

## Catholic Social Teaching, Liberalism, and Economic Justice<sup>1</sup>

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There is a growing awareness of the exalted dignity proper to the human person, since he stands above all things, and his rights and duties are universal and inviolable. Therefore, there must be made available to all men everything necessary for leading a life truly human, such as food, clothing, and shelter; the right to choose a state of life freely and to found a family, the right to education, to employment, to a good reputation, to respect, to appropriate information, to activity in accord with the upright norm of one's own conscience, to protection of privacy and rightful freedom even in matters religious. (*Gaudium et Spes*, no. 26)

In *After Virtue*, Alasdair MacIntyre decries liberalism. Given that they lack a shared framework in which to deliberate about the good, liberals are at best consumerists or voluntarists. For example, commenting on conflicting views about war, bodily integrity, and the demands of justice, MacIntyre writes: “It is precisely because there is in our society no established way of deciding between these claims that moral argument appears to be necessarily interminable. From our rival conclusions we can argue back to our rival premises ... and the invocation of one premise against another becomes a matter of pure assertion and counter-assertion.”<sup>2</sup> Such charges against liberalism make it seem that Catholicism and liberalism have little to learn from one another. Given the pluralism that characterizes our world and (especially) liberal democracies, does such mistrust best serve our common life?

In this article, we argue that Catholic social teaching about

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<sup>1</sup> All citations of magisterial teaching are taken from the Vatican website ([www.vatican.va/content/vatican/en.html](http://www.vatican.va/content/vatican/en.html)) and indicated by paragraph number. References to John Rawls's work use standard abbreviations: *A Theory of Justice*, rev. ed. (Cambridge: Harvard University Press, 1999) = TJ; *Political Liberalism*, exp. ed. (New York: Columbia University Press, 1996) = PL; *The Law of Peoples* (Cambridge: Harvard University Press, 1999) = LP; and *Justice as Fairness: A Restatement*, ed. Erin Kelly (Cambridge: Harvard University Press, 2001) = JF.

<sup>2</sup> Alasdair MacIntyre, *After Virtue: A Study in Moral Theory*, 2nd ed. (Notre Dame: University of Notre Dame Press, 1983), 8.

subsidiarity in a global society characterized by economic inequalities could benefit from conversation with John Rawls's liberal political philosophy. First, we introduce the principle of subsidiarity, commonly understood to be one of the four basic principles in Catholic social teaching, and its utility in the magisterium's engagement with nation states and, to a limited extent, the global economy. Second, we identify how this magisterial engagement has yet to address subsidiary structures between interdependent but radically unequal societies in the era of globalization. Third, we speculate how the Catholic understanding of subsidiarity may benefit from Rawlsian explication of the *basic structure*, especially if the Church is to speak precisely and normatively about global economic inequality. Fourth and fifth, we introduce Rawls's characterization of the basic structure and how it may help us think about global interdependence, especially in the context of radical economic inequality. Sixth and finally, we gesture toward further challenges for both Catholic social teaching and Rawlsian liberalism.<sup>3</sup>

In undertaking this exercise, we write as two scholars with differing confessional, moral, and political commitments nonetheless committed to friendship and solidarity.<sup>4</sup> From this foundation, we disagree and debate about ethics and politics. To our minds, this admission is important because one of us has been trained to think that such a friendship is either unlikely, inherently unstable, or ultimately illusory.<sup>5</sup> Given our friendship, we challenge one another to think more carefully about how we approach the topic under consideration, especially the ways in which we draw upon and converse with Rawls.

In Christian ethics particularly and religious ethics generally, Rawls is approached (if he is approached at all) with either derision or suspicion. Many characterizations of Rawls in the context of Christian and religious ethics, however, depend on problematic readings of his thought. For example, some ethicists (i) *inherit views about* Rawls rather than carefully reading his work themselves; others (ii) *read into* Rawls certain crass characterizations according to which liberalism and libertarianism are synonymous; and others still (iii) *operate by a hermeneutics of fear* according to which views that do not originate in

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<sup>3</sup> It is beyond our scope in this paper to detail the history of how the tradition of Catholic social teaching has *already* been impacted by its dialogue with traditions of liberalism and to offer normative analysis of this impact. Our focus here is limited to the way dialogue with a certain tradition of liberalism may enrich Catholic social teaching's participation in addressing a discrete contemporary issue.

<sup>4</sup> On intellectual solidarity, see David Hollenbach, *The Common Good and Christian Ethics* (Cambridge: Cambridge University Press, 2002), chap. 6.

<sup>5</sup> See Alasdair MacIntyre, "Is Friendship Possible?" Presented at the de Nicola Center for Ethics and Culture, University of Notre Dame, Notre Dame, IN, November 8, 2019.

scripture and/or magisterial teaching are somehow morally, politically, and theologically compromised.

Our hope is not only to think about the ways the institutions in which we participate contribute to economic equality and inequality but also to encourage practical reflection on the sources upon which ethicists draw and how these sources might help or hinder reflection about our common life.<sup>6</sup>

### CATHOLIC SOCIAL TEACHING: SOCIETY AND SUBSIDIARITY

Catholic social teaching summarizes and prescribes the scriptural and magisterial teachings on matters of justice in social life. Catholic social teaching develops over time and offers an ideal-normative vision of a just society. This vision is grounded in both scripture and the collected experience of the Christian community as it responded to economic, political, and social issues. Historically, Catholic social teaching has addressed—among other things—poverty and inequality, the right to and dignity of work, the relationship between the church and state, the nature and function of the family, and environmental degradation and stewardship. As Catholic social teaching has developed, four principles have been identified.<sup>7</sup> Among these principles, *subsidiarity* refers to the ordering of institutions within the social whole.

Within Catholic social teaching, subsidiarity is commonly used to judge the proper cooperation and jurisdiction of the various social institutions. Since social life is in many ways complex and disproportionate, no single authority governs or orders our common life. Instead, we live within a variety of jurisdictions. Given that economic justice is not solely a matter of individual morality and economic interactions are not the sole social interactions among human persons and communities, speaking accurately about economic justice requires a precise understanding of institutions and their relationships to each other.<sup>8</sup> Thus, clarity regarding economic justice

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<sup>6</sup> We will neither engage nor address the work of contemporary moral theologians on issues related to Catholic social teaching; rather, we will focus narrowly on the authoritative sources with which those theologians must contend, namely the encyclical tradition. Likewise, in the latter half of the essay, we will focus primarily on Rawls and Rawlsians as influential sources in contemporary political philosophy, not on the extensive secondary literature.

<sup>7</sup> They are: (i) the dignity of the human person, (ii) the priority of the common good, (iii) solidarity as a principle and as a virtue, and (iv) subsidiarity as a sign of the healthy functioning of any social whole.

<sup>8</sup> For more on situating economic interactions within a broader social context, see Andrew Beauchamp and Jason A. Heron, "Solidarity in a Technocratic Age: Commercialization, Catholic Social Teaching, and Moral Formation," *Journal of Religious Ethics* 47, no. 2 (2019): 356–76.

requires clarity on subsidiarity.

In the history of Catholic reflection on subsidiary relations, the most often quoted teaching is Pius XI's social encyclical, *Quadragesimo Anno* (1931). Pius writes:

The supreme authority of the State ought, therefore, to let subordinate groups handle matters and concerns of lesser importance, which would otherwise dissipate its efforts greatly. Thereby the State will more freely, powerfully, and effectively do all those things that belong to it alone because it alone can do them.... Therefore, those in power should be sure that the more perfectly a graduated order is kept among the various associations, in observance of the principle of "subsidiary function," the stronger social authority and effectiveness will be [and] the happier and more prosperous the condition of the State. (no. 80)

To understand his caution against overbearing state authority, it is essential to consider the socio-political circumstances of the nineteenth century informing Pius's teaching. Put succinctly, the Catholic Church since at least 1789 had been contending with a developing nation-state that had designs on much of the social activity of the Church. From 1789 to 1945, the Church's social magisterium was developed in dynamic tension with the nation-state. The latter was often perceived by the magisterium as attempting to wrest authority from the Church and the family, ostensibly in order to centralize and streamline social services like education and healthcare. Because of this prolonged and complex relationship, we observe throughout modern Catholic social teaching uncertainty about the modern iteration of the political body.<sup>9</sup>

Thus, some contemporary interpreters understandably read subsidiarity in late capitalist societies as a bulwark against inefficient government intervention at the lower levels of society. Contemporary

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<sup>9</sup> Offering a Christian reflection about the political body (Romans 13), Paul is clear that the state has a divinely authorized vocation. So, the tension between Church and state in the modern period should not be interpreted as agnosticism about the natural good that is the state. In fact, it is the Church's vision of the state's vocation that funds its energy in dialoguing with the modern nation-state regarding jurisdiction, competence, and usurpation. See Leo XIII, *Rerum Novarum*, no. 37: "Rights must be religiously respected wherever they exist, and it is the duty of the public authority to prevent and to punish injury, and to protect every one in the possession of his own. Still, when there is question of defending the rights of individuals, the poor and badly off have a claim to especial consideration. The richer class have many ways of shielding themselves, and stand less in need of help from the State; whereas the mass of the poor have no resources of their own to fall back upon, and must chiefly depend upon the assistance of the State. And it is for this reason that wage-earners, since they mostly belong in the mass of the needy, should be specially cared for and protected by the government."

reflection on the principle of subsidiarity is often focused on the “local” and the “lower” in an almost libertarian preference for state minimalism. This characterization of subsidiarity deprives the principle of its true range of meaning. A fuller characterization does not prioritize localism over other tiers of governance.<sup>10</sup> Rather, subsidiarity properly characterized exhorts every sphere—no matter its location in the gradual array of institutions—to assess its duty to the common good.

In *Quadragesimo Anno*, Pius’s criticism of the state is not designed to minimize state authority. Rather, Pius situates state authority in its proper context within a social array. The bodies in this array extend from the individual human person to the universal Body of Christ, and each possesses duties to the common good. The priority of the common good requires that each institution in the array be free and efficient in the exercise of its power. In other words, subsidiarity exhorts every institution to understand its proper role. So understood, institutions—including the state—play a critical role in making possible a real and necessary measure of order and peace. The state’s role is all the more critical in terms of defending the basic rights of those most vulnerable to the coercions of severe poverty.

That the state has a duty to care for the most vulnerable signals subsidiarity’s anthropological foundation. One can justifiably call subsidiarity a sign of a *healthy* social whole inasmuch as subsidiary structuring is a sign that every sphere of a social whole is contributing freely and efficiently, according to its unique competency and duties, to the flourishing of the persons comprising the whole. So, the principle of the Church’s commitment to subsidiarity reflects a concern that human persons be regarded according to their irrevocable dignity. Who or what may so regard human persons? The individuals, institutions, and polities of which they are a part.<sup>11</sup> In short, individual

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<sup>10</sup> See Russell Hittinger, “Social Roles and Ruling Virtues in Catholic Social Doctrine,” *Annales Theologici* 16, no. 2 (2002): 295–318; “The Coherence of the Four Basic Principles of Catholic Social Doctrine: An Interpretation,” *Nova et Vetera* 7, no. 4 (2009): 791–838.

<sup>11</sup> This characterization mirrors developments since the late 1980s in Anglophone human rights theory. In such human rights theory, the obligations that correspond to someone’s human rights claims may be understood “institutionally” or “interpersonally.” Many Rawlsians (e.g., Thomas Pogge, *World Poverty and Human Rights*, 2nd ed. [Cambridge: Polity, 2008]) conceive human rights as institutional: the primary obligation to fulfill the substance of another’s human rights falls on economic and political institutions. For interpersonalists (e.g., Peter Singer, “Famine, Affluence, and Morality,” *Philosophy and Public Affairs* 1, no. 3 [1972]: 229–243), individuals hold human rights claims universally, that is, in relation to each and every other individual. Some thinkers (e.g., Simon Caney, “Global Poverty and Human Rights: The Case for Positive Duties,” in *Freedom from Poverty as a Human Right: Who Owes What to the Very Poor?*, ed. Thomas Pogge [New York: Oxford University

people require subsidiarity if the societies of which they are members are not to become either neglectful or overbearing.

This historical development of the Catholic magisterium's exhortation to the modern state to conduct itself according to the principle of subsidiarity is instructive for understanding the more contemporary question of the global economy's social jurisdiction. The history of the magisterium's engagement with the modern state has shaped, but not fully prepared, the magisterium's ability to speak to economic matters on a global scale. If we look back at the period from 1789 to 1945 as the historical arena in which the magisterium engaged the modern nation-state, then from 1945 forward to our own time, the magisterium has had to increase its engagement with a global capitalist economy. Three magisterial interventions stand out in this engagement, each representing a different moment in a rapidly changing global-economic context.

First, in 1991 Pope John Paul II issued *Centesimus Annus*. In light of the symbolic fall of the Berlin Wall, *Centesimus Annus* is an optimistic exhortation of liberal democracy and capitalism to humanize the world left behind by communism's demise.<sup>12</sup> Second, in 2009 Pope Benedict XVI issued *Caritas in Veritate*. In light of the global financial crisis of 2008, *Caritas in Veritate* is less optimistic. Instead, as we will see below, it can be read as an acknowledgement that if the global economy is to be humanized, it will become so because we have begun to govern it according to the principle of subsidiarity. Despite this acknowledgement, however, Benedict does not work out in any detail what such governance should look like.<sup>13</sup> Finally, in 2015 Pope Francis issued *Laudato Si'*, which treats environmental degradation and global poverty as intertwined phenomena. The optimism of *Centesimus Annus* is absent. Benedict's cautious confidence that there is some way to humanize a global economy is muted, if not absent. What remains in Francis's letter is a hope that micro-solutions will somehow help some of us resist the darker consequences of global capital.<sup>14</sup>

#### NEED FOR PRECISION

Since it is ideal-normative, Catholic social teaching does not pronounce with significant detail on how the ideal should be realized in historical praxis. Granted, the tradition of Catholic social teaching features magisterial interventions in social issues that always have

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Press, 2007], 275–302) argue that institutional and interpersonal accounts need to be articulated together in hybrid fashion.

<sup>12</sup> See John Paul II, *Centesimus Annus*, nos. 22–29.

<sup>13</sup> See Benedict XVI, *Caritas in Veritate*, nos. 21–26, 41–42, 60, and 67.

<sup>14</sup> See Francis, *Laudato Si'*, nos. 105, 202–227.

historical shape and content. Magisterial interventions in social life provide principles, guidelines, exhortations, cautions, and the like, as they should. Popes and bishops who teach do so as experts in humanity, not as experts in economics, environmental conservation, or warfare.

Even within the ideal-normative register, however, greater precision is possible and necessary. This precision is lacking when it comes to articulating the actual subsidiary structures of the global society in which we now live. Specifically, within the relationships that obtain among different subsidiary arrays, we are interested in developing a clearer way of speaking about disparity, inequality, and injustice not only “up and down” within a single array, but also “across” the relationships between arrays. To clarify, consider the following way of understanding our current context.

Imagine a society (i.e., the nation-state) as a cone. On standard treatments within Catholic social teaching, subsidiarity most often refers to the relationships between “higher” and “lower” levels within a single cone. Sometimes, these levels within a single cone are treated as “remote from” and “proximate to” specific issues within that society. For example, the federal government is remote from certain issues to which a local school district is more proximate. Sometimes, these levels within a single cone are treated as more or less authoritative with regard to those same issues. Thus, on conventional portraits of subsidiarity, the question of the proper ordering of the institutions within society is a question of hierarchical ordering indexed to social issues that must be addressed according to the competence most suited to them.

In our contemporary globalized and interconnected world, however, questions regarding institutional ordering require rethinking and further precision because of the ways in which we implicate both those inside and outside the nation-state. In other words, how do we (re)conceive the meaning and relevance of subsidiary relations for our understanding of order *between* cones? Given facts about national and international interdependence, can subsidiarity assist us in normatively evaluating injustice and inequality not only *within* but also *across* such a vast society? It seems natural enough that Catholic social teaching’s principles of human dignity, solidarity, and the common good could function as guides for just this sort of normative evaluation. Moreover, given that the four principles function as a synthetic whole, it would make sense for the precision we seek to come from within the tradition of Catholic social teaching itself. How?

According to the social magisterium, the dignity of the human person demands that we address injustice and inequality wherever it diminishes the flourishing of our fellow humans. The moral demand

voiced by each person's inherent dignity is only reinforced by the reality of solidarity among persons and groups. We are not only individual moral agents. We are also biologically, socially, politically, economically, and historically bound to each other in webs of interdependence. Moreover, in Catholic social teaching, we speak of our interdependence as the reality of solidarity. It is a human fact, and also a moral possibility. Solidarity is at once an actual state-of-affairs and a potential field of human action. Put most succinctly, we can get better at living solidarity.<sup>15</sup>

It would seem then that we have the resources within Catholic social teaching to speak normatively about the demands of justice and equality both "up and down" the subsidiary array of a single cone and "across" or "between" the cones of a global society. What good would subsidiarity do in the global context? The word "subsidiarity" carries within it a signal that there is more to this principle than institutional ordering up and down a single hierarchy. The root of the word is the Latin *subsidium*, which refers to help given and even to a cohort of soldiers sent to aid. If we attend to the word itself, we find more than a way of speaking about who does what in a hierarchy of powers. We find a way of speaking about the help, assistance, or aid institutions within a society give to the parts and the whole. Without leaving the question of hierarchical ordering behind, we are faced with the question of the free and efficient exercise of each society's power *to help*. Subsidiarity has built within it a vocational element, exhorting not only the members, but the institutions of society to help each other toward flourishing.

In the nineteenth century social magisterium, this vocational element was clearly articulated by Pope Leo XIII in his opposition to socialism and exhortation to rich people. Consider Leo's teaching in *Quod Apostolici Muneris* (1878), specifically his concern with the relationship between government and the distribution of goods. His chief concern in addressing this relationship is the proper and effective care of those who were unlucky enough to be born poor by those who were lucky enough to be born rich. After noting the ongoing role of the Church in administering charity for those in need, he reminds rich people that they have a vocation to "give what remains to the poor." Leo does not use the language of solidarity or subsidiarity at all here.

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<sup>15</sup> See John Paul II, *Sollicitudo Rei Socialis* (1987), nos. 26, 38–40; *Centesimus Annus* (1991), nos. 41, 49, and 51. Over and against "procedural justice," some of Rawls's critics have argued that justice is not only a set of principles but also an ethos. See, e.g., G. A. Cohen, "Incentives, Inequality, and Community," in *The Tanner Lectures on Human Values*, vol. 13, ed. Grethe Peterson (Salt Lake City: University of Utah Press, 1992), 261–329; and "Where the Action Is: On the Site of Distributive Justice," *Philosophy and Public Affairs* 26, no. 1 (1997): 3–30.



But the question of how to best deploy help to those in need within a hierarchical array is precisely the point. So, within the single cone of nineteenth century Italy, France, or Germany, the obligation to help in response to economic inequality is a “grave precept” that must be kept if society is to flourish. Throughout the rest of his social magisterium, Leo’s perspective does not change about this vocation of rich people to send help to poor people.

In the 1960s, we find Pope Paul VI translating for a new, more global context Leo’s exhortation to rich people. In *Populorum Progressio* (1967), Paul writes of “mutual solidarity—the aid that the richer nations must give to developing nations” (no. 44). This encyclical stands as the first significant magisterial effort to attend to a globalizing world. In *Sollicitudo Rei Socialis* (1987) and *Centesimus Annus* (1991), John Paul II further develops magisterial teaching about solidarity. The entirety of Pope Francis’s encyclical *Laudato Si’* (2015) can be read as a culmination of the effort to speak of Leonine charity in terms of something *mutual*: something respecting the real but mutable bonds of solidarity. Within the magisterial teaching on global relations in the contemporary context, Pope Benedict XVI’s encyclical *Caritas in Veritate* (2009) stands out as a signal that there is more work to be done on the place of subsidiarity in a global web of interdependence.

Benedict’s teaching in nos. 53–67 on “the cooperation of the human family” is relevant, with nos. 57 and 59 being especially notable. Exhorting global society to a “deeper critical evaluation of the category of relation” (no. 53), Benedict explores the role of subsidiarity in a world where the obligation to care for the poor continues to involve international development aid. In no. 57, Benedict rehearses the traditional teaching about subsidiarity. The Pope states that subsidiarity is “the most effective antidote against any form of all-encompassing welfare state.” And so, in our current context, “subsidiarity is particularly well-suited to managing globalization and directing it towards authentic human development.” Indeed, if we are to avoid a “dangerous universal power of a tyrannical nature,” subsidiarity is essential.<sup>16</sup> Granted, Benedict writes, the

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<sup>16</sup> See Immanuel Kant, “Perpetual Peace: A Philosophical Sketch” in *Kant’s Political Writings*, ed. Hans Reiss, trans. H. B. Nisbet (Cambridge: Cambridge University Press, 1970), 93–130. In his *The Law of Peoples*, Rawls draws from Kant’s views to argue against cosmopolitan liberalism and for the limitations of global governance. For Rawls, a global government “would either be a global despotism or else would rule over a fragile empire torn by frequent strife as various regions and peoples tried to gain their political freedom and autonomy,” LP, 36. While many Rawlsians reject Rawls’s view in *The Law of Peoples*, the limited view of liberalism he expresses has found support among Catholic thinkers. See, e.g., Russell Hittinger, “John Rawls: The Basis of Social Justice and Intercultural Dialogue in a Globalized World,” in *Doctor*

process of globalization “certainly requires authority, insofar as it poses the problem of a global common good that needs to be pursued. This authority, however, must be organized in a subsidiary and stratified way, if it is not to infringe upon freedom and if it is to yield effective results in practice” (no. 57).

Given the context of globalization and the implications of the global financial crisis, Benedict’s reflection on subsidiarity, global authority, and human development turns to economic matters. In no. 59, he reminds us that development is not *only* economic. Instead, economic development ought to take place within the broader context of concrete cultures, each of which has the capacity to contribute to a human dialogue about the global common good. He writes:

Technologically advanced societies must not confuse their own technological development with a presumed cultural superiority, but must rather rediscover within themselves the oft-forgotten virtues which made it possible for them to flourish throughout their history. Evolving societies must remain faithful to all that is truly human in their traditions, avoiding the temptation to overlay them automatically with the mechanisms of a globalized technological civilization.

It is an understatement to say that the ongoing dialogue regarding charity, paternalism, distribution, and justice, both within the single cones of society and between the many cones of global society, is fraught with difficulties. In the increasingly interdependent global society of which John Paul II, Benedict, and Francis write, “mutuality” remains an unrealized goal difficult to imagine. The word *mutuality* connotes reciprocity, equal agency, and even, in its Latin roots, the act of borrowing. But consider the interdependence between the Global North and the Global South. How can we conceive of mutuality between such parties? How would we work for it and why? What are the conditions necessary for its achievement?

So far, magisterial teaching has not provided us with significant guidance regarding mutual global social relations. Benedict’s intervention is not even really a development. It is simply an acknowledgment that subsidiarity must somehow guide globalization.<sup>17</sup> If Catholic social teaching is to move past general

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*communis fides*, 1–2—*Persona, legge naturale, diritti umani in una società complessa e globale* (Città Del Vaticano: Pontificia Academia Sancti Thomae Aquinatis, 2007), 142–164.

<sup>17</sup> Pope Francis’s encyclical *Laudato Si’* and his apostolic exhortation *Evangelii Gaudium* could be read as developments of Benedict’s call to let the principle of subsidiarity guide the interdependent dynamics of globalization. For example, in no. 54 of *Evangelii Gaudium*, Francis cautions against naive faith in trickle-down theories of global economic development. Francis’s caution could be read as an implicit call

exhortations to solidarity and mutuality and toward a “deeper critical evaluation of the category of relation” in a global context, then perhaps Rawls’s basic structure argument will prove an essential asset. As we will suggest, the Rawlsian idea of the basic structure provides an avenue through which the ideal-normative vision of Catholic social teaching may be fruitfully developed. More specifically, the Rawlsian idea of the basic structure can provide Catholic social teaching with something it does not currently have: a way to speak precisely and practically about the principle of subsidiarity in a context of radical inequality between societies. Rawls’s emphasis on the basic structure challenges and refines Catholic social teaching’s ability to judge the hierarchical relations that obtain between rich and poor people in our actual context. This challenge is essential in a world where both liberalism and Catholic social teaching are vocationally bound to address the inequality between rich and poor people.<sup>18</sup>

### BASIC STRUCTURE AS THE SUBJECT OF JUSTICE

To put Rawls in conversation with Catholic social teaching, we identify in this section, first, what Rawls means by the *basic structure* and, second, why Rawls privileges the basic structure as the *site* of justice. In comparison to other ideas in his theory of justice, Rawls’s development of the basic structure is relatively brief and “whether Rawls himself was ultimately committed to the basic structure argument,” Arash Abizadeh notes, “is a matter of some interpretive ambiguity.”<sup>19</sup> Moreover, Rawls’s theory of justice is long and complicated, so we will not offer here a full exegesis or reconstruction of the various interlocking parts of his theory. Rather, we will focus

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for subsidiary relations where all members of a hierarchical global society take responsibility for offering their help (*subsidium*) to those in need. Furthermore, throughout both documents, Francis’s sensitivity to the negative consequences of social exclusion can also be read as a call for subsidiary relations, where all participants in global society are given the opportunity to participate in the pursuit of their flourishing and to foster bonds of mutual solidarity (see *Evangelii Gaudium*, no. 59; *Laudato Si’*, nos. 48–52). Finally, in *Evangelii Gaudium* nos. 234–237, Francis addresses the fundamental issue underlying subsidiarity: the relation of the part to the whole. His idea of society as a *polyhedron* rather than a *sphere* could be read as a gesture toward the need for a more precise, systematic, and practical way of speaking about the inequitable relations between parts of a global whole. Nevertheless, each of these examples is a possible interpretation and not a deliberate effort to bring the principle of subsidiarity into the normative assessment of global inequalities.

<sup>18</sup> On the one hand, perhaps the imprecision of the term *mutuality* explains why it is found nowhere in *Caritas in Veritate*. On the other hand, Benedict does use the words *reciprocal* and *reciprocity*. In no. 57, he uses the word *reciprocity* once, emphasizing its role in subsidiary relations. In no. 59, his preferred word is *cooperation*.

<sup>19</sup> Arash Abizadeh, “Cooperation, Pervasive Impact, and Coercion: On the Scope (not Site) of Distributive Justice,” *Philosophy and Public Affairs* 34, no. 4 (2007): 319, n. 3.

on Rawls's arguments for the basic structure and its importance for thinking about economic inequality.<sup>20</sup>

In his *A Theory of Justice*, Rawls claims that "justice is the first virtue of social institutions," adding that "laws and institutions no matter how efficient and well-arranged must be reformed or abolished if they are unjust" (TJ, 3). Rawls groups a society's major economic, legal, political, and social institutions under the heading of the "basic structure," which is the "primary subject of justice." "Taken together as one scheme," he writes, "the major institutions define men's rights and duties and influence their life prospects, what they can expect to be and how well they can hope to do" (TJ, 6–7). The effects the basic structure has on people's lives are "profound and present from the start" (TJ, 7). Given that we cannot control the contingencies from which we start life, for example, the native talents we are gifted or the socioeconomic class or circumstances into which we are born,<sup>21</sup> the justness of the basic structure is necessary to ensure that we are able to be equal participating members of our society's political community.

Moreover, a society needs to ensure that all people have the all-purpose means necessary to pursue their lives as members of the moral and political communities—that is, to pursue their own respective vision of the good and cooperate with one another such that others are able to do so as well. A just society, then, cannot countenance deep inequalities among its members, whether economic, political, or social, for such inequalities will pervasively affect who we are and might become (JF, 10). Regardless of our vision of the good, there are certain material, political, and social goods—for example, "rights, liberties, and opportunities, and income and wealth" (TJ, 79)—whose presence or absence will play a central role in who we are and might become. Rawls calls these material, political, and social goods "primary social goods." They are *primary* insofar as they are "things which it is supposed that a rational man wants whatever else he wants." They are *social* insofar as they are connected to the basic structure: "Liberties and opportunities are defined by the rules of the major institutions and the distribution of income and wealth is regulated by them" (TJ, 79).

Given that the basic structure is responsible for distributing primary social goods, Rawls devises a thought-experiment according to which citizens deliberate about how such goods should be justly distributed, aiming to mitigate the effects of the natural and social

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<sup>20</sup> Several arguments and interpretations in this section draw from Bharat Ranganathan, "On Helping One's Neighbor: Religious Ethics, Obligations to Others, and Severe Poverty" (ms.).

<sup>21</sup> Rawls calls these contingencies the "natural and social lotteries." See TJ, 65.

lotteries. According to Rawls, we should articulate the terms according to which our lives will be organized (i.e., “the principles of justice”<sup>22</sup>) starting from what he calls *the original position*. In order to ensure that no one is unjustly advantaged or disadvantaged, in the original position we should imagine ourselves behind what he calls the *veil of ignorance*. “Among the essential features of this situation,” he writes, “is that no one knows his place in society, his class position or social status, nor does any one know his fortune in the distribution of natural assets and abilities, his intelligence, strength, and the like” (TJ, 11). On Rawls’s view, the original position provides a position of equality from which we can propose principles to justly govern our cooperative lives together.

Underwriting Rawls’s theory are three values privileged in liberal moral and political theory: autonomy, equality, and reciprocity.<sup>23</sup> By *autonomy*, we mean that each individual person has their own distinct vision of the good they wish to pursue. For liberals, we have freedom *to* pursue this vision and freedom *from* others when we pursue it. On our view, autonomy should not be understood as an end state, where one is permitted to pursue whatever good simply because one chooses it, but rather as a side constraint, which makes demands on both self and other.<sup>24</sup> By *equality*, we mean that every person is an equal member of the moral and political communities, that is, every person counts as much as the next simply by virtue of being human. Relatedly, equality demands that every person requires (and may hold a justified claim to) the all-purpose means in order to pursue their distinct vision of the good. By *reciprocity*, we mean that every person recognizes others as cooperating members of society, however widely or narrowly conceived, with whom we need to deliberate and justify ourselves. Because we recognize one another as such members, we not only provide reasons to one another when we deliberate about policy but also provide the means by which we are all to pursue our own good. Whether these values are reflected in the principles of

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<sup>22</sup> The two principles of justice are: “First, each person is to have an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for others. Second, social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be to everyone’s advantage, and (b) attached to positions and offices open to all” (TJ, 53).

<sup>23</sup> To say that these three values are privileged by liberals does not entail concomitantly suggesting that all liberals agree on the content of these values nor how they are to be balanced with one another.

<sup>24</sup> “In contrast to incorporating rights into the end state to be achieved,” Robert Nozick writes, “one might place them as side constraints upon the actions to be done: don’t violate constraints C. The rights of others determine the constraints upon your actions ... The side-constraint view forbids you to violate these moral constraints in the pursuit of your goals,” *Anarchy, State, & Utopia* (Oxford: Blackwell, 1974), 29. For Rawls (PL, 365–366), arrangements that violate basic liberties are void *ab initio*.

justice will in turn affect how they are upheld by the basic structure.

Furthermore, in theorizing about justice, it is important to distinguish between the *site* and *scope* of justice. For Rawls, the basic structure is the *site* of justice. For something to be the site of justice means that it is governed by the principles of justice.<sup>25</sup> On this characterization, an evaluation of the justness or unjustness of a society does not need to consider what each and every person in that society is doing; rather, an evaluation of the site of justice informs us about the terms according to which members of that society interact with and implicate one another through shared institutions and whether the distribution of primary goods is justifiable to those it governs. If the distribution of primary goods sustains deep inequalities among people, the principles that govern the basic structure would not be just nor would the principles be justifiable to those governed by them.

While Rawls limited his concerns about justice to the domestic basic structure, in our globalized and interconnected world it is important to ask about the *scope* of justice. Consonant with Catholic social teaching's emphasis on the common good, the scope of justice refers to the range of people "who have claims upon and responsibilities to each other arising from considerations of justice."<sup>26</sup> To be sure, because we interact with and implicate members of our own country and local communities through domestic public policy, we all fall within this limited scope of justice. While we do not set policy in other countries through the voting booth, we interact more and more with those who live beyond our borders through, for example, the goods we consume, the economic sanctions we impose, and the immigration policies we enact. Given that we now live in *one world*,<sup>27</sup> do considerations of justice include everyone and not just our compatriots? If so, on what terms? These questions, to which we will return below, present new opportunities for both Catholic social

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<sup>25</sup> The regulative principle for a thing, Rawls holds, depends on the nature of the thing (TJ, 47). The distinction between principles for institutions and principles for individuals is important because Rawls articulates his deontological account of justice during a period when utilitarianism was the regnant normative theory. Utilitarianism uses the same evaluative standard (i.e., the maximization of utility) for both institutions and individuals. Moreover, while noting that his theory of justice is not disconnected from moral considerations, Rawls claims that his theory is not a complete moral theory accounting for a full but rather only a limited range of considerations, that is, whether the institutions that make up the basic structure uphold the principles of justice. This limited range of considerations is captured by Rawls's motto that justice as fairness is "political not metaphysical." See TJ, 15, and PL, Lecture I.

<sup>26</sup> Abizadeh, "Cooperation, Pervasive Impact, and Coercion," 323.

<sup>27</sup> On this phrasing and conception, see Peter Singer, *One World: The Ethics of Globalization* (New Haven: Yale University Press, 2002).

teaching and liberal theories of justice to think about the site and scope of justice.

In sum, Rawls holds that theorizing about justice focuses on society's major economic, legal, political, and social institutions, that is, what he calls the basic structure of society. Because we both govern and are governed by the basic structure, we interact with and implicate people who we will never know and with whom we will never come into direct contact. For the institutions that make up the basic structure to be just, they must deliver on the substance of the principles of justice, promoting and protecting autonomy, equality, and reciprocity. By doing so, we work toward making the basic structure just; in turn, we ensure that we mitigate the potentially deleterious effects of the natural and social lotteries on people's lives, confronting the deep inequalities that permeate our social lives and providing the goods necessary for us to pursue our ends.

#### THE BASIC STRUCTURE AND GLOBAL JUSTICE

Like Catholic social teaching, it is important to note that Rawls's theory of justice is also ideal-normative,<sup>28</sup> with Rawls emphasizing—for the greater part of his career and in his philosophical corpus—justice *within* the nation-state. We do not have to think hard to identify deep inequalities in the interactions between the Global North and the Global South. These inequalities are especially salient because of the increasing economic, political, and social interdependence between the two. How might we draw from and extend the moral and philosophical insights of the Rawlsian basic structure argument to think about economic inequalities between states? Rawls himself repeatedly prioritized and emphasized justice within domestic basic structure (JF, 11), giving rise to the view that he was himself an anti-cosmopolitan.<sup>29</sup> Drawing inspiration from some Rawlsian thinkers, however, we will briefly sketch how we might confront the deep inequalities that exist between states.

In the non-ideal real world, Thomas Pogge notes, affluent people, consciously or unconsciously, try to get around [moral] norms by arranging their social world so as to minimize their burdens of

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<sup>28</sup> Commenting on his aim in his *Theory of Justice*, Rawls writes: "What I have attempted to do is to generalize and carry out to a higher order of abstraction the traditional theory of social contract as represented by Locke, Rousseau, and Kant," TJ, xviii.

<sup>29</sup> Rawls's anti-cosmopolitanism is on display in his *The Law of Peoples*. On Rawls's anti-cosmopolitanism, see also Philip Pettit, "Rawls's Peoples," in *Rawls's Law of Peoples: A Realistic Utopia?*, ed. Rex Martin and David A. Reidy (Malden, MA: Wiley-Blackwell, 2006), 38–55.

compliance. Insofar as agents succeed in such norm avoidance, they can comply and still enjoy the advantages of their dominance. Such success, however, generally reduces not merely the costs and opportunity costs of moral norms for the strong, but also the protections these norms afford the weak.<sup>30</sup>

Because of their disadvantaged position—consequences of the natural and social lotteries and unjust economic, political, and social institutions—people who live under conditions of inequality are unable to defend themselves against those whose affluence enables them to uphold an unjust state-of-affairs. Thus, severe inequalities persist because they are self-reinforcing, with severely poor people living subject to a vicious cycle.

In contrast to those unjust and vicious people who actively try to benefit from a radically unequal state-of-affairs, morally conscientious and virtuous people seek to act justly, recognizing and acting in accord with what autonomy, equality, and reciprocity demand. Without the institutional oversight provided by the basic structure, major risks to the justness of society, whether domestic or global arise. While we may start from fair conditions, Rawls argues (PL, 266), over time the aggregation of our separate interactions, along with the effects of the natural and social lotteries, will make free and fair interactions within such a system impossible. Thus, as the site of justice, the basic structure's role is to secure the conditions against which our individual actions take place. Only through such regulation, Rawls holds, will fair and just conditions continue to obtain.

But in a society united together through civic friendship rather than bound together via justice,<sup>31</sup> would not the basic structure be unnecessary? "The fact that everyone with reason believes that they are acting fairly and scrupulously honoring the norms governing agreement," Rawls responds, "is not sufficient to preserve background justice" (PL, 267). On background justice, Rawls writes: "Individuals and associations cannot comprehend the ramifications of their particular actions viewed collectively, nor can they be expected to foresee future circumstances that shape and transform present tendencies" (PL, 268). Despite our best intentions, Rawls believes, our epistemic foresight is limited and our moral inclinations flawed. Thus, the basic structure is necessary, on his account, to secure the very conditions against which justice may be realized.

How might these insights be extended to the global arena? To be sure, there is no neat overlap between justice within a state and justice

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<sup>30</sup> Pogge, *World Poverty and Human Rights*, 5.

<sup>31</sup> See, e.g., Aristotle, *Nicomachean Ethics*, trans. Terence Irwin (Indianapolis: Hackett, 1999), 1155a24.



between states. We nonetheless believe that Rawls's basic structure argument can be constructively developed to think about global justice. Instead of arguing for a basic structure similar to that found within the state, we will focus on what may be called an *institutional scheme*. Such a scheme includes the institutions that facilitate our interactions with and interdependence on one another across state borders, whether economically, politically, or socially.<sup>32</sup> Through these shared institutional interactions, we structure together, to varying degrees of extensity and intensity, our disparate lives. We can belong to an institutional scheme so long as we interact with others via shared institutions, which provide benefits for some and burdens for others.<sup>33</sup> In a globalized world, these interactions are usually mediated by supra- and trans-national institutions including, for example, multinational corporations.<sup>34</sup>

Important to note, on this Rawlsian view, is the fact that the demands for justice within an institutional scheme are not triggered merely by an awareness of another's existence; rather, they are triggered by participation in that scheme. Thus, an institutional account of justice does not stem from pre-institutional concerns about benevolence or fairness or (more problematically) sentimentality.<sup>35</sup> Instead, the fact that we interact with and are interdependent on one another requires that the terms of interaction be justifiable to the relevant parties; and for these terms to be justifiable requires that they honor autonomy, equality, and reciprocity. Moreover, focusing on an institutional scheme does not mean we rectify institutions for the sake of rectifying institutions; rather, we identify and improve on the just-making features of such institutions to ensure that the people who are

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<sup>32</sup> See Thomas Pogge, *Realizing Rawls* (Ithaca: Cornell University Press, 1989), 8.

<sup>33</sup> Even those who attempt to extricate themselves from such institutional interactions, A. J. Julius notes, "help to enforce its policies, for example by paying taxes" ("Nagel's Atlas," *Philosophy and Public Affairs* 34, no. 2 [2006]: 185).

<sup>34</sup> For further discussion of supra- and trans-national institutions that mediate people's interactions see, e.g., Pogge, *World Poverty and Human Rights*, chaps. 8–9; Pogge, *Politics as Usual: What Lies Behind the Pro-Poor Rhetoric* (Cambridge: Polity, 2010), chaps. 3–5.

<sup>35</sup> On standard philosophical views, justice is an enforceable duty we have to others; for Rawlsians in particular, justice becomes an enforceable duty by virtue of the fact that we participate in and implicate one another via the basic structure. In contrast, simply appealing to something being the good or right thing to do, for example, does not tell us why that thing is good or right, who is responsible, and on what terms, especially with regard to economic, political, and social institutions. In other words, such appeals may become sentimental rather than enforceable, leaving them open to criticism from skeptics who do not believe we have widespread and enforceable duties of justice. On such skepticism, see Jan Narveson, "We Don't Owe Them a Thing!: A Tough-Minded but Soft-Hearted View of Aid to the Faraway Needy," *The Monist* 86, no. 3 (2003): 419–433.

part of such institutional schemes are recognized and respected as equal members of the moral and political communities.

Understanding justice in our globalized world holds that duties of justice obtain wherever people are participating members of an institutional scheme not delimited by national boundaries. For example, multinational corporations and regional trading blocs are institutions in which we participate that are not limited to one state. Duties of justice require us to deliberate and justify ourselves to one another when we are trying to formulate the principles that will govern our interactions, however narrowly or expansively, together. The justness and justifiability of these principles is especially important when the outcomes of the interactions they govern pervasively impact other people's material prospects, with "interdependence produc[ing] benefits and burdens." "The role of a principle of distributive justice," Charles Beitz thus observes, "would be to specify what a fair distribution of those benefits and burdens would be like."<sup>36</sup> Our interactions with one another are no longer limited to our local communities or nation-state; rather, through shared institutions, they extend to and throughout the global arena. For the Rawlsian, such interactions demand that we uphold autonomy, equality, and reciprocity.

#### **CONCLUSION: THINKING TOGETHER CATHOLIC SOCIAL TEACHING AND RAWLS'S BASIC STRUCTURE**

We have discussed subsidiarity and Rawls's basic structure, especially how institutions that make up either a subsidiary array or the basic structure address economic inequality. To our minds, there is significant overlap between Catholic social teaching and Rawlsian liberalism. Both begin from the inviolable dignity of the human person. Both regard institutions as critical for realizing justice in society. So, according to both, a given society's economic arrangements must be normatively assessed with regard to human dignity and the demands of justice. In light of this important consonance, in this concluding section, we will explore how Catholic social teaching might incorporate insights from Rawls's argument in a practical and synergistic way.

Popes from Paul VI to Francis have highlighted both the importance of global relations and the moral gravity of inequality; moreover, in *Caritas in Veritate*, Benedict XVI indicates that there is a need for a "deeper critical evaluation of the category of relation" in the global context. In these exhortations, subsidiarity is a critical component. Despite these developments, as noted above, the Catholic

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<sup>36</sup> Charles Beitz, *Political Theory and International Relations*, rev. ed. (Princeton: Princeton University Press, 1999), 152.

Church's social magisterium has thus far not provided significant guidance about institutional and individual morality in light of global interdependence. If Catholic social teaching is to move beyond general exhortations to normatively efficacious accounts of solidarity and mutuality, then Catholic social teaching about subsidiarity would benefit from dialogue with Rawlsian basic structural thinking in the following ways.

First, the basic structure argument would fortify Catholic social teaching against the charge of sentimentalism in exhorting affluent people to send *subsidium* to severely poor people. Because participation in the basic structure implicates the affluent and the poor, the near and the far, the terms according to which participants interact must be justifiable to all the relevant parties. For example, on what terms may rich people be taxed (i.e., provide the all-purpose means for the flourishing of all)? To what extent are they entitled to provide for their own material well-being (i.e., pursue their own vision of the good)? By the same token, the dignity of those being helped requires that they interact on terms that recognize them as free and equal. That is to say, if people do not work to counteract rejected inequalities, then they are not acting on terms that are interpersonally justifiable.<sup>37</sup> Thus, the provision of material aid must accompany a willingness to acknowledge that it is a means to flourishing and not flourishing in and of itself. Though magisterial teaching refrains from prescribing detailed action, exhortations to all persons of good will to fulfill their duties to poor people will always stand in need of justification. Rawls's argument for the basic structure in a society provides a justification that is un-sentimental. It is also consonant with the foundations of Catholic social teaching: scripture and natural law. Though the natural law tradition will raise questions about what a Rawlsian means by the "autonomy," "equality," and "reciprocity" protected by a society's basic structure, we view this dialogue about key terms as essential to the task of performing Benedict's evaluation of relations in our globally interdependent society.

Second, this dialogue between Rawlsian basic structure thinking and Catholic social teaching would provide both Catholic social teaching and liberal theorists with nuance regarding the role of institutions in forging together disparate people and nations into a global society. While it is an open question whether we truly live in Singer's one world,<sup>38</sup> we are now more than ever globally interdependent. Despite this interdependence, the inequality between the Global North and South is now the greatest observed in post-

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<sup>37</sup> See A. J. Julius, "Basic Structure and the Value of Equality," *Philosophy and Public Affairs* 31, no. 4 (2003): 322.

<sup>38</sup> See Singer, *One World*.

colonial times. If we do in fact live in one world, it is a single world suffering from a lack of authentic mutuality, where we are not neighbors to one another, but strangers. What is the role of institutions, then, in remedying such a situation? While there are increasing exhortations about global relations, papal recommendations currently suffer from a lack of content. But this is not an issue for Catholic social teaching alone. Thomas Nagel, for example, believes that while questions concerning domestic politics are well understood, those concerning international politics are not.<sup>39</sup> Given that the role of the nation-state continues to evolve in an unfamiliar context, the present dialogue provides us with ways to assess why a global authority remains difficult to conceive and what that difficulty means for more localized work toward achieving justice and equality.

Third, basic structural thinking can be extended to give an account of why and how it matters that we participate in globally interconnected institutional schemes. In other words, Catholic social teaching need not wait to work out what a global authority might look like. Catholic social teaching can and must speak normatively about what just participation in global institutional schemes really looks like.<sup>40</sup> This is an ideal complement to the magisterial teaching on subsidiarity. Though the principle of subsidiarity was refined in a more national context, the social, political, and economic issues prompting magisterial intervention were issues of participation, authority, and competence. In short, they were issues of coercion and how to justify it.<sup>41</sup> Rawlsian arguments about the basic structure, participation, and justification can help Catholic social teaching articulate a defense of the human person in a context where billions of people are coerced unjustifiably.<sup>42</sup>

Neither Catholic social teaching nor Rawlsian liberalism is immune from the contemporary challenge of thinking carefully about the evolving structures and implications of globalization. The ongoing


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<sup>39</sup> See Thomas Nagel, "The Problem of Global Justice," *Philosophy and Public Affairs* 33, no. 2 (2005): 113–147.

<sup>40</sup> One might interpret the difference between Benedict XVI and Francis's social magisteria in this way. In *Caritas in Veritate*, Benedict speculates about global institutional authority. In *Laudato Si'*, Francis speculates about participation in unjust schemes.

<sup>41</sup> In Leo XIII's social magisterium alone, the issues of matrimony and education are two examples. On matrimony, see *Arcanum* (1880); on education, see *Spectata Fides* (1885).

<sup>42</sup> *Coercion* is commonly understood as getting someone to do something against their own will, for example, threatening someone's life unless they hand over their wallet. On this understanding, coercion is unjust: we do not have a legitimate claim upon someone to do something or refrain from doing something else. Coercion can be just and therefore legitimate, for example, in democratic societies where the state imposes and upholds laws that regulate our individual and communal behavior.

impasse between cosmopolitanism, on the one side, and nationalism and localism, on the other, is sufficient evidence that the task of understanding human community, duty, and obligation is in no way complete. Both Catholic social teaching and Rawlsian liberalism provide resources for thinking of community, duty, and obligation in a global context. These resources must continue to be honed against the reality of our current context. In the spirit of friendship and solidarity, we have endeavored here to start a conversation toward this end.<sup>43</sup> 

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