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The Principle of Subsidiarity as a Social and Political Principle in Catholic Social Teaching

Abstract

The principle of subsidiarity is a multi-layered and flexible principle that can be utilised to empower, inform, enhance and reform scholarship in a range of significant areas, however, it has been somewhat overlooked in recent scholarship. In order to highlight the continued relevance and potential applications of the principle, this, the first of two papers, will provide a detailed analysis of the meaning and application of the principle of subsidiarity in Catholic social teaching. In doing so, the interplay of the principle of subsidiarity and other key principles of catholic social teaching such as dignity of the person, solidarity, and the common good will be highlighted. The second part of this paper discusses the political applications of the principle, including its ability to inform scholarship on the allocation of governmental powers (including federalism), democracy, and individual participation in government. This leads to a discussion in the second paper, of the Catholic aspects of subsidiarity in the governance of the European Union.

The Principle of Subsidiarity as a Social and Political Principle in a Catholic Social Teaching

Michelle Evans

Subsidiarity has many facets and is somewhat of an ambiguous principle. Its meaning depends on the context in which it is used, and even then, the principle can be regarded as open to interpretation. There are currently no scholarly publications specifically devoted to the principle of subsidiarity in all its facets. Texts whose focus is Catholic social theory usually contain a chapter, or brief discussion of the principle. The same applies to texts concerning European Union law. This is surprising given the potential reach of the principle to inform discussions on social policy, human rights, federalism and democracy, as well as the principle's paramountcy in European Union law. An appreciation of subsidiarity is of great assistance in better understanding these various social and political issues and this paper argues that the principle should not be overlooked, nor neglected.

In order to explore the versatility of the principle of subsidiarity and its ability to inform scholarship in a range of areas, this paper, the first of two, will firstly examine the origin of the principle of subsidiarity in Catholic social theory, and in doing so, will also note the interplay of the principle with other key principles of catholic social teaching such as dignity of the person, solidarity, and the common good. This will lead to a discussion of its application in a political context, including its potential to enhance scholarship in areas such as democracy, federalism and human rights.

I. Subsidiarity and Catholic Social Theory

1. Philosophical Origins

The word 'subsidiarity' is derived from the latin term 'subsidium' which means 'to help or to aid'.¹ Subsidiarity can be traced back to ancient Greece in the work of Aristotle, and can be seen subsequently in the work of Thomas Aquinas, Johannes Althusius, and John Stuart Mill.² It is beyond the scope of this paper to trace the philosophical origins of the principle from ancient Greek and Roman times. Instead, this paper will start with an analysis of the principle from its enunciation in Catholic social theory, a place where subsidiarity was

* I would like to thank two anonymous referees, as well as Fr Richard Umbers, for their detailed and insightful comments on this paper.

¹ Robert A Sirico, 'Subsidiarity, Society, and Entitlements: Understanding and Application', *Notre Dame Journal of Law Ethics and Public Policy*, Vol. 11, 1997, p. 549

² See, for example, Aristotle *Politics*; Aquinas *Impugn*; and Aquinas *Summa Theologiae* discussed in detail in Nicholas Aroney, 'Philosophical Origins of Subsidiarity' in Michelle Evans and Augusto Zimmermann (eds.) *Global Perspectives on Subsidiarity* (forthcoming, Springer); John Stuart Mill, *Representative Government* and Johannes Althusius *Politica Methodice Digesta* cited in Ken Endo, 'The Principle of Subsidiarity from Johannes Althusius to Jacques Delors', *Hokkaido Law Review*, Vol. 44, 1994, ps. 2064, 2043.

nurtured in its development not only as a social principle, but also a political and governmental principle.³

2. Subsidiarity and the Social Order

Subsidiarity was particularly asserted as a central principle of social theory in the Catholic Church by Pope Pius XI on 15 May 1931.⁴ In Part 5 of his Encyclical Letter, *Quadragesimo Anno*, titled 'The Reconstruction of the Social Order', he advocated for a social hierarchy starting with the individual, and progressing upwards to the community, to organisations and corporations, and finally the State. He recommended action at an individual or lower level, wherever possible, as being preferable to action at a higher level, such as at a community or corporate level:

³ However, by way of background, subsidiarity was discussed in ancient Rome by Marcus Aurelius, and by St Bernard in the 12th century: Dinah Shelton, 'Subsidiarity, Democracy and Human Rights' in Donna Gomien (ed.), *Broadening the Frontiers of Human Rights: Essays in Honour of Asbjørn Eide* (Scandinavian University Press, 1993) 43, 44. Carozza notes that 'subsequent echoes' of the principle can be seen in the work of Montesquieu, Locke, de Tocqueville, Lincoln and Proudhon: Paolo G Carozza, 'Subsidiarity as a Structural Principle of International Human Rights Law' (2003) 97 *American Journal of International Law* 38, 41. For a discussion of Thomas Aquinas' influence on subsidiarity see, Nicholas Aroney, 'Subsidiarity, Federalism and the Best Constitution: Thomas Aquinas on City, Province and Empire' (2007) 26 *Law and Philosophy* 161.

⁴ The principle of subsidiarity is similar to the concept of 'sphere sovereignty' from the Dutch Calvinist tradition. For a discussion of the two concepts and the differences between them see Kent A Van Til, 'Subsidiarity and Sphere-Sovereignty: A Match Made In ...?' (2008) 69 *Theological Studies* 610. Van Til outlines that the concept of 'sphere sovereignty' was developed by Abraham Kuyper in 1880. Kuyper was a theologian, academic and politician who had also been Prime Minister of the Netherlands from 1901 to 1905. Kuyper rejected the concept of French popular sovereignty in which God and any notion of common moral good were rejected in favour of each person's own 'self sufficiency'. His view was that God was present in 'every sphere of life' and that consequently, each sphere, for example 'family life, economic life, churchly life, sports' must be sovereign (619–626). Van Til cites Kuyper (625) from his *Lectures on Calvinism* as follows (emphasis from original):

From this *one* source, in God, *sovereignty in the individual sphere*, in the family and in every social circle, is just as directly derived as the supremacy of State authority. These two must therefore come to an understanding, and both have the same sacred obligation to maintain their God-given sovereign authority and to make it subservient to the majesty of God.

Van Til notes (625) that, according to Kuyper, the individual may operate in several spheres at once, for example, as 'a member of a church, a citizen of the state, and a participant in any number of social spheres. In all these aspects of life, the basic convictions of the Christian faith would direct his or her activities.' In sphere sovereignty, Van Til explains (625) that the Church educates the individual about God, whilst the State is responsible for 'regulating the interactions amongst the spheres, assuring that the weak are not trampled, and calling on all persons to contribute to the common good.' Van Til explains the difference between subsidiarity and sphere sovereignty (626) as follows:

In sum, I find many similarities between Kuyper's principle of sphere sovereignty and the principle of subsidiarity. First, both derive from a worldview that is assumed to be divinely ordered. Subsidiarity derives from natural law and sphere sovereignty from the reformed doctrine of common grace. Second, both limit state-sovereignty and seek to develop the roles and scope of intermediate institutions. Third, both insist that all areas of life are influenced by faith. Fourth, both agree that the state can and should have an active role in society, but do not wish to see the state dictate to, or take over the roles of, lesser institutions. In general, the principle of subsidiarity seems to construct a hierarchy that leads to the common good, whereas sphere sovereignty provides a process by which diverse spheres may successfully interrelate.

For a further discussion of subsidiarity and sphere sovereignty, see also David H McIlroy, 'Subsidiarity and Sphere Sovereignty: Christian Reflections on the Size, Shape and Scope of Government' (2003) 45(4) *Journal of Church and State* 739. For additional discussion of the meaning of sphere sovereignty, see also Lael Daniel Weinberger, 'The Business Judgment Rule and Sphere Sovereignty' (2010) 27(2) *Thomas M Cooley Law Review* 279, 294–310. For a discussion of sphere sovereignty and the separation of Church and State, see generally Robert Joseph Renaud and Lael Daniel Weinberger, 'Spheres of Sovereignty: Church Autonomy Doctrine and the Theological Heritage of the Separation of Church and State' (2008) 35(1) *Northern Kentucky Law Review* 67.

It is indeed true, as history clearly proves, that owing to the change in social conditions, much that was formerly done by small bodies can nowadays be accomplished only by large corporations. None the less, just as it is wrong to withdraw from the individual and commit to the community at large what private enterprise and industry can accomplish, so, too, it is an injustice, a grave evil, and a disturbance of right order for a larger and higher organization to arrogate to itself functions which can be performed efficiently by smaller and lower bodies. This is a fundamental principle of social philosophy, unshaken and unchangeable, and it retains its full truth today. Of its very nature the true aim of all social activity should be to help individual members of the social body, but never to destroy or absorb them.⁵

Pope Pius expanded upon the State's role in this hierarchy. In this sense the 'State' is taken to refer to the central governing body of a country. The State should not intervene when it would be more appropriate for a lower level body or the individual to do so:

The State should leave to these smaller groups the settlement of business of minor importance; it will thus carry out with greater freedom, power, and success the tasks belonging to it, because it alone can effectively accomplish these, directing, watching, stimulating, and restraining, as circumstances suggest or necessity demands. Let those in power, therefore, be convinced that the more faithfully this principle be followed, and a graded hierarchical order exist between the various subsidiary organizations, the more excellent will be both the authority and the efficiency of the social organization as a whole, and the happier and more prosperous the condition of the State.⁶

3. Subsidiarity and the State

The State also has a role in empowering the individual by providing the necessary conditions for the individual to prosper. For example, in his Encyclical Letter, *Centesimus Annus*, Pope John Paul II stated that the individual had a right to 'humane working hours' and 'adequate free time'. He said of the role of the State in this context:

The State must contribute to the achievement of these goals both directly and indirectly. Indirectly and according to the *principle of subsidiarity*, by creating favourable conditions for the free exercise of economic activity, which will lead to abundant opportunities for employment and sources of wealth. Directly and according to the *principle of solidarity*, by defending the weakest, by placing certain limits on the autonomy of the parties who determine working conditions, and by ensuring in every case the necessary minimum support for the unemployed worker.⁷

This quotation from Pope John Paul II suggests that trade unions would be met with approval by the Catholic Church as playing a role in protecting the autonomy and rights of the individual worker. Subsidiarity and trade unions will be discussed further below, as will be the principle of solidarity. The principle of subsidiarity also lends support to workers being paid a just wage, defined by Abela as 'sufficient to maintain a family with enough left over to

⁵ Pius XI, *Quadragesimo Anno: Reconstructing the Social Order and Perfecting it Conformably to the Precepts of the Gospel in Commemoration of the Fortieth Anniversary of the Encyclical 'Rerum Novarum'* (Australian Catholic Truth Society, 1931) para 79.

⁶ Pius XI, *Quadragesimo Anno: Reconstructing the Social Order and Perfecting it Conformably to the Precepts of the Gospel in Commemoration of the Fortieth Anniversary of the Encyclical 'Rerum Novarum'* (Australian Catholic Truth Society, 1931) para 80.

⁷ John Paul II, *Centesimus Annus: Encyclical Letter of John Paul II* (St Paul Publications, 1991) para 15.

allow for savings to help meet the uncertainties of life and to leave to children.’⁸ This is discussed by Pope John Paul II in his Encyclical, *Laborem Exercens*, in which he states that workers must receive ‘just remuneration for work done’.⁹

Subsidiarity advocates a social order for the more efficient functioning of society. Specifically, if individuals or ‘subsidiary organisations’ are left to resolve the matters closest to them, larger organisations, such as the State, are better able to carry out their allocated functions. The object is that individuals are empowered and responsible for problems affecting them and close to them. At the same time, the State and its organisations function more efficiently, without overlap, and are able to more efficiently resolve matters pertinent to their respective spheres. Overall, ‘subsidiarity helps to establish the autonomy of groups and to specify the correct relationships that ought to exist between different organisations and associations within society.’¹⁰

4. Subsidiarity and the Church

It is interesting to note that the Church is not expressly included in the passages discussed above. It would appear from elsewhere in these Encyclical letters that the Church sits outside of this hierarchy with the ability to intervene at any level, including in social and economic issues, when morality requires it. Pope Pius XI, citing Pope Leo XIII’s Encyclical Letter of 23 December 1922, *Ubi Arcano*, wrote that the Church could intervene in ‘earthly concerns’ (that is, social and economic issues), but only when there is ‘just cause’ to do so.¹¹ To this end, Pope Pius XI emphasised the spiritual role of the Church, which sits above such earthly concerns: ‘It is not, of course, the office of the Church to lead men to transient and perishable happiness only, but to that which is eternal...’¹² He explained the role of the Church to intervene in moral issues:

⁸ Andrew Abela, ‘Subsidiarity and the Just Wage: Implications of Catholic Social Teaching for the Minimum Wage Debate’ (2009) 12(1) *Journal of Markets and Morality* 7, 9.

⁹ John Paul II, *Laborem Exercens* (St Paul Publications, 1981) para 19. It should be noted that the Pontiff’s view is that women who are mothers should not work, and should remain in the home to attend to the moral, religious and psychological development of their children, and that when mothers engage in paid work it inhibits their ability to perform this role (79–80). However, the Pontiff states that at the same time, working women should not be discriminated against in employment (80). He states (80, emphasis in original):

it should be emphasized that, on a more general level, the whole labour process must be organized and adapted in such a way as to respect the requirements of the person and his or her forms of life, above all life in the home, taking into account the individual’s age and sex. It is a fact that in many societies women work in nearly every sector of life. But it is fitting that they should be able to fulfil their tasks *in accordance with their own nature*, without being discriminated against and without being excluded from jobs for which they are capable, but also without lack of respect for their family aspirations and for their specific role in contributing, together with men, to the good of society. The *true advancement of women* requires that labour should be structured in such a way that women do not have to pay for their advancement by abandoning what is specific to them and at the expense of the family, in which women as mothers have an irreplaceable role.

¹⁰ Judith A Dwyer (ed), *The New Dictionary of Catholic Social Thought* (The Liturgical Press, 1994) 928.

¹¹ Leo XIII, *Ubi Arcano* (1922) cited in Pius XI, *Quadragesimo Anno: Reconstructing the Social Order and Perfecting it Conformably to the Precepts of the Gospel in Commemoration of the Fortieth Anniversary of the Encyclical ‘Rerum Novarum’* (Australian Catholic Truth Society, 1931) para 41.

¹² Pius XI, *Quadragesimo Anno: Reconstructing the Social Order and Perfecting it Conformably to the Precepts of the Gospel in Commemoration of the Fortieth Anniversary of the Encyclical ‘Rerum Novarum’* (Australian Catholic Truth Society, 1931) para 41.

she [the Church] never can relinquish her God-given task of interposing her authority, not, indeed, in technical matters, for which she has neither the equipment nor the mission, but in all those that have a bearing on moral conduct. For the deposit of truth entrusted to Us by God, and Our weighty office of propagating, interpreting, and urging in season and out of season the entire moral law, demand that both social and economic questions be brought within Our supreme jurisdiction, in so far as they refer to moral issues.¹³

Pope Pius XI further explained that although ‘economic science’ and ‘moral discipline’ are two distinct concepts, the attainment of ‘earthly goods’ involves moral decisions being made by humans as to the appropriate means to acquire them.¹⁴ This, the Pontiff noted, justifies the Church, as the ultimate guardian of the moral law, to intervene at any stage in social and economic issues if, in the specific circumstances of the case, morality requires it. The Pontiff concluded his comments with an observation about how God, and therefore the Church, sits above, and outside, the hierarchy as the ultimate moral guardian:

For it is the moral law alone which commands us to seek in all our conduct our supreme and final end, and to strive directly in our specific actions for those ends which nature, or, rather, the Author of nature, has established for them, duly subordinating the particular to the general. If this law be faithfully obeyed, the result will be that particular economic aims, whether of society as a body or of individuals, will be ultimately linked with the universal teleological order, and, as a consequence, we shall be led by progressive stages to the final end of all, God Himself, our highest and lasting good.¹⁵

The need for the Church to intervene at any level when morality requires it necessitates that the Church and State are autonomous. However, the question is necessarily raised as to whether subsidiarity applies to the hierarchical structure of the Church itself. Pope Pius XII, in a speech delivered some fifteen years after the publication of *Quadragesimo Anno* on 20 December 1946, contemplated that it did when he stated, ‘All social activity is by its nature subsidiary: it must serve as a support for the members of the social body and must never destroy or absorb them. These are truly enlightening words which apply to social life at all of its levels and also for the life of the Church, without prejudice to her hierarchical structure.’¹⁶ Hence, as Hamrlik notes, the Pontiff was asserting that subsidiarity is compatible, and can co-exist with the Church hierarchy.¹⁷ Notwithstanding the Pontiff’s comments, doubts continue to be expressed with respect to the principle’s application to the Church itself. Murray notes that although the application of subsidiarity to the Church was discussed in detail at the Second Vatican Council, and was given effect to by the formation of parish and diocesan councils, the question as to whether subsidiarity applies to the Church itself remains

¹³ Pius XI, *Quadragesimo Anno: Reconstructing the Social Order and Perfecting it Conformably to the Precepts of the Gospel in Commemoration of the Fortieth Anniversary of the Encyclical ‘Rerum Novarum’* (Australian Catholic Truth Society, 1931) para 41.

¹⁴ Pius XI, *Quadragesimo Anno: Reconstructing the Social Order and Perfecting it Conformably to the Precepts of the Gospel in Commemoration of the Fortieth Anniversary of the Encyclical ‘Rerum Novarum’* (Australian Catholic Truth Society, 1931) para 42.

¹⁵ Pius XI, *Quadragesimo Anno: Reconstructing the Social Order and Perfecting it Conformably to the Precepts of the Gospel in Commemoration of the Fortieth Anniversary of the Encyclical ‘Rerum Novarum’* (Australian Catholic Truth Society, 1931) para 43.

¹⁶ Cited in Kathryn Reyes Hamrlik, *The Principle of Subsidiarity and Catholic Ecclesiology: Implications for the Laity* (unpublished PhD Thesis, Loyola University Chicago, 2011), 19.

¹⁷ *Ibid.*

unclear.¹⁸ More specifically, Murray cites the work of Komonchak who concluded after an evaluation of the history of subsidiarity in the Church ‘that at the theoretical level further study is needed to clarify a number of ecclesiological, social-philosophical questions’.¹⁹

5. Subsidiarity and the Individual: Personal Dignity

The Catholic Church’s interpretation of the principle was further expounded by Pope John Paul II in his Encyclical Letter, *Centesimus Annus*. Pope John Paul II emphasises the importance of the individual in the hierarchy, and the reasons why the individual must be empowered. Consequently, the individual occupies a higher place in the social order than the State. As noted in *The New Dictionary of Catholic Social Thought*, subsidiarity supposes that ‘the individual and the family precede the state; that is, individuals do not exist for the state but rather the state exists for the well being of individuals and families entrusted to its care ...’²⁰ In his discussion of ‘State and Culture’, Pope John Paul II denounced totalitarianism and emphasised the divine nature of the individual:

the root of modern totalitarianism is to be found in the denial of the transcendent dignity of the human person who, as the visible image of the invisible God, is therefore by his very nature the subject of rights which no one may violate — no individual, group, class, nation or State. Not even the majority of a social body may violate these rights, by going against the minority, by isolating, oppressing, or exploiting it, or by attempting to annihilate it.²¹

The individual is the vessel of God, through whom God speaks, and who is made in God’s image: ‘God has imprinted his own image and likeness on man (cf. Gen 1:26), conferring upon him an incomparable dignity ...’²² Consequently, there is a sacred link between the individual human being and spiritual integrity, or in other words, ‘one’s transcendent dignity as a person’.²³ The Pontiff said that the relationship between the individual and the Church was fundamental to the social philosophy of the Church:

Her [the Church’s] sole purpose has been *care and responsibility* for man, who has been entrusted to her by Christ himself: for *this man*, whom, as the Second Vatican Council recalls, is the only creature on earth which God willed for its own sake, and for which God has his plan, that is, a share in eternal salvation. We are not dealing here with man in the ‘abstract’, but with the real, ‘concrete’, ‘historical’ man. We are dealing with *each individual*, since each one is included in the mystery of redemption, and through this mystery Christ has united himself with each one forever. It follows that the Church cannot abandon man, and that ‘*this man* is the primary route that the Church must travel in fulfilling her mission ... the way traced out by Christ himself, the way that leads invariably through the mystery of the Incarnation and the Redemption. This, and this alone, is the principle which inspires the Church’s social doctrine.’²⁴

¹⁸ Andrew Murray, ‘The Principle of Subsidiarity and the Church’ *The Australasian Catholic Record* 72/2 (April 1995), 163-172), 168-169 located at <http://www.cis.catholic.edu.au/Files/Murray-SubsidiarityandChurch.pdf>.

¹⁹ Joseph A Komonchak, *Subsidiarity in the Church: The State of the Question* cited in Andrew Murray, ‘The Principle of Subsidiarity and the Church’ *The Australasian Catholic Record* 72/2 (April 1995), 163-172), 168-169 located at <http://www.cis.catholic.edu.au/Files/Murray-SubsidiarityandChurch.pdf>.

²⁰ Judith A Dwyer (ed), *The New Dictionary of Catholic Social Thought* (The Liturgical Press, 1994) 927.

²¹ John Paul II, *Centesimus Annus: Encyclical Letter of John Paul II* (St Paul Publications, 1991) para 44.

²² John Paul II, *Centesimus Annus: Encyclical Letter of John Paul II* (St Paul Publications, 1991) para 11.

²³ John Paul II, *Centesimus Annus: Encyclical Letter of John Paul II* (St Paul Publications, 1991) para 47.

²⁴ John Paul II, *Centesimus Annus: Encyclical Letter of John Paul II* (St Paul Publications, 1991) para 53.

6. Economic Rights

Further in his denunciation of totalitarianism, the Pope commented that the institutions of ‘nation, society, the family, religious groups and individuals themselves ... enjoy their own spheres of autonomy and sovereignty’.²⁵ This suggests that each institution in the hierarchy is respected as a separate, autonomous entity that should be given complete power over its own sphere of social governance, but at the same time complements the others. For example, in commenting on ‘the role of the State in the economic sector’, the Pope discusses the ways in which the State can regulate the ‘economic sector’. This discussion presupposes that the State will exercise some restraint by overseeing, but not interfering with, economic rights which are the responsibility of individuals. The Pontiff stated:

Another task of the State is that of overseeing and directing the exercise of human rights in the economic sector. However, primary responsibility in this area belongs not to the State but to individuals and to the various groups and associations which make up society. The State could not directly ensure the right to work for all its citizens unless it controlled every aspect of economic life and restricted the free initiative of individuals. This does not mean, however, that the State has no competence in this domain, as was claimed by those who argued against any rules in the economic sphere. Rather, the State has a duty to sustain business activities by creating conditions which will ensure job opportunities, by stimulating those activities where they are lacking or by supporting them in moments of crisis.²⁶

Thus there is a separate, but complementary relationship between the individual and the State. The individual is empowered to build his or her own wealth and to determine the manner by which to do so without State interference, but at the same time, the State must create the necessary policy initiatives to empower the individual to achieve this.

7. Welfare

A further example of the importance of empowering the individual, the need to guard against State intervention, and yet at the same time uphold, the complementary roles of the individual and State, is given by the Pope in his discussion of State welfare:

By intervening directly and depriving society of its responsibility, the Social Assistance State leads to a loss of human energies and an inordinate increase of public agencies, which are dominated more by bureaucratic ways of thinking than by concern for serving their clients, and which are accompanied by an enormous increase in spending. In fact, it would appear that needs are best understood and satisfied by people who are closest to them and who act as neighbours to those in need. It should be added that certain kinds of demands often call for a response which is not simply material but which is capable of perceiving the deeper human need. One thinks of the condition of refugees, immigrants, the elderly, the sick, and all those in circumstances which call for assistance, such as drug abusers: all these people can be

²⁵ John Paul II, *Centesimus Annus: Encyclical Letter of John Paul II* (St Paul Publications, 1991) para 46.

²⁶ John Paul II, *Centesimus Annus: Encyclical Letter of John Paul II* (St Paul Publications, 1991) para 48.

helped effectively only by those who offer genuine fraternal support, in addition to the necessary care.²⁷

In summary, in the case of welfare, the Pope is saying that the State is too distant and removed from the individual in need of assistance to have a positive impact. When the State is responsible for welfare it becomes bureaucratic and lacks empathy. The individual is best served by being helped closer to home by friends and family who can best empathise with his or her needs, and can adopt a solution to best address the individual's personal situation. Individuals are better respected in this sense because they are assisted on a personal level by those who care about them, rather than the bureaucratic State which is incapable of having any direct personal concern for them. The family, being close to the individual, is an important institution whose autonomy must be protected and which must be empowered to resolve matters affecting it. At this point it is relevant to note that the context in which the Pontiff contemplated this hierarchical order was that of a Christian society in which individuals and institutions have Christian values and beliefs, and the resources to provide assistance. This is not the nature of our current pluralist society where there is considerable difference in individual values, and competing influences on institutions such as capitalism. Although in saying this, the Pontiff would certainly have been aware of the existence of non-Christian societies and the need to protect intrinsic values such as personal dignity in both secular and non-secular societies. In a pluralist society, it is not impossible for personal dignity to be observed and protected, through for example, corporations (traditionally associated with capitalism) engaging in philanthropy to create employment and training opportunities to empower disadvantaged individuals to be self sufficient instead of relying on welfare.

8. *Subsidiarity and Solidarity*

The principle of subsidiarity concerns the individual's relationship with the State and its institutions on the basis that the individual is to be empowered as far as possible to resolve his or her own needs and to make his or her own decisions. Consequently, it is not surprising that the principle lends support to the individual's right to 'associate and organize', for example, by being a member of a trade union.²⁸ In *Rerum Novarum*, the Encyclical of Pope Leo XIII on 'capital and labour', the Pontiff advocates in favour of the formation of 'associations and organizations' to provide 'opportune aid to those who are in distress'.²⁹ He notes the existence of these associations throughout the history of the Catholic Church, from the time of 'ancient artificers' guilds'.³⁰ As an aside, these comments help us to understand subsidiarity in its historical context, as not something 'discovered', or first proclaimed by Pope Leo XIII nor by Pope Pius XI, but as a concept that has evolved throughout the history of the Catholic Church from the time of these ancient guilds. The Pontiff wrote that man's

²⁷ John Paul II, *Centesimus Annus: Encyclical Letter of John Paul II* (St Paul Publications, 1991) para 48.

²⁸ Michael P Hornsby-Smith, *An Introduction to Catholic Social Thought* (Cambridge University Press, 2006) 106.

²⁹ Leo XIII, *Rerum Novarum* (Libreria Editrice Vaticana, 1891), para 48. The full text of this encyclical letter is available at: http://www.vatican.va/holy_father/leo_xiii/encyclicals/documents/hf_l-xiii_enc_15051891_rerum-novarum_en.html

³⁰ Leo XIII, *Rerum Novarum* (Libreria Editrice Vaticana, 1891), paras 3 and 49.

‘weakness urges men to call in aid from without’ and that society is strengthened by people helping one another.³¹ He wrote, ‘It is this natural impulse which binds men together in civil society; and it is likewise this which leads them to join together in associations...’.³² Hence, he wrote, a ‘public authority’ (that is, the state), should allow private associations to exist within it as part of the natural law, provided that they are not ‘bad, unlawful or dangerous to the State’³³:

Private societies, then, although they exist within the body politic, and are severally part of the commonwealth, cannot nevertheless be absolutely, and as such, prohibited by public authority. For, to enter into a “society” of this kind is the natural right of man; and the State has for its office to protect natural rights, not to destroy them; and, if it forbid its citizens to form associations, it contradicts the very principle of its own existence, for both they and it exist in virtue of the like principle, namely, the natural tendency of man to dwell in society.³⁴

One such example of a private association is ‘workingmen’s unions’ which Pope Leo XIII stated were vital ‘for helping each individual member to better his condition to the utmost in body, soul and property.’³⁵ The Pontiff emphasised that the foundation of these associations must be religion stating, ‘Let our associations... look first and before all things to God; let religious instruction have therein the foremost place...Let the working man be urged and led to the worship of God...’.³⁶ Hence, these unions can be said to empower the individual by providing religious instruction to ensure their spiritual well being. They also provide support for individuals where the individual may not be able to help themselves, for example, to resolve disputes between individuals, to ensure that the individual has work, and to provide sufficient support to the individual if illness inhibits their ability to work. To this end, Pope Leo XIII stated:

The common funds must be administered with strict honesty, in such a way that a member may receive assistance in proportion to his necessities. The rights and duties of the employers, as compared with the rights and duties of the employed, ought to be the subject of careful consideration. Should it happen that either a master or a workman believes himself injured, nothing would be more desirable than that a committee should be appointed, composed of reliable and capable members of the association, whose duty would be, conformably with the rules of the association, to settle the dispute. Among the several purposes of a society, one should be to try to arrange for a continuous supply of work at all times and seasons; as well as to create a fund out of which the members may be effectually helped in their needs, not only in the cases of accident, but also in sickness, old age, and distress.³⁷

In *Quadragesimo Anno*, Pope Pius XI, further expanded upon Pope Leo XIII’s teachings from *Rerum Novarum* regarding trade union membership. Pope Pius XI strongly endorsed Pope Leo XIII’s argument in favour of the establishment of Catholic trade unions (as distinct from socialist and communist trade unions) which he said could improve the situation of the

³¹ Leo XIII, *Rerum Novarum* (Libreria Editrice Vaticana, 1891), para 50.

³² Leo XIII, *Rerum Novarum* (Libreria Editrice Vaticana, 1891), para 50.

³³ Leo XIII, *Rerum Novarum* (Libreria Editrice Vaticana, 1891), para 52.

³⁴ Leo XIII, *Rerum Novarum* (Libreria Editrice Vaticana, 1891), para 51.

³⁵ Leo XIII, *Rerum Novarum* (Libreria Editrice Vaticana, 1891), paras 49 and 57.

³⁶ Leo XIII, *Rerum Novarum* (Libreria Editrice Vaticana, 1891), para 57-58.

³⁷ Leo XIII, *Rerum Novarum* (Libreria Editrice Vaticana, 1891), para 58.

individual by providing religious and moral instruction, together with support for the individual in their trade.³⁸ The importance of trade union membership in the promotion of individual rights and the individual's participation in political life was also noted by Pope John Paul II in *Centesimus Annus*. The Pope explained the union's role in empowering the individual against unwarranted interference from larger organisations, such as employers and the State. Pope John Paul II, also quoting Pope Leo XIII, noted

the 'natural human right' to form private associations. This means above all the right to establish professional associations of employers and workers, or of workers alone. Here we find the reason for the Church's defence and approval of the establishment of what are commonly called trade unions: certainly not because of ideological prejudices or in order to surrender to a class mentality, but because the right of association is a natural right of the human being, which therefore precedes his or her incorporation into political society. Indeed, the formation of unions 'cannot ... be prohibited by the State', because 'the State is bound to protect natural rights, not destroy them; and if it forbids its citizens to form associations, it contradicts the very principle of its own existence'.³⁹

It is relevant to clarify a contradiction that emerges here, by noting that subsidiarity is not the sole justification for the approval of trade unionism in Catholic social thought. Specifically, an argument solely premised upon subsidiarity could possibly be used to justify individual over collective bargaining. That is, subsidiarity could be cited to promote the individual negotiating their working conditions directly with their employer, instead of a higher order association (that is, a trade union), negotiating on an individual's behalf. Thus, solidarity is also relevant to mention here, because there is interplay between solidarity and subsidiarity that provides a justification for the approval of unionism in Catholic social thought. Solidarity emphasises the links between human persons as God's subjects, and provides that people must respect each other's dignity and assist each other in times of need. In summary, 'Solidarity highlights in a particular way the intrinsic social nature of the human person, the equality of all in dignity and rights and the common path of individuals and peoples towards an ever more committed unity.'⁴⁰ In his encyclical letter, *Sollicitudo Rei Socialis*, Pope John Paul II described solidarity as the interdependence of human beings and the importance of respect and collegiality between all humans to achieve a just society where individuals contributed to the common good and lived harmoniously with one another:

The exercise of solidarity within each society is valid when its members recognize one another as persons. Those who are more influential, because they have a greater share of goods and common services, should feel responsible for the weaker and be ready to share with them all they possess. Those who are weaker, for their part, in the same spirit of solidarity, should not adopt a purely passive attitude or one that is destructive of the social fabric, but, while claiming their legitimate rights, should do what they can for the good of all. The intermediate groups, in their turn, should not selfishly insist on their particular interests, but respect the interests of others.⁴¹

³⁸ Pius XI, *Quadragesimo Anno: Reconstructing the Social Order and Perfecting it Conformably to the Precepts of the Gospel in Commemoration of the Fortieth Anniversary of the Encyclical 'Rerum Novarum'* (Australian Catholic Truth Society, 1931) para 31-36.

³⁹ John Paul II, *Centesimus Annus: Encyclical Letter of John Paul II* (St Paul Publications, 1991) para 7.

⁴⁰ Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church* (Libreria Editrice Vaticana, 2004), 98.

⁴¹ John Paul II, *Sollicitudo Rei Socialis* (Libreria Editrice Vaticana, 1987), para 39. The full text of this encyclical letter is available at: http://www.vatican.va/holy_father/john_paul_ii/encyclicals/documents/hf_jp-ii_enc_30121987_sollicitudo-rei-socialis_en.html

The Pontiff further explained how solidarity, as a ‘social’ and ‘moral virtue’⁴² promotes people’s respect for one another and guards against exploitation.

Solidarity helps us to see the "other"-whether a person, people or nation-not just as some kind of instrument, with a work capacity and physical strength to be exploited at low cost and then discarded when no longer useful, but as our "neighbor," a "helper" (cf. Gen 2:18-20), to be made a sharer, on a par with ourselves, in the banquet of life to which all are equally invited by God. Hence the importance of reawakening the religious awareness of individuals and peoples. Thus the exploitation, oppression and annihilation of others are excluded.⁴³

Therefore, the acceptance and promotion of trade unionism by the Catholic Church has its basis in both subsidiarity and solidarity. Subsidiarity provides for the empowerment and moral enrichment of the individual through allowing the individual to help themselves without interference from a higher association. However, solidarity acknowledges the interdependence of human beings and a common moral good in which individuals must be protected from exploitation and exclusion. Hence, in some circumstances, an individual may not be able to adequately assist themselves. For example, when there is inequality of bargaining power, such as that which exists between an individual worker and a large corporation, the individual may require assistance from a higher association such as a trade union. Although the European Union will be discussed in the next paper, it is worth noting here that, as well as justifying action closest to the individual or by a lower level association, the application of the principle of subsidiarity in the European Union can also be used to justify a higher, or central authority intervening if they could better address the issue in the circumstances.

9. A Summary of Subsidiarity in Catholic Social Theory

In summary, the principle of subsidiarity in the context of Catholic social theory is premised upon empowering individuals to resolve issues that affect them without interference from larger, and often more centralised, social, private, religious or governmental bodies.⁴⁴ The individual citizen’s autonomy is respected, and there is a hierarchy consisting of the individual citizen, the family, the local community, and the State in which centralised power is limited in favour of matters being resolved at the lowest possible level, or in other words, ‘closest to the problem at hand’.⁴⁵ Its aim is to provide a social hierarchy which ensures that the most efficient and appropriate institution in the hierarchy deals with issues relevant to it. In this hierarchy, social institutions are sovereign and autonomous, but at the same time complement one another to provide an efficient way of solving issues. An exploration of the Catholic conception of subsidiarity thus highlights the potential usefulness of the principle in a political context because it provides guidance as to the allocation of powers and provides that powers should be allocated to the individual or institution that can best exercise them.

⁴² Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church* (Libreria Editrice Vaticana, 2004), 99.

⁴³ John Paul II, *Sollicitudo Rei Socialis* (Libreria Editrice Vaticana, 1987), para 39.

⁴⁴ Hunnings (ed), *Encyclopaedia of European Law* (Sweet & Maxwell, 1998) s 12.0120A cited in John Warwick Montgomery, ‘Subsidiarity as a Jurisprudential and Canonical Theory’ (2002) 148 *Law and Justice: The Christian Law Review* 46, 48.

⁴⁵ Robert A Sirico, ‘Subsidiarity, Society, and Entitlements: Understanding and Application’ (1997) 11 *Notre Dame Journal of Law Ethics and Public Policy* 549, 551–552.

The political applications of the principle of subsidiarity are explored in the following section of this paper, again, with reference to Catholic social teachings.

II. Subsidiarity as a Political Philosophy

1. Subsidiarity, Decentralization and Federalism

The principle of subsidiarity recognises that individuals must be empowered to autonomously deal with issues directly affecting them. Similarly, groups closest to the individual, such as family and community organisations, must also have the autonomy to deal with matters affecting them, rather than having a larger body that is more removed from the problem intervening. Thus, subsidiarity in a political sense discourages centralisation and advocates that matters should be resolved locally, and closest to the individual, wherever possible. In a governmental context, subsidiarity can be said to

mean that decisions, whether legislative or administrative acts, should be taken at the lowest practicable political level, that is as close as possible to those who are to be affected by them. Subsidiarity therefore presupposes an allocation of decision making powers within the state or other polity according to certain criteria designed to ensure that each decision is taken at the appropriate political level. The allocation of a particular decision making power to a higher or to the highest political level rather than to a lower or to the lowest political level might be made, for example, on such grounds as subject matter or effectiveness or efficiency or necessity or a combination of such grounds.⁴⁶

In a governmental context, subsidiarity is analogous to federalism, which aims to prevent corruption by dividing, rather than centralising governmental powers. For example, in the Australian federal system of government, the Commonwealth Constitution⁴⁷ limits the legislative powers of the central Parliament by listing them in s51, leaving most legislative powers to the states, except, for example those best exercised at a central level. For example, legislative powers pertaining to the nation (such as defence⁴⁸ and external affairs⁴⁹) and those with an interstate element.⁵⁰

2. Individual Participation in Society

In the context of Catholic social theory, the principle of subsidiarity requires the individual to be able to fully participate in society. This includes having the right to earn a living, and

⁴⁶ John W Bridge, 'Subsidiarity as a Principle of Constitutional Law' in K D Kerameus (ed), *XIV International Congress of Comparative Law, Athens 1994, General Reports* (1996) 613 cited in John W Bridge, 'Constitutions, Powers and the Doctrine of Subsidiarity' (1999) 31 *Bracton Law Journal* 49, 50–51.

⁴⁷ *Commonwealth of Australia Constitution Act 1900* (UK) ('*Commonwealth Constitution*').

⁴⁸ *Commonwealth Constitution*, s51(vi).

⁴⁹ *Commonwealth Constitution*, s51(xxix).

⁵⁰ For example, *Commonwealth Constitution*, s51(i) ('trade and commerce with other countries, and among the States'), s51(v) ('postal, telegraphic, telephonic, and other like services'), s51(xiv) ('Insurance, other than State insurance; also State insurance extending beyond the limits of the State concerned'), s51(xxiv) ('the service and execution throughout the Commonwealth of the civil and criminal process and the judgments of the courts of the States').

participate in social and political life. Consequently, a key term that helps to define subsidiarity in a political sense is ‘participation’. That is, a proper implementation of the principle calls for the empowerment of the individual to participate in, and to make a contribution to society.⁵¹ As part of this participation, the Catholic Church’s position is that the individual must be able to make a political contribution by being able to participate in the democratic process. In the words of the Pontifical Council for Justice and Peace:

Participation in community life is not only one of the greatest aspirations of the citizen, called to exercise freely and responsibly his civic role with and for others, but is also one of the pillars of all democratic orders and one of the major guarantees of the performance of the democratic system. Democratic government, in fact, is defined first of all by the assignment of powers and functions on the part of the people, exercised in their name, in their regard and on their behalf. It is therefore clearly evident that every democracy must be participative. This means that the different subjects of civil community at every level must be informed, listened to and involved in the exercise of the carried-out functions.⁵²

Therefore, the principle of subsidiarity, in a political context, aims to empower individual citizens and enhance democracy⁵³ through providing greater opportunities for the individual to participate in government and government decision-making that affects them.

3. Subsidiarity as a Human Rights Principle

Subsidiarity can also be regarded as a human rights principle, having its basis in the dignity of each individual.⁵⁴ Carozza argues that even though much human rights discourse focuses on the rights of the individual, human rights instruments, such as the *Universal Declaration of Human Rights*, embody the principle of subsidiarity by protecting the individual’s right to participate in social and political life, and to belong to social and political institutions including ‘marriage and family; nationality; religious affiliation, association and assembly; cultural life; organized labour; and education.’⁵⁵ Like subsidiarity, human rights discourse restricts the power of the State to interfere with certain civil liberties,⁵⁶ and recognises and celebrates the ‘pluralism and diversity in society’ through protecting the right of the individual to participate in various social and political relationships, such as the individual right to freedom of religion, for example.⁵⁷

⁵¹ Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church* (Libreria Editrice Vaticana, 2004) 96.

⁵² Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church* (Libreria Editrice Vaticana, 2004) 96–97.

⁵³ Michael Longo, ‘Subsidiarity and Local Environmental Governance: A Comparative and Reform Perspective’ (1999) 18 *University of Tasmania Law Review* 225, 225.

⁵⁴ Paolo G Carozza, ‘Subsidiarity as a Structural Principle of International Human Rights Law’ (2003) 97 *The American Journal of International Law* 38, 46.

⁵⁵ Paolo G Carozza, ‘Subsidiarity as a Structural Principle of International Human Rights Law’ (2003) 97 *The American Journal of International Law* 38, 47.

⁵⁶ Paolo G Carozza, ‘Subsidiarity as a Structural Principle of International Human Rights Law’ (2003) 97 *The American Journal of International Law* 38, 48.

⁵⁷ Paolo G Carozza, ‘Subsidiarity as a Structural Principle of International Human Rights Law’ (2003) 97 *The American Journal of International Law* 38, 47. The discussion here focuses on the state as a threat to subsidiarity, however, it is acknowledged that other large institutions, such as corporations, could also threaten the rights and autonomy of individuals.

This provides an explanation as to why Pope John Paul II, in his Encyclical Letter *Centesimus Annus*, denounced totalitarianism as a regime that denies the participation of the individual in political life and governmental decision-making, imposes its own decisions on the individual and the family despite being far removed from them, and disempowers the individual by taking away fundamental rights in the interests of absolute centralised control of all aspects of social and political life. Shelton notes that although centralisation by itself does not automatically guarantee human rights violations, ‘the degree of possible democratic participation is inherently reduced as decision-making units become larger’.⁵⁸ She argues that decentralisation allows for increased ‘individual participation in self government’ which also assists in protecting the human rights of minorities against abuse by the national government because those minorities will have greater control over their own governance.⁵⁹ Shelton states:

In applying the principle of subsidiarity, concentrations of power are avoided both vertically (between different levels of government) and horizontally (between different branches of government at the same level). Further, all government action is limited if the matter in question can be resolved by individual action. This is not necessarily federalism, but it is the establishment of a pyramidal structure with a broad base of local action. Such a structure enhances individual liberty, democratic participation, and societal diversity. Moreover, for the resolution of many questions, it is likely to prove more efficient as well.⁶⁰

4. Subsidiarity in a Global Context

Although subsidiarity in a political sense ‘sets limits for state intervention’⁶¹ by discouraging centralisation, the principle also provides ‘justification of central involvement in affairs that cannot adequately be handled at the local level.’⁶² An example of this, again from Catholic social doctrine, can be found in the Encyclical Letter of Pope John XXIII, entitled *Peace on Earth* and published on 11 April 1963. The Pontiff observed that due to advances in science and technology the world is becoming smaller, with more ‘cooperation and association’ required between countries. He proposed that there should be a ‘world-wide public authority’ established with the consent of all countries, to maintain the ‘universal common good’ which ‘must have as its fundamental objective the recognition, respect, safeguarding and promotion

⁵⁸ Dinah Shelton, ‘Subsidiarity, Democracy and Human Rights’ in Donna Gomien (ed) *Broadening the Frontiers of Human Rights: Essays in Honour of Asbjørn Eide* (Scandinavian University Press, 1993) 43, 54. It should be noted that Shelton’s argument is more qualified than I have represented here. For example, she states that while the centralised state may commit human rights violations, they also have a greater ability to protect against such violations through enforcement. She also states that whilst minorities may be protected from abuse from the national government through regional governance, they in turn, may abuse other minorities within their locality (54).

⁵⁹ Dinah Shelton, ‘Subsidiarity, Democracy and Human Rights’ in Donna Gomien (ed) *Broadening the Frontiers of Human Rights: Essays in Honour of Asbjørn Eide* (Scandinavian University Press, 1993) 43, 54.

⁶⁰ Dinah Shelton, ‘Subsidiarity, Democracy and Human Rights’ in Donna Gomien (ed) *Broadening the Frontiers of Human Rights: Essays in Honour of Asbjørn Eide* (Scandinavian University Press, 1993) 43, 54.

⁶¹ Catechism of the Catholic Church (2000) para 1883 cited in Peter Widulski, ‘Bakke, Grutter, and the Principle of Subsidiarity’ (2005) 32 *Hastings Constitutional Law Quarterly* 847, 855.

⁶² Daniel Halberstam, ‘Federal Powers and the Principle of Subsidiarity’ in Vikram David Amar and Mark V Tushnet (eds), *Global Perspectives on Constitutional Law* (Oxford University Press, 2009) 34, 35.

of the rights of the human person'.⁶³ He suggested that the existing United Nations organisation could aspire to become this world-wide public authority.⁶⁴ Therefore, the ability of the world-wide public authority to intervene in the affairs of individual countries is therefore an exception to subsidiarity's mandate of individual (or in this example, national) action closest to the source of the problem. In this sense, it is reminiscent of subsidiarity in the European Union (discussed in the following paper) which allows for central action in areas of shared competence where a matter is best dealt with at a central (Union), as opposed to national (Member State) level.

In defining the relationship between this body and individual countries and citizens, Pope John XXIII further explained that, as an exception to the principle of subsidiarity, the world-wide body should be limited to performing only functions relevant to its function to promote the universal common good:

just as it is necessary in each state that relations which the public authority has with its citizens, families and intermediate associations be controlled and regulated by the principle of subsidiarity, it is equally necessary that the relationships which exist between the world-wide public authority and the public authorities of individual nations be governed by the same principle. This means that the world-wide public authority must tackle and solve problems of an economic, social, political or cultural character which are posed by the universal common good. For, because of the vastness, complexity and urgency of those problems, the public authorities of the individual states are not in a position to tackle them with any hope of a positive solution.⁶⁵

Thus, a further analogy can be drawn between the role of the world-wide public authority and that of the Church, as enunciated by Pope Pius XI and discussed earlier in this paper. Specifically, the world-wide authority's ability to intervene when it is in the common good to do so is analogous to the role of the Church which can intervene to resolve problems at any time if morality requires it.

Pope John XXIII continued by emphasising the autonomy of each level from the individual through to the world-wide public authority, and that the world-wide public authority is not intended to be superior, but to work in harmony to achieve the efficient functioning of each level:

The world-wide public authority is not intended to limit the sphere of action of the public authority of the individual state, much less take its place. On the contrary, its purpose is to create, on a world basis, an environment in which the public authorities of each state, its citizens and intermediate associations, can carry out their tasks, fulfill their duties and exercise their rights with greater security.⁶⁶

The principle of solidarity is also relevant to note here. Pope John Paul II, in his encyclical, *Sollicitudo rei Socialis*, wrote of the need for solidarity in relationships between nations:

⁶³ John XXIII, *Encyclical Letter: Peace on Earth* (Pauline Books and Media, 1963) para 139.

⁶⁴ John XXIII, *Encyclical Letter: Peace on Earth* (Pauline Books and Media, 1963) para 145.

⁶⁵ John XXIII, *Encyclical Letter: Peace on Earth* (Pauline Books and Media, 1963) para 140.

⁶⁶ John XXIII, *Encyclical Letter: Peace on Earth* (Pauline Books and Media, 1963) para 141.

Interdependence must be transformed into solidarity, based upon the principle that the goods of creation are meant for all. ...Surmounting every type of imperialism and determination to preserve their own hegemony, the stronger and richer nations must have a sense of moral responsibility for the other nations, so that a real international system may be established which will rest on the foundation of the equality of all peoples and on the necessary respect for their legitimate differences. The economically weaker countries, or those still at subsistence level, must be enabled, with the assistance of other peoples and of the international community, to make a contribution of their own to the common good with their treasures of humanity and culture, which otherwise would be lost for ever.⁶⁷

Similarly, with respect to the globalization of trade and financial markets and the global financial crisis, Pope Benedict XVI in his encyclical letter *Caritas in Veritate* advocated the creation of a global authority. More specifically, Pope Benedict XVI asserted that in order to address global issues including poverty, finance, energy resources and the environment, 'there is urgent need of a true world political authority'.⁶⁸ The Pontiff described this world political authority and the interrelationship between solidarity and subsidiarity as follows:

Such an authority would need to be regulated by law, to observe consistently the principles of subsidiarity and solidarity, to seek to establish the common good, and *to make a commitment to securing authentic integral human development inspired by the values of charity in truth*. Furthermore, such an authority would need to be universally recognized and to be vested with the effective power to ensure security for all, regard for justice, and respect for rights. Obviously it would have to have the authority to ensure compliance with its decisions from all parties, and also with the coordinated measures adopted in various international forums. Without this, despite the great progress accomplished in various sectors, international law would risk being conditioned by the balance of power among the strongest nations. The integral development of peoples and international cooperation require the establishment of a greater degree of international ordering, marked by subsidiarity, for the management of globalization. They also require the construction of a social order that at last conforms to the moral order, to the interconnection between moral and social spheres, and to the link between politics and the economic and civil spheres, as envisaged by the Charter of the United Nations.⁶⁹

When one considers this statement from Pope Benedict XVI's and the interrelationship between solidarity and subsidiarity, the compatibility between the two principles, and solidarity's capacity to promote subsidiarity as an outcome, is further illustrated. Specifically, solidarity, in the form of nations working together as equals, co-exists with, and complements subsidiarity in which individual nations are financially empowered to help themselves, resulting in their citizens being dignified with better social and economic conditions. Further comparisons can be made to the European Union, (discussed in the following paper), a multi-national entity comprising an interdependent 'solidarity – like' union of 27 individual

⁶⁷ John Paul II, *Sollicitudo rei Socialis* (Libreria Editrice Vaticana, 1987), para 39.

⁶⁸ Benedict XVI, *Caritas in Veritate* (Libreria Editrice Vaticana, 2009), para 67. The full text of this encyclical letter is available at: http://www.vatican.va/holy_father/benedict_xvi/encyclicals/documents/hf_ben-xvi_enc_20090629_caritas-in-veritate_en.html

⁶⁹ Benedict XVI, *Caritas in Veritate* (Libreria Editrice Vaticana, 2009), para 67.

countries, which despite their interdependence, have incorporated the principle of subsidiarity into their formative treaties to retain national autonomy over areas that have not been exclusively allocated to the (central) union.

III. Conclusion

In summary, although the principle of subsidiarity is best characterised as a social and moral principle, it is capable of diverse application, and can be utilised in a political context. It has relevance in the consideration of economic and financial problems, and provides a means of analysing the parameters of the individual's relationship with the various institutions in society, both governmental and corporate. Subsidiarity advocates for greater participation of the individual in political life, and accordingly, the principle can be applied to enhance democracy and human rights by promoting the participation and dignity of the individual. It enhances the efficiency of the political system by promoting decentralisation and ensuring that the most appropriate institutions resolve problems closest to the problem itself, allowing them to do so autonomously, and without interference or duplication from other institutions. Subsidiarity and its many applications have the ability to greatly enhance scholarship and debate across many disciplines and areas. It is also relevant to global governance as the world becomes a smaller place and as governments from different nations work together to achieve common goals. This is explored further in the following paper, which examines the application of the principle of subsidiarity in the European Union, thus building upon the political and transnational applications of the principle and its basis in catholic social teaching.