

THE SUBJECTIVITY OF SOCIETY

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As we look toward the future of Catholic social doctrine, the inevitable question is asked about the lasting contribution of the pontificate of John Paul II. During this remarkable quarter century, the Holy Father has insisted again and again that social doctrine is, in fact, doctrine. That is to say, social doctrine is not simply the practical application of the Church's authoritative teaching but is an integral part of the Church's teaching patrimony grounded in the deposit of faith. With respect to social teaching, many have claimed to see in this pontificate instances of the 'development of doctrine', as the meaning of that phrase was delineated by John Henry Cardinal Newman. Others are more critical, suggesting that the teaching initiatives of this philosopher-pope have been excessively marked by personal, even eccentric, perspectives reflecting his own personalist and phenomenological commitments and methodology. I do not propose in this paper to enter upon these disputes, never mind to attempt to resolve them. Suffice it to say that I am inclined to believe we have witnessed developments of doctrine in the Church's social teaching, and that these developments will be part of the enduring legacy of the pontificate of John Paul II.

Here I would draw our attention to the 1991 encyclical *Centesimus Annus*. This is often called the economics encyclical, but I believe that is somewhat misleading. It is more accurately described as an encyclical on the free and just society, which includes, very importantly, the market or business economy. I would further refine the subject by focusing on a particular phrase that is central to the argument of *Centesimus Annus*, namely, the subjectivity of society. The concept of the subjectivity of society is, I believe, deserving of the most careful scholarly study and elaboration in the years ahead. I can in this paper only gesture toward some of the theoretical and practical implications of the concept as they pertain to the subject of our conference. I trust you will understand if some of my references are

specific to the American experience in government and public policy. That is because I know the American experience best, and also because, for better and for worse, the American experience has at present, and likely will have for the foreseeable future, such an enormous influence in the world's thinking about what is required for a society to be free and just.

The subjectivity of society requires that we think about society and politics 'from below'. As we shall see, this way of thinking is closely tied to the Catholic understanding of 'subsidiarity'. Politics is inescapably a moral enterprise. Aristotle conceives of politics as free persons deliberating the question, How ought we to order our life together? The 'ought' in that definition clearly requires an explicitly moral deliberation. This does not mean that politics is the exclusive preserve of moral theologians or philosophers, nor that they are even notably adept in addressing the tasks of politics. The subjectivity of society requires, on the contrary, a certain humility on the part of theorists and policy makers. They are to learn from the ways in which people, given the opportunity, actually order their lives together as they think they ought to order their lives together. Some say that the idea of the subjectivity of society is 'populist'. The better word is democratic.

John Paul has repeatedly said that the entirety of Catholic social doctrine has its foundation in the dignity of the human person. He has written at length on the acting person and the acting person in community. A just society is ordered by the free interaction of subjects who must never be viewed and should never view themselves as objects. This idea of the acting, thinking, creating person makes democracy both possible and necessary. *Centesimus* is by no means the first authoritative Catholic document to affirm the democratic project, but it does so with a force and nuance that is, I believe, unprecedented. The economic corollary of that democratic vision is the 'circle of productivity and exchange' by which free persons create wealth and mutually benefit from the creation of wealth. Economics is emphatically not a zero-sum proposition of dividing up existing wealth but is chiefly the enterprise of an open-ended production of wealth by means of the God-given human capacity for creativity. This understanding requires us to attend also to those who are excluded, or exclude themselves, from the circle of productivity and exchange. They are frequently described as 'the exploited', but I believe John Paul is right in saying that they are more accurately described as the marginalized.

Addressing the problems of the marginalized requires that we clearly distinguish between state and society. *Centesimus* insists upon the limited nature of the state, which is one of the key concepts of democratic gover-

nance. In this sense, the teaching is anti-statist but it is not anti-state. It is not enough to be opposed to the inflation of state power that is called statism. Indeed, unless one embraces anarchy, resisting such inflation requires a strong and positive understanding of the appropriate role of the state. We are to resist the 'politicizing' of the entire social order, while knowing that the acting person is also political by nature and is to be trained in the virtues of the politics of freedom. Here the argument of *Centesimus* is very close to the well-known claim of Edmund Burke: 'To be attached to the subdivision, to love the little platoon we belong to in society, is the first principle (the germ as it were) of public affection'. Similarly, and with specific reference to the American order, Alexis de Tocqueville observed, 'In democratic countries the science of association is the mother of science; the progress of all the rest depends upon the progress it has made'. The science – and also the art – of association is of the essence in understanding the subjectivity of society.

Unlike many earlier Catholic discussions, *Centesimus* does not discuss the state in terms of divinely established hierarchies of order. Or, to put it differently, one might say that it turns those hierarchies on their head. The state is the instrument or the servant of society. It is to help provide a framework of freedom and security in which society can flourish. The subjectivity of society – human creativity, cooperation, and aspiration – is protected but is not generated or controlled by the state. In American political culture, there is a running debate over 'big government'. Conservatives decry it and liberals are in favor of it (Here I use 'conservative' and 'liberal' in the distinctly American sense of those terms.). Or one might suggest that there are two apparently conflicting tendencies in American politics. People typically desire an expansive definition of governmental responsibility and an increase in programs from which they benefit while, at the same time, wanting to reduce the bureaucratic, depersonalizing, sometimes oppressive and always very costly operations of 'big government'. *Centesimus* points to a way out from this apparent contradiction, and the key to that way out is the clear distinction between society and the state.

For instance, in addressing problems of unemployment, *Centesimus* speaks about what society should do, what the state should do, and sometimes about what is to be done by 'society and the state' (n. 15). The goal, if we take seriously the subjectivity of society, is an open process in which society organizes itself (n. 16). The state is in the service of that goal. Society is precedent to the state in both time and dignity. Agreeing with (although not citing) Tocqueville, John Paul says that 'the right of associa-

tion is a natural right of the human being, which therefore recedes his or her incorporation into political society'. He does cite Leo XIII who wrote that 'the state is bound to protect natural rights, not to destroy them; and if it forbids its citizens to form associations, it contradicts the very principle of its own existence' (n. 7). Again, the state is not society but is one of many necessary actors within society, and is always in the role of servant rather than master. The state is to provide a framework of law and security that enables society to spontaneously organize itself. That, at least, is the fundamental concept and orientation. How it is to be lived in practice is the endless task of politics – the free deliberation of the question, How ought we to order our lives together?

As I said, the understanding of the subjectivity of society is closely related to the principle of subsidiarity. First articulated by Pius XI in *Quadragesimo Anno* (1931), the principle of subsidiarity has perhaps never been articulated with such force and nuance as it receives in *Centesimus*.

A community of a higher order should not interfere in the internal life of a community a lower order, depriving the latter of its functions, but rather should support it in case of need and help to coordinate its activity with the activities of the rest of society, always with a view to the common good (n. 48).

Within the comprehensive argument of *Centesimus*, it is obvious that we are being invited also to rethink conventional notions of 'higher' and 'lower'. This is what I referred to as turning hierarchies on their head. For instance, in the hierarchy of organized power in society, the state is 'higher' and the family, for example, is 'lower'. But, according to John Paul II, the family is, in fact, higher in terms of priority and rights. The word 'subsidiary' suggests an auxiliary agent that supplies aid and support. Or we speak of subsidiary in the sense of one thing being derived from and subordinate to another – for instance, a stream that is a subsidiary of a larger body of water. The state is subsidiary to society in service, as it is also subsidiary in being derived from society in its moral legitimacy. In the American experience, this democratic understanding is reflected in the statement of the Declaration of Independence that 'just government is derived from the consent of the governed'. In this context, 'consent' means not acquiescence but active participation in government that governs by serving the acting persons and institutions that constitute society.

In the words of the American Founders, society is 'We the people'. The state is not 'We the people'. The Preamble to the Constitution declares, 'We the people of the United States ... do ordain and establish this Constitution

for the United States of America'. The principle of subsidiarity can thus be seen as closely linked to a proper understanding of democratic theory and practice. *Centesimus* was, of course, written in the immediate aftermath of the collapse of the Soviet empire. In Eastern Europe there was at that time much discussion of 'civil society'. The constituting premise of totalitarianism is that there is only one society and its will is embodied in the state under the direction of the party. There may be purely private 'societies', but they are not public, they are not civil, they are not permitted to influence the *civitas*, which is the sphere that in totalitarian theory belongs exclusively to the party-state. Also in democratic societies today, the totalitarian impulse is evident in habits of speech and mind whereby what is governmental is termed 'public' and everything else is described as 'private'. If we understand the subjectivity of society and its correlate, the principle of subsidiarity, we know that the *res publica* pertains to, in the first instance, the persons and institutions that constitute society, which it is the proper mandate of government to serve.

In current American discussions, the principle of subsidiarity is today commonly addressed in terms of 'mediating institutions'. When Peter Berger and I first wrote about mediating institutions in *To Empower People* (1977), we observed, 'Taken seriously, they could become the basis of far-reaching innovations in public policy, perhaps of a "new paradigm" for at least sectors of the modern welfare state'. Berger and I make no great claim to originality in advancing the idea of mediating institutions; we were admittedly drawing on the insights of Burke and, especially, Tocqueville, with significant contributions from Max Weber. Under Democratic Party auspices, there was soon launched a New Paradigm project that helped shape some policies in the Reagan and Clinton administrations, and discussions of 'civil society' and a 'communitarian' approach to social policy gained considerable panache in academic and public policy circles, sometimes under the title of 'social capital'. Since both historically and at present the most vibrant networks of associationalism in American life are religious, it is not surprising that the current Bush administration has carried the mediating institutions approach into the encouragement of 'faith-based initiatives' in the meeting of social needs. In this connection, Mary Ann Glendon of Harvard has made important contributions in her understanding of mediating institutions as 'seedbeds of memory and mutual aid'. It is important to emphasize that the mediating institutions approach does not aim at dismantling or replacing the modern welfare state but at enabling the welfare state to carry out its responsibilities in a way that, minimally,

does not weaken these 'people-sized institutions' and, maximally, employs them in the service of the common good. These we call the 'minimal' and 'maximal' propositions and, in the spirit of *Centesimus*, we have a great deal more confidence in the first than in the second.

The family is the most notable but by no means the only intergenerational association of memory and mutual aid. *Centesimus* speaks of intermediary or mediating associations, noting that

the social nature of man is ... realized in various intermediary groups, beginning with the family and including economic, social, political, and cultural groups that stem from human nature itself and have their own autonomy, always with a view to the common good (n. 13).

Berger and I defined mediating institutions, or mediating structures, as those that stand between and mediate between the isolated individual and the megastructures, including but not limited to the state. *Centesimus* speaks of 'intermediate communities' that provide a zone of freedom for the individual who 'is often suffocated between two poles represented by the state and the marketplace' (n. 49). The idea in both cases is that these communal institutions give the individual an identity and a necessary leverage over against the massive anonymous forces that would otherwise control the entire social order, turning people into objects rather than subjects.

The family is the premier instance and, one might say, the 'ideal type' of the structural mediation inherent in 'the subjectivity of society'. 'The first and fundamental structure for "human ecology"', says *Centesimus*, 'is the family, in which man receives his first formative ideas about truth and goodness, and learns what it means to love and to be loved, and thus what it actually means to be a person' (n. 39). The family is a seedbed of culture, and culture, it is repeatedly emphasized in *Centesimus*, is the most important dynamic in shaping the social order. Different cultures are different ways of understanding personal existence and personal existence in community, John Paul II has insisted again and again. This insight, not incidentally, is behind the Holy See's campaign that the constitution of Europe include a specific reference to its legacy of Christian culture. Some view that campaign as self-serving on the part of Christians and of Catholics more specifically. There may be some truth in that, but the campaign is driven by the belief that a political community cannot flourish in a cultural vacuum. The vaulting universalism and attempt to transcend cultural specificity that marks so much secularist thinking is at odds with the natural human need for a cultural matrix within which questions about the

meaning of personal existence can be asked, explored, and answered – and within which such questions, explorations, and answers can be intergenerationally transmitted. The understanding of state and society proposed by *Centesimus* would as well serve for a campaign to include Apollo or Immanuel Kant in the EU constitution – were, as a matter of historical fact, Apollo or Kant as seminal in the formation of European culture as are Christ and Christianity.

To speak of marriage and family in the context of the intergenerational flourishing of culture is inevitably to come up against anti-familial and anti-natalist dynamics in our several societies. Without children there is no family, and without family – the ‘first and fundamental’ mediating institution – there is no sustainable culture. Or at least no culture that is, in another favored phrase of this pontificate, a ‘culture of life’. In the United States there has been a sharp decline in births, although the population ‘replacement rate’ is sustained by immigration, chiefly immigration from the culturally Christian countries to the south of us. The American birth decline, however, is not near the magnitude of the decline in almost all of Europe. It is now generally recognized that Europe faces the prospect of a catastrophic depopulation in the course of this century, possibly sooner rather than later. It is a painfully real question whether demographically dying societies can sustain or even be open to the ‘culture of life’.

It is a cliché to say, but it is nonetheless true to say, that the reasons for such a ‘birth dearth’ are complex. One undeniable reason, I believe, is political and cultural hostility to the understanding of ‘the subjectivity of society’ proposed by *Centesimus*. As we shall see, this hostility has had an important and negative impact on marriage and family. Politically, the modern democratic society is always susceptible to the totalitarian impulse toward weakening or eliminating rival communities of allegiance, memory, and mutual aid. Thus, in the United States an activist judiciary ever more narrowly defines ‘religious freedom’ in a way that confines religion to the realm of ‘privacy’, safely sealed off from the *res publica*. The systematic attempt to exclude religion and religiously-grounded moral argument from the political – from ‘the deliberation of how we ought to order our life together’ – results in what I have described in a book by that title ‘the naked public square’. I should add that the dynamics in America are not all in one direction. Europeans regularly remark (sometimes with alarm!) on the vitality of religion in American public life. And it is true that religion and religiously-informed convictions seem to be irrepressible in American political culture and today may be in a mode of insurgency. At the same time,

however, that insurgency is powerfully opposed by most of the elite culture in the media, academy, and, not least, the judiciary.

The resulting conflict is commonly referred to as the 'culture wars' that mark American public life. The metaphor of warfare is, alas, not inapt. The divisions are deep and, or so it seems, deepening. In an unprecedented and, in my view, troubling way, the two major parties are increasingly defined by religion. Of all the sociological variables – race, income, education, region, etc. – the most important difference between the parties is religious commitment as measured by professed belief and actual observance. Family and religion combine as the perceived enemies of self-identified secularists set upon a statist triumph as the necessary resolution of the tension between state and society. Those who identify themselves as pro-family, pro-life, and pro-religion – and they are mainly evangelical Protestants and Catholics – are lumped together by secularists as the dangerously threatening 'religious right'. The subjectivity of society that finds expression in family and religion is derided as bigoted, irrational, and authoritarian. So the hostility to the subjectivity of society is in large part driven by the statist political ambitions of those who would subsume society under the jealous god of state sovereignty. This is rightly seen as a totalitarian impulse, although, as with even the worst of totalitarianisms, it is not likely to succeed totally. And it is being sharply challenged today, not least by those who understand the promising alternative proposed in Catholic social doctrine.

The statist impulse – including superannuated versions of socialism that, it is claimed, 'haven't been tried yet' – is only part of the story, however. Also hostile to the subjectivity of society and its policy implications is a powerful cultural dynamic that finds expressions in sundry 'liberationisms' that draw on a pervasive moral 'emotivism' (MacIntyre, *After Virtue*) and are directed toward the radical autonomy of the individual. These impulses are commonly attributed to 'the sixties' and the counter-cultural insurgencies associated with, but not limited to, that period. An argument can be made that the movements of unbounded liberationism have their origins in the early part of the twentieth century and were only temporarily disrupted by the Great Depression, along with World War II and its aftermath of recovery and Cold War sobriety. In this view, the deconstruction of normative traditions and institutions that is today associated with 'postmodernism' is but a resumption and intensification of the 'modernism' of art, literature, and elite consciousness of eighty and more years ago. However we understand it historically, the liberationist impulse, the felt need to break from tradi-

tions and institutions that are perceived as inhibiting the expression of the authentic self, are at war with the mediating structures that give communal expression to the subjectivity of society. This is notably the case with the institutions of marriage and religion. As has frequently been observed, the apparently contradictory dynamics of radical individualism and statist collectivism converge in their hostility to mediating institutions which resist the reduction of the social order to only two actors: the isolated individual and the all-embracing state.

All normative institutions tend to be viewed as a danger to both individual autonomy and the monopolistic sovereignty of the state. In a suggestive statement in the 1990 encyclical on evangelization (*Redemptoris Missio*), John Paul II tries to alleviate fear of the Church's missionary mandate by declaring, 'The Church imposes nothing; she only proposes'. That message needs to be communicated also with respect to the Church's teaching on marriage and the family. There is today in developed (overdeveloped?) societies a widespread view that marriage is no more than a contractual arrangement of mutual interest between adults, and children are strictly optional. With respect to divorce and the establishment of new contractual arrangements, it is assumed – despite massive evidence to the contrary – that children are 'resilient' and will readily adjust without lasting damage. This approach is today given an extreme expression in the agitation for 'same-sex marriage' or state certification of a variety of affective relationships. Here one sees a precise example of the convergence of the quest for individual autonomy and the expansion of state power, to the grave disadvantage of the 'first and fundamental' mediating institution that is the family. The Church cannot impose, but she can persuasively and persistently propose a better way. And there is encouraging evidence today that people, especially young people, do want the goods associated with the 'traditional' family. Efforts to deconstruct marriage and the family, it should be noted, are driven not by democratic deliberation but by court decisions. The Church proposes and the judiciary imposes.

The subjectivity of society and its mediating institutions require a sympathetically attentive state. Leo XIII, says John Paul II in *Centesimus*, understood that

the state has the duty of watching over the common good and of ensuring that every sector of social life, not excluding the economic one, contributes to achieving that good while respecting the rightful autonomy of each sector.

Lest that statement be taken in a statist direction, however, the Holy Father immediately adds,

This should not lead us to think that Pope Leo expected the state to solve every social problem. On the contrary, he frequently insists on necessary limits to the state's intervention and on its instrumental character inasmuch as the individual, the family, and society are prior to the state and inasmuch as the state exists in order to protect their rights and not stifle them (n. 11).

Like the biblical prophets, John Paul II calls for justice to roll down like mighty waters, but he does not presume to prescribe the irrigation system. The general principles proposed, however, have numerous and evident practical applications in economics, family life, education, social welfare and other spheres of the *res publica*.

The concepts of subsidiarity and the subjectivity of society do not give us precise instructions on when or how state intervention is appropriate. They do provide a conceptual framework that helps us understand what has gone wrong in so many areas of social policy, and what are promising alternatives. In the U.S., for example, it is generally agreed on all sides that the 'black underclass', which includes about one fifth of black Americans, has been significantly helped by the 'welfare reforms' of the 1990s that raise expectations and requirements for productive economic participation. People are treated not as wards of the state, not as objects, but as subjects and acting persons. This is part of the 'moral reconstruction' that *Centesimus* says is urgently necessary in formerly socialist countries, and is also necessary in affluent democracies that have created patterns of dependency on the state that are not economically sustainable and, more important, do grave damage to the 'human ecology'. Essential to such a moral reconstruction is changing our mental habits – to understand the state as the servant of society and its mediating institutions, to understand the distinction between what is public and what is governmental, and to understand that the promise of improvement depends on policies built not upon the pathologies but upon the potentialities of the poor and those excluded from the circle of productivity and exchange.

It is as though *Centesimus* is proposing that, in the realm of social policy, the first maxim for the state might be taken from the Hippocratic Oath: 'Do no harm'. The state, says *Centesimus*, is not to 'absorb' but to 'defend' the mediating institutions of society, recognizing that these institutions 'enjoy their own spheres of autonomy and sovereignty' (n. 45). From Hobbes to the last century's totalist theories of state power, the idea of mul-

tiple sovereignties in the social order is emphatically rejected. But I believe it is at the heart of Catholic social doctrine regarding the free, just, and democratic society. John Paul's use of the language of spheres of autonomy and sovereignty is also, it might be noted in passing, of ecumenical interest. That language has long been associated with Abraham Kuyper, the Dutch Calvinist theologian, political, and public philosopher of the early twentieth century. The understanding of state and society proposed by *Centesimus* is strikingly similar to that proposed by the Protestant proponents of 'Kuyperism' today, and both serve as moral and theological correlates to the current rediscovery of 'communitarianism', 'social capital' and 'civil society' mentioned earlier.

I am keenly aware that there are dimensions of this conference's topic that I have not addressed. I have limited myself to Catholic social doctrine on the flourishing of the subjectivity of society, in the belief that it is suggestive for the successor generation's rethinking of the achievements and failures of welfare state democracies. Such a rethinking will require a revitalizing of politics – the free deliberation of the question, How ought we to order our life together? *Centesimus Annus* is a rich resource for that deliberation. Of the problems associated with older ways of thinking, John Paul II writes,

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 that are dominated more by bureaucratic ways of thinking than by concern for serving their clients, and that are accompanied by an enormous increase in spending.

The proposed alternative of the subjectivity of society replaces clients with acting persons, and acting persons in community. The state is no longer the Leviathan that commands but an ancillary instrument of service. *Res publica* is reconceived as a general good that is realized by particular goods created by people helping people through the people-sized communities that are mediating institutions. 'In fact', writes John Paul II, 'it would appear that needs are best understood and satisfied by people who are closest to them and who act as neighbors to those in need' (n. 48). 'Who is my neighbor?' That question of venerable biblical pedigree is a promising place for the successor generation to begin their deliberation of how they ought to order their lives together.