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Personalism

Neo-Thomist Metaphysics and Human Rights

This chapter explores the basic metaphysical premises on which the Christian Democratic ideology is based, focusing in particular on its conception of human nature. It does so through an engagement with the meaning this ideological tradition has historically assigned to the concept of the human "person."

The centrality of the doctrine of personalism for the Christian Democratic ideology has already been widely emphasized, both by Christian Democratic actors and thinkers themselves and by academic commentators. In his 1946 speech at the University of Cologne, outlining the first political platform of the German CDU, Konrad Adenauer stated that: "The fundamental theorem of the CDU's program, from which all our demands follow, is a core idea of Christian ethics: the human person has a unique dignity and the value of each human person is irreplaceable" (Adenauer 1946, 12). Similarly, the Belgian PSC's 1945 Christmas program explains that: "The doctrine of the Christian Social Party is based entirely on the central conception of the human person . . . Where there is a problem to be solved, the party has one standard for the choice of a solution: will the formula proposed lead to the full development of the greatest possible number of personalities?" (PSC 1945, 11–13).

Analogous language was carried over in later articulations of Christian Democratic doctrine. In his 1961 treatise expounding on the Christian Democratic conception of the social order, Pierre-Henri Teitgen stated that: "We are Christian Democrats because we believe in the eminent dignity of the human person" (Teitgen 1961, 86). Similarly, the first political program drafted by the European EPP in 1978 states that: "Our policies are based on a conception of man which is inspired by

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the fundamental Christian values, and which finds its expression in the dignity and inalienable freedom of the human person" (EPP 1978, 424). Finally, the German CDU's current party manifesto, adopted at the party's twenty-first congress in Hanover in 2007, states that: "In our view, God created man in his own image and likeness. As a consequence of this Christian conception of mankind, we believe in the inviolable dignity of the human person" (CDU 2007, 7).

It should therefore be unsurprising that in the introduction to a volume of collected essays on Christian Democracy in Europe, David Hanley refers to personalism as "the most consistent and articulate component of the Christian Democratic ideology" (Hanley 1994, 4). This echoes a point already made by Jean-Dominique Durand, when he noted that: "Within the framework of Christian Democratic discourse, the reference to personalism is a constant" (Durand 1995, 18). Finally, in their 2010 overview of the existing academic literature on the topic of Christian Democracy, Stathis Kalyvas and Kees Van Kersbergen refer to personalism as "one of the core ideological concepts of Christian Democratic politics" (Kalyvas and Van Kersbergen 2010, 196).

The main argument of this chapter is that in order to understand the significance historically attached by the Christian Democratic ideology to the doctrine of "personalism," it is necessary to situate it in the context of a broader metaphysical world-view, which implies a specific conception of human nature and its place within the universe. I will accordingly begin by outlining the main tenets of this overarching metaphysics, then describe the specific conception of human nature it implies and only after that turn to the political consequences that follow.

Although the heyday of the doctrine of personalism coincided with its contribution to the development of the Christian Democratic ideology during the middle part of the twentieth century, the notion had already "sprung up in motley and mostly disconnected and unrelated versions in several branches of modern thought" (Moyn 2015, 68). Indeed, as Samuel Moyn has noted in his recent overview of the concept's history over the past century and a half: "Not just the cacophony of voices starting in the early 1930s, but the essential indeterminacy of the concept itself made personalism highly ambiguous: it was, after all, the common but deeply contentious cause of Christian and para-Christian intellectuals from the far right to the communitarian left" (ibid., 69).

For the purposes of this analysis, I will be focusing on a particular strand of the broader current (or set of currents) of thought that have adopted the label of personalism: the specifically Christian one, which

I take to have been most influential in the development of the Christian Democratic ideology, and which Moyn himself identifies as the most "durable," precisely for this reason (ibid., 70).

THE IDEA OF A NATURAL ORDER

The Christian Democratic doctrine of personalism developed as an offshoot of a particular strand of Catholic theology known as "Thomism" (or, more precisely: "neo-Thomism"), which was enshrined at the heart of official Vatican doctrine by the encyclical *Aeterni Patris* promulgated by Pope Leo XIII in 1879 (see McCool 1987; on this point, see also: Acerbi 1991; Formigoni 2008). Its core tenet is that the whole universe has been created by God as a rational and purposive "order"; that is, as a system of necessary laws and relationships that assign a specific place and purpose to each individual object within it.

This idea is expressed clearly by Leo XIII when he states: "That a marvelous order predominates in the world of living beings and in the forces of nature, is the plain lesson which the progress of modern research and the discoveries of technology teach us." "Such an order," Leo XIII adds, "universal, absolute and immutable in its principles, finds its source and ultimate end in the true, personal and transcendent God . . . He is the first truth, the Sovereign God and as such the final cause from which society, if it is to be properly constituted . . . must draw its genuine vitality" (Leo XIII 1879, §38).

The notion of a "final cause" alluded to in the passage implies a reference to the idea that God created the temporal universe with a specific *purpose* in mind: that is, as a means or pathway for the redemption of humanity from its original sin. As we saw in Chapter 1, human history is understood as a "providentially ordained" process through which humanity must pass in order to be reunited with God and achieve eternal salvation. This implies that "nature" is not assumed to be a mere collection of inert things, interacting with one another to produce a random – or at least meaningless – succession of events. Everything that is, is supposed to have an implicit *telos*, which corresponds to the fulfillment of God's providential plan for humanity. This is what Leo XIII means when he writes, echoing a formula that we also find in Thomas Aquinas himself, that the "ultimate end" of the "natural order" is the "eternal beatitude of mankind" (ibid., §§39–41).

The characterization of nature as an "order" also implies that it is *organically structured* in a multitude of complementary parts that

contribute in their own way to the fulfillment of its ultimate end. There is therefore assumed to be a structuring logic – or grammar – implicit in the teleological conception of the universe itself: a point that was clearly made by Pope Pius XII in his 1942 Christmas address, when he stated that: "Order, which is fundamental in an association of men (of beings, that is, that strive to attain an end appropriate to their nature) is not merely an external linking of parts which are numerically distinct. It is rather, and must be, a tendency and an ever more perfect approach to an internal union; and this does not exclude differences founded in fact and sanctioned by the will of God, or by supernatural standard" (Pius XII, 1942, §9). "Reason enlightened by faith," the Pope added, "assigns to individuals and to particular societies a definite and exalted place in the natural order of society" (ibid., §17).

Both of the key features of this specific conception of the "natural order" – providential purposiveness and organic structure – were later summed up by the Italian neo-Thomist jurist and political theorist Giorgio La Pira (who was also one of the founding members of the country's Christian Democratic party, as well as a member of the postwar constituent assembly), when he stated that, according to the "Christian view of the world":

> Nature is a *unitas ordinis*; that is, a hierarchically organized and providentially ordained unity of all created beings … Hierarchically organized because all created beings are, so to speak, situated on a ladder: they rise in degree and value as their formal principle is intensified and we move from the mineral to the vegetal, to the animal and ultimately the human state … Providentially ordained because the ultimate end of this hierarchical structure lies in constructing an instrument of salvation for man.
>
> (La Pira 1945, 139–140)

The specific conception of "natural law" that is at the heart of the neo-Thomist metaphysics follows as a logical implication from this overarching conception of the natural order. For, according to traditional Christian (and in particular Catholic) metaphysics, "natural law" is essentially the underlying grammar – or immanent logic – that defines the necessary relations amongst things (and orders of things) within the overarching natural order. Thus, in his *Summa Theologiae*, Thomas Aquinas defines natural law as "the rational creature's participation in eternal law" (Aquinas 1274, IaIIae91). This implies that natural law is the aspect of God's providential plan for the salvation of humanity that is accessible to natural reason, and is for this reason morally binding on all rational creatures. The idea of "natural law" and that of "natural order"

therefore reciprocally imply one another in Aquinas' thought, just as the ideas of system and structure are mutually interdependent.

The same point was then made by Jacques Maritain in his treatise *The Rights of Man and Natural Law*, where he writes that: "Natural law, or natural right, is nothing more than ... an order or disposition that human reason can discover, and according to which the human will must act in order to attune itself with the necessary ends of the natural order" (Maritain 1942, 104).[1]

[1] In order to grasp the theoretical distinctiveness – and historical significance – of this broadly "neo-Thomist" conception of the "natural order" (and the attendant conception of natural law), it is useful to contrast it with another extremely influential theological strand that, according to Michel Villey, has been chiefly responsible for the "fateful break" within the Christian metaphysical tradition that ultimately set the conditions for the emergence of modern naturalist philosophy: the "nominalist" theology that has its origins in the thirteenth- and fourteenth-century thought of authors such as Duns Scotus and William of Ockham, but that also implicitly underscores the thought of more recent thinkers, such as, most notably, Thomas Hobbes, Francis Bacon and Immanuel Kant.

According to Villey, the core tenet of this "nominalist" theology is the idea that the only things that truly and fully exist – in the sense that they have been created directly by God – are "individual entities." The relations amongst things, and especially the abstract concepts that allow us to refer to multiple individual things in a single category (and which in the language of medieval scholastic theology were referred to as "universals") are assumed to be artificial entities, created *ex post* by human beings: mere "names" we give to bundles of things when we are incapable of obtaining more specific knowledge of them in their particularity.

As Villey points out, this theological strand first developed out of concern that the "rationalism" implicit in the Thomistic conception of the "natural order" might potentially undermine God's absolute sovereignty and freedom. For if there are what Aquinas would have called "universals" (for instance, the idea that "triangles must necessarily have three sides"), it would seem that God would not have been able to create the universe any differently than he actually did. Conversely, if all that really exists are particulars, and the relations amongst them are mere names applied *ex post* by human beings, God remains free to create the universe as he pleases (since there would strictly be no "triangles," but only this or that particular shape).

Out of this concern to preserve the absolute sovereignty and freedom of God, Villey further notes, the "nominalist" theology ultimately ended up undercutting the condition of possibility for the very idea of a "natural order" in the Thomistic sense, since nominalism involves denying any objectivity to the structure of the relations that link things to one another in the natural world. This theological strand can therefore serve as a useful "foil" to capture what is both historically and theoretically distinctive in the Thomistic conception of the "natural order." This is how Villey himself sums up the core tenets of what he calls Aquinas' "realism":

> The Aquinate, a disciple of Aristotle, talks of reality primarily in relation to individuals, but he also considered the so-called "universals" to be objectively real. The types and species – such as "animal", "man", "citizen" etc. – are not just abstract concepts. They have a concrete existence beyond the human mind ... The objective world is therefore not just a mere assemblage of disordered atoms, just as society isn't a mere collection of

THE NATURE OF THE HUMAN PERSON

Within the outlined framework of this overarching conception of the "natural order," the human person is understood as a particular category of created entities. This implies that it is assigned a specific place – and therefore a specific value, or rank – within the overarching hierarchy of beings, and a corresponding end – or finality – with respect to God's providential plan. The scriptural foundation for this is the idea that man was created "in God's image and likeness" (Genesis 1:27). This is perhaps the core principle of the Christian doctrine of personalism, but it has nonetheless been interpreted rather differently by some of its most prominent intellectual exponents, giving rise to a plurality of different inflections of the same basic doctrine.

Drawing most closely on Aquinas' gloss on the Biblical precept – which assumes that personality is one of the essential attributes of God, inasmuch as a person is that which "subsists by its own rational nature" (Aquinas 1268, I.23.4) – Jacques Maritain claims that what makes human beings most similar to God is that they participate in His rationality and therefore do not exist merely as a "piece of matter" or an "individual element in the world," but rather "hold themselves in hand by their intelligence and will" (Maritain 1942, 66). From this Maritain infers that the key feature of human personality is *rational self-subsistence*, which in turn implies that the human person is "a whole in itself, not just a part" (ibid., 66). "The human person," he writes, "is a universe unto itself, a microcosm in which the whole great universe can be encompassed through knowledge and love" (ibid., 66).

Maritain also adds that "in philosophical terms, this implies that in the flesh and bones of the human being there resides a soul, which is of a spiritual nature, and which is worth more than the whole material universe itself (ibid., 67). The emphasis here falls more on the *spiritual* – rather than the rational – element of human personality. This idea was then taken up and developed further by several other prominent Christian personalists in the postwar period. Giorgio La Pira, for instance, writes that: "The human person is a composite of matter and spirit; that is, of

> separate individuals. It contains an order within itself and therefore involves different categories in which individual entities (the formal causes) and their natures (the final causes) are classed. This involves a whole system of relationships amongst entities that exists objectively, and therefore independently of the intellect that discovers such things. (Villey 1968, 179)

body and soul, which form a unity and are reciprocally ordained to one another" (La Pira 1945, 141). Similarly, Jean Lacroix states that: "The human is the result of the substantial unity between a spiritual soul and a material body" (Lacroix 1981, 18).

Finally, perhaps the greatest Christian personalist thinker of the middle part of the twentieth century, Emmanuel Mounier, insisted more on the dimension of *subjectivity* (or, as he would say, the "process of subjectivation") that distinguishes human beings from mere objects, and thereby elevates them towards God. "The person," he writes, "is not a mere object. It is indeed precisely that which in each human being cannot be treated as a mere object ... It is a lived activity of self-creation, of communication and commitment, which grasps itself and understands itself in its own act as a movement of progressive personalization" (Mounier 1949, 9–10). As Mounier himself points out, the core features that all these different inflections of the doctrine of the human person have in common is the idea that the human being is characterized by a certain duality: on one hand, it is assumed to be a created entity, that is, a material object – or individual – in the natural world; but on the other hand, it is also assumed to be capable of elevating itself above its merely material or objective existence, though an exercise of the spiritual faculties it has in common with God:

> The emergence of the human person from the sphere of mere materiality can be read in the history of the world as the outcome of the interplay between two tendencies: one is the permanent tendency towards "depersonalization", which attacks life, stifles its energy, and reduces all beings to infinitely repeatable species; the other is the movement of personalization, which strictly begins only with man, but whose prior preparation can be discerned in the whole history of the universe. (Ibid., 27)

From this particular conception of the nature of man – as a sort of intermediate, or rather transitional figure between materiality (and in particular animality) and divinity – there follows a conception of his particular dignity within the overarching natural order created by God. For instance, in this respect Mounier writes that: "The personal mode of existence is the highest form of being, whereas impersonal or more or less depersonalized entities are nothing but decelerations or languors of nature" (ibid., 11). Similarly, in *The Rights of Man and Natural Law*, Jacques Maritain writes that: "To say that the human being is a person means that he has a certain dignity, i.e. that he is worthy of respect as the bearer of certain inalienable rights and duties" (Maritain 1942, 105). The Christian idea of the inherent dignity of the human person therefore

proves to be inextricably tied to the idea that the human person occupies a specific place – or rank – within the overarching hierarchy of beings that constitutes the natural order willed by God.

In turn, this specific place or rank is also assumed to assign a distinctive finality to the human person. For one of the fundamental principles of the neo-Thomist metaphysics in which the Christian doctrine of the human person is inscribed is that a thing's nature also defines its overarching end. Thus, to say that the human being occupies a determinate place in the natural order (between animality and divinity) implies that it must also have a certain finality, which is assumed to consist in the fulfillment of the specific qualities that man shares with God, i.e., rationality, subjectivity and spirituality. Maritain expresses this by saying that: "Because it alone is the image of God, the human person alone is capable of Grace . . . In the beatific vision, each blessed soul, knowing God as He is and as it itself is known by Him, grasps the divine essence and becomes God intentionally in the most immediate act conceivable" (Maritain 1966, 20–21). Even more explicitly, La Pira writes that:

> Natural reason shows that the ultimate end of human personality cannot but be God. For, God is the final cause of all beings; and He is so in particular for the human person, since the latter is a rational entity which is therefore by definition ordained towards the direct consciousness of God . . . This end is reached through the incorporation in Christ; that is, by becoming a member of the mystical body of Christ that is the Church.
>
> (La Pira 1945, 141)

THE PERSON AND THE COMMUNITY

Apart from its participation in divine nature, another key feature that distinguishes the Christian – and in particular the neo-Thomist – conception of the human person from other conceptions of human nature is its inherently *social* dimension. Since human dignity is defined by man's position in the overarching "natural order" created by God, his (or her) realization must be inextricably tied to the realization of this order's broader purposes; which means, first and foremost, the realization of the other human persons present in the same order. Thus, in practice, each person's fulfillment as an individual human person is inextricably tied to everyone else's, which in turn implies that, as a collectivity, we are all bound together in a common salvational project of universal significance.

This idea is expressed by Maritain when he states that human personality is not merely a principle of "individuation" – that is, a criterion of separation of the human from other categories of being – but also a principle of "communication"; that is, an affirmation of man's inherent relationship with an Other, which may take the form of God, nature or other human beings. "The subjectivity of the person," he writes, "has nothing in common with the isolated unity, without doors or windows, of the Leibnizian monad ... By the very fact that each of us is a person and expresses himself to himself, each of us requires communication with the other and with others, in the order of knowledge and love. Personality, of its essence, requires a dialogue in which souls really communicate" (Maritain 1942, 65).

A very similar point was later made by Robert Hulpiau in his report to the Fifteenth Congress of the Belgian Mouvement Ouvrier Chrétien of 1949, where he stated that: "Man is not a hermit, withdrawn into the solitude of the Aventine hill and living in contemplation of the truth. It is through full and entire involvement in the structures of society, through participation in social life and in a variety of environments that he achieves the perfection of his nature. It is for this reason essential that the environment in which he is called upon should be healthy and evocative" (cited by Fogarty 1957, 34). The practical consequences of this were then spelled out by Pierre-Henri Teitgen in his 1961 treatise on the Christian Democratic conception of the social order, where he wrote that:

> Man, if he is to be truly and fully worthy of his name, must have a sense of community (*esprit de communauté*). He must feel within himself that he cannot realize and fulfill his own nature other than within and through the multiple communities he inhabits; that he is united (*solidaire*) with the members of these communities, responsible for their destiny, and willing to participate in their development and in the fulfillment of their ends, for his own personal enrichment and self-overcoming.
>
> (Teitgen 1961, 87)

What Teitgen is here calling the "sense of community" (or "*esprit de communauté*") therefore proves to be an essential component of the Christian personalist doctrine. And it is from this that Christian Democrats infer the idea of a fundamental duty of *solidarity* as an essential complement to the idea of the inherent "dignity" – and therefore uniqueness – of the human person. This point was explicitly emphasized by Guido Dierickx when he wrote that: "Personalism and solidarity are each other's complement and condition" (Dierickx 1994, 22); and then again by David Hanley when he wrote that: "This [i.e. the Christian

Democratic] type of thought is instinctively solidaristic and as such always potentially anti-capitalist" (Hanley 1994, 4).

The specific conception of "community" that the human person is here assumed to be inscribed in is not just a monolithic aggregate of individual human persons, but rather an intrinsically plural and internally differentiated whole. For, as we will see in more detail in Chapter 3, the Christian Democratic idea of a "people" is modeled on the overarching idea of a "natural order," and therefore composed of a multitude of organically integrated and teleologically ordained sub-communities, radiating concentrically outwards from the human person through the family, the neighborhood, the parish, the vocational and professional organizations, up to and including the "universal" community that is supposed to include all human beings as creatures of God.

This point was emphasized by Giorgio La Pira in an intervention at the Italian constitutional assembly where he stated that: "The human person unfolds through organic belonging to the successive social communities in which it is contained and via which it steadily develops and perfects itself" (cited by Pombeni 2008, 39); and then again by Pierre-Henri Teitgen in the following statement, which gives a clear picture of the concentric succession of human sub-communities that are assumed to constitute the overarching "order" through which the human person is supposed to realize itself:

> If man is to be truly and fully worthy of his name he must have a sense of the *family*, and therefore be engaged and responsible for those who are closest to him ... He must have a concern for his *community of work* and profession, and therefore be solidaristic with his working partners and ready to commit to that category's collective good ... He must love his *country* and its members, and not be a stranger in the nation ... And he must also have a sense of the *universal human fraternity*, aspiring towards an international community that will finally realize the ideal of universal human brotherhood.
>
> (Teitgen 1961, 87)

We will return to the concentric sequence alluded to in this passage at several junctures in the ensuing chapters of this book. What is most important for the present purposes is that this passage gives a clear sense of the fundamental *rootedness* of the Christian idea of the human person. Far from being an abstract and self-sufficient entity, artificially joined to others through a series of arbitrary contractual relations, the fundamental assumption here is that the human being is always already inscribed in a series of "natural communities" that are organically related to one another by virtue of an overarching "natural order" that is teleologically

oriented towards man's salvation. It is therefore only with and through these various "natural communities" that the human person can realize its supernatural destiny.

THE CRITIQUE OF LIBERALISM AND COLLECTIVISM

On the basis of the aforementioned characterization of the Christian doctrine of the human person, we can move on to spell out some of the most significant political consequences that Christian Democrats have historically drawn from it. The first thing to note in this respect is that throughout the middle part of the twentieth century, the notion of the human person served a very important discursive function in both situating and distinguishing Christian Democrats from their main ideological rivals. As we will see in more detail in Chapter 5, in fact, one of the most important defining features of the Christian Democratic ideology as a whole is its self-presentation as a sort of intermediate or alternative "third way" between the two other main ideological currents that dominated the history of the past century and a half: liberal individualism on the one hand and socialist collectivism on the other. The notion of the human person served a key purpose in this ideological positioning, because it is simultaneously alternative to and in a sense intermediate between the liberal emphasis on the inherent value and rights of the abstract individual, and the socialist reliance on a reified and internally homogeneous conception of the human collectivity.

This is a point that has been widely noted both by Christian Democratic actors and thinkers themselves and by academic commentators. In the introduction to his 1947 treatise *The Person and the Common Good*, for instance, Maritain writes that: "The nineteenth century experienced the errors of individualism. We have witnessed the development of a totalitarian or exclusively communal conception of society which took place by way of reaction. It was natural, then, that in a simultaneous reaction against both totalitarian and individualistic errors, the concept of the human person, incorporated as such into society, be opposed to both the idea of the totalitarian state and the sovereignty of the individual" (Maritain 1947, 12). Similarly, if somewhat more succinctly, Jean Lacroix states in his 1981 treatise *Personalism* that the overarching historical task of this political philosophy is "to save the human person from bloodless liberalism on one hand and oppressive communitarianism on the other" (Lacroix 1981, 5).

Amongst academic commentators, Robert Irving has written that: "Personalism differs from liberalism in two important respects: first, in its emphasis on the spiritual side of life and secondly in its contention that the individual can only reach fulfillment within the natural social structures of society, such as the family, the community or the place of work . . . Having rejected traditional liberalism, however, Christian Democrats show scant interest in the Marxist response to liberalism. Indeed, they anathemize collectivism even more than liberalism. They regard Marxist communism as a straightforward denial of Christ's teaching about the infinite value of each human being" (Irving 1979, 31). More recently, Samuel Moyn has restated the same point in different terms: "In the first place," he writes, "personalism differed from individualism because it championed a figure that was supposed to overcome the destitute atomism in the politics and economics of the nineteenth century. If, however, the person provided a connection to community that individualism ruled out, it also provided the key source of value omitted in – and a political bulwark against – communism . . . [In this sense], personalism meant a repudiation of the rival materialisms of liberalism and communism" (Moyn 2015, 69–70).

Given both the theoretical significance and the political importance of this ideological self-positioning as a "third way" between (or rather beyond) the "rival materialisms" of liberalism and communism, it is worth digging a little deeper into the critiques advanced by Christian Democrats of these two ideological foes in the name of Christian personalism. In this, it will be useful to look more closely at the thought and writings of Emmanuel Mounier in particular, since these provide the most thorough and articulate exposition of the key charges historically made by personalism against liberal individualism on the one hand and socialist collectivism on the other.

The key charge Mounier levels against liberal individualism is that, while pretending to protect and elevate the individual, it actually involves a "diminution" of the human person, by reducing it to a merely material entity, entirely enslaved to the petty pursuit of its material interests. "Liberal individualism," he writes, "is a decadence of the individual, even before being a way of isolating him: it has isolated individuals to the extent that it has debased them" (Mounier 1936, 12). "By reducing man to an abstract individuality," Mounier adds, "without vocation, without responsibility, without past or future, bourgeois individualism is the main harbinger of today's general enslavement to money; that is, as words put it so aptly, of the anonymous society governed by impersonal forces" (ibid., 15).

Conversely, the key charge Mounier makes against socialist collectivism is that it involves a denial of the specificity – and therefore the inherent dignity – of the human person. By assimilating the individual directly into a reified conception of the human collectivity, it poses the conditions for an arbitrary oppression of the human personality. "The central weakness of Marxism," Mounier writes, "is to have misunderstood the reality of the human person, which is its self-creative freedom. In the world of technical determinisms, just as in that of clear and distinct ideas, the human person has no place and must therefore ultimately be oppressed by the very material forces it initially intended to master" (ibid., 35).

Although these two parallel critiques of liberal individualism and socialist collectivism may appear to pull in opposite directions, on closer inspection it emerges that in reality the point that is being made is the same in both cases, i.e., that both liberalism and socialism represent ways of denying the inherent dignity of the human person. Indeed, perhaps the deepest point that emerges from Mounier's 1936 *Manifeste en Service du Personnalisme* is precisely that, instead of being opposed to one another, liberalism and socialism in fact "deserve each other" in that one leads to the other and the competition between them can therefore ultimately only lead to a negation of the values associated with the Christian conception of the human person:

> The liberal individual leads inevitably towards atomism and egoism; that is, to a state of war, insecurity and disorder. Only the unconditional affirmation of a public force can preserve civil order, by constraining evil and organizing chaos. But, to achieve that, far from a "minimum of government", as in the liberal demand inspired by Rousseauian optimism, what is required is a "maximum of government" … Thus, the state progressively acquires absolute control over private life, the economy and spiritual life, and the collective dictatorship progressively takes the form of a personal dictatorship of a minority acting in the name of the "whole."
>
> (Ibid., 22–23)

We find here a version of the historicaldialectic we already encountered in Chapter 1, which is supposed to lead from modern liberalism to either fascist or Soviet totalitarianism, only this time applied to their respective sociological substrates: the abstract individual on the one hand and the reified collectivity (in the form of the Race or the Proletariat) on the other. What is important to point out in this respect, however, is that Mounier's simultaneous critique of both liberalism and socialism is not intended to be entirely negative. As Paolo Pombeni has noted, Christian personalism

is best understood as an attempt to both recover and preserve what appears compatible with Christian values from within these ideological traditions, while at the same time discarding the aspects that appear threatening or problematic from a Christian point of view (Pombeni 2000, 296–297).

From the point of view of prior Christian – and in particular Catholic – doctrine, it is in fact undeniable that the development of a doctrine of Christian personalism testifies to a much greater willingness to take into account the inherent dignity and the legitimate claims of the particular individual, in a way that would have been unthinkable before the historical affirmation of liberalism. Similarly, Christian personalism's emphasis on the social dimension of the human personality, and the correlative importance it attaches to the values of community and collectivity for the realization of man's ultimate destiny, must be understood historically as an attempt to both incorporate and tame the central normative proposition of socialist collectivism. In sum, therefore, Christian personalism can perhaps be best understood as an attempt at a dialectical overcoming of both liberal individualism and socialist collectivism, which aims to both negate and incorporate the one-sided elements of each into a higher synthesis.

SUBSTANTIVE MORALITY AND SOCIAL CONSERVATISM

Beyond its polemical function as a vector for the critique of Christian Democracy's two main ideological rivals, the doctrine of Christian personalism also constitutes the basis for several more positive components of the Christian Democratic ideology. In the remaining sections of this chapter, I will focus on three in particular: the substantive morality that follows from the core metaphysical premises previously outlined, and which undergirds Christian Democracy's *social conservatism*; the conception of the relationship between the human person and *public authority* that is implied by this; and the distinctive theory of *human rights* that is perhaps one of the most influential legacies of the Christian Democratic ideology for contemporary political culture and institutional frameworks.

As we have seen, the doctrine of Christian personalism that is at the heart of the Christian Democratic ideology has two main components: the idea that human beings occupy a particular place in the overarching hierarchy of the natural order between animality and divinity, and the idea that this specific dignity assigns us a distinctive finality, which consists in the fulfillment of the spiritual faculties we have in common with

God. From this, Christian Democrats deduce that there are some patterns of behavior that are objectively "good" for us, in the sense that they contribute towards the realization of our personality's ultimate end, and others that are objectively "bad," in the sense that they hinder the fulfillment of that goal.

At the same time, however, the doctrine of Christian personalism also implies that human beings have a material or animal component that strives for the satisfaction of its own preferences and desires, irrespective of what is objectively "good" for the human person as a whole. For this reason, Christian Democrats have always ascribed great importance to the idea of a "moral authority" that is supposed to guide human beings in their everyday actions, away from sin and towards the ultimate goal of their otherworldly salvation. In this respect, for instance, Maritain writes that:

> If a sound political conception depends above all on concentrating on the human person, it must bear in mind that this person is an animal gifted with reason, and that the part of animality in this setup is immense … It follows that a work of education, taming the irrational to reason, and developing the moral virtues, must constantly be pursued within the political body … It follows, in other words, that authority, aside from its essential function, which is to lead free men toward the common good, must also exercise subsidiary functions: not only of penal sanction for those who violate the positive laws of the commonwealth, but also of moral direction and training for those who still behave like minors.
>
> (Maritain 1942, 100–101)

The best way to get at the nature and content of this moral theory is through consideration of the specific conception of "freedom" that Christian Democrats inherited from the tradition of Catholic social doctrine, applying it to the domain of politics. The text of reference here is the encyclical *Libertas*, promulgated by Leo XIII in 1888. In it, the Pope stated that liberty is one of man's "natural endowments" and as such ought to be "cherished" and "respected" by the Catholic Church (Leo XIII 1888, §1). At the same time, however, Leo XIII also insisted that this concept ought to be "properly understood" (ibid.). From a Christian perspective, he claimed, liberty consists primarily in the capacity to "freely obey one's reason, seek moral good, and strive unswervingly after one's last end" (ibid., §2). To be sure, Leo XIII also recognized that this implies that man "is free to also turn aside from all these things" (ibid.). However, the key point of the encyclical is that: "The true liberty of human society does not consist in every man doing what he pleases … but rather in this, that through the injunctions of civil law all may more easily conform to the prescriptions of natural law" (ibid., §10).

The distinctive feature of the specific conception of freedom that is being articulated here is the idea of a coincidence – or reconciliation – between two separate aspects or components: what may be called the *subjective* component of human choice or volition, and the *objective* component of natural law, understood as the substantive pattern of behavior that is most conducive to the fulfillment of one's personality, according to God's providential plan. In other words: one is only truly free when one consciously and willingly does what is also objectively right in God's eyes. This point is made almost verbatim by Giorgio La Pira in his treatise *Premises of Politics*, when he writes that: "Freedom is not dis-anchored from the law. Rather, the finality of freedom lies in assuming full consciousness of the fact that the natural law orients us towards God, and in the translation of that consciousness into action" (La Pira 1945, 139).

Similarly, in his 1946 speech at the University of Cologne, Konrad Adenauer stated that: "Personal liberty is not licentiousness or arbitrariness. It requires each to use his freedom while being mindful of the responsibilities he has to his fellow men and ultimately to natural law" (Adenauer 1946, 6). The reason this "responsibility" to behave in accordance with "natural law" is not taken to be incompatible with human freedom, but rather constitutive of it, is that in the Christian neo-Thomist theological and metaphysical tradition "natural law" is not seen as an external dictate stemming from God's arbitrary will, but rather as the immanent grammar – or logic – of the process that is supposed to lead to man's ultimate salvation. Thus, in obeying natural law, man is not submitting to any external authority, but rather fulfilling his own intrinsic nature. Once again, this point is made explicitly by La Pira, when he writes that:

> Divine and natural law are not mere commandments issued by the divine intellect to the human will, without any root in the human will itself. On the contrary, the divine and natural law are driving forces of the human will: they operate on it *from within* . . . Man is therefore freely attracted to God as a natural and supernatural center of gravitation.
>
> (La Pira 1945, 142)

The upshot of the moral theory that Christian Democrats infer from the doctrine of the human person is therefore that human beings must be both encouraged and required by public authority to conform with the Christian conception of natural law *as a condition of their own freedom*. The substantive moral precepts that follow from this constitute

the core of what is nowadays commonly referred to as "conservative social morality." Its most significant components will accordingly be familiar from contemporary debates on the bearing of religious morality on public policy:

1. *Sacredness of human life*. Since the human person is assumed to have been created by God for the purposes of a specific end, that person – including the biological life that is its material substrate – is assumed to be intrinsically valuable and therefore worthy of respect as an "end in itself." This implies that it is a sin to interfere with the free development of each and every person, and an especially grave sin to undercut any person's possibility of fulfillment by curtailing their biological life, from the moment of conception till natural death. The most concrete – and currently prominent – applications of this principle lie in the absolute prohibitions on both abortion and euthanasia. In this respect, for instance, the program adopted by the German CDU at its twenty-first congress in Hanover states that: "The inviolable dignity of mankind as God's creation cannot be placed at the disposal of irresponsible human beings . . . It requires respect and protection of human life at all stages. Beginning from the sperms and the egg cells the unborn life demands our particular attention . . . We do not accept the high numbers of abortions which also include late abortions. We must help men and women to decide for life" (CDU 2007, 45–46).
2. *Defense of the family*. As the first and most immediate expression of the inherently "social" nature of the human person, the family unit is seen as an essential component of a fulfilled human life. As such, it is also assumed to have intrinsic value and to be worthy of respect. In this sense, for instance, the program drafted by the Confédération Française de Travailleurs Chrétiens (the main French Christian Democratic trade union) in 1945 states that: "The CFTC feels itself specially responsible for defending the family. Under this it includes, along with all those material questions which affect the standard of living in the home, also moral questions concerned with restoring the stability of family life and protecting it against direct and indirect attacks" (cited by Fogarty 1957, 49). Later, beginning in the 1950s, the French MRP even went as far as to describe itself, in one of its most frequently cited slogans, as "the party of the family." The most prominent practical applications of this principle include support for family allowances

and the idea that public authorities ought to protect the sanctity of the institution of marriage by discouraging – if not actively forbidding – divorce (on this point, see, for instance: Dierickx 1994, 24).

3. *Respect for traditional gender roles.* A further implication of the defense of the family unit as the most immediate "natural community" is the idea that what are now commonly referred to as "traditional gender roles" ought to be upheld and respected. Concerning the social role and status of women in particular, for instance, Frau Pretorius' report to the Fourth Federal Congress of the German CDU in 1953 stated that: "Paul says particularly to the woman that she must be subject to her husband in the lord. She must therefore joyfully surrender her whole being to her husband, because he brings her in return his love, as Christ loved his Church, even to his death on the cross" (cited by Fogarty 1957, 54). To be sure, more recent programmatic statements by Christian Democratic parties have since softened this stance. The CDU's 2007 program cited earlier, for instance, emphatically endorses the principle of "gender equality" (CDU 2007, 11). However, that this affirmation still operates within the framework of a relatively traditional conception of the distribution of gender roles is evident from the fact that the same document also emphatically rejects the legitimacy of same-sex marriages: "Marriage," the document states, "epitomizes the association between man and woman," and while "we respect the decision of other persons who find fulfillment in other forms of partnership ... we do not accept any comparison of these situations to marriage between a man and a woman" (ibid., 18–20).
4. *Critique of moral permissiveness and restriction of freedom of expression.* The flip side of the points just made is that Christian Democrats are generally very critical of what they perceive as the "moral permissiveness" of modern society. As we have seen, for them, freedom does not consist in "every man doing whatever he pleases," but rather in willful conformity with natural law. Thus, behavior that strays from this path ought to be legitimately censored by the public authority. This applies first and foremost to behavior that is considered "indecent" (such as "obscene acts in public view"), but also importantly to forms of public expression and communication. Most European Christian Democratic parties, for instance, support the legal restriction of freedom of expression in the case of "blasphemy" and "wanton

offense to another's religious belief" (on this point, see, for instance: Temperman 2008).[2]

THE RELATIONSHIP BETWEEN THE HUMAN PERSON AND PUBLIC AUTHORITY

The conception of social morality previously outlined implies a central role for public authority in both guiding and censoring human behavior. At the same time, however, another central aspect of the Christian Democratic ideology that follows directly from the doctrine of the inherent value of the human person is the importance of imposing strict *limits* on the nature and extent of public authority. The reason is that the function of this authority is assumed to be to direct and support human beings on their path towards ultimate redemption. Since an essential component of this redemptive process is assumed to be the individual human person's free and conscious choice of the right pattern of behavior, public authorities ought not interfere with human beings in any way that compromises or undermines their basic freedom. Their purpose and goal ought in fact to be precisely the opposite: to enable the free and harmonious development of each, in conformity with the overarching natural order willed by God.

The result is a particular conception of the relationship between the individual person and the role of public authority that has two countervailing components: on one hand, the individual person is supposed to respect and obey the public authority in the interest of his or her own salvation, but on the other hand, the public authority is also supposed to respect and defer to the individual person in the interest of his or her own

[2] As James Chappel has insightfully pointed out, the importance ascribed by Catholic thinkers – and in particular what he calls the "paternal" strand of Catholic political thought (which for him dominated Christian Democratic parties) – to these "conservative" moral principles has increased over the course of the twentieth century since, as he puts it, "once Catholics accepted that the state would not itself be Catholic in any meaningful sense, their new strategy involved an aggressive attempt to claim the private sphere, expansively understood, as the new site of Catholic influence" (Chappel 2018, 19–20). I believe Chappel goes too far, though, in making this *the* principal defining feature of the Christian Democratic ideology, since – as I hope to show in the remaining parts of this book – its advocates also had very much to say about distinctively "public" issues, relating for instance to state form, constitutional matters, socioeconomic policy and, not least, the relationship between politics and religion. While Chappel is certainly right, therefore, to emphasize the importance increasingly ascribed by Christian Democratic parties to issues such as "the family," "heterosexuality" and "traditional moral values," I also think it is important to resist giving the impression that this ideological tradition can be reduced to its stance on these matters.

freedom. This relationship of mutual obligation and deferral – which effectively traces a middle path between the idea of the priority of the individual over society and the idea of the priority of society over the individual – is articulated by Maritain using the language of the whole and the parts.

The fundamental premise he starts from is the Aristotelian idea that "the whole as such is greater – and therefore worth more – than the parts" (Maritain 1942, 71). "But," he adds, "the human person is something more than a part with respect to society," for "a person as such is a whole in itself ... and that which is noblest in all nature" (ibid., 72). Thus, Maritain writes, "the human person is both a part of society and a whole in itself that infinitely transcends it" (ibid., 73). More precisely, the French philosopher explains: "The human person is a part of the human community – and therefore inferior to it – according to the features of personality that depend for their subsistence on the political community itself, i.e. for its materiality and individuality." However, "the human person also transcends the political community according to the features of personality that concern its supra-temporal ordination towards the absolute." Thus, Maritain concludes:

> The human person and the group are reciprocally intertwined in one another and simultaneously surpass each other according to different aspects of their nature. Man finds himself by subordinating himself to the group, but the group cannot fulfill its own purpose other than by serving man.
>
> (Ibid., 75)

The simultaneous legitimation and limitation of public authority that follows from this conception of the relationship between the individual person and the social group is in some respects reminiscent of the liberal view of public authority as a "necessary evil" that must be both upheld and limited. However, it is important to note that the conceptual foundation of these two parallel conceptions of the grounds for the simultaneous legitimation and limitation of public authority are entirely different. These conceptual differences, in turn, also lead to important divergences over substantive policy. One way to illustrate this is to focus on the way in which these two ideological traditions have historically understood and proposed to operationalize the notion of human rights.

HUMAN RIGHTS

The idea of human rights is at the center of the Christian Democratic ideology. From the early 1940s to the present day it has occupied an

extremely prominent place in almost all Christian Democratic party platforms and programmatic documents. In his 1943 *Idee Ricostruttive della Democrazia Cristiana*, for instance, Alcide De Gasperi describes the "inviolable rights of the human person" as an "indispensable premise" of "all civil and political freedom" (De Gasperi 1943, 1). Similarly, the first European EPP's program, adopted in Brussels in 1978, states that: "We intend to protect the rights of man and the fundamental freedoms which are the basis for the fulfillment of the human person and the construction of a just society." The document goes on to outline a long list of "fundamental rights" it considers "sacred and inviolable" (EPP 1978, 424–425). Finally, the CDU's current manifesto, adopted at the party's twenty-first congress in Hanover in 2007, states that: "We are committed to the respect for human and civil rights and the eradication of social and economic misery. In this way we make our contribution towards the maintenance of peace amongst nations and a more just world" (CDU 2007, 10).

Indeed, as Samuel Moyn has noted in his recent book *Christian Human Rights*, Christian Democratic thinkers and actors played a key role not only in drafting the main declarations of human rights that are the basis for the current human rights regime, but also in keeping the idea alive at a time – between the onset of the Cold War and the start of the 1970s – when neither the capitalist West nor the Soviet world seemed particularly interested in them:

> Forgotten now, the spiritual and often explicitly religious approach to the human person was, this essay suggests, the conceptual means through which Continental Europe initially incorporated human rights – and, indeed, became the homeland of the notion for several decades . . . In early postwar Europe, human rights were – contrary to current expectations and desires – most associated with neither a revolutionary nor a republican heritage. For almost nobody were they the essence of post-Holocaust wisdom, not least since the crimes of Nazi evildoers were not yet understood to be primarily ones against the Jewish people . . . Instead, human rights need to be closely linked, in their beginnings, to an epoch-making reinvention of conservatism. This defining event of postwar West European history is familiar from the more general historiography of the period in the form of Christian Democratic hegemony, but is absent so far from human rights history.
> (Moyn 2015, 67–68)

The historical significance of this "epoch-making reinvention of conservatism" will come to the fore if we consider that, when the notion of human rights first appeared on the stage of world history during the "democratic revolutions" of the end of the eighteenth century, the position adopted by Vatican authorities with respect to it was one of radical

rejection. In a message he addressed to the French bishops on March 10, 1791, for example, Pope Pius VI declared that human rights are "contrary to religion and society" This remained more or less the Vatican's official position throughout the nineteenth century and well into the twentieth. The encyclical *Mirari Vos* promulgated by Pope Gregory XVI in 1832 denounced the idea of a right to liberty of conscience as "an absurd and erroneous proposition" (§10), the principle of freedom of expression as a "monstrous doctrine" (§15), and the whole idea of rights pertaining to individuals independently of their submission to a divine authority as "a pestilence more deadly to the state than any other" (§14).

The underlying reasons for this have been generally identified with the idea that there exists a fundamental tension – if not an outright incompatibility – between the "classical" and the "modern" conceptions of natural right (on this point, see, for instance: Strauss 1953; Villey 1968; Tuck 1979). Whereas, as we have seen, the official doctrine of the Catholic Church has been traditionally based on a "Thomistic" conception of natural right, which understands it essentially as the underlying grammar – or logic – of the overarching "natural order" willed by God, the modern idea of natural right – on which the earliest declarations of human rights were based – construes them as individual entitlements, stemming from man's essential freedom, and therefore dis-anchored from any broader idea of "natural order" or structure of authority. From a Christian perspective, human rights therefore initially appeared as tied to a modern, individualistic and artificialist metaphysics to which the classical idea of natural law is resolutely opposed (on this point, see also: Tierney 1997).

This only really began to change during the period Moyn refers to as the "trans-war" years, between the middle part of the 1930s and the end of the 1940s, when the Catholic Church – and conservative Christianity more generally – began to be confronted with the failure of the previous strategy of seeking alliances or agreements with authoritarian regimes in the hope of protecting Christian interests against the dual challenge of secular liberalism on the one hand and atheistic communism on the other (see Moyn 2015, 74–75). In the 1937 encyclical *Mit Brennender Sorge*, in which Pope Pius XI finally aligned the Catholic Church to the anti-Nazi front, we find a first oblique reference to the notion of human rights: "Man as a person," the Pope stated, "possesses rights that he holds from God and which must remain, with regard to the collectivity, beyond the reach of anything that would tend to deny them" (Pius XI 1937, §30). Then again, in his 1942 Christmas message on the topic of world peace,

Pius XII made an even more explicit reference to the notion when he stated: "He who would have the Star of Peace shine out and stand over society should cooperate, for his part, in giving back to the human person the dignity given to it by God from the very beginning ... He should uphold respect for and the practical realization of ... the fundamental personal rights" (Pius XII 1942, §§39–40).

As Moyn has noted, however, these early references to the notion of human (or, more precisely, "personal") rights did not yet amount to a full-fledged endorsement of the notion: "With respect to the language of rights as well as in other ways," Moyn writes, "Pius XII, like any good strategist, left his options open, encouraging some possible lines of development while tolerating others" (Moyn 2015, 76). The real theoretical breakthrough occurred outside the sphere of official Vatican discourse, and more precisely in the work of the author Moyn identifies at the "foremost" Christian Democratic thinker of the past century: Jacques Maritain. With his 1942 treatise *The Rights of Man and Natural Law*, Maritain effectively reclaimed the concept of human rights for Christian thought, placing it at the center of his broader Christian Democratic political project.

This intellectual operation relied on two key moves. First, Maritain laid emphasis on the inherently "historical" nature of the Christian (and in particular Catholic) conception of the revealed truth, which was discussed in detail in Chapter 1. This allowed him to relativize the Catholic Church's prior condemnations of rights as consequences of the fact that the concept had originally been "encrusted in the erroneous metaphysics of liberal individualism" (Maritain 1943, 26), while at the same time widening the scope for a reformulation of Catholicism's position with respect to them as "a more appropriate expression of the fundamental truth of the Christian message" in this historical epoch (see ibid., 29). Second, Maritain asserted that, from the present historical vantage point, it had become possible to see that the Catholic Church's traditional doctrine of natural law logically implies a commitment to human rights, inasmuch as the idea that there exists a "natural order" in virtue of which every created being has a specific "dignity" (or place) and "finality" (or purpose) can be read as implying that every individual human being is assigned by nature a specific set of rights and duties with respect to the whole. This is how Maritain himself formulates the point:

> The dignity of the human person? The expression means nothing if it does not signify that, by virtue of natural law, the human person has the right to be respected, is the subject of rights, possesses rights ... The notion of right and the

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> notion of moral obligation are correlative. If man is morally bound to do things which are necessary to the fulfillment of his destiny, obviously, then, he has the right to fulfill his destiny; and if he has the right to fulfill his destiny he has the right to the things necessary for this purpose . . . The true philosophy of the rights of the human person is therefore based on the idea of natural law.
>
> (Maritain 1942, 106–107)

As Moyn comments: "In either a stroke of a master, or a sleight of hand, or both, Maritain – as if the thomistic movement had not long and unanimously rejected modern rights – claimed that the one implied the other and, indeed, that only the one plausibly and palatably justified the other" (Moyn 2015, 83). "Thanks to Maritain above all," he adds, "the older view that Christianity's political and social doctrine could not be reformulated in terms of rights was dropped in exchange for the claim that only the Christian vision placing them in the framework of the common good afforded a persuasive theory of rights" (ibid., 84).

Subsequently, the idea of the reciprocal implication of the traditional Christian conception of natural law and the modern notion of human rights became one of the centerpieces of both official Catholic theology and the Christian Democratic ideology more broadly. In his 1963 encyclical letter *Pacem in Terris* (which is the first official document of the Vatican hierarchy to formally endorse the notion of human rights as such), Pope John XXIII made essentially the same argument. "Any well-regulated and productive association of men," he wrote, "demands the acceptance of one fundamental principle: that each individual man is truly a person. His is a nature, that is, endowed with intelligence and free will. As such he has rights and duties, which together flow as a direct consequence from his nature" (John XXIII 1963, §9). "These rights and duties," he added, "derive their origin, their sustenance, and their indestructibility from the natural law, which in conferring the one imposes the other" (ibid., §28).

A key point that is not often brought to the fore (and is only implicitly alluded to by Moyn), however, is that the specific conception of human rights that results from this particular mode of justification remains substantively *different* from the liberal and individualist one the Catholic Church originally condemned. The reason is that construing human rights as the logical correlates of a Thomistic conception of "natural law" disanchors them from their foundation in the idea of individual freedom and ties them instead to the idea that human beings are morally obligated to pursue certain patterns of behavior in order to fulfill the supernatural purpose assigned to them by God. From this perspective, human rights

become a vector for reaffirming the conservative social morality outlined in the section "Substantive Morality and Social Conservatism," as opposed to the guarantee of an inviolable space of personal freedom, within which the individual is entitled to do what he or she wants.

This emerges, first of all, if we observe that, throughout the personalist and Christian Democratic literature considered in this chapter, the concept of human rights is always presented as inextricably tied to a correlative concept of human *duties*, which is supposed to specify the substantive content of what the individual freedoms being granted are meant to be used for. In this respect, for instance, Maritain writes that: "The same natural law which lays down our fundamental rights ... is the very law which assigns to us our fundamental duties. It is because we are enmeshed in the universal order, in the laws and regulations of the cosmos and of the immense family of created natures ... that we possess rights vis-à-vis other men and all the assemblage of creatures" (Maritain 1942, 107). Similarly, in the encyclical *Pacem in Terris* Pope John XXIII also insists that: "The natural rights of which We have so far been speaking are inextricably bound up with as many duties, all applying to one and the same person ... Hence, to claim one's rights and ignore one's duties, or only half fulfill them, is like building a house with one hand and tearing it down with the other" (John XXIII 1963, §§28–30).

The same point emerges even more clearly if we now move on to consider the actual *content* of the rights with which all human beings are supposed to be endowed by virtue of the Thomistic conception of "natural law." As we will see, this basically boils down to a reaffirmation of the conservative social morality briefly outlined above:

- The first and most prominent of such rights is invariably listed as the "right to life" (which, interestingly, isn't even mentioned in the first declaration of human rights produced by the French constituent assembly in August 1789). Both the enumeration of the "fundamental rights of the human person" contained in Maritain's 1942 treatise and in John XXIII's 1963 encyclical, for instance, list this right first. As Pope John Paul II was then later to explain, "the right to life means [primarily] the right to be born and then to continue to live until one's natural end" (John Paul II 1994, 205). Thus, beyond the relatively uncontroversial prohibition of murder, the most significant political function this right is made to serve is as the intellectual foundation for the prohibition of abortion, euthanasia and certain kinds of invasive scientific research. The point is made explicitly by John Paul II himself in the

encyclical *Evangelium Vitae*, where he writes that: "Whatever is opposed to life itself, such as any type of murder, genocide, abortion, euthanasia, or willful self-destruction ... insults human dignity and is ... a supreme dishonor to the Creator Himself" (John Paul II 1995, §3).

- The second key right that always figures prominently in all enunciations of human rights inspired by the doctrine of Christian personalism is that of "freedom of religion," either in connection with or sometimes even instead of the broader right to "freedom of conscience." In the declaration of rights drafted by the National Catholic Welfare Conference of the United States in 1947, for instance, the "right to serve and worship God in private and in public" features second on the list, whereas the expression "freedom of conscience" is never mentioned in the whole document (as cited by Fogarty 1957, 48). As we will see in more detail in Chapter 5, this is tied to the fact that the Christian Democratic ideology has traditionally favored a "positive" conception of religious freedom, which is different from the "negative" one traditionally endorsed by liberalism, in that it is not limited to a negative duty on the part of the state not to interfere with its citizens' "free exercise" of religion, but rather involves a more active duty to positively foster religious education, practice and belief as an integral part of its overarching mission to aid in the fulfillment of the principle of human personality. Thus, for instance, Maritain's own gloss on the meaning of the right to "freedom of religion" states that this right consists in the possibility "for the human person to strive for its eternal destiny along the path that its conscience has recognized as traced by God" (Maritain 1942, 118).
- Third, it is also significant that all the most important declarations of human rights inspired by the doctrine of Christian personalism include a mention of the "rights of the family." For instance, the declaration of rights drafted by the National Catholic Welfare Conference of the United States in 1947 mentions a "right to assistance from society, if necessary from the state, in distress of person or family" (cited by Fogarty 1957, 49). Similarly, Maritain writes in his treatise *The Rights of Man and Natural Law* that: "The state becomes iniquitous and tyrannical ... if it tries to violate the rights of the family in order to become master of men's souls" (Maritain 1942, 115). Finally, the list of fundamental human rights contained in the EPP's 1978 political program talks of the "inviolability of private and family life" (EPP 1978, 425). This obviously functions as a way of reasserting the

sacredness and intrinsic value of the (monogamic and heterosexual) family, which we already encountered as one of the key components of the Christian Democratic social morality.

- Fourth, the more distinctively "political" rights that were at the core of the 1789 French declaration of such rights – such as the right to freedom of expression, assembly and suffrage – are here ascribed a much more marginal and limited status. The principle of "freedom of expression," for instance, is only mentioned in a very qualified way by Maritain in *The Rights of Man and Natural Law*, whereas he insists instead that the state "can and must oppose, within the social body, the propagation of errors which might threaten the fundamental ethics of common life and the principles on which it is founded" (Maritain 1942, 114). Similarly, with respect to the "right of suffrage," Maritain states that it belongs strictly to the domain of "positive law," which in terms of the "neo-Thomist" metaphysics in which his whole theory of rights is inscribed, implies that it is not considered a "necessary" component of a normatively just social order (ibid., 120).

In sum, therefore, the Christian Democratic appropriation of the language of human rights beginning in the "trans-war" years of the twentieth century was far from signaling a conversion to modern liberal or even republican values and norms, but rather functioned as a way of reaffirming the traditional social morality that has been the backbone of Catholic social doctrine for centuries.[3]

[3] For a further development of this point, see also: Invernizzi Accetti (2017a). As far as I am aware, the only other commentator to have made this point explicitly is the jurist Nehal Bhuta in an interesting article on the understanding of the concept of religious freedom implicitly endorsed in the jurisprudence of the European Court of Human Rights, which I will return to in more detail in the second part of this book. In it, Bhuta states that: "Even as Christian democratic thought embraced rights, it did so on an understanding that rights formed an important part of the imbuement of the state with a *moral–cultural political substance* that overcame the weaknesses of liberal forms in the face of aggressive non-liberal antagonists ... The implication of this ethos is that the boundaries of freedom of conscience—the terms of its limitation—are not drawn by reference to an empty or unoccupied space of formal individual autonomy but by reference to a concrete value order in which the idea of freedom of conscience has a specific determination and political function" (Bhuta 2014, 20).