Colom 2005: 58).

In the last two chapters, I have tried to also show an evolution of the Church’s idea of the role of lay people: from the *Non Expedit* to the ‘neutrality’ or ‘impartiality’ of the secular state. However, a more in-depth interest in the laity’s role inside and outside the Church, and its development, is a very recent matter regulated during the Second Vatican.

Although at the beginning there was only the *laos* or “people” of God, and thus everyone was simply Christian (Lakeland 2007: 28), since early stages of the Church’s existence – perhaps the second century – we can trace a sort of *distinction* between different statuses of life in the Church, but not with a clear classification.²⁹⁷ It is between the eleventh and thirteenth centuries that we assist to an “apparent

²⁹⁷ “(...) the *laity*, expected to live the life of God’s people in the everyday course of the world; the *clergy*, at first rather fulfilling a function than comprising a state of life, were dedicated to the religious and sacramental service of the laity; and the *monks*, not dedicated to religious service but to withdrawal from the life of the world that they might live as closely in communion with God as possible” (Schuyler 1959: 291; emphasis added).

division of the *ecclesia* into two classes, the clerical and the lay, with the former almost exclusively exercising competence in spiritual matters, the latter and lower having no competence therein except to receive of the Church's ministry" (Schuyler 1959: 293). Nowadays, laity is conceived as a substantial part of the Church,²⁹⁸ and they are also "expected to play *an active role* in its mission" (Schuyler 1959: 301) according to the priesthood of the baptized that requires to lay people to be part of the apostolate of the Church and specifically to take care of the 'temporal things'. Thus, it is the role of lay people – conceived both as citizens and Catholics – within a pluralistic liberal context that could be problematic from the point of view of liberal theories in general, Rawls' theory in particular.

The commitment of laity in all the many aspects of human life (politics included) is characterised by the idea – expressed in the dogmatic constitution *Lumen Gentium*²⁹⁹ – that they are "bound to penetrate the world with a Christian spirit", and are "to be witness of Christ in all things in the midst of human society" (LG, 31).

Specifically on the commitment of the faithful in politics, the Council stated:

those with a talent for the difficult yet noble art of politics, or whose talents in this matter can be developed, *should prepare themselves for it, and forgetting their own convenience and material interests, they should engage in political activity*. They must combat injustice and oppression, arbitrary domination and intolerance by individuals or political parties, and they must do so with integrity and wisdom. (GS 75; emphasis added)

Among the documents produced during the Second Vatican Council, the Decree *Apostolicam Actuositatem* seems to be central, as its main object is the layperson's 'own distinctive role' (Himes 2013: 236), the specific 'mission' of the laity within the Church: the evangelization³⁰⁰ in the changing society. They are called to become like mediators between the Church and society, through an active political engagement too. Laity's main field of expression of their faith and commitment to the Church is

²⁹⁸ In *Evangelii Gaudium* (n. 102), pope Francis has defined the laity as "*the vast majority of the people of God*" (Palladino 2014: 68). It has been noticed that for the first time it is presented in a document of the Magisterium a numerical category (majority/minority). And being the laity "the majority" seems to suggest that they can - and are also asked to - do more for the "evangelization" (which does not mean "proselytism", but just bringing the Christian message and keeping it present in people's daily life).

²⁹⁹ In this regard, see: Congar 1965.

³⁰⁰ Evangelization does not mean "proselytism". It is a complex concept, which refers to the apostolate (namely, to bring and make clear the Christian message) and the responsibility of living according to the Catholic faith in every aspect of life (both in private and public), which means to serve humanity in charity, truth and justice (Himes 2013: 244).

On this issue, see: Oliver 1997.

“the world” for instance politics, society and economics, as well as culture and education, sciences and arts (UCSC 2004: 394).

Another fundamental document is pope John Paul II’s exhortation *Christifideles Laici* (1988) that sets the characteristic features of the Catholic laity’s identity and functions (Palladino 2014: 75). The pope underlined especially that there is a *distinction*, but not a *separation*, between lay and cleric faithful, all of whom are part of the same “people of God” (CL, 15).

In the light of the Council, in 2002, the Congregation for the Doctrine of the Faith (CDF) has published a *Doctrinal Note on some questions regarding the participation of Catholics in political life*, which seems to be important in order to clarify the Catholic understanding on this subject. The document could be summarised in the following fundamental points: 1) free participation in democratic debate: “it is commendable that in today’s democratic societies, in a climate of true freedom, *everyone is made a participant in directing the body politic*”, thus all can – and should – contribute to the development of political decisions and law-making; 2) offering Christian values: there is a proper task of lay faithful in the exercise of their civic duties which is “infusing the temporal order with *Christian values*,” but always “respecting the nature and rightful autonomy of that order;” and, 3) free choice of the political opinions that are not at odds with Christian values: there is a “*legitimate freedom of Catholic citizens to choose among the various political opinions that are compatible with faith and the natural moral law*, and to select, according to their own criteria, what best corresponds to the needs of the common good.” He further points, 4) protect personal *integrity* by avoiding to vote when it would mean to go against conscience in order to be *morally coherent* (especially, in case of *fundamental and inalienable ethical demands*): “a well-formed Christian conscience does not permit one to vote for a political program or an individual law which contradicts the fundamental contents of faith and morals”, and “no Catholic can appeal to the principle of pluralism or to the autonomy of lay involvement in political life to support policies affecting the common good which compromise or undermine fundamental ethical requirements.”³⁰¹

However, the Doctrinal Note also indicates that the Church does not have the task of being directly involved in political decisions, or of presenting specific political

³⁰¹ This point is particularly at odds with Rawls’ position (see: Part I). In fact, following GS 75, the documents suggest that citizens should use their vote in order to promote the common good.

solutions, but she advocates for its ‘right and duty to provide a moral judgment on temporal matters when this is required by faith or the moral law’. Also at this level, the Church’s role is mainly ‘spiritual’: the central aim of the Magisterium is “to instruct and illuminate the consciences of the faithful.” Thus, if the *autonomy* of political and social spheres is recognised, this means – according to the Church’s teaching – that *the autonomy is that from religion and the Church, but not from morality*, as “promoting the common good of society, according to one’s conscience, has nothing to do with “confessionalism” or religious intolerance”.

All these texts reveal a new circumstance for the laity: that participation means to enter into the structures of political life and not being dominated by the ruling classes; that Catholic citizens cannot be ‘apolitical’, rather they have to be involved in this matter. Catholic citizens are asked to live in accordance with their faith, to be well informed, and to apply the teachings of the Catholic social doctrine. They are called to operate for the evolution of political, social and economic structure of society according to Christian values. However, this does not necessarily mean to be in contrast, or in opposition with the limits and rules of ‘public reason’. The Church recognises citizens’ right and duty of *participation* especially in the political life. In the Catholic view, this participation cannot only be formal, but it needs to be *substantial*.

It is surely important to articulate the distinction between positions of faith and socio-political opinions, choices of single persons and those of the Christian community itself. For this reason, the choice of belonging to a political party is personal and does not involve the Church as an institution (Crepaldi-Colom 2005: 109).

We still live in a post-Vatican II period, when significant developments in doctrine is going to be pursued, but always in accordance with the Scripture and Tradition of the Church, to which the Magisterium refers.³⁰² The question that seems to be posed after the Council was essentially pastoral: “what is the appropriate theology for this world, and for a Church committed to the good of this world?” (McDade 1990: 425).

³⁰² It is important to remark that “the task of theology, then, is not update a previously constituted body of truth – interpretative hermeneutics is insufficient – but to articulate present experiences so that they stand in a creative and critical relationship to the tradition” (McDade 1990: 430).

This question is mainly theological, but it is at the core of later papal interpretations and teachings that are tied to the Council.

The Church recognises for herself, a duty to collaborate with all men for the realisation of a just society (on both the international and national levels). As already mentioned, the Church's role is first and foremost "religious" (generally understood also as *spiritual* and *moral*), which means that *ordinarily* she has not direct competence, but only *indirect* contacts with politics. This happens in two ways: 1) offering values and moral judgments, especially at the socio-cultural level (civil society); and, 2) through the autonomous, responsible and direct commitment of lay people, who are specifically asked and expected to live and act as Christians – and thus according Christian values – in the secular world (and also taking part in politics). Thus, the presence of the (institutional-hierarchical) Church in the public-political context comes through the action of Catholic citizens, who hold the responsibility of exercising rights in accordance with their faith. The role of the Church is to help them through teaching, without limiting citizens' freedom of opinion and their autonomy, or – even worse – interfering in the state institutions, which would result in a breach of the principle of distinction of spheres.

However, there is also an *extraordinary* way of the Church to interact with or even intervene in politics: it is when, in case of an emergency, she acts "in substitution" of political powers for the promotion of the common good (Sorge 1973b: 21-22; Sorge 2008: 328). It could happen, for example, in the case of the defence of fundamental rights, in the presence of a despotic regime (Concetti 1989: 242).

As already mentioned,³⁰³ it appears absolutely fundamental to understand the distinction between 'state' (or *political society*) and 'society' (usually referring to *civil society*), and never using the two terms as synonyms. As Murray – as well as Maritain – has explained, the state is different from society; it is a part of it, and it plays a 'limited role' within society as a whole (or the 'body politic', in Maritain's terms) (Maritain 1954). It is specifically the "order of public law and political administration" (Murray 1965).³⁰⁴ While the state is a political organisation (different

³⁰³ See: Part II, Introduction, §3.

³⁰⁴ As already mentioned, Murray has been fundamental for the development of the teaching then held in DH, but he was also much criticized. In this regard, for example, Love comments: "he defined the terms "state", "society", and "government" in his own manner and then argued that obviously the Popes did not intend their terminology to imply a meaning different from what he now claims to be the

also from politics itself), whose aim is to promote the wellness of society; civil society – likewise Rawls’ ‘background culture’ – is conceived as a complex reality, a “community of communities” (Himes 2013: 223). Even though the single realities such as families, private associations, and so on are private entities, civil society as a whole is ‘public’ (but not in the same way as the ‘political society’), because their aim regarding the common good (UCSC 2004: 578). Civil society is also distinguished from the Church itself, which is a *communicatio spiritualis*, while society is a *communicatio civilis*, because the single societies within the civil society deal with temporal questions, in a free way they are voluntary associations.

Thus, the Church has the duty to engage politically as a “presence in the civil society,”³⁰⁵ but – as also Paul VI reminded – “in no way does she indulge in active political action [thus, at the state level], indeed she keeps herself distinct and aloof from it.”³⁰⁶ The intent of the Church is neither to impose its authoritative point of view, nor to order concrete political choices, nor to enforce an ethics that would be binding for everyone; but to ask for a space in which she could offer her ideas, values and ideals in accordance to her spiritual power (Rhonheimer 2008: 130).

Eventually, it seems evident that what actually would cause problems, from Rawls’ perspective, is exactly the conception according to which Catholic citizens are specifically called to act in public and also in politics, in a way that is conforming to the values promoted and taught by the Church such as freedom and justice, solidarity, dedication to the common good, preferentiality for poor and needy people and so on. However, they are expected to do so also in respect of others and trying to find a way of cooperating for the realisation of the common good. In a way, this is the paradox offered by the Catholic social thought. In fact, on the one hand, it teaches to be respectful of different perspectives, rejecting violence or any incorrect methodology to impose on others its own worldview in favour of proposing it. And this seems to be in line with a ‘public reason’ approach. On the other hand, however, the Magisterium

categories required by actual facts and hence for accurate analysis and comprehension” (Love 1965: 79).

³⁰⁵ Himes noticed that “[t]he development in the Catholic position, championed by Murray, and eventually accepted at Vatican II, merely brought Catholic thought into accord with modern democratic political theory. In the twentieth century, Murray maintained, the great issue is not ‘church and state’ but ‘church and world’”, or rather the appreciation of ‘civil society’ as a new partner (Himes – Himes 1993: 9; also Himes 2013: 243).

However, this is highly contested by exclusionist authors and many scholars from different perspectives, like: Lecaldano (2006); Filoramo (2007); Rusconi (2000).

³⁰⁶ Paul VI, *Address to the Members of the Diplomatic Corps*, 10th January 1972.

holds a clear claim to a right interpretation of what ethics is, intended as ‘natural law’ or ‘universal moral norms’. This claim (as a ‘formal object’), from the point of view of Rawls’ public reason, seems unacceptable unless it is always available to be rationally verified as ‘material object’ in its contents. In my view, due to the fact that a ‘reasonable comprehensive doctrine’ (such as Catholicism) cannot renounce to foster a particular worldview, its acceptance within the limits of public reason would be possible – and sometimes even welcomed – only if it accepts to pass through the process of public verification of the ‘reasonableness’ of its contents.

As Catholic citizens will be inspired by the Gospel and they will follow and respect Christian values, they will also be ‘directed’ by the teachings offered through the magisterium. For this reason, in order to verify if Catholic social doctrine could be a source for ‘public reasons’, I would like to offer an analysis of what the last Pontiffs, elected after the Council, have publicly assessed. This will permit to better identify the contents of the contemporary Catholic social teachings, but also to acknowledge the Catholic ‘public reasons’. The Pontiff’s interpretations of the doctrine are central for a comprehensive understanding of what the Church – conceived as a universal and international body – can offer to the general discussion. Moreover, it is important to bear in mind that when the popes address issues related to politics, culture and economics, they understand themselves “to be articulating *public*, not sectarian, truths” (Weigel 1999: 25), or at least truths that will have *public* consequences.³⁰⁷

In the following three chapters, I will present the last three popes and a summary of their fundamental thoughts, focusing my attention especially on the issues discussed above; democracy including ‘pluralism’, human rights and religious freedom, and the relationship between the church and the state. The aim is twofold: 1) trying to show their conformity to the Council but also further developments; and 2) offering an example of ‘public reasons’ through an analysis of specific documents.

³⁰⁷ Weigel was referring specifically to John Paul II’s teaching, but I hold that the “publicity” of papal teachings is valid generally also for the other Pontiffs. “without abandoning its distinctive theological commitments, the Catholic Church has, over the past thirty-five years [and even more now], developed the capacity to foster an international public moral argument in which those who do not share Catholic theological convictions can participate fully” (Weigel 1999b: 34).

Chapter 6

The long Pontificate of John Paul II

1. *John Paul II: An introduction.*

John Paul II (1978-2005) was elected after the death of John Paul I (1978), whose pontificate lasted only 33 days. Wojtyła's pontificate was not only very long but also "of a greater intellectual significance for the Church" (Weigel 1999: 23). He shared with his predecessor the "determination to implement the proposals of the Vatican Council" (Coppa 2014: 203). His interest for socio-political issues was expressed both in theory via his teachings³⁰⁸ and in practice via his involvement in international political affairs.³⁰⁹ He was certainly one of the most passionate Pontiffs who strongly advocated democracy, which he conceived as the expression of *freedom* and *solidarity*. It was particularly in *Sollicitudo rei socialis* (1987) that he soundly supported "the practice of truly democratic procedures, built on solidarity and participation, not only for the inner life but also for international relations" (Mondin 1992: 134). Huntington has observed that Catholicism after the Council and especially with John Paul II became one of the dominant forces for advancing democracy and human rights in the world (Huntington 1991a). But Pope John Paul II also vigorously condemned communism and liberalism.³¹⁰

John Paul II has been, without doubt, very important in the interpretation and application of the Council as well as for the development of the Catholic social teachings. In his twenty-seven years of pontificate his documental production was massive and concerning a great variety of issues. Because of the particular focus of this work, it would not be possible to offer an in-depth analysis of John Paul II's teaching; rather I will focus only on the documents that should be more pertinent to the scope of this thesis.

³⁰⁸ John Paul II wrote "14 encyclicals, 15 apostolic exhortations, 11 apostolic constitutions and 45 apostolic letters, addressing issues within the church and the broader society and culture and the international community" (Coppa 2008: 198).

³⁰⁹ In particular, the fall of the Berlin wall, the collapse of Communism and the end of the Cold War. On this issue, see: Weigel 1999a; Weigel 2010.

³¹⁰ With regard to which role John Paul II had actually played in the collapse of Communism, the pope has answered that "if there was a determinant role is that of Christianity as such, its content, its religious and moral message, its intrinsic defense of the human person and his rights. And I have not done anything but remembered, repeated, insisted that this is a principle to be observed: especially the principle of religious freedom - but not only, all the other freedoms due to the human person" (John Paul II, *Interview by the journalist Jas Gawronski*, 2 November 1993; my translation).

a) *Human Rights:*

John Paul II was very concerned with the issue of human rights, and religious freedom in particular (Colombo 2000: 407-408). On many occasions, he has recognised that religious freedom:

is a primary and inalienable right of the human person; what is more, insofar as it touches the innermost sphere of the spirit, one can even say that it upholds the justification, deeply rooted in each individual, of all other liberties. Of course, such freedom can only be exercised in a responsible way, that is, in accordance with ethical principles and by respecting equality and justice, which in turn can be strengthened, as mentioned before, through dialogue with those institutions whose nature is to serve religion.³¹¹

There are, at least, two elements: 1) “on the basis of his personal convictions, man is led to recognise and follow a religious or metaphysical concept involving his whole life with regard to fundamental choices and attitudes,” even though it does not result in an explicit and positive assertion of faith in God, thus “(...) each individual has the right and duty to seek the truth, and, on the other hand, other persons as well as civil society have the corresponding duty to respect the free spiritual development of each person;” and 2) “religious freedom is expressed not only by internal and exclusively individual acts, since human beings think, act and communicate in relationship with others; “professing” and “practicing” a religious faith is expressed through a series of visible acts, whether individual or collective, private or public, producing communion with persons of the same faith, and establishing a bond through which the believer belongs to an organic religious community; that bond may have different degrees or intensities according to the nature and the precepts of the faith or conviction one holds”.³¹² The pope reminded that:

[t]he Council itself acknowledged the content, but also the limits, of the autonomy of the temporal order. (...)Throughout the 20th century, millions of human beings have been the innocent victims of political ideologies and of forms of religious and ethnic hatred which in one way or another have sought to extinguish or limit the *individual’s right to be free from coercion in matters religious*.³¹³

³¹¹ John Paul II, *Message on the Value and Content of Freedom of Conscience*, 14 November 1980.

³¹² John Paul II, *Message on the Value and Content of Freedom of Conscience and Religion*, 14 November 1980.

³¹³ John Paul II, *Address to the Participants in the Congress on Secularism and Religious Freedom marking the thirtieth anniversary of “Dignitatis Humanae”*, 7 December 1995 (emphasis in original).

But, in John Paul II's view, today there is another more 'subtle' way of the denigration of religion which is the adoption by the state of an atheistic ideology,³¹⁴ and:

the claim that a democratic society should relegate to the realm of private opinion its members' religious beliefs and the moral convictions which derive from faith. At first glance, this appears to be an attitude of *necessary impartiality and "neutrality"* on the part of society in relation to those of its members who follow different religious traditions or none at all. Indeed, it is widely held that this is the only enlightened approach possible in a modern pluralistic State.³¹⁵

On the same occasion, he has posed three fundamental questions that are those that have been also asked in opposition to Rawls' theory: 1) should citizens whose moral judgments are informed by their religious beliefs be less welcome to express their most deeply held convictions? 2) when that happens, is not democracy itself emptied of real meaning? 3) should not genuine pluralism imply that firmly held convictions can be expressed in *vigorous and respectful public dialogue*? To answer these questions the pope clearly affirmed that "[e]very person must be given the opportunity within the context of our life together to profess his or her faith and belief, alone or with others, in private and in public,"³¹⁶ thus *religious believers must be deeply committed to the method of dialogue and persuasion* as, for them, the "involvement in civil life means a sense of hope, a practicing of their personal faith, a service to humanity and a participation in the fraternal bond among individuals, which is based on love."³¹⁷ This position was also underlined in his encyclical *Redemptor Hominis* (1979): "it is therefore difficult, even from a "purely human" point of view, to accept a position that gives only atheism the right of citizenship in public and social life, while believers are, as though by principle, barely tolerated or are treated as second-class citizens or are even-and this has already happened-entirely deprived of the rights of citizenship" (RH, 17).

b) *Democracy*:

The question of democracy is presented specifically in *Centesimus annus* (1991), in which the pope writes: "the Church values the democratic system inasmuch as it

³¹⁴ John Paul II, *Address to the Diplomatic Corps accredited to the Holy See*, 12 January 1985.

³¹⁵ John Paul II, *Address to the Participants in the Congress on Secularism and Religious Freedom marking the thirtieth anniversary of "Dignitatis Humanae"*, 7 December 1995 (emphasis added).

³¹⁶ John Paul II, *Message to H.E. Dr. Kurt Waldheim, Secretary-General of the United Nations Organization*, 2 December 1978.

³¹⁷ John Paul II, *Address to the President of the Republic of France*, 19 September 1996.

ensures the participation of citizens in making political choices, guarantees to the governed the possibility both of electing and holding accountable those who govern them, and of replacing them through peaceful means when appropriate” (CA, 46).

The greatest preoccupation of John Paul II – that will be shared also by his successor, Benedict XVI – regards the risks of the democratic system, that in *Veritatis Splendor* (1993) he recognises as the “risk of an *alliance between democracy and ethical relativism*, which would remove any sure moral reference point from political and social life, and on a deeper level make the acknowledgement of truth impossible” (VS, 101; emphasis added). And also in *Evangelium Vitae* (1995) he states: “the ‘right’ ceases to be a right when it is founded not on the inviolable dignity of the person, but on the will of the strongest. Thus democracy, despite its principles, takes on characteristics of totalitarianism” (EV, 4, 18, 20). Thus, in Pope’s view, only the recognition of certain absolute, pre-political values would guarantee a just democracy. In fact, he argues that “[i]t must be observed in this regard that if there is no ultimate truth to guide and direct political activity, then ideas and convictions can easily be manipulated for reasons of power. As history demonstrates, *a democracy without values easily turns into open or thinly disguised totalitarianism*” (CA, 46; emphasis added).³¹⁸ This is the fundamental question of the link between ethics and law: what makes a law moral, or just? Is it enough to assure a correct procedure? Democracy is not a value *per se*, but its values depend on the principles that it incorporates and promotes. For this reason, the secularity of the state and the public sphere should be conceived as a complete separation from ethical values.

However, the Pope also affirms that another danger would be the presence of fundamentalisms of any kind religious or non-religious. In fact, he added:

Nor does the Church close her eyes to the danger of fanaticism or fundamentalism among those who, in the name of an ideology which purports to be scientific or religious, claim the right to impose on others their own concept of what is true and good. *Christian truth* is not of this kind. Since it is not an ideology, the Christian faith does not presume to imprison changing socio-political realities in a rigid schema, and it recognizes that human life is realized in history in conditions that are diverse and imperfect. Furthermore, in constantly reaffirming the transcendent dignity of the person, the Church’s method is always that of respect for freedom. (CA, 46)

³¹⁸ All this was clearly reminded by John Paul II on the occasion of his visit to the Italian Parliament, the 14th of November 2002.

John Paul II pointed out that Christianity – and Catholicism, in particular – should be considered as a “comprehensive doctrine”, and it would make the effort to be present as a “reasonable” worldview in the public context.

Therefore it is the responsibility of all democrats to use every available legal means to support the free State under the rule of law and to work against every violation of basic values, doing everything to re-establish and consolidate them. Without the recognition and practice of these basic values, freedom and human dignity will be lost. *Christians have an important role to play in the construction and preservation of a fundamental order based on human dignity, freedom and justice.*³¹⁹

c) *Separation between the Church and the State:*

Following what was already expressed in the documents of the Second Vatican Council,³²⁰ John Paul II, in *Centesimus Annus*, argues that: “the Church respects *the legitimate autonomy of the democratic order* and is not entitled to express preferences for this or that institutional or constitutional solution” (CA, 46; emphasis in original). This position has been repeated on many occasions by the last three popes.³²¹ The meaning is that the Church should not evaluate political programs, but only as long as they have no moral or religious implications. The Church reserves to herself, the possibility of expressing her opinion on socio-political issues, but this does not necessarily mean a breach of the secularity of the political community. In this case, the Church would not hold any political power, but she would only behave according to religious freedom and freedom of expression.

In accordance with the teachings of Paul VI and the Council, John Paul II affirms that religion cannot be privatised, and for this reason, the Church extends its mission in the public sphere. Doing that is not a way of taking the power of the state, but only contributes in the promotion and flourishing of man (Concetti 1989: 84). At the time of the discussion on the European Constitution, in 2002, John Paul II underscored that

[a]s she contemplates the various possible solutions to this important European “process” in a way that is faithful to her identity and her evangelizing mission, the Church applies what she has already said about individual states: that she “is not entitled to express preferences for this or that institutional or constitutional solution” and respects the legitimate autonomy of the democratic order (cf. *Centesimus annus*, n. 47). At the same time, by virtue of her identity and mission, she cannot be indifferent to the values that inspire the various institutional decisions. Doubtless, the

³¹⁹ John Paul II, *Address to the Ambassador of Federal Republic of Germany at the Holy See*, 12 June 1995.

³²⁰ See: Part II, Chapter 5.

³²¹ «The Church is not a political institution. It has no authority over technology or economic policy, and it does not thrive on power politics either. The Church respects the responsibility of the state, without interfering with its political tasks» (John Paul II, *Address to the President of the Republic of Austria*, 11 September 1983).

various decisions in this regard involve moral dimensions since the deliberations that result from them in a particular historical context inevitably lead directly to conceptions of the person, society and the common good from which they sprang and which are inherent in them. On this precise consciousness are founded *the Church's right and duty to intervene by making her own contribution*, which reflects the vision of human dignity and all its consequences as is spelled out in Catholic social teaching.³²²

John Paul II, as well as his successors, holds that “[t]he Church is sent to bear witness of the truth, and thereby brings a valuable contribution to a set of social and public life worthy of man;”³²³ it does it through the faithful citizens, who would take the truth about man revealed by Christ as the foundation of their witness of life and their social action. To Catholics it is recognised as a specific moral responsibility at the socio-political order.³²⁴ However, the Church offers its contributions always by means of a dialogical approach that takes place at a double level: 1) with the man in real life, to revive in him the animating power of the word of the Gospel, or at least to announce it to him because he knows it and determines his attitude; 2) addressing to the leaders of political and social life, to offer a simple, selfless cooperation to the great questions that touch the lives of mankind: peace, justice, human rights, the common good.³²⁵

2. *John Paul II's Public Reason: Evangelium Vitae.*

For the purpose of this work, among the many writings of this remarkable prolific author, I choose a text that most of all could witness the main aim of his lesson and contribution to the main moral debates of the contemporary world.³²⁶

John Paul II's encyclical *Evangelium Vitae* (1995), on the value and inviolability of human life, is very important for his Pontificate and for the Magisterium in general. It is an interdisciplinary document, whose main subjects are abortion, euthanasia, and other embryos' experimentation. As mentioned above, this encyclical deals also with

³²² John Paul II, *Message to the European Study Congress on the Theme: "Towards a European Constitution"*, 20 June 2002.

³²³ John Paul II, *Address to the President and the Authorities of the Federal Republic of Germany*, 15 November 1980; my translation.

³²⁴ John Paul II, *Address to the Participants to the Congress on Public Morality*, 29 November 1982.

³²⁵ John Paul II, *Address to the Diplomatic Corps*, 12 January 1981; my translation.

³²⁶ “It is surely reasonable to treat *Evangelium Vitae* as offering the most mature statement of John Paul II's view of the politics and culture of the modern West (...)” (Holloway 2008: 4).

the limits of (purely procedural) democracy, but it could offer a good example of the ‘public reasons’ that the pope – and thus, the Church – proposes to the public debate on these crucial issues. In fact, it is acknowledged that “*Evangelium Vitae*’s primary purpose, then, is not merely to invoke authority in order to condemn contemporary attacks on human life, but *to invoke reason in order to understand their meaning, to grasp why these attacks occur and what they portend*” (Holloway 2008: 8; emphasis added).

The main object of John Paul II’s encyclical is the inviolability and sacredness of human life in all its stages. According to the Church’s teaching such high-qualification of human life comes not only from revelation, but is imprinted in man’s nature, which means that life is a sacred and religious value, but it is also a value that “every human being can grasp *by the light of reason*” (EV, 40, 100). The methodology chosen for the encyclical is the “classical” one: the search for an encounter of faith and reason (Tettamanzi 1995: 14). Although references to the Sacred texts are extremely abundant, it is asserted the importance of reason to understand and solve different problems about human existence. It is not the purpose of this paragraph to do detailed research on the Catholic position on this issue, rather the intention is to show which ‘public reasons’ could be found in this papal encyclical.

The pope underlines the theological basis for assuming life always as a good, which has to be always respected and promoted over other goods such as the personal choice of the woman. Life is a ‘gift’, and human life is the manifestation of God’s image (EV, 34, 39, 53), and God is the only one who can choose for its life and death. From this comes the sacredness of life and thus its inviolability. Against the practice of abortion, the Catholic key premise is that the foetus is an actual human life (and not only potential), a ‘person’ since the very first moment of conception, namely, the fertilization of the ovum. In fact, if the embryo and the foetus were considered only as a mass of cells, a part of the body of the woman, then there would be no moral problem on abortion. For this assumption there is no clear evidence from the Bible (Dombrowski-Deltete 2006: 35), but science is capable of offering some points of argumentation. Quoting the nn. 12-13 of the Declaration of the Congregation for the Doctrine of Faith on Procured Abortion (1976), in fact, the pope underlines that:

[f]rom the time that the ovum is fertilized, *a life is begun which is neither that of the father nor of the mother, it is rather the life of a new human being with his own*

growth. It would never be made human if it were not human already. To this perpetual evidence (...) modern genetic science brings valuable confirmation. It has demonstrated that, *from the first instant, there is established the program of what this living being will be: a man, this individual man with his characteristic aspects already well determined*. Right from fertilization is begun the adventure of a human life, and each of its capacities requires time- a rather lengthy time- to find its place and to be in a position to act. (EV, 60; emphasis added)

The pope does not give much attention to this fundamental debate, but taking for granted the scientific evidence of the ‘personality’ of the foetus considered, at least, as a ‘human life’, he rather states as follows:

We must also mention the mentality which tends *to equate personal dignity with the capacity for verbal and explicit, or at least perceptible, communication*. It is clear that on the basis of these presuppositions there is no place in the world for anyone who, like the unborn or the dying, is a weak element in the social structure, or for anyone who appears completely at the mercy of others and radically dependent on them, and can only communicate through the silent language of a profound sharing of affection. In this case it is force which becomes the criterion for choice and action in interpersonal relations and in social life. But this is the exact opposite of what a State ruled by law, as a community in which the “reasons of force” are replaced by the “force of reason”, historically intended to affirm. (EV, 19; emphasis added)

Leaving aside the discussion on the central question of the ‘personality’ of the embryo and foetus, the pope seems to underline the risk of such a pro-abortion mentality that would lead to a disqualification of what is ‘human’ with respect to actual and expressed ‘capacities’. Such an approach could cause a tragic drift: which (external) qualities should someone expose in order to be considered as a ‘person’, and who could clearly identify them?

In the pope’s view, it is the equality principle that is posed in danger (EV, 57): the right to life is such at the basis of human dignity that it should be recognised to everybody without distinction. Moreover, such an approach is also against the principle of liberty itself, according to which is not possible to allow the stronger to prevail over the weaker. Freedom cannot be absolute (EV, 20), and surely it cannot be so only because of the choice of a majority. In this sense, the pope stated: “everyone’s conscience rightly rejects those crimes against humanity of which our century has had such sad experience. But would these crimes cease to be crimes if, instead of being committed by unscrupulous tyrants, they were legitimated by popular consensus?” (EV, 70).

Usually, those who oppose Catholic positions on abortion, identify themselves as ‘pro-choice’ people: namely, those who, in balancing rights, put more weight in favour of the right of the woman to choose for herself, or ‘of her body’. However,

nothing is said in this encyclical in response to this aspect, but many and various are the Church's documents that deal with this specific issue, offering a basis for further and deeper reflections.³²⁷

3. *Concluding Remarks.*

With respect to the contemporary history of the world society, John Paul II's long pontificate was marked by the distinction into two phases: 1) until the 90s, in which he was clearly focused on the fight against Communist totalitarianisms and the defence of dignity and liberty of the man from dictatorship, and it involves especially documents like the *Redemptor Hominis*, *Laborem Exercens* and *Sollicitudo Rei Socialis*;³²⁸ and, 2) after the fall of Communism and the so called 'victory of the Western system', it becomes clearer, the pope's interest in confronting with liberal modernity. *Evangelium Vitae* is a fundamental example of this second period, in which the pope expresses the doctrine of the Church for the promotion of the 'culture of life' and against the 'culture of death', manifested in the practices of euthanasia and abortion, as well as suicide and embryo's experimentations. This culture – in his view – is a whole system of thought, "an increasing "tendency" to understand certain attacks on innocent life "as legitimate expressions of individual freedom, to be acknowledged and protected as actual rights"" (Holloway 2008: 9).

The 'culture of death' is based on an insufficient understanding of the human dignity. A person is not only a biological existence but firstly a spiritual being (EV, 34), called to open himself to the transcendent (e.g. God in Christian tradition) for a communion of life beyond the present existence (EV, 34). For these reasons it is sacred and cannot be suppressed because of individual choice (EV, 38).

Even rejecting purely religious positions of the encyclical, it remains valid the critic that the pope wanted to outline: the contradiction of the contemporary western culture that, from one side, invokes human rights and human dignity and, on the other, it allows abortion and euthanasia against the weakest. From one side, it invokes equality

³²⁷ For a complete understanding of the Magisterium on abortion and its development over the years it should be read: Encyclical *Humanae Vitae* (1968), Declaration on procured abortion – *Quaestio de abortu* (1974), Declaration on certain questions concerning sexual ethics – *Persona humana* (1975), Instruction on respect for human life in its origin and on the dignity of procreation – *Donum vitae* (1987), Encyclical *Evangelium Vitae* (1995), Instruction *Dignitas Personae* on Certain Bioethical Questions (2008).

³²⁸ For the specific purpose of this thesis, I have decided not to analyse this period, which seems less contemporary now.

and, on the other, it creates occasions of discriminations of poor, weak and innocent people. Human rights seem to be affirmed and rejected at the same time (EV, 18).

Considering the Church's rejection of abortion as a merely religious imposition, or – even worse – as an ideological opinion, means to not honestly acknowledge every aspect of the Church's position on this delicate issues. The Church's contribution, in fact, takes into account not only theological reasoning, but also philosophical and scientific ones.

Chapter 7

The Political Thought of Benedict XVI

1. *Benedict XVI: An Introduction.*

Benedict XVI³²⁹ dedicated great attention to a theoretical and theological systematisation of the debate, concentrating in particular – as Pope John Paul II had previously done – on the European context,³³⁰ but providing insights of general interest.

Here we must briefly recapture the evolution of his theological-political thought, beginning with, in particular, his discourses related to the (modern) Church-world relationship over the course of his pontificate (including, in particular, the encyclical *Caritas in Veritate*). These discourses become, in fact, the place and occasion for the Pontiff's profound reflection on these diverse themes, and, in particular, on the recollection of numerous facts and historical events which have marked our era, and which are proposed by means of a particular global outlook: that of the Pope and the Church.

The theologian Joseph Ratzinger was never considered a 'political' Pope unlike his predecessor.³³¹ However, both as a scholar or a professor, and as a Cardinal and Prefect of the Congregation for the Doctrine of the Faith, or later as sovereign Pontiff,

³²⁹ As also Peter Jonkers has noticed, "Benedict XVI was not only an outstanding intellectual (...), but as the highest authority in the Catholic Church, he also defined the Church's official position in this debate" (Jonkers 2015: 221). He was present at the Second Vatican Council, then he was appointed as Prefect for the Congregation for the Doctrine of the Faith (1981-2005) and he covered that role along almost the entire Pontificate of John Paul II since he became Pope. See also: Weigel 2005.

³³⁰ The European integration topics and the Christian roots of this continent have been central in Benedict XVI's speeches, both on the occasion of his apostolic journeys, and in his reflections on democracy that needs a solid cultural and moral foundation of common values pertaining to traditions and history.

Among the most recent contributions: Pera, Marcello – Ratzinger, Joseph (2004), *Senza radici. Europa, relativismo, cristianesimo, Islam*, Mondadori, Milano; Ratzinger, Joseph – Habermas, Jürgen (2004), *Etica, religione e stato liberale*, Morcelliana, Brescia; Benedetto XVI (2005), *L'Europa di Benedetto nella crisi delle culture*, Libreria Editrice Vaticana, Roma; Ratzinger, Joseph (2004), *Europa. I suoi fondamenti oggi e domani*, San Paolo, Cinisello Balsamo (MI). For further understanding: Romero Pose E. (2007), *Le radici cristiane d'Europa*, Marietti, Genova-Milano.

³³¹ On the "political" – rather, "diplomatic" – role of John Paul II see: Sacco U. C. (1997), *Giovanni Paolo II e la nuova proiezione internazionale della Santa Sede: 1978-1996. Una guida introduttiva*, Giuffrè, Milan; Weigel, George (1999a), *Witness To Hope: The Biography Of Pope John Paul II*, Cliff Street Books, New York; Formicola J. R. (2002), *Pope John Paul II, Prophetic Politician*, Georgetown University Press, Washington DC.

he always demonstrated a strong sensibility for the theological-political problem.³³²

In fact, it is possible to read:

(...) the writings of this theologian as places of dense reflection within these problems, in which he is found to be ever more committed and passionate, not in an extemporaneous theological manner, but rather in such a way that many reflections completed by the theologian Joseph Ratzinger/Benedict XVI in these first years of his pontificate regarding this debate were not only already previously elaborated in different historical contexts, but proved to be able to truly anticipate the times, acting from an orientation toward drawing up an agenda which, in the years to come, would attentively be evaluated by scholars as a true and proper “theological place” of particular pregnancy.³³³

However, it will not be possible to offer here in an analytical way, the contents of the writings of Joseph Ratzinger, which saw him engaged in a sixty year-long theological production. Rather, as already anticipated, the choice that has been made to focus my attention mainly on the part of his work which he produced as the sovereign Pontiff of the Roman Catholic Church, and specifically, in some of his discourses of *extra ecclesial* relevance, so as to ultimately formulate a systematic route through his thought and his contributions—particularly in the period after his election as Roman Pontiff.

Benedict XVI’s interest was direct on the issues relevant to theology and politics that have involved him in open confrontations with lay philosophers,³³⁴ or in the formulation of a personal response to the questions raised, in the *pre* and *post* conciliar periods, from the different currents of ‘political theology’³³⁵ – a concept which he never welcomes favourably³³⁶ – and which is oriented toward two sources:

³³² “An academic theologian by disposition and training, for more than fifty years, he has carefully and consistently brought Catholic wisdom into dialectical engagement with late modernity in a lively and engaging way” (Guerra, Marc D. (2014), *Liberating Logos. Pope Benedict XVI’s September Speeches*, St. Augustine’s Press, South Bend (IN): viii).

³³³ Cocolini, Giovanni (2011), *Alla ricerca di un ethos politico. La relazione tra teologia e politica in Joseph Ratzinger*, Il Pozzo di Giacobbe, Trapani: 9-10 (my translation).

³³⁴ An example is certainly his dialogue with Jürgen Habermas. See: Bossetti, G. (ed.), *Ragione e fede in dialogo*, Marsilio, Venezia 2005. And also: Possenti, V. (2014), “Stato, Diritto, Religione. Il dialogo tra Jürgen Habermas e Joseph Ratzinger”, in: *Roczniki Filozoficzne*, 62 (1),: 71-85.

³³⁵ For example, he strongly criticises certain aspects of “liberation theology”. See: Schall 1982; Schall 1995.

For a clear understanding of his point of view see: Congregation for the Doctrine of the Faith, *Instruction on certain aspects of the “Theology of Liberation”*, 6th August 1984.

³³⁶ Vincent D. Twomey S.V.D. – who was Joseph Ratzinger’s student – suggests using the concept “theology of politics” that he intends as “the reverse side of his [Benedict XVI’s] ecclesiology”. What Ratzinger/Benedict XVI has proposed, more than a proper “political theory”, is a theological reflection on political and public life issues. See: Twomey 2007: 105; Twomey 2015.

On the one hand, he had to recognize as positive the need to definitively bring Christianity out of the ghetto into which it had been relegated since the 19th century, holding firmly to the fact that the Faith of Christians had to, from this moment onward, embrace the entire historical-political existence of man at the end of the 20th century; on the other hand, he had to hold firmly to the fact that *Christianity cannot be reduced to a political ideology*, lest it become secularized and flattened by becoming one version of political-Christian gnosis, destined to be surpassed. (Coccolini 2011: 117)

It is necessary to remark that, according to Benedict XVI, Christianity is not – and cannot be – a political theology. In fact, politics – because of its *moral* end – enters more properly into the sphere of *ethos* and not of theology.³³⁷ However, this does not exclude the fact that Christianity can still be a positive force in the political arena, as long as it avoids two risks: the Christianisation of politics and the politicisation of Christianity. In this regard, Benedict XVI writes:

Render unto Caesar what belongs to Caesar and to God what belongs to God, was the response of Jesus when asked about paying taxes (...) Jesus' answer deftly moves the argument to a higher plane, gently cautioning against both the politicization of religion and the deification of temporal power, along with the relentless pursuit of wealth.³³⁸

Thus, the fundamental question which Ratzinger/Benedict XVI asks is the following: “how can Christianity become a positive force in politics without becoming politically frustrated and without usurping the political sphere?” (Ratzinger 2008: 203). He was always aware of the central importance of the distinction between religion and politics (and therefore, between state and Church) – which, in his thought, assumes the fundamental rapport between faith and reason – and, contextually, of the delicate task of the Church and the Sovereign Pontiff with respect to political issues. Indeed, that which he proposed, and which has affected different aspects of political philosophy in particular: the role of the State, democracy and its contradictions, fundamental rights, dignity and secularism, was offered above all as a philosophical reflection on social and political structures and on the foundations of human coexistence.

Indeed, that which the Pontiff – or the Church – proposes when he intervenes in public debate, expresses his reservations, or demands the upholding of inviolable rights and principles, is not done so with the intention of building “a form of intolerance or interference, because such interventions seek only to illuminate

³³⁷ «In other words, *the New Testament knows a political ethos, but no political theology*» (Ratzinger 2008: 203; also: 204-275).

³³⁸ Benedict XVI, “A time for Christians to engage with the world”, in *Financial Times*, 20/12/2012. The full text is available at: https://www.vatican.va/content/benedict-xvi/it/speeches/2012/december/documents/hf_ben-xvi_spe_20121220_financial-times.html (last access: 1/1/2016).

consciences, permitting them to act freely and responsibly according to the authentic needs of justice, even when this might conflict with situations of power and personal interest.”³³⁹

From what has so far been expounded and synthesised, I now propose that we examine the collection of Benedict XVI’s magisterial documents, which are easily found in the archive offered by the Holy See’s website. In order to better argue for what has already been proposed, I want to linger on a few categories of issues that are presented in his discourses of public relevance which Benedict XVI gave in the course of his pontificate.

a) Human Rights Promotion.

The Holy See entered the United Nations in 1957, later becoming a Permanent Observer in 1964, a status that was definitively approved in 2004, not without raising debate and criticism. It was Pope Paul VI, in 1965, who held a discourse to the members of the General Assembly of the United Nations for the first time. After that, also John Paul II (in 1995), Benedict XVI (in 2008) and Francis (in 2015) have been officially hosted at the United Nations Organisation.

As was already anticipated previously, the Holy See is recognised not only as an international personality, but is also acknowledged to have an active role, despite its specificity.

Thus, Benedict affirms that

The increased participation of the Holy See in international activities is a precious incentive to ensure that it can continue to give a voice to the conscience of all who make up the international community. It is a sensitive and difficult service, founded on the apparently inert but ultimately prevalent force of the truth, through which the Holy See intends to collaborate in building an international society that is more attentive to the dignity and true needs of the human person.³⁴⁰

The Pope, on the occasion of the sixtieth anniversary of the Universal Declaration of Human Rights, was also occupied with recalling the founding principles of this International Organisation: the desire for peace, the search for justice, the respect for the dignity of the person, and humanitarian cooperation and assistance. In particular, however, Benedict XVI wanted to focus on the fundamental

³³⁹ Benedict XVI, *Address to the members of the European People’s Party on the occasion of the study days on Europe*, 30th March 2006.

³⁴⁰ Benedict XVI, *Address to the Holy See’s International Diplomats*, 18th March 2006.

principle of the responsibility to protect, reminding that the action of the international community and its institutions, provided that it respects the principles undergirding the international order, should never be interpreted as an unwarranted imposition or a limitation of sovereignty. On the contrary, it is its indifference or failure to intervene that does the real damage. What is needed is a deeper search for ways of pre-empting and managing conflicts by exploring every possible diplomatic avenue, and giving attention and encouragement to even the faintest sign of dialogue or desire for reconciliation.

The support and upholding of human rights on the part of the Church – in no way discounted before John XXIII's *Pacem in Terris* – is measured today with the comprehension that “human rights are always presented more as a common language and ethical substratum of international relations.” The Pope underlines the fact that, even in order to safeguard human rights, it is necessary that there be basic ethical values, common and universal, so that the rights might not be only words which are the fruit of a juridical process, but a true occasion for combatting social, political, and economic injustices and inequalities. Indeed, only such an ethical foundation can guarantee that the universality of these rights might not be negated “in the name of cultural, political, or social contexts, or even in the name of religious differences,” but rendered truly “valid for all times and all peoples.”

b) Democracy:

Benedict XVI's preoccupation is turned towards another constant teaching of his pontificate: the risks linked to a democracy without values.

*A democracy without values, in fact, is transformed into a tyranny of relativism, into a loss of its own identity and, in the long run, can degenerate into open and insidious totalitarianism, as history has demonstrated many times.*³⁴¹

Taking up *Centesimus Annus*, n. 46, the Pope affirms that “a robust democracy needs more than a set of rules to be sustainable; it requires citizens to embrace the underlying values which inspire democratic institutions and procedures, such as the

³⁴¹ Benedict XVI, *Discourse to H.E. Antoni Morell Mora ambassador of the Principality of Andorra to the Holy See*, 1 December 2005.

dignity of the human person, a genuine respect for human rights, and a commitment to the common good as the guiding criterion for political life.”³⁴²

This is a problem which Benedict XVI always recognised *in primis* in the European context,³⁴³ but which in reality touches all liberal Western democracies, inspired by proceduralist theories and the Kelsen’s type of formalism.³⁴⁴ Almost in opposition to this European ‘tendency’, however, Benedict XVI uses very positive words to describe the United States and its model of state-Church relations,³⁴⁵ affirming that:

From the dawn of the Republic, America has been, as you noted, a nation which values the role of religious belief in ensuring a vibrant and ethically sound democratic order. (...) The American people’s historic appreciation of the role of religion in shaping public discourse and in shedding light on the inherent moral dimension of social issues - a role at times contested in the name of a straitened understanding of political life and public discourse - is reflected in the efforts of so many of your fellow-citizens and government leaders to ensure legal protection for God’s gift of life from conception to natural death, and the safeguarding of the institution of marriage, acknowledged as a stable union between a man and a woman, and that of the family.³⁴⁶

³⁴² Benedict XVI, *Discourse to H.E. Deprayia Bhattacharya ambassador of Bangladesh to the Holy See*, 29 May 2008.

³⁴³ Benedict often strongly contested the negation of Judeo-Christian foundations in the course of the debate regarding the Constitution for Europe in 2004. This is what mostly distinguishes the US approach, which recognizes the fundamental provision – even of a religious nature – of the founding Father, from the European approach, which has rejected it. On this point, Benedict XVI affirms with clarity: “you have just described, Mr Ambassador, the reality of the European Union as “a zone of peace and stability that gathers 27 States with the same fundamental values”. This is a felicitous presentation. However, it is right to point out that the European Union did not endow itself with these values; rather, these shared values brought it into being and have been, as it were, the force of gravity that has attracted to the nucleus of the founding countries the various nations that have successively joined it with the passage of time. *These values are the fruit of a long and tortuous history in which, as no one will deny, Christianity has played a leading role.* The equal dignity of all human beings, the freedom of the act of faith as the root of all the other civil freedoms, peace as a decisive element of the common good, human, intellectual, social and economic development as a divine vocation (cf. *Caritas in Veritate*, nn. 16-19) and the sense of history that derives from it are as many central elements of the Christian Revelation that continue to model the European civilization. *When the Church recalls the Christian roots of Europe she is not seeking a privileged status for herself. She wants to act as a historical memory by recalling first and foremost a truth increasingly passed over in silence namely, the undeniably Christian inspiration of the founding Fathers of the European Union.* More profoundly, she also wishes to demonstrate that the basic values come mainly from the Christian heritage which still today continues to nourish it” (Benedict XVI, *Discourse to H.E. Yves Gazzo head of the delegation of the Commission of European Communities to the Holy See*, 19 October 2009).

³⁴⁴ In this context, which becomes the central object of the confrontation with Jürgen Habermas, Benedict XVI recalls the famous theorem of Böckenförde: “*The liberal secular state lives on premises that it cannot itself guarantee.* (...) This is the great risk that (the secular State) has run in the name of Freedom” (Böckenförde 2010: 53).

³⁴⁵ In a similar way John Paul II also took the US as an example of an ordered country that has been able to put freedom at the center of its social life. See: John Paul II, *Address to the President of the United States*, 10 September 1987.

³⁴⁶ Benedict XVI, *Discourse to H.E. Mary Ann Glendon ambassador of the United State of America to the Holy See*, 29 February 2008.

The American model is thus proposed as the “example of secularity,” where “the State in America is nothing other than the free space for different religious communities” (Pera-Ratzinger 2005: 100), permitting religions to become factors in the construction of social life. And in fact, “religious beliefs have been a constant inspiration and orienting force, as for example in the battle against slavery and in the Civil Rights movement.”³⁴⁷ The Church, which seeks neither power, nor privileges, nor positions of economic or social advantage, seeks rather a space of complete liberty and tolerance in the governmental context (Ratzinger 2001: 415-416), where she might be able to freely carry out her own mission, universal charity, which assumes a triple form: material, intellectual, and spiritual. This is because what is most at the Church’s heart is that – as fully expressed in the declaration *Dignitatis Humanae* – “each person can express their own faith without fear and follow the voice of their conscience in the choice of their own religion.”³⁴⁸

Thus, the model of secularism which the Pope proposes, is that in which the spiritual dimension is not ignored, and in which religion is not considered an obstacle, “but rather a solid foundation for the construction of a more just and free society.”³⁴⁹ In the various spheres of society, and even in political debate, religion – and the Church in particular – offers itself as the occasion for a constant search for “a reasonable dialogue, in the discernment of just and wise politics, which are respectful of human nature and dignity.”³⁵⁰ A society that does not respect and does not promote religious liberty in its social and political dimension cannot be – according to Benedict XVI – truly just and democratic.³⁵¹

c) The Relationship between the Church and the State and their Mutual Cooperation for the Common Good:

The visits to the President of the Italian Republic always assume for Benedict XVI, a strong symbolic meaning. In fact, in the painful memory of the complex

³⁴⁷ Benedict XVI, *Discourse on the occasion of his visit to the United States of America*, Washington D.C., 16 April 2008.

³⁴⁸ Benedict XVI, *Discourse to H.E. Hissein Brahim Taha ambassador of Chad to the Holy See*, 29 May 2008.

³⁴⁹ Benedict XVI, *Discourse to the Diplomatic Corps to the Holy See*, 8 January 2009.

³⁵⁰ Benedict XVI, *Discourse to H.E. Miguel Humberto Diaz ambassador of the United States of America to the Holy See*, 2 October 2009.

³⁵¹ Benedict XVI, *Discourse to the Diplomatic Corps accredited to the Holy See*, 7 January 2013.

‘Roman question’, which concluded with the sign of Lateran Pacts and above all with the constitution of the Vatican City State,³⁵² the Pope’s aim was to remark how today he lives in a climate of “*mutual respect* between the sovereignty of the State and of the Church, ready to cooperate for the promotion and service of the integral good of the human person and the peaceful development of social coexistence.”³⁵³

In June 2005 and November 2006, on the occasion of his visits to the President of the Italian Republic, Benedict introduced for the first time a subject, which he would often take up, namely, the ‘healthy secularity’ and the positive collaboration between the state and the Church. He wanted to explicitly appeal to what was established at the Second Vatican Council:

Relations between the Church and the Italian State are founded on the principle spelled out by the Second Vatican Council, which says: “The political community and the Church are autonomous and independent of each other in their own fields. Nevertheless, both are devoted to the personal vocation of man, though under different titles” (*Gaudium et Spes*, n. 76). This principle was already present in the Lateran Pacts and it was subsequently confirmed in the Agreements that modified the Concordat. Therefore, a *healthy secularism* of the State, by virtue of which temporal realities are governed according to their own norms but which does not exclude those ethical references that are ultimately founded in religion, is legitimate. *The autonomy of the temporal sphere does not exclude close harmony with the superior and complex requirements that derive from an integral vision of man and his eternal destiny.*³⁵⁴

The collaboration between the state and the Church – always hoped for by the Pontiff – has as its goal the good of the man-citizen who “cannot be limited to certain dimensions of the person, such as physical health, economic well-being, intellectual formation, or social relations,” but must take into account the person in his entirety, and therefore also in his religious dimension.³⁵⁵

To this proposition, therefore, Benedict XVI has mentioned also the other themes which are dear to the Church: that of the family, of ethics in the medical realm, of the defence of human dignity, of education, and therefore of fundamental rights, in particular religious freedom. In fact, he affirms that:

³⁵² Benedict XVI emphasised this aspect in his *Discourse to the participants in the study congress organized on the occasion of the 80th anniversary of the Vatican City State*, 14 February 2009.

³⁵³ Benedict XVI, *Discourse on the occasion of his visit to Giorgio Napolitano President of the Italian Republic*, 4 October 2008.

³⁵⁴ Benedict XVI, *Discourse on the occasion of his visit to Carlo Azeglio Ciampi President of the Italian Republic*, 24 June 2005.

³⁵⁵ Benedict XVI, *Discourse on the occasion of his visit to Giorgio Napolitano President of the Italian Republic*, 20 November 2006.

*The freedom that the Church and Christians claim does not jeopardize the interests of the State or of other social groups. It does not aim for an authoritarian supremacy over them but rather (...) is the condition for carrying out that precious service which the Church offers to Italy and to every country where she is present. This service to society, which consists principally in giving "positive and convincing responses to the longings and questions of our people" offering to their life the light of faith, the force of hope and the warmth of charity, is also expressed in the civil and political context. Indeed, if it is true that by her nature and her mission, "the Church... is not and does not intend to be a political agent", she nevertheless "has a profound interest in the good of the political community".*³⁵⁶

The separation between the spheres of competence of the state and that of the Church, considered by Benedict XVI as "a great progress of humanity," is thus also a fundamental condition for the freedom of the Church herself.³⁵⁷ Thus, as she "respects the freedom of all to think differently than she; she is also pleased to be respected in her right of expression."³⁵⁸ Thus, the State, which is called to protect and promote rights and liberties – among which are religious freedom, freedom of conscience and of association – is also called to protect "the *legitimate role* of religion and of religious communities in the public sphere."³⁵⁹

2. *Benedict XVI's Public Reason: Caritas in Veritate.*

With his encyclical letter *Caritas in Veritate* (2009), Benedict XVI has positioned himself in the long list of pontiffs who have contributed to develop a papal doctrine on political economy (Canavan 1997). However, also on this occasion the pope underscores that "[t]he Church does not have technical solutions to offer and does not claim "to interfere in any way in the politics of States"" (CV, 9).³⁶⁰ But what the pope can offer is certainly a moral view that is not necessarily non-accessible to the public; religion has a public role to play (CV, 56).

At the n. 2 of the encyclical, the pope affirms that "charity is at the heart of the Church's social doctrine", and also that "*Caritas in veritate* is the principle around

³⁵⁶ Benedict XVI, *Discourse on the occasion of his visit to Giorgio Napolitano President of the Italian Republic*, 20 November 2006.

³⁵⁷ Benedict XVI, *Discourse on the occasion of his visit to the ambassador of Italy to the Holy See*, 13 December 2008.

³⁵⁸ Benedict XVI, *Discourse to H.E. Charles Ghislain ambassador of Belgium to the Holy See*, 24 April 2010.

³⁵⁹ Benedict XVI, *Discourse to H.E. Francesco Maria Greco ambassador of Italy to the Holy See*, 17 December 2010.

³⁶⁰ However, critics have held that "the encyclical is written mostly in the style of an *ex cathedra* discourse, a proclamation of truth" (Finn 2012: 119).

which the Church's social doctrine turns, a principle that takes on practical form in the criteria that govern moral action” (CV, 6).

As Hollenbach has noticed, “the encyclical does not hesitate to describe charity as *a political virtue* that works to enhance the quality not only of “micro-relationships (with friends, with family members or within small groups) but also macro-relationships (social, economic, and political ones)” (C V, 1-2.)” (Hollenbach 2011: 172).

After having offered a theological understanding of charity as it is expressed in God’s gratuitous love for humanity and the commandment to love the neighbours, the Pope moves on to a consideration of the ethical implications of charity for social, economic, and political life (Hollenbach 2011). In Benedict XVI’s view, in fact, through the application of charity, that is expressed in mutual and reciprocal relations, it, is possible to create bonds of unity (fraternity and solidarity) and, eventually, to build justice thus overcoming inequalities and hence poverty too. The pope also affirms that “justice is inseparable from charity” (CV, 6), and this is so because “I cannot “give” what is mine to the other, without first giving him what pertains to him in justice» (CV, 6). There cannot be charity, if there is no justice at first. But Benedict XVI also holds that “*Charity goes beyond justice*” (CV, 6)

The strict link between justice and charity is made by the fact that reciprocity and mutuality always require equality (Hollenbach 2011). In fact, “[i]n the Catholic context, the ultimate goal of this norm [*communitarian equality*] is that men and women treat one another as brothers and sisters, and the restriction it places on other norms is that they should not diminish the possibility for such treatment” (Christiansen 1984: 654). Benedict XVI also recalls that “[t]he Church has always held that economic action is not to be regarded as something opposed to society. In and of itself, the market is not, and must not become, the place where the strong subdue the weak” (CV, 36). It is a matter of certain ideologies that would favour only an individualistic approach. Thus, economics being a human activity “it must be structured and governed in an ethical manner” (CV, 36), as “*every economic decision has a moral consequence*” (CV, 37).

“*The world’s wealth is growing in absolute terms, but inequalities are on the increase*” (CV, 22). The aim of the encyclical is clearly to affirm the importance of the structural changes needed for reducing poverty and ensuring a more just world. This is possible only through a development that is essentially global, necessarily

“integral” (CV, 11),³⁶¹ but also “truly human” (CV, 9): “*progress of a merely economic and technological kind is insufficient*” (CV, 23), rather it is necessary “*to foster the interaction of the different levels of human knowledge in order to promote the authentic development of peoples*” (CV, 30). Such a development, in the Church’s understanding, must be referred to every single dimension of human essence that – according to the Church’s teaching – is both material and spiritual.

3. *Concluding Remarks.*

The brief analysis of Benedict XVI’s pontificate shows how his singularities are still an ‘extension’ of John Paul II’s one, during which he was the Prefect of the Congregation for the Doctrine of the Faith. An example of this strict link between the two pontificates is the attention that Benedict XVI reserved to the “non-negotiable principles” and connected issues such as *Life* and the centrality of human dignity; *Marriage and Family*, and the primacy of the family as the first cell of society; and, *Authentic human freedom*, which includes religious freedom as the first freedom, but also the centrality of a dialogue between faith and reason, between theology and science. He indicates this by affirming that “moral evaluation and scientific research must go hand in hand” (CV, 31).

Undoubtedly, the singular and unique conclusion of his Pontificate, and the issues of reformation – inside and outside the Church – addressed in the meeting of Cardinals during the *sede vacante*, raised serious questions, as it was confirmed by Benedict XVI himself.³⁶² It seemed to mark the end of an era and the beginning of a new one.

³⁶¹ As I will analyse in the following chapter, Paul VI’s concept of the ‘integral development’ has become central in pope Francis’ pontificate.

³⁶² See: Ratzinger 2016.

Chapter 8

The Church Today: Pope Francis

1. *Francis: An Introduction.*

After the resignation of Benedict XVI,³⁶³ the third non-Italian and the first non-European pope was elected with the name of Francis (2013-today). In his Pontificate, he has already faced a multitude of problems such as: the sex abuse scandal among the clergy; the Vatileaks scandal; fiscal crisis; Curia's reformation; the Synod on the family, as well as immigration issues and terrorism. Also at the international level he has been very active in favour of reconciliation between Cuba and the United States,³⁶⁴ and Israel and Palestine,³⁶⁵ central was also his journey to Mexico (12-18 February 2016). Not less important for Francis is the ecumenical and inter-religious dialogue, expressed in many occasions of inter-faith gatherings since the beginning of his pontificate.³⁶⁶ It has been noted that "Francis must be understood in the wake of the Vatican II" (D'Ambrosio 2014: 147; my translation).

The apostolic exhortation *Evangelii Gaudium* (2013)³⁶⁷ is conceived as the programmatic text of Francis' Pontificate, and in fact it deals with multiple and variegated questions.³⁶⁸ Among the many issues that the pope analysed in his

³⁶³ "The resignation of Pope Benedict XVI was an unprecedented event in the history of the modern global papacy (...) It is certain, however, that the resignation of Benedict XVI has marked a shift in the form of the pope's power in the Church and in the idea of the papacy inside and outside the Church" (Faggioli 2015: xiii). On this issue, see: Spadaro 2013; Regoli 2016 (Chapter 8).

³⁶⁴ In a Communiqué of the Secretariat of State, in December 17th 2014, the Holy See revealed that "in recent months, Pope Francis wrote letters to the President of the Republic of Cuba, His Excellency Mr Raúl Castro, and the President of the United States, The Honorable Barack H. Obama, and invited them to resolve humanitarian questions of common interest, including the situation of certain prisoners, in order to initiate a new phase in relations between the two Parties." See: <https://press.vatican.va/content/salastampa/it/bollettino/pubblico/2014/12/17/0968.pdf> (last access: 5/9/2016).

³⁶⁵ Central was the meeting between Abu Mazen and Shimon Peres in the Vatican, on June the 8th 201, that took place just after Francis' apostolic journey in the Holy Land (24-26 May 2014).

³⁶⁶ Only one week after his election, on the occasion of a meeting with the representatives of other Churches and other religions, in March the 20th 2013, he affirmed: "the Catholic Church is aware of the importance of the promotion of friendship and respect between men and women of different religious traditions."

³⁶⁷ It has been noticed how the title of this exhortation is actually recalling the two apostolic exhortations published by Paul VI in 1975: *Gaudete in Domino* and *Evangelii Nuntiandi* (La Civiltà Cattolica 2014: 153). This seems to be the first indication of Francis' closeness to pope Paul VI.

³⁶⁸ "I have decided, among other themes, to discuss at length the following questions: a) the reform of the Church in her missionary outreach; b) the temptations faced by pastoral workers; c) the Church, understood as the entire People of God which evangelizes; d) the homily and its preparation; e) the inclusion of the poor in society; f) peace and dialogue within society; g) the spiritual motivations for mission" (EG, 17).

apostolic letter³⁶⁹ – which are not proposed in a systematic way as it happen usually for social encyclicals –, as I have done for the other two popes in the two previous chapters, I would like to focus my attention on the following points:

a) *Human Rights:*

The respect of human dignity – through the defence and promotion of human rights³⁷⁰ – is, in Francis’ view, the first and foremost option for guaranteeing peace all over the world. This respect is expressed in a particular way through the recognition of religious freedom that means “not only that of private thought or worship,”³⁷¹ but also to guarantee – and, at least, to not impede – the actual presence of religion and different religious communities within society,³⁷² which is the assurance “of a *healthy pluralism and proof of the vitality of democratic values* as they are authentically embodied in the daily life and workings of the State.”³⁷³ Like his predecessors, the pope has stated that “[I]legal systems, therefore, whether state or international, are called upon to recognize, guarantee and protect religious freedom, which is an intrinsic right inherent to human nature, to the dignity of being free, and is also a sign of a healthy democracy and one of the principal sources of the legitimacy of the State.”³⁷⁴ Religious freedom, in Church’s view, is the expression of a specific

³⁶⁹ “We recognize in these paragraphs the evils of the church and the world as the Pope has expressed them in this early stage of his pontificate: the weight of competitiveness, the culture of waste, the globalization of indifference, the numbing culture of wellness, consumerism; and then fundamentalism, the relativistic indifference, attacks to freedom of religion, the spiritual desertification, the interruption of the generational transmission of faith, the reduction of marriage to simple emotional gratification; moreover: spiritual worldliness, functionalism, clericalism, the obsession to appearance, bellicose divisions inside the church” (La Civiltà Cattolica 2014: 160-161; my translation).

³⁷⁰ “In the end, what kind of dignity is there without the possibility of freely expressing one’s thought or professing one’s religious faith? What dignity can there be without a clear juridical framework which limits the rule of force and enables the rule of law to prevail over the power of tyranny? What dignity can men and women ever enjoy if they are subjected to all types of discrimination? What dignity can a person ever hope to find when he or she lacks food and the bare essentials for survival and, worse yet, when they lack the work which confers dignity?” (Francis, *Address to the European Parliament*, 25 November 2014).

³⁷¹ Francis, *Address to Participants in the Conference “International Religious Freedom and the Global Clash of Values”*, 20 June 2014.

³⁷² “Religious freedom certainly means the right to worship God, individually and in community, as our consciences dictate. But religious liberty, by its nature, transcends places of worship and the private sphere of individuals and families. *Because religion itself, the religious dimension, is not a subculture; it is part of the culture of every people and every nation*” (Francis, *Address in occasion of the meeting for Religious Liberty with the Hispanic Community and Other Immigrants*, 26 September 2015; emphasis added).

³⁷³ Francis, *Address in occasion of the Courtesy Visit to the President of the State of Israel*, 26 May 2014.

³⁷⁴ Francis, *Address to Participants in the Conference “International Religious Freedom and the Global Clash of Values”*, 20 June 2014.

anthropology that considers man in both his material and spiritual components. In fact, it is acknowledged that every human being, religious and non-religious, “is a “seeker” of the truth of his own origin and of his own destiny,”³⁷⁵ thus, he usually deals with ‘fundamental questions’ that are ultimately ‘religious questions’.³⁷⁶

Moreover, the pope wanted to remind the Catholic understanding of rights (and human rights, in particular) that cannot be conceived only from an individualistic approach. The basic thought is that each person’s freedom has to meet the respect for the others’ freedom; each right has to be balanced with the other rights. For this reason, “unless the rights of each individual are harmoniously ordered to the greater good [namely, the *common good*], those rights will end up being considered limitless and consequently will become a source of conflicts and violence.”³⁷⁷

b) *Democracy*:

Reflecting on democracy, Francis follows the teachings of his predecessors:

It is impossible to imagine a future for society *without a significant injection of moral energy into a democratic order* that tends to remain imprisoned in pure logic or in a mere balancing of vested interests. I consider fundamental for this dialogue the contribution made by the great religious traditions, which play a fruitful role as a leaven of society and a life-giving force for democracy. Peaceful coexistence between different religions is favored by the *secularity of the state*, which, without appropriating any one confessional stance, respects and esteems the presence of the religious dimension in society, while fostering its more concrete expressions.³⁷⁸

Pluralism is nowadays one of the main features of democratic systems. “United in diversity”, which is the official motto of European Union, is also the goal of Western diversified and multifaceted societies.³⁷⁹ However, *unity* “does not mean *uniformity* of political, economic and cultural life, or ways of thinking. Indeed, all authentic unity draws from the rich diversities which make it up (...).”³⁸⁰ He also

³⁷⁵ Francis, *Address to Participants in the Conference “International Religious Freedom and the Global Clash of Values”*, 20 June 2014.

³⁷⁶ In this sense, it is possible to recognise a distinction between a wide meaning of “religion”, which is the one that deals with questions on the profound meaning of human existence and not necessarily linked with an idea of God (Dworkin 2013), and a stricter meaning that is specifically referred to historical great religions. Both of these meanings are recognised under the right of religious freedom.

³⁷⁷ Francis, *Address to the European Parliament*, 25 November 2014.

³⁷⁸ Francis, *Discourse in occasion of the Meeting with Brazil’s Leaders of Society*, 27 July 2013; emphasis added.

³⁷⁹ “*Unity in diversity is a constant challenge, one which demands creativity, generosity, self-sacrifice and respect for others*” (Francis, *Address in occasion of the meeting with Authorities and Diplomatic Corps, Apostolic Journey to Kenya, Uganda, and Central African Republic*, 29 November 2015; emphasis added).

³⁸⁰ Francis, *Address to the European Parliament*, 25 November 2014.

added that “[d]ifferent social groups have a responsibility to work for unity and the development of society,”³⁸¹ and certainly some of these social actors are religious communities.

As already mentioned by the other two pontiffs, in the Church’s view, Catholicism – and religion in general – has a specific public role, which is the right for Christians “to be a leaven within society, to bring it their message.” For this reason, he affirms that “[i]t is no longer possible to claim that religion should be restricted to the private sphere and that it exists only to prepare souls for heaven” (EG, 182) and thus “no one can demand that religion should be relegated to the inner sanctum of personal life, without influence on societal and national life, without concern for the soundness of civil institutions, without a right to offer an opinion on events affecting society” (EG, 183). The Church asks the liberty to offer her own contribution especially on ethical topics such as: issues related to the defence of life, but also the urgent problem of migration, the high levels of unemployment, as well as the environmental crisis.³⁸² Attempts to privatise religions, reducing them to public silence, would actually “represent, in effect, a new form of discrimination and authoritarianism,” which would facilitate “resentment more than tolerance and peace” (EG, 255).

c) *Relationship between the Church and the State:*

Meeting the President of the Italian Republic, Giorgio Napolitano, on June the 8th 2013, the pope recalls the special and peculiar relationship between the Church and the Italian Republic: “always in the interest of the people and of society, in Italy *collaboration between Church and State is lived out in the daily relationship between the civil bodies and those of the Catholic community*, represented by the bishops and their institutions and in a very special way by the Bishop of Rome” (emphasis added). The Lateran Treaties and their revision, added in the Italian Constitution, constitute a model – in the pope’s view – of the approach of “mutual autonomy-in-collaboration” that characterise the Catholic teaching since the Council.³⁸³

Francis dedicates n. 241 of *Evangelii Gaudium* to this topic, stating as follows:

³⁸¹ Francis, *Address in occasion of the meeting with civil authorities*, Apostolic Journey to Ecuador, Bolivia and Paraguay, 8 July 2015.

³⁸² Francis, *Address in occasion of his visit to the Council of Europe*, 25 November 2014.

³⁸³ Francis, *Discourse in occasion of his visit to H.E. Mr Giorgio Napolitano*, 13 November 2013.

In her dialogue with the State and with society, the Church does not have solutions for every particular issue. Together with the various sectors of society, she supports those programmes which best respond to the dignity of each person and the common good. In doing this, she proposes in a clear way the fundamental values of human life and convictions which can then find expression in political activity.

This is in accordance with the holistic approach proposed by the Church in the analysis of human realities that are always complex and multifaceted, thus they need the combination of methodologies; neither sciences, nor philosophy and theology can pretend to offer the ultimate interpretation to all questions but all of them in dialogue will be able to offer answers respecting the complexity of the world. Francis applies this attitude to the environmental questions and he calls it ‘integral ecology’.

2. *Francis’Public Reason: Laudato Si’*.

With the encyclical *Laudato Sii* (2015), pope Francis deals with what he calls the “right of the environment,” a subject that was already of interest in past pontificates (Paul VI first, and John Paul II and Benedict XVI recently),³⁸⁴ but was never addressed so exclusively. It has been noticed how the pope is not only addressing the Catholic world, rather “every person living on this planet” (LS, 3); he “intends to speak also to those who profess other faiths and to non-believers, thus he does choosing an issue that is quite current, but also timeless, eternal as it truly transcends human earthly life” (Petrini 2015: 8; my translation). He holds that the aim of the encyclical – that welcomes dialogue with everyone – is “to show how faith convictions can offer Christians, and some other believers as well, ample motivation to care for nature and for the most vulnerable of their brothers and sisters” (LS, 64). If on one side, “the Church does not presume to settle scientific questions or to replace politics” (LS, 188), on the other, he reminds us again that “science and religion, with their distinctive approaches to understanding reality, can enter into an intense dialogue fruitful for both” (LS, 62).

The importance of a tutelage of environment is certainly recognised for theological reasons (e.g. the world is created by God, for a specific divine project, and it is given

³⁸⁴ A delegation of the Holy See participated in the Conference on the Environment held in Stockholm in 1972, a meeting that prepared the ground for the establishment of the United Nations Environment Programme. See: Paolo VI, *Nuntius scripto datus ad Exc. mum Virum Mauricium Strong, Secretarium Generalem Conventus internationalis Consociatarum Nationum de ambitu humano*, Holmiae habiti, 1 giugno 1972.

to us human being as responsible for it: LS, 77) and for, at least, two more reasons. First, “because we human beings are part of the environment,” we possess “a body shaped by physical, chemical and biological elements, and can only survive and develop if the ecological environment is favourable,” and thus “[a]ny harm done to the environment, therefore, is harm done to humanity” (LS, 56, 138).³⁸⁵ Secondly “because every creature, particularly a living creature, has an intrinsic value, in its existence, its life, its beauty and its interdependence with other creatures” (LS, 76),³⁸⁶ preserving and protecting the environment is not only the object of a God command, but is first and foremost in man’s interest to exist and survive.

The pope offers some premises that can be shared both by believers and non-believers (LS, 93): 1) we are not God which means we are neither our own creators, nor the creators of the world in which we live; 2) the earth comes before us, we find it when we are born, and it is – somehow – ‘given to us’; 3) we have a responsibility towards the world (LS, 67). From these aspects, Francis reminds us of a fundamental principle: “the natural environment is a collective good, the patrimony of all humanity and the responsibility of everyone. If we make something our own, it is only to administer it for the good of all” (LS, 95).

The “culture of waste” that characterises this time is at the core of inequalities and injustices: “the irrational exploitation of nature not only seriously damages the environment, but also poses a serious social and human problem” (La Civiltà Cattolica 2015: 138; my translation). In fact, Francis underlines that “the deterioration of the environment and of society affects the most vulnerable people on the planet” (LS, 48). Also recently, he has underscored that “the world’s poor, though least responsible for climate change, are most vulnerable and already suffering its impact.”³⁸⁷ Thus, the environmental question is, in the pope’s view, a social question and a question of social justice (LS, 49). On many occasions, Francis highlights problems such as “deep of poverty in many countries and vast inequalities in the distribution of wealth” (Duncan 2014: 178), and – in line with the traditional Magisterium of the Church – suggests a more just economic structure as the first step

³⁸⁵ This is what Francis calls the “integral ecology”, which is: environmental, economical, social, cultural, of the everyday life, it protects the common good and is open to the future (Petrini 2015: 14).

³⁸⁶ Francis, *Address in occasion of the meeting with the members of the General Assembly of the United Nations Organization*, 25 September 2015.

³⁸⁷ Francis, *Message for the Celebration of the World Day of Prayer for the Care of the Creation*, 1 September 2016.

to lift remaining populations out of hunger and extreme poverty. The pope is not against the economy or money *per se*, but what he rejects is rather the present neo-capitalism as a specific way of doing business and using money: an economy of exclusion and the idolatry of money (Also-Lasheras 2014). Francis' *preferential option for the poor*³⁸⁸ indicates how poverty is conceived as an ethical issue, which means that it is the result of human actions or omissions and choices and not only of external conditions (Yañez 2014: 250-251). Thus, it is only by eliminating the socio-economical structural causes of poverty that social justice will be finally established.³⁸⁹

For this reason, he is often much criticised as an extremist or a Marxist,³⁹⁰ but despite these critiques, he is actually in close continuity with the Magisterium of his predecessors (Duncan 2014), expressing his own uniqueness and offering some elements of novelty (Forte 2014: 283).

3. Concluding Remarks.

In order to answer the questions raised at the end of the previous chapter, Pope Francis' pontificate, as just mentioned, differs from the ones of his immediate predecessors for many reasons. It is a more pastoral than theological vision of the ministry of the Roman pontificate; it is a social teaching characterised more by an historical and cultural vision, than by anthropology linked to the idea of the natural law; political and social issues are not isolated from the "social question"; it is characterised by the centrality of the "preferential option for the poor" (EG, 186,

³⁸⁸ It is understood as a *theological category* (EG, 198) that was already specified by John Paul II and Benedict XVI (Yañez 2012).

³⁸⁹ "As long as the problems of the poor are not radically resolved by rejecting the absolute autonomy of markets and financial speculation and by attacking the structural cause of inequality, no solution will be found (...). Inequality is the root of social ills" (EG, 202). However, something similar was also held by John Paul II, who for example said: "today, we are at a point in history where it has become economically and technically feasible to relieve the worst aspects of the extreme poverty that afflicts so many of our fellow human beings. The kinds of poverty are many: malnutrition and hunger, illiteracy and lack of basic education, chronic disease and high infant mortality, lack of meaningful employment and lack of proper housing. *The obstacles to overcoming these problems are no longer primarily economic or technical, as they were in the past, but are now to be found in the spheres of convictions and institutions*" (John Paul II, *Address to the Diplomatic Corps*, 24 February 1981; emphasis added).

³⁹⁰ These views tend to indicate a strict link between Francis' position and "Liberation Theology"; however, the pope's theological-cultural paradigm seems to be inspired more by the "*Teología del pueblo*" than any ideological reductionism, and the category of "*pueblo*" is conceived as a *locus theologicus* (Ferrara 2016: 68-69). See: Scannone 2014.

198), and;³⁹¹ it adopts a more global approach with an attention for the “world Church,”³⁹² “a Catholicism that is in search of “common ground”” (Faggioli 2013: 83). Along with the historical *weltanschauung* of Jesuits, Francis’ conception of the contemporary world is on the model of a *polyhedron* (EG, 236): in his view, it is the idea of a “connective pluralism” (Ferrara 2016: 72) that exemplifies better today’s universal environment, a realm that is constitutively plural and in which there is the need of a convergence of differences with the preservation of diversity, or – as Francis says – “to build communion amid disagreement” (EG, 228).

As already mentioned, Francis seems to recuperate the concept of ‘integral humanism’ and ‘integral development’, as it was introduced by Paul VI with regard to the contribution of Maritain.³⁹³ Thus, the Catholic approach appears as a coordinating one (“*et-et*”) and not an opposing one (“*aut-aut*”). The kind of ‘universalism’ proposed by pope Francis is not theologically in contrast with Catholicism, rather it could be its expression as “[b]y virtue of her mission and nature, the Church is not tied to any given form of culture, or to any political, economic, or social system. By her very universality, she can enter into communion with various cultures and realities, creating a mutual enrichment (GS, 58).”³⁹⁴

From Paul VI and the Second Vatican Council, Francis recalls on many occasions also the importance of dialogue (EG, 238)³⁹⁵ to promote a “culture of encounter” that is “a culture in which all have something good to give and all can receive something good in return.”³⁹⁶ Moreover, dialogue – which “is much more than the

³⁹¹ On many occasions the pope has explained the choice of the name of Francis because of St. Francis’ special care for the poor: “as you know, there are various reasons why I chose the name of Francis of Assisi, a familiar figure far beyond the borders of Italy and Europe, even among those who do not profess the Catholic faith. One of the first reasons was Francis’ love for the poor” (Francis, *Discourse to the Diplomatic Corps accredited to the Holy See*, 22 March 2013).

³⁹² “However, the main novelty of Francis is not constituted by its extra-European origin, but from his post-European and post-Western discourse, from his “universalist” perspective and not “globalist”” (Ferrara 2014: 245; my translation).

³⁹³ This idea was not unknown in the previous pontificates. For example, John Paul II has stated: “Christian politics means at the same time commitment in the cultural, social and economic spheres, to make sure that progress, security and development do not become ends in themselves but serve the authentic good and the *integral development of man*” (John Paul II, *Address to the Parliament of the Republic of Austria*, 6 December 1982; my translation).

³⁹⁴ John Paul II, *Address to the Diplomatic Corps*, 9 May 1980. Similarly, also Benedict XVI stated: “the Church, by its nature, should transcend cultures, and not being tied to a particular culture but helping the exodus from the prison of a culture, and the communication of cultures” (Ratzinger 2004; my translation).

³⁹⁵ “The time has now finally come, ushered in by the Second Vatican Council, for a dialogue that is open and free of preconceptions, and which reopens the doors to a responsible and fruitful encounter” (Francis, *Letter to Italian Journalist Dr Eugenio Scalfari*, 4 September 2013).

³⁹⁶ Francis, *Address in occasion of the Meeting with Brazil’s Leaders of Society*, 27 July 2013.

communication of a truth” (EG, 142) – is not just a secondary element of Christian faith, it is its essence (D’Ambrosio 2014).³⁹⁷ It has to become transversal and be expressed on different levels: national states, society (cultures and sciences), and also with those who are not Catholic believers (La Civiltà Cattolica 2014: 179). It occupies a wide part of Francis’ exhortation (EG, 241-258).

He poses in contrast the “Gospel of Joy” with the “culture of waste” (a concept that recalls the “culture of death” contrasted by John Paul II), which involves the problem of war, immigration, poor and weak people, social injustices and inequalities, as well as the ecological question (specifically treated in his encyclical *Laudato Sii*, as exposed in the previous paragraph).

Another fundamental aspect that receives a special centrality with Francis’ Pontificate is the “primacy of conscience,” already decisive – but also much criticized³⁹⁸ – during the Second Vatican Council (GS 16, in particular). In fact, for any person (believer or non-believer), “the issue (...) lies in *obeying his or her conscience*.”³⁹⁹ This is the basis for a real and fruitful dialogue that is possible only “with respect for our differences and our convictions of conscience.”⁴⁰⁰ However, Francis’ understanding is not to promote a “subjective definition of conscience” (as some critics have affirmed),⁴⁰¹ but “he is seeking to move beyond the last decades’ more exclusive emphasis on conscience and morality and instead recover the foundation of the primacy of conscience *in the relationship to the divine*” (Crowley 2014: 168; emphasis added).⁴⁰²

³⁹⁷ Christian theology, in fact, has been a sort of result of an hermeneutical effort to combine Jewish tradition with Greek culture. Moreover, Jesus himself is described as proposing the truth and not implying a conflict with those who proposed a different opinion, as long as there is a real search of the truth (La Civiltà Cattolica 2014: 211).

³⁹⁸ Benedict XVI underlined the risk of a wrong understanding of the “primacy of conscience” that would lead to what he calls a “morality of conscience” (namely *subjectivism*), which is to affirm that it is legitimate to substitute one’s decision of conscience for an authoritative teaching of the Church (Crowley 2014: 156-169).

³⁹⁹ Francis, *Letter to Italian Journalist Dr Eugenio Scalfari*, 4 September 2013; emphasis added.

⁴⁰⁰ Francis, *Address in occasion of the visit to the joint session of the United States Congress*, 24 September 2015.

⁴⁰¹ “Take, for example, the Pope’s most egregious remark in his interview with Scalfari. In contrast to the traditional Catholic understanding of conscience as iterated in the *Catechism of the Catholic Church* (nos. 1776-1802), Pope Francis promotes a subjective definition of conscience in which the individual is the sole arbiter of what is good and evil (...)” (“Pope Francis and the primacy of conscience”, *New Oxford Review*. Vol. 80 (December 2013): 18-21).

⁴⁰² Francis makes it clearer in one of his remarks: “so we also must learn to listen more to our conscience. Be careful, however: this does not mean we ought to follow our ego, do whatever interests us, whatever suits us, whatever pleases us. That is not conscience. Conscience is the interior space in which we can listen to and hear the truth, the good, the voice of God. It is the inner place of our relationship with Him, who speaks to our heart and helps us to discern, to understand the path we ought

Final considerations (Part II)

Generally, it has been noted that:

(...) the New testament does not present any specific doctrine on political institutions and on social life. Yet in the teachings of Jesus we find several elements that concern directly the organization of society and the political duties of its members, which may provide some solid grounds for a Christian understanding of politics. (Mondin 1992: 127)

In the same way, Catholic social teaching is not a (political, economic, etc.) ‘system’ (as socialism or capitalism could be), nor a technical approach to politics or economics, not even a “theory,”⁴⁰³ but rather it is a *moral doctrine* or a “doctrinal corpus”,⁴⁰⁴ which is *dynamic* and not static. It is part of the field of theology (Sorge 1992: 347), and *moral theology* in particular. It is the branch of the Church’s Magisterium, the official thought of the Church on social issues – formulated through progressive interventions of popes – that “concerns the community of men and women – situations and problems regarding justice, freedom, development, relations between peoples, peace” (Compendium, n. 66). The final aim of the Catholic social teaching, although considering technical aspects of the problems, is only to offer a *moral* interpretation.

However, even though the Catholic social teaching is clearly inspired by the Christian revelation, it also claims to be valid for and directed to not only Christian faithful, but for everyone (believers and non-believers) (Crepaldi-Colom 2005: 133; Sorge 1992: 347). Moreover, the Catholic social teaching presents an interdisciplinary dimension: among its sources, in fact, there is not only theology and philosophy, but also positivistic sciences, and social sciences in particular. The Church is aware that a strict collaboration with social sciences would beneficiate theology itself, because Christian theology should never be a fundamentalist interpretation of reality. However, as already mentioned, Catholic social teaching is still a theological subject, which cannot exclude truths of faith (Crepaldi-Colom 2005: 422). A Christian approach would always consider that “*fides quaerens intellectum*” (faith seeking

to take, and once the decision is made, to move forward, to remain faithful” (Francis, *Sunday Angelus*, 30 June 2013; emphasis added).

⁴⁰³ See: *Centesimus Annus* (1991), n. 57.

⁴⁰⁴ On this see: Di Martino 2016.

understanding),⁴⁰⁵ thus faith – which is a supernatural knowledge – needs and meets the human reason (*fides et ratio*), otherwise religion becomes *fideism*.

The reason why it is difficult to confront and conjoin political theory and Catholic social teaching is mainly because if in politics, the type of reasoning that is engaged is ‘critical’ (thus, arguments are rendered through criticism), “neither the Catechism of the Catholic Church nor papal encyclicals seek to justify through *a process of critical reason* the position taken, nor discuss opposing arguments, explaining why these are finally rejected” (Turner 2015: 52; emphasis added). Thus, it is clear how the central aim of Catholic social teaching is not – and never will be – to offer a clear, comprehensive and definite political theory. However, my intent was to offer an account of what the Catholic Church – in the principles of its own social thought – proposes as a possible approach. In fact, even though in the public sphere the authoritative discourse of the Magisterium “cannot in principle be admitted to be decisive,” otherwise the state would risk to become a theocracy, “in public political life, magisterial claims will rightly be judged on other intrinsic and extrinsic criteria” (Turner 2015: 52).

The documents of the Second Vatican Council that I have analysed here (*Gaudium et Spes* and *Dignitatis Humanae*) could be conceived as a clear systematisation of the Church’s contemporary social thought. In fact, they are, on the one hand, the synthesis of what the Church had already started thinking before the Sixties, and on the other hand, they work as a basis for the later teaching offered by the Pontiffs of the post-*Concilium* period. As the previous chapters show, these two documents⁴⁰⁶ provide the principles and the guidelines. They might seem quite general, but they have to be accessible for a global context and they have to be able to provide an answer to always-new questions in a changing world.⁴⁰⁷ However, if

⁴⁰⁵ This is the famous sentence that Anselm wrote in his “Proslogyon”.

⁴⁰⁶ I am aware that for a comprehensive understanding of the Second Vatican Council it would be preferable to look also at all the other documents such as: the constitutions *Dei Verbum*, *Lumen Gentium*, *Sacrosantum Concilium*; the declarations *Nostra Aetate*, *Gravissimum Educationis*; the decrees *Ad Gentes*, *Presbyterorum Ordinis*, *Apostolicam Actuositatem*, *Optatam Totius*, *Perfectae Caritatis*, *Christus Dominus*, *Unitatis Redintegratio*, *Orientalium Ecclesiarum*, *Inter Mirifica*. But my restrictive choice has been made for merely pragmatic reasons; in fact, as already mentioned, the primary purpose of these discussions is simply to help the reader to understand the central features of Catholic Social Teaching on the issues related to the role of religion in the public-political realm, thus the central documents are undoubtedly the two mentioned: *Gaudium et Spes* and *Dignitatis Humanae*.

⁴⁰⁷ “(...) the Catholic social doctrine if the Church is not static or complete but is, rather, a dynamic entity that engages with new situations. Because it is always attentive to the changing nature of society ‘the Church’s social doctrine is characterized by continuity and renewal’” (85). See: Corckery, Pdraig (2007), *Companion to the Compendium of the Social Doctrine of the Church*, Veritas, Dublin: 26-27.

looked in conjunction with the Pontiffs' teachings, they result in a wide framework for a reliable Catholic understanding.⁴⁰⁸ In fact, from the last three chapters it is possible to sense how the Pontiffs' teachings – each one in its own specificity – are expressions of an effort of interpretation and application of the Council, which was clearly understood as a “construction site” (Pormeyer 1998: 110).⁴⁰⁹

At the end of this analysis, in order to provide a final response to the initial question regarding the role, or the place, that the Church and Christian theological-political thought occupies – or could occupy – within the public sphere (national and international), I would like to summarise the teachings that have been offered in this work by assessing the words of Benedict XVI:

The Church does not need to raise herself up to the level of a state or desire to act as an organ of power within or above it (...) with this fusion, the essence of both would be destroyed. (...) The Church must stay in her proper place, within her proper confines; exactly as the state must both respect peculiarity and freedom: it is thus that she can render service to those who have need of it.⁴¹⁰

The Church, which “does not offer technical solutions and does not impose any political solutions,”⁴¹¹ has no political ambitions. Its action is not political, or economic, or technical.⁴¹² The Church, therefore, is not a political agent like others, nor does she pretend to be so: “there is no proper political mission for the Church; rather, its mission is religious” (Himes 2006: 23). She has a mission that is *parallel* to that of the State, but is not confused with it, nor can it be identified with any political program. Therefore, as was affirmed by Vatican II, and reaffirmed often by Pontiffs, a (relative) *separation* is not only desirable, but also necessary for the good of both the state and the Church, which “by nature must be separated from the state”

⁴⁰⁸ This is the reason why I have preferred to give permanence to the study of Catholic Social Teaching over the analysis of Catholic political philosophers, which is still very important and useful.

⁴⁰⁹ “It is not a case of two typologies of social doctrine, one pre-conciliar and one post-conciliar, differing from one another: on the contrary, there is a *single teaching, consistent and at the same time ever new*” (CV, 12; emphasis in original).

⁴¹⁰ Ratzinger, Joseph (1997), *Cielo e terra. Riflessioni su fede e politica*, Piemme, Casale Monferrato 1997: 71-72.

⁴¹¹ Benedict XVI, *Address in the occasion of the meeting with members of the Government, representatives of institutions of the Republic, the diplomatic corps and the representatives of the main religions*, Presidential Palace of Cotonou, Saturday, 19th November 2011. The same has been repeated many times: e.g. LS, 188.

⁴¹² John Paul II, *Address to the Diplomatic Corps Accredited to the Philippines*, 8 February 1981.

(Ratzinger 1997: 18). However, Benedict XVI warns against the corruption that certain forces on the part of “secularistic” ideologies can provoke.⁴¹³

This is certainly not an expression of secularity, but its degeneration into *secularism*, hostility to every important political and cultural form of religion; and especially to the presence of any religious symbol in public institutions. Likewise, to refuse the Christian community and its legitimate representatives the right to speak on the moral problems that challenge all human consciences today, and especially those of legislators and jurists, is not a sign of a *healthy secularity*. Thus, it is not a question of *undue meddling by the Church in legislative activity that is proper and exclusive to the State* but, rather, of the affirmation and defense of the important values that give meaning to the person's life and safeguard his or her dignity. These values are human before being Christian, such that they cannot leave the Church silent and indifferent. It is her duty to firmly proclaim the truth about man and his destiny.⁴¹⁴

The Church has always recognised – at least, since Leo XIII onwards – the importance of the *autonomy* of the state. However, she has never understood this autonomy as if she should remain indifferent towards any kind of political decision, especially those that involve morality and religion.

Religion – the Church affirms – can and must be a factor of peace, as well as a presupposition for the defence and promotion of fundamental human values and human rights. Yet, it cannot be denied that religion has been, and can also be understood and utilised badly, in order to provoke conflicts, violence, and death, and thus corrupts into fundamentalism and terrorism⁴¹⁵. Thus, if it is reasonable to control ‘bad religion’ (or its distorted use), it must be recognised that also reason, when taken apart from religion, “too easily falls hostage to distortions of ideology or special interests” (Turner 2015: 49). Too often, even today, the drama of terrorism – firmly condemned by the Church – can become, however, a plausible justification for the suppression, or limitation at least, of religion in the public sphere. However, even though democratic society has the right to defend itself against malfeasance even on the part of the religious matrix, this cannot take place if not within the *full respect of moral and juridical rules* such as inviolable rights of persons and the principles which

⁴¹³ The differentiation here is intended as the distinction between laity and laicism; the last one understood as “a fanatical and discriminatory ideology based on the false idea that science [any kind] could take the place of religion” (Perrau-Saussine 2012: 95).

⁴¹⁴ Benedict XVI, *Address to the participants in the 56th national study congress organized by the Union of Italian Catholic Jurists*, 9th December 2006.

⁴¹⁵ “We know that no religion is immune from forms of individual delusion or ideological extremism. This means that *we must be especially attentive to every type of fundamentalism, whether religious or of any other kind*” (Francis, *Address in occasion of the visit to the joint session of the United States Congress*, 24 September 2015; emphasis added).

are at the foundation of democracy itself.⁴¹⁶ This balance between freedom and the rights recognised and promoted by democratic systems is, without doubt, one of the most delicate moral challenges that the modern state finds itself confronting. And it is to find this balance that numerous political philosophers have been engaged in discussions on the necessity (or not) of some forms of restraint of religious reasons within the *public spheres* (however they may be conceived).

We can, therefore, speak of ‘healthy secularity or ‘positive secularity’ when there is a search for “*autonomy* in the civil and political sphere and in that of religious and ecclesiastical, but not in that of the moral.”⁴¹⁷ On this point, the popes many times have exhorted that the two positions should not be confused, but that a way of *respect* and *harmonious collaboration* between the Church and civil societies and political states should be followed, refusing to allow the Church (and religion, in general) to be relegated to the ‘ghetto of subjectivity’, as if faith was only a merely private fact, an opinion to tolerate, or a problem to resolve. Religion (and religions) can be mentors which point out moral values and form citizens, so that they might be truly free to decide conscientiously regarding the political and social questions which they are called to live out. But a choice has to be made.

In this way, even Christians can recognise their specific role within the political society, a role that carries certain tasks and responsibilities, as well as modes of commitment that ought to be proper to the Christian essence. Thus, Benedict XVI writes again:

It is in the Gospel that Christians find inspiration for their daily lives and their involvement in worldly affairs – be it in the Houses of Parliament or the stock exchange. *Christians should not shun the world; they should engage with it. But their involvement in politics and economics should transcend every form of ideology.*

Christians fight poverty out of recognition of the supreme dignity of every human being, created in God’s image and destined for eternal life. They work for more equitable sharing of the earth’s resources out of a belief that – as stewards of God’s creation – we have a duty to care for the weakest and most vulnerable. Christians oppose greed and exploitation out of a conviction that generosity and selfless love, as taught and lived by Jesus of Nazareth, are the way that leads to

⁴¹⁶ Benedict XVI, *Address to the participants in the conference of the executive committee of centrist democratic international*, 21st September 2007.

⁴¹⁷ Congregation for the Doctrine of the Faith (CDF), *Doctrinal Note on some questions regarding the participation of Catholics in political life*, 21st November 2002, III § 6.

fullness of life. The belief in the transcendent destiny of every human being gives urgency to the task of promoting peace and justice for all. Because these goals are shared by so many, “*much fruitful co-operation is possible between Christians and others. Yet Christians render to Caesar only what belongs to Caesar, not what belongs to God*” (Benedict XVI 2012).

However, the recognition of the “primacy of conscience” is central, already expressed in the GS, but still in development with Pope Francis.⁴¹⁸ We can acknowledge three main features: 1) the Magisterium should not offer *definite* teachings on every human aspect; 2) there is always a personal moral responsibility of each believer that is expressed in every field of ecclesiological and social life; and 3) the centrality of the practical conscience will help the Magisterium of the Church to ‘purify’ its ideological rigidities to encounter the man in his concrete truth and need. Francis’ understanding of conscience – which seems inspired by his Jesuit spirituality – appears different from the approach John Paul II and Benedict XVI, which is more focused on the problem of the sin. His position seems more open and positive, although still linked with a theological conception of ‘God always-greater,’ and in its political expression it seems able to admit the correctness of a plurality of opinions, perhaps also more easily welcoming from Rawls’ ‘public reason’ theory. The limit seems to be that the single conscience should be coherent with itself, available to listen its most profound moral instances, that is what GS 16 calls “the voice of God which echoes in his depths” (Crowley 2014: 160). This conception is not incompatible with the moral authority of the Church that, especially with regard to the CST, is not expressed as *infallible* in all its formulations, but it is rather an always-developing doctrine.⁴¹⁹

Therefore, Catholics are asked (and above all to the lay faithful whose task deals directly with temporal realities)⁴²⁰, in the context and according to the laws of democratic coexistence, to actively participate in public life, thereby assuming their proper responsibilities in the various public spheres, namely, the economic, political,

⁴¹⁸ See: *Amoris Laetitia* (2016), nn. 3; 37; 261.

⁴¹⁹ “(...) Nor do I believe that the papal magisterium should be expected to offer a definitive or complete word on every question which affects the Church and the world” (EG, 16). In fact, “[t]he Church’s teachings concerning contingent situations *are subject to new and further developments and can be open to discussion*, yet we cannot help but be concrete – without presuming to enter into details – lest the great social principles remain mere generalities which challenge no one. There is a need to draw practical conclusions, so that they “will have greater impact on the complexities of current situations” (CSDC, 9)” (EG, 182; emphasis added).

⁴²⁰ See: Part II, Chapter 5.

and social, and offering a *Christian moral sense* to the social context in which they live. However, political theories today – such as Rawls’ one – if on the one side seem to be easily convinced that, thanks to the affirmation of the freedom of conscience and religion, religious citizens can keep and bring their faiths in public domains (especially within the civil society, or “background culture”); on the other, they still challenge the following question regarding the public-political (or institutional) level: “can a Christian elected to or seeking political office exercise a prophetic role, not only in the broad secular sense of acting with, vision, courage, and foresight, but also in the more specifically theological sense of *witnessing to the meaning of the Word of God* within contemporary political life?” (Gascoigne 2009: 127). As Rawls points out, there is a difference between the background culture and public-political forum: if at both levels the Church as well as Christian citizens are dedicated to affirm and extend “the ethical values that are mandated by Christian faith” (Gascoigne 2009: 128-129), at the institutional level it is required to be done through shared public-political language and system of rules (e.g. Rawls’ public reason).

John Paul II, Benedict XVI and Francis have been all – even if in different ways – untiring defenders of the public dimension of religion, and therefore of the possibility of believers to do their part in the construction of the social order.

The reflections offered here have not been intended to supply a definitive response to the relevant global political questions that have been spoken of, but rather serve to be a starting point and an encouragement to pursue the journey of study and research, of encounter and discussion, which must necessarily characterise political philosophy. Indeed, Benedict XVI reminds us yet again: “we all know that an ideal, singular political model to be realized absolutely does not exist and that political philosophy evolves in time and in its expression with the refinement of human intelligence and the lessons drawn from political and economic experience.”⁴²¹

⁴²¹ Benedict XVI, *Address to the new ambassadors to the Holy See*, 18th December 2008.

CONCLUSIONS

At the end of the second part of this work, we have seen the difficulty in comparing a political theory with a religious doctrine such as the Catholic social teaching. Most of the political theories on the public role of religion are specifically oriented toward what is called ‘public justification’, or ‘public deliberation’. Thus, the interest for scholars such as those I have analysed in the first part of my thesis, and Rawls in particular, is devolved on the limits of ‘public reason’, or what its epistemic properties are such as reasonability or shareability, accessibility, adequacy, intelligibility and so on – thus, what makes a political discussion fair, or morally acceptable; under what conditions is public deliberation legitimate; what is the appropriate way of reasoning in the public sphere; and so on and so forth.⁴²² On the contrary, the main issues that have interested the Catholic Social thought in the last century have concerned particularly an ‘institutional’ level: namely, the relationship between the Church and state, and the centrality of an active role of Catholics as citizens. Nevertheless, this has had an impact on the ‘individual’ level too.⁴²³ In fact, as Audi suggests, principles that involve, for example, the relation between the church and the state imply certain principles of *individual conduct* and “these further principles are applicable to church-state issues and indeed to the interaction between people’s religious commitments and their duties” (Audi 1989: 278). Thus, in my conclusions, I would like to move a step towards the individual level and see what could be the implications for Catholic citizens in applying the Church’s teachings in their political commitments. The final question is: is a “Catholic public reason” possible? The answer to this question would mean essentially to understand whether Rawls’ theory could be *reconciled* with a Catholic thinking; and if so, to what extent and how.

From a faith-based point of view, the crucial dilemma to be solved is: how to *reconcile* the responsibility for Christian citizens to be involved in the world (and thus in politics), being inspired by and faithful to their Christian faith, with the moral burdens that ‘public reason’ *seems* to pose on religious citizens?

⁴²² In a similar way, Tracy suggested that one could define ‘the public’ as what is “available to all intelligent, reasonable and responsible members of that culture despite their otherwise crucial differences in belief and practice” (Tracy 1986: 115).

⁴²³ By “individual” level, I mean the one that involve the single persons, political actors/agents, citizens.

As I have exposed in the first part of this work, John Rawls' thought is definitely a very inspiring, complex and developed theory. Through his life he has looked back and revised most of his concepts and especially on the subject of 'public justification' – namely his 'idea of public reason' – he has offered the chance to reflect in depth on the proper (political) role of religion in contemporary Western liberal-democratic societies. In the last period of his thought – mainly in "The Idea of Public Reason Revisited" – he has introduced new ideas and clearly "a new emphasis on how religions based on church and textual authority can nonetheless support the political conception of a constitutional democratic regime" (Nussbaum – Brooks 2015: 20). This means that at least these religious traditions – or reasonable⁴²⁴ (religious) worldviews – are not, in Rawls view, excluded *a priori* from the public domain.

With the second part of this work, my intention was to show why and how Catholicism is a 'reasonable comprehensive doctrine', as Rawls himself seems to suggest in his latest thought. But, if it is so, then Catholicism (as any other comprehensive doctrine) would be possibly able to support "public reasons" that faithful citizens could offer when they are engaged in public-political debate with their fellow citizens. Thus, the answer to the question: "can Catholic citizens participate in the public debate (even at "the political" level) being inspired by their own comprehensive religious view, being respectful of their fellow citizens by doing so?", from the point of view of exclusivists, like Audi, would probably be negative. It seems that, on the contrary, Rawls would answer affirmatively, even with all the specifications that his theory suggests for this case.

1. Catholic Rawlsianism or Rawlsian Catholicism: Does Catholicism Fit with Rawls' Idea of Public Reason? Does Rawls' Theory Fit with Catholic Social Teaching?

In many cases, Rawls' political liberal theory has been used as a basis for advancing a specific exclusion of religious reasons from the public-political domain. In some cases this kind of interpretation of Rawlsian thought has resulted in developing theories that are unfair and that diminish the role of religious citizens in the public. It has also created the false assumption that religiously-based justifications

⁴²⁴ I have explained this element in Part I, Chapter 2.

are second-level reasons, proposing a clear preference for non-religious, or rather *secular* reasons. As I mentioned above, I would doubt that Rawls had such an understanding of his own theory. He certainly did not want to prevent religious citizens to take part to the public debate, and in fact, he refers to “comprehensive doctrines” of all sorts. But what he surely has tried to implement is a procedure of (fair) deliberation that would be the most respectful for all citizens (in their role and qualities of being *citizens*) as possible.

However, in the occasion of Benedict XVI’s planned lecture at *La Sapienza* University, the Pope seems to focus attention on the basic misunderstanding that liberal theories, such as restrictive interpretations of the ‘idea of public reason’, could cause:⁴²⁵ to consider religious reasons *a priori* non-valuable (or even non-reasons at all) for a public debate, because they are supposed to be not universally accessible.⁴²⁶ But, in fact, ‘religious reasons’, or rather ‘religiously-based reasons’ could be of different kinds.⁴²⁷ Thus, some of them would be strictly metaphysical or appealing to a religious authority (e.g. the Pope’s authoritative voice), while, on the other hand, some others – and probably the most common in public debates – could be broadly “accessible” and offer a *moral preminence* (Waldron 2010: 855), such as those that Vallier calls “reasons deriving from natural theology” (Vallier 2011: 368).⁴²⁸ Thus, religions⁴²⁹ – perhaps not all, but those that fit with Rawls’ category of ‘reasonable

⁴²⁵ Benedict XVI said: “here, however, there immediately surfaces the objection, according to which, the Pope would not truly speak on the basis of ethical reason, but would take his judgments from the faith, and because of this he could not pretend that they are valid for those who do not share this faith.” See Benedict XVI, *Lecture at the University of Rome La Sapienza*, 17 January 2008.

⁴²⁶ According to David Tracy: “religion seems private not just in the sociological sense of privatization, but private in the philosophical sense of “without reason”: decisionistic, undemonstrated, and perhaps indemonstrable” (Tracy 1994: 201).

⁴²⁷ For example, Andrew March tries to offer a non-final typology of religious contributions distinguishing between four types: “1. A command extracted from a revealed text, religious authority, or personal mystical or revelatory experience; 2. A theological or moral doctrine that is not clearly attributed to a specific claim from a revealed text, but is derived from certain theistic claims and revealed knowledge; 3. An appeal or reference to traditional religious commitments or practices; 4. An appeal to practical wisdom or moral insight found in traditions of religious thought” (March 2015: 100).

⁴²⁸ I think that Audi has a clear understanding of this point: even though he just distinguishes between religious and secular reasons (and the latter could be either *adequate* or *non-adequate* reasons), he holds that religious citizens may be able to offer proper secular reasons (still either *adequate* or *non-adequate*), or at least secular reasons that are in accordance with their own religious reasons too. Thus, religious citizens would have reasons that are *evidentially dependent* on a religious consideration, or *non-evidentially dependent* or *casually dependent* on religious considerations. See Audi 1989: 287-288.

⁴²⁹ “Religion is not simply a set of convictions that one should or should not invoke in political debate. It is a considerably more dynamic and multidimensional reality than the term “convictions” might suggest” (Hollenbach 2003: 148).

comprehensive doctrines' certainly do – could be capable of offering generally-comprehensible reasons too (Waldron 2010; Waldron 1993), which means reasons given without necessarily appealing to any idea of divine authority or revealed source.⁴³⁰ Are these kinds of reasons 'public reasons'? According to Rawls they could be, but – from his point of view – it is something that could be judged only case by case.

I hold that it happens in the case of Catholicism and its long philosophical tradition. In fact, Catholic teachings are indeed developed out of a faith context, but not excluding the central role of human reason and this is the reason why the documents that form the system of social teaching of the Church are usually addressed to all man and women of 'good will', and not to faithful or believers only (Corckery 2007). For example, John Finnis recalls that "religion is fundamentally an operation of reason, "theoretical" and "practical" (and practical because directed towards choosing and acting). (...) And since it is a matter of reason, religion shares in reason's radically public character" (Finnis 2011b: 2-3). And he also added that "reason is at its most obviously public insofar as it uses data, concepts, and forms of argumentation that are available to all without regard to testimony about the one-off interventions in history by universe's transcendent source of nature (included our natural capacity for reason). *This is what Aquinas called "natural reason"*" (Finnis 2011b: 3; emphasis added).⁴³¹ Affirming that any proposition proposed by the Catholic Church "is, by virtue of that fact, a 'religious' (not a philosophical, scientific, or rationally grounded and compelling position)," or that these proposition, for the same reason, are "only a matter of faith and cannot be authentically willing to defend as a matter of natural reason," is – in Finnis view – a prejudice (Finnis 2011b: 114-115).

However, according to those who hold a "standard approach"⁴³² (or a "doctrine of religious restraint") it is not only a matter of mutual understanding: it is properly a

⁴³⁰ In this regard, John Finnis holds that Catholic theological reflections on moral questions (political and legal included) is a balance between revelations (*dogmata*) and "what would be judged morally reasonable even without revelation" (Finnis 2001b: 10).

⁴³¹ Finnis is notoriously very critical of Rawls' public reason. As he conceives reason as inherently public there would not be any motivation for speaking about a "public reason".

⁴³² Paul Weithman suggests the definition of this approach by explaining that "proponents of this approach go on to argue that whatever other reasons citizens offer each other when they deliberate and whatever other reasons they rely on when they vote, *they must also have and be prepared to offer one another justifying reasons*. This is because it is incumbent on citizens *to participate in politics*

problem of mutual recognition, respect and trust between people who see each other as *citizens* – Rawls would say “equal and free” – with the same rights, liberties, and civic-political duties.

Even though Rawls does not want to argue about the truth (or falsity) of comprehensive views (and he does not suggest to refrain from using them for that reason), but only about the *rightness* (or wrongness) of their use in the public-political realm (namely, decision-making processes), the problem of having perhaps ‘right’ but ‘false/bad’ (or, on the other hand, ‘wrong’ but ‘true/good’) reasons still remains open. This appears clearly for the example Rawls makes on Martin Luther King Jr. and the African-American freedom struggle rooted in the tradition of black Christian activism, which – from a strict exclusivist point of view – would have never ‘fitted’ into the boundaries of ‘public reason’.⁴³³ But in cases like this,⁴³⁴ it seems clear how “religious convictions played a formative role in the contributions they made to freedom, equality, and democracy” (Hollenbach 2003: 189; also, Himes – Himes 1993: 16).

Another order of criticism is in support of the *integrity* (or *coherency*) of citizens of faith,⁴³⁵ that would be diminished by pretending to refrain from using any reason that sincerely motivate someone’s political action, or pretending to “translate” personal reasons into “common” public reasons (that risk to be less sincere). This idea is premised on the assumption that citizens are first and foremost “human persons”⁴³⁶ who are unitary beings (not divided in themselves into different spheres) and, when involved in political actions (any kind), they always hold certain ultimate/basic reasons (or reasons based on some more ultimate/basic reasons); and, thus, “one’s public reasons for acting must also be one’s ‘private’ reasons” (Finnis 2011b: 106). Moreover, from a Catholic point of view, any kind of coercion on someone “to act

responsibly. By participating responsibly, they do their part to bring it about that their relations with one another are marked by *civility, trust and mutual respect*” (Weithman 2002: 6; emphasis added).

⁴³³ In this regard, see Franklin 1990.

⁴³⁴ Rawls himself offers other examples, such as Abraham Lincoln’s speeches and the abolitionist movement; while Casanova and Hollenbach point out the importance of the Church in some processes of democratization in Eastern Europe and Latin America.

⁴³⁵ This seems to be the central criticism posed by Nicholas Wolterstorff. See: Part I, Chapter 2.

The frustration of religious citizens and their claim for respect of their integrity seems to be linked with the idea that “they naturally desire God’s guidance for their political lives, just as they desire his guidance in all other matters” (Forster 2008: 27). The same has been held by the Congregation for the Doctrine of the Faith, in its Doctrinal Note in 2002 (quoted). See: Part II, Chapter 5.

⁴³⁶ “There are not two kinds of people in the forum, some religious and some political. There are citizens there, and they are expressing themselves both religiously and politically as they jostle together” (Hecl 2003: 11).

against his or her own conscience is a grave sin and *a violation of their personal dignity*” (Massaro 2015: 71; emphasis added).

2. *Praises and (still open) Problems of Rawls’ idea of Public Reason: How Should Catholicism Accept it, or Not.*

To sum up, from the careful analysis of Rawls’ idea of public reason, it is possible to outline briefly the essential elements that characterise it.

First of all, public reason could be understood as a specific “form of public discourse” (Rawls 2005: 242): it is an ideal, a framework, a ‘standard’ for the public-political discussion and deliberation. It seems to work as a “common view” (Weithman 2015) that (reasonable) citizens can accept, understand and share. It is described as a form of argument that appeals “only to presently accepted general beliefs and forms of reasoning found in common sense, and the methods and conclusions of science when these are not controversial” (Rawls 2005: 224).

Secondly, accepting public reason means to appeal only to *political values* (thus, not comprehensive doctrines, especially if they are unreasonable), that are those values reasonably recognised as generally accepted (rather, *public*)⁴³⁷ by all citizens (seen both as reasonable and rational beings).⁴³⁸

Thirdly, it is a *moral* and not legal obligation. It is a form of respect, a way of behaving according to the *duty of civility* (as an “ideal of democracy”) that concerns the ability“ to explain to one another on those fundamental questions how the principles and policies they advocate and vote for can be supported by the political values of public reason” (Rawls 2005: 217), and for citizens to “be ready to explain the basis of their actions to one another in terms each could reasonably expect that others might endorse as consistent with their freedom and equality” (Rawls 2005:

⁴³⁷ This has been understood in different ways: as *accessibility*, *shareability*, or *intelligibility* of reasons presented.

On this regard, for example, Kevin Vallier as stated as follows: “the most common property that determines whether a reason is public is what I shall call *accessibility*. Accessibility has been given a number of characterizations, but the essence of the concept can be distilled into a single definition. In short, I argue that a reason is accessible to John if and only if members of the public can see that the reason is justified according to common evaluative standards” (Vallier 2011: 367).

⁴³⁸ A similar position was held also by Bruce Ackerman who, by the *principle of conversational restraint*, he meant that: “whenever one citizen is confronted by another’s question, he cannot suppress the questioner, nor can he respond by appealing to (his understanding of) the moral truth; he must instead be prepared, in principle, to engage in a restrained dialogic effort to locate normative premises both sides find reasonable” (Ackerman 1989: 17-18).

218). It “involves a willingness to listen to others and a fairmindedness in deciding when accommodations to their views should reasonably be made” (Rawls 2005: 217).

Moreover, in Rawls theory the “domain of the political” (thus, the purely political space in which the public reason is necessary) presents specific boundaries. Thus, public reason applies only in the case of constitutional essentials such as fundamental principles, rights and liberties, and questions of basic justice.⁴³⁹ And only certain categories of citizens and under certain conditions are constrained by public reason: legislators, public and government officers (within the limits of “official forums”), and judiciary (the Supreme Court is the paradigm of public reason’s application).⁴⁴⁰ However, Rawls adds that citizens are bound “when they are engaged in political advocacy in the public forum” (e.g. when they vote) (Rawls 2005: 235). Public reason does not affect what Rawls call *background culture*, namely, the ‘civil society’.

Finally, it is a flexible tool for democracy to preserve itself from its own intrinsic limits and risks or what Ratzinger has called the “dictatorship of majority rule.”

Rawls distinguishes between what he calls the ‘exclusive view’ and the ‘inclusive view’. According to the first one, “on fundamental political matters, reasons given explicitly in terms of comprehensive doctrines are *never* to be introduced into public reason” (Rawls 2005:247; emphasis added). While the second view allows “citizens, *in certain situations*, to present what they regard as the basis of political values rooted in their comprehensive doctrine, provided they do this in ways that strengthen the ideal of public reason itself” (Rawls 2005: 247; emphasis added). But whether to understand the idea of public reason according to one or the other view depends on the presence or not of a “well-ordered society”: thus, the limits are not fixed and they could vary “depending on historical and social conditions” (Rawls 2005: 251).

In his revisited version of the idea of public reason, Rawls clarifies, first of all, that to engage in public reason is to appeal to a *political conception* (to its ideals and principles, standards and values) when debating fundamental questions. And he added

⁴³⁹ This is criticised by those, like Jonathan Quong, who argue that “the idea of public reason ought to be applied, whenever possible, to all political decisions where citizens exercise coercive power over one another”, and it should not be limited only to the questions of constitutional essential and matters of public justice, as Rawls suggests (Quong 2004: 234).

⁴⁴⁰ “The Court’s role is not merely defensive but to give due and continuing effect to public reason by serving as its institutional exemplar. This means, first, that public reason is the sole reason the court exercise” (Rawls 2005: 235).

also what he calls the *proviso* which means that this requirement “still allows us to introduce into political discussion *at any time* our comprehensive doctrine, religious or nonreligious, provided that, *in due course*, we give properly public reasons to support the principles and policies our comprehensive doctrine is said to support” (this is called the *wide view*) (Rawls 1997: 776).

As already mentioned, Rawlsian theories have been interpreted – but also much criticised – both by religious people (generally, because they are considered too narrow regarding religious participation)⁴⁴¹ as well as by liberals (usually because of the opposite reason: this theory would allow too much space for religious convictions).⁴⁴² Moreover, his position on the place of religion and religious arguments in public life “has changed considerably over the course of his writings” (Thiemann 1996: 85): from a negative approach expressed in *A Theory of Justice*, to a more positive and nuanced view offered in *Political Liberalism*. In fact, his thought “marks an important advance beyond those liberal theorists who propose a simple and rigorous ‘separation of church and state’, one that prohibits all religious discourse within public affairs” (Thiemann 1996: 86).

However, some problems remain unresolved for further considerations. For example, Rawls seems not to make sufficiently clear what the boundaries of ‘public reason’ are (for instance what are “constitutional essentials” and “questions of basic justice”?) and how to identify them properly. As a flexible tool,⁴⁴³ eventually it could also result in not being a standard at all.

Rawls has been strongly criticised for pursuing a theory that could work only on an ideal level. However, it is also true that Rawls himself appealed to a *hope*,⁴⁴⁴ more

⁴⁴¹ As we have already mentioned in the previous chapters, many critics of Rawls come from within the Christian tradition and the central concern is that public reason imposes onerous and unnecessary constraints on some citizens, especially when they are religious. It results in an exclusion of *religious reasons* from politics. Thus, it could be unfair, diminishing and frustrating for religious citizens, insofar as it forces them to leave behind their religious convictions – and so to be insincere, or to disregard their *integrity* – when they enter the public square. In an extreme interpretation, these thoughts have also raised the belief that liberal political theories – *political liberalism* included – are just opposed to religion. Recently we could think of scholars such as Jeffrey Stout, Nicholas Wolterstorff, Christopher Eberle, Paul J. Weithman, Michael Perry, Kent Greenawalt, and Gerald F. Gaus, among others.

⁴⁴² On this side we may think about those authors that contend for a “neutral” (or at least, “impartial”) politics, such as: Bruce Ackerman, Robert Audi, Thomas Nagel, Charles Larmore, Stephen Macedo and more recently, Cecile Laborde.

⁴⁴³ Rawls clearly holds that the limits of public reason are not fixed, they could vary “depending on historical and social conditions” (Rawls 2005: 251).

⁴⁴⁴ “(...) Political liberalism looks for a political conception of justice that we hope can gain the support of an overlapping consensus of reasonable religious, philosophical, and moral doctrines in a society regulated by it” (Rawls 2005: 10).

than an actual analysis of reality, but it does not mean that his thought is completely useless, in fact, I suggest to consider and re-consider it in its own applicable terms.

Liberal democracy is a system that implies “a form of majority rule *constrained* by the values of liberty and freedom” (Kaplan 1992: 97; emphasis added). This is true for Pontiffs who are very concerned about the fact that the majority can get wrong; it can be manipulated and corrupted, and it can become the repression of the stronger over the weaker. This seems to be also the reason why, Rawls insists that the values that can ‘constrain’ democracy are – and *must be* – merely *political* (non-comprehensive, which means “independent” from any particular worldview). But, what the last popes eager to clarify is that in order to have a *just* political system, we cannot set aside other than *just* fundamental values: those that are shown by *reason*.⁴⁴⁵ For the Catholic view then, – and Ratzinger in particular – “democracy cannot be *neutral* to values” (Rourke 2011: 51), rather – in his view – “the rule of law must itself to be based on *solid foundations*” (Rowland 2008: 122).⁴⁴⁶ In this same way, Murray seems to offer his critics to what he referred as “free society” which “involves no agreement on the premises and purposes of political life and legal institutions; it is solely an agreement with regard to the method of making decisions and getting things done, whatever the things may be,” namely “purely formal categories” (Murray 1960: 84).

Therefore, on one side, the preoccupation that lays under Christian criticism of Rawls’ idea of public reason is mainly that religious citizens should not be discriminated by imposing on them more burdens than the other citizens (namely, an “asymmetrical imposition”). On the other side, however, it is possible to understand that behind Rawls’ theory there is the concern for offering a principle for a respectful political participation in a pluralistic context and securing democracy with fairness

⁴⁴⁵ Ratzinger has a broad and inclusive idea of “reason” that involves an encounter with faith. He also holds the concept of “collective reason” through which he means that there is *a basic consensus* on the moral good between the great religious and non-religious structures of thought. Thus, his idea is not that of a “naked” reason but a reason that is matured (developed) in the course of the history (Ratzinger 1997: 51-74). Ratzinger distinguishes between two types of reasoning: “reason open to transcendence” (*Nous*) and “reason closed within immanence” (*Ratio*) (CV n. 74).

⁴⁴⁶ As explained also in the *Doctrinal Note on some questions regarding the Participation of Catholics in Political Life* (already quoted), according to the Congregation for the Doctrine of the Faith: “democracy must be based on the *true and solid foundation of non-negotiable ethical principles*, which are the underpinning of life in society” (emphasis added).

and stability.⁴⁴⁷ However, it seems clear that to exclude religious reasons (*a priori*) would mean also to possibly avoid a portion of society (a group of citizens and their interests) the right to be politically represented.⁴⁴⁸ Thus, if we want to be fairly liberal-democratic we should not exclude reasons only because they might be non-universally-accessible, but we still need to ensure a fairest system of public discussion (in particular) and the stability of political system (in general). Some sort of rule of ‘restraint’ (such as ‘public reason’), even the most permissible one (accommodation), seems to be a practical solution—especially when disagreement on fundamental questions is at stake. If Rawls suggests as a standard for public reason, the kind of values that he calls ‘political’ (and only them), the Church seems rather to think as possible guarantee of values that could be universally accepted, especially those that are the result of an historical development, or – as the Compendium states – “the dignity of every human person, the respect of human rights such as those listed in the Declaration of Human Rights (1948) ⁴⁴⁹, commitment to the common good as the purpose and guiding criterion for political life” (n. 407).⁴⁵⁰

The distinction between reasonable and unreasonable doctrines is not conceived by Rawls as a means for declassifying religious doctrines, and public reason is a standard that is required to any person as a citizen. Moreover, the distinction between non-public reasons and the *public reason* (or *public reasons* that fit within the boundaries of public reason), would also show which comprehensive doctrines are reasonable, and which are not. Reasonable comprehensive doctrines would be possibly able to provide citizens of ‘public reasons’ in accordance with their own doctrines. Thus, Rawls asks citizens that hold reasonable comprehensive doctrines to choose those public reasons instead of the merely non-public ones, when they are involved in political-public deliberation (or when holding a public office, as legislators and judges above all). But he also allows citizens that belong to a

⁴⁴⁷ John Finnis says that: “that concern is the concern to avoid *bias*, unfairness between persons, violations of the Golden Rule” (Finnis 2011a: 266; emphasis in original).

⁴⁴⁸ Paul Weithman suggests, for example, that for religious citizens to be refrained from acting in politics or from offering religious political arguments in public could result in an actual exclusion of them from political processes, or suffering disadvantages from that restraint (Weithman 2002: 48).

⁴⁴⁹ Even though it has been contested for long time (especially from Islamic and Asian contexts) that these rights are not properly universal, but they would only be the result of purely western philosophical-cultural argumentations, the efforts of many scholars from different parts of the world in the last decades are showing that they could actually be recognised as a common ground of reasonableness.

For a summary of critics of the universality of human rights, see Tharoor 1999/2000. And similarly see: Franck 2001.

⁴⁵⁰ See Part II, Introduction.

comprehensive doctrine to offer non-public reasons when it is not possible for them to do otherwise, with the only requirement of providing *in due course* proper “public reasons” (what Rawls calls “the *proviso*”).⁴⁵¹ Eventually, it seems that the real burden that comes from this theory is for those citizens who hold an *unreasonable* comprehensive doctrine: those doctrines that do not recognise fundamental aspects of liberal-democratic tradition, such as those who belong to any form of fundamentalism.

Liberalism, at least in its Rawlsian form, is nowhere near as hostile to public religiosity as many citizens of faith have traditionally assumed. For this reason, theological doctrines that – such as Catholicism – endorse a public and politically active faith are not necessarily excluded *a priori*. In fact, Catholic reformers were then able to embrace some key features of liberal-democratic context (such as human rights and religious freedom, pluralism, democracy, separation of spheres of competence between the Church and the state), for reasons internal to the tradition.

According to both Rawls’ theory and Catholic social teaching (from the Second Vatican Council till today), Catholic citizens are enabled to participate, as Catholics, in public-political deliberations “without appealing to revelation or faith as the grounds for accepting and acting upon truths,” but offering justifications that “can be defended on the basis of arguments which are *rationally accessible* to people who (...) do not accept the revelation proposed by the Catholic Church” (Finnis 2011b: 115). However, even though it would not be possible to accept reasons only on the basis of ‘the Bible says it’s so’, this does not mean that we should accept those radically egalitarian liberal-secularist positions that levels all social institutions and standards, excluding all arguments that they may consider ‘religious’.⁴⁵²

Rawls’ intent is to ensure a pluralistic society by assuring ‘the political’ its own space, and thus also avoiding the spread of any kind of fundamentalism, both religious and non-religious. It seems that the categories of mutual ‘correction’ (Ratzinger speaks about ‘a two-way process’ of ‘purification’) between religion and modernity (or, more specifically, faith and reason) are – at least, partly – satisfied by Rawls’ suggestion. It is not easy to draw a line of demarcation between the two

⁴⁵¹ See Part I, Chapter 3.

⁴⁵² As Canavan has underlined, in fact, it would not be acceptable the tendency of liberals that once they “have rejected all views of the temporal common good that contradict theirs on the grounds that they do not enjoy universal consent (or are based on particularistic religious beliefs), liberal secularists’ beliefs become “what we can all agree”” (Canavan 2006: 82). That would result into an arbitrary creation of homologous thought.

spheres of ‘the political’ and ‘the public’ (intended here as civil society, or – in Rawlsian terms – as *background culture*), as in fact the fundamental challenge of pluralistic democracy is certainly “to manage the complex interrelation of religion and politics in light of fundamental liberties and a variety of public purposes (...) that sometimes exist in tension” (Murphy et al. 2003: 1256). But a choice has to be taken and, in this regard, certainly Catholicism – informed by the magisterium and thanks to its long-standing philosophical tradition – is not only capable but also equipped to sustain a specific model of liberal democracy, as long as accommodation of religious reasons is guaranteed. As it has been noticed, in fact,

[i]n bourgeois democracies, the issue today is no longer between liberal and illiberal regimes. It is more a matter of which liberal regime is truly liberal. (...) The church’s hostility, however, is not directed toward human rights or political liberalism. What concerns the church are the moral consequences of liberalism envisaged as individual autonomy. (Perreau-Sausse 2012: 134)

The Church considers belonging to a religion and to citizenship as two compatible *status* of a person, who has the right to be a member of political community as well as of his religious community. Being part of a political community means holding the right and the duty to participate and to have an active role in the political life of one’s own society. Participation happens in two ways: 1) generally, involving all citizens; and also 2) specifically, in case of politicians, judges or public officers.

The famous biblical passage of the Gospel of Matthew “Render unto Caesar the things that are Caesar’s, and unto God the things that are God’s” (Mt 22:21) explains that, despite there are things that ‘belong to Caesar’, there are also things that ‘belong to God’. This clearly “implies that there are things that *do not* belong to Caesar. The great drama of political philosophy is to protect the legitimacy of a place wherein *truth can be spoken and lived*” (Schall 2004: 53; emphasis added). What the Church – through the central role of Pontiffs – has tried to do is to reaffirm the public (social and political) relevance of religion, which – in her view – does not mean to restore old models of relationship between faith and politics, or church and state; there is not any attempt to bring back a theocratic domain over society (Sorge 1992: 358). A possible Catholic solution seems to be one which would take into account the ‘fact of pluralism’, accepting to deal with the rules of a democratic system, but recognising that “[t]he players in this game, if they are intelligent, will work toward making public

decisions that *the larger and sounder part of political society can live with*, while leaving open the possibility of achieving what they believe to be *better decisions that are in greater accord with their moral principles*” (Canavan 2006: 84; emphasis added).

Public reason, if accepted in the light of the Council’s call for openness and dialogue with modernity and secular world, could be regarded as a way of engaging the present culture by offering substantive contributions to the public and political debate, working with a spirit of collaboration with non-Catholics (religious and non-religious kind) and articulating the Church’s teachings in ways in which could be understood (if not even accepted) by the contemporary culture. Dialogue and collaboration with other cultures, secularity included, are the commitments that the Church conceives as a duty and a challenge.

3. *Concluding Remarks.*

I would like to conclude by offering a synthesis of the numerous purposes of this dissertation and how it might contribute to these additional normative and political ends. The primary normative motivation for this work was an interest in preserving Rawls’s theory on public reason. Following his questions and his own answers, the aim was to propose a substantial interpretation of Catholicism as a reasonable comprehensive doctrine. I tried to confirm the possibility of religious support for liberalism and to show that Catholicism is not ideologically incompatible with liberalism. Yet, I also showed that some tensions remain. Catholic tradition – expressed through its highest level – presents some difficulties about certain categories of liberal political thought in general, and Rawlsian thought in particular. The task of fully reconciling a comprehensive doctrine to the foundations of Rawls’ political liberalism is no small burden, and not always possible.

In addition, even though this project remains a theoretical effort of interpretation, I hoped it could have also practical political implications for the actual debate on the role of religion in the public-political sphere. Most importantly, I hope this project will encourage, on the one hand, all citizens of faith to be less suspicious of liberal principles of justice, and on the other, secular liberal citizens to reconsider their own worries and misunderstandings of public religiosity. I firmly believe that civic friendship is made possible only through mutual respect and deeper understanding of each other’s religious and philosophical tradition.

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