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**CATHOLIC CHURCH PARTICIPATION IN EUROPEAN SOCIAL
POLICY IN THE 20TH CENTURY**

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Abstract

The topic of this research is determined by the public interest in social issues. The research reflects the merging of law and religion as a new interdisciplinary field that would allow finding out the forms and features of cooperation between the Catholic Church and European states in the sphere of social relations. One of the first institutions in European countries that responded to social challenges was the Church, which began the process of integration into the social and civil space of European countries. The Catholic Church continues to participate actively in protecting and implementing social and civil human rights. The most important issue concerning social Catholicism was the establishment of social justice, which led to the revival of the Catholic Church's role as a significant international player in the protection of human rights. The study focuses on the evolution of Catholic social doctrine. The research is based on the analysis of the encyclicals, the primary documents of the Catholic Church in the socio-economic and political spheres. The purpose of the research is to study the church-state relations established in European countries for the protection of social and civil human rights. The methodological basis consists of the dialectical method, a universal tool of cognition, and several general and specific research methods, including historical, formal-logical, system-structural, and comparative-legal ones. The conclusion includes the authors' position that the Church and the European states were completely in solidarity in protecting social rights.

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1. Introduction

The Christian Church throughout world history has positioned itself as a multifunctional institution preserving social peace, and many times in history, it has proven its ability to do so. According to the Christian Church doctrine, the state is also seen as one of the social institutions called to ensure such peace.

In the 19th century, many European countries in the course of bourgeois revolutions claimed or already confirmed their supremacy over the Church in the regulation of public relations (France, Italy, partly the German Empire). Nevertheless, the Catholic Church continued to provide aid to the needy, forming an active social and political position about the state and the law at the same time. This position is primarily reflected in the social doctrine of the Roman Catholic Church. The main source of the social doctrine of the Roman Catholic Church is the papal encyclicals, which highlight the essential topical social problems and suggest possible solutions. The revival of the Catholic spirit brought a new awareness of the need for spiritual interaction with the social world.

2. Problem Statement

The authors identified some problematic areas in the interaction of the Church and the State to ensure and protect social and civil human rights.

3. Research Questions

There are quite a lot of studies related to Catholic social thought. They are scattered thematically. Nevertheless, we can say that they represent a particular direction since they are based on one theoretical source – the social teaching of the Catholic Church. The research provides a historical interpretation of Catholic social teaching in social law and the protection of human rights. The effectiveness of the implemented state policy depends on not only the content of the legislation but also on other, more profound and large-scale factors within the framework of the development of the state. These factors include the collective skills of the society itself, which provide certain social stability. Catholic social doctrine survived in the twentieth century, but its goals changed significantly. Modern scholars note modern treatises of social doctrine as the source of the concept of institutional complementarity (De Feo, 2016).

4. Purpose of the Study

The purpose of the research is to study the church-state relations established in European states for the protection of social and civil rights.

5. Research Methods

The main method of research is the general scientific system-structural approach, due to which the relations existing between the state and the church in the field of social law and the protection of human

rights are considered a single system complex of legal and organizational means. Among the private law methods, comparative-legal, historical and formal legal methods are also used.

The specific objectives and goal of the work were achieved with various scientific methodologies, which allowed identifying and providing the main directions of the study. The combination of analytical and historical approaches to the reconstruction and analysis of the social doctrine of the Catholic Church, the principles of historicism and systematism allowed tracing the formation of social doctrine of the Roman Catholic Church and determining its relations with such states as Italy, Germany, and France. In the process of research, the authors relied on the sociological type of law understanding, communicative concept of law.

6. Findings

As a movement aimed at solving the problems of economic ruin and impoverishment that occurred in connection with the industrial revolution in Europe, Catholic socialism has many sources. The views on migration and urban unrest, observations of the de-Christianization of the working class, studies of prison conditions, and repeated efforts by ordinary Christians to improve the effectiveness of traditional concepts of charity all these facts played a role in the gradual emergence of Catholic social teaching. In the process of the church's influence on social policy, two trends can be distinguished: the formal influence of the teaching derived from Catholic social thought and the practical influence that arose in connection with the church's role as the leading provider of social services. Historically, the second trend has been more important since, in Western countries, the survival and expansion of the Catholic Church in the face of social revolution, industrialization, and secularism have partly depended on its success in developing its role as a provider of social services. The Church played a major practical role in social service to society even before it developed the formal teaching of social Catholicism (Popovic, 2020).

A reflection of the disunity that existed in the social policy of the Catholic Church is that, although since the beginning of the XIX century. It was actively engaged in the provision of social services; however, there was no generalized point of view on this issue. The turning point was the publication in 1891 of the encyclical of Pope Leo XIII "Rerum Novarum" (Compendium of the Social Doctrine of the Church, 2005). The election of Leo XIII represents a turning point in the history of the modern papacy. Most of his immediate predecessors were engaged in the struggle with the new forces, which were the expression of the changes taking place in the social structure of modern Europe. The pontificate of Leo XIII marked decisive changes. In all spheres, the work of Pope Leo XIII laid the foundation of the beginning of changes in the social teaching of the Catholic Church, which spread into the twentieth century up to the Second Vatican Council (1962–1965). Pope Leo XIII is recognized as the founder of modern Catholic social teaching due to the influence of his encyclical, in which he confirmed that man precedes the state, and human dignity is the measure of the law. The encyclical "Rerum Novarum" was the primary response of Pope Leo XIII to the changing economic order that he faced. The threats came from two main sources: political and economic liberalism, on the one hand, and Marxist socialism, on the other hand. Leo XIII focus between these two threats, both political and economic, was on the Catholic community. Pope Leo XIII clarified the rights and mutual obligations of rich and poor, capital and labour;

affirmed some fundamental social and economic rights as conditions of human dignity; and explained that the state also has a special duty to protect the rights of the poor (Dorodonova & Chilkina, 2020).

Thus, the social question is a European discovery that first became visible due to the split between the political order based on the recognition of citizens' rights and a new economic order with widespread poverty and demoralization in the nineteenth century. However, official Catholic social thinking has responded dynamically to changing social circumstances and needs (Beckett, 2021).

The long-lasting influence of the *Rerum Novarum* on Catholic social tradition and social teaching is also evident in numerous encyclicals of the twentieth century. In the 20th century, the social question was caused by the socio-economic and political transformations associated with the Industrial Revolution and the subsequent process of industrialization that spread from Great Britain to the rest of the world. The assertion in the liberal elites of the socio-economic vision that "labour" is regarded as a commodity, because of the simple variable cost of labour and one of the quantifiable elements in production, regardless of the dignity of the employed person and the value of his personal contribution, reinforced the imbalance of social power present in the relationship between the supply and demand of work.

Thus, a new social phenomenon of inequality gradually emerged between the owners of capital and the means of production and the subjects who observed the transfer of their physical or intellectual energy, rewarded with the lowest possible wage. Moreover, the simultaneous establishment of political revolutions that demanded constitutional freedoms and democratic citizenship accompanied the spread of the industrial revolution in the 20th century. However, later it became clear that the experience of the marginalization of a large working-class involved in industrial and social changes did not find a good way to overcome it within the framework of political liberalism that was developing at that time. It was how vital social reform initiatives, also conceived by Governments to reduce or prevent social conflicts, were promoted.

The First World War served as an incentive to implement the ideas of the social doctrine of the Roman Catholic Church into the political and legal sphere since with the losses incurred (human and financial resources), the state could not independently cope with the tasks facing it.

The political programs of the European countries stated the exact requirements as the Catholic Church doctrine: the protection of workers and employees, the improvement of the living standards of the population, the equal rights for women, guaranteed weekly rest for at least 24 hours, the care of regulating the necessary (overtime) work to entrust to the trade unions, the supervision of all enterprises by the labour inspectorate, the guarantee of the legal force of the tariff agreement, the independent labour court acting separately from the courts of general jurisdiction, the labour law, the social inclusion of persons with disabilities, the large-scale preventive, supportive measures in public welfare, especially in education, health, economic security, legal regulation of public charity.

The social analysis presented in the encyclical "*Quadragesimo Anno*" in 1932 drew attention to the plight of the population and showed a new understanding of the importance of social deprivation as an end in itself and a factor in maintaining or undermining faith (Bradley & Brugger, 2019). However, the impact of this social analysis on social policy has been limited by some factors. First, it was the construction of the Vatican, not the national church at any level. Unlike social ministry, which arose from the upward growth of popular new congregations, Catholic social thought was communicated from Rome.

Although the Vatican's concerns about the ravages of capitalism and the plight of the poor undoubtedly coincided with the concerns of the people throughout the Catholic world, it was inevitably removed from the local concerns of the national churches (Holland, 2020).

Another feature that caused the influence of Catholic social teaching was its tendency to negativism. It did not so much seek to develop a clear model of the organization of society, as it warned about the threats and dangers that it saw in the current situation. Catholic social thought, unwilling to commit itself to any particular social model, had withdrawn from the analysis of existing social systems. Pope Pius XI defined the church's role in the social sphere as belonging not to the technical but the moral sphere. It meant that the special knowledge that the church required for social teaching was laid in moral theology, not in the field of social sciences.

Consequently, Catholic social thought did not have a systematic understanding of either economics or other emerging branches of secular social analysis (Valadez & Mirci, 2015). It has largely remained indifferent to the increasingly extensive and rigorous empirical study of social problems and has refused to equip itself with the analytical tools necessary for such forms of research. Thus, it found itself on the sidelines of the leading intellectual trends and then began to form secular thinking on social and economic issues and lost the opportunity to influence them in the Catholic direction. Although by 1948, Catholic social teaching was developed to have an indirect but significant influence even on the adoption of the Universal Declaration of Human Rights, the social situation changed only with the Second Vatican Council and the arrival of Pope John XXIII.

In recent years, the role of the Catholic Church in social policy has undergone significant changes. Even before the Second Vatican Council, it was involved actively in the provision of social services. In some cases, the church entered into various forms of partnership with the state in the joint provision of social services; in others – it created independent institutions that operated in parallel or, to some extent, competed with the state social security system (Murphy & Schlegelmilch, 2013). In any case, no other organization in the modern western world, like the Roman Catholic Church, has come so close to the ability of the modern welfare state to finance and massively provide social services. Some institutions that the church has either created or brought to a new level of development have allowed it to play this role. One significant result was an increase in the overall level of social services, especially in education and health.

However, despite its scale, the influence of Catholic social teaching on the evolution of social policy in European states has been more limited than might have been expected (Carrera & Parkin, 2010). It is mainly because the social services of the Catholic Church were designed to spread the faith rather than influence social distribution or organize the secular order of society. As a result, the church did not subject them to the constant pursuit of social improvement that would have turned them into a more dynamic element of social welfare. In contrast to the church's presence in the provision of social services, the formal social teaching of the church has often been vague, and its positive impact on social policy is difficult to discern (Shortall & Steinmetz-Jenkins, 2020).

7. Conclusion

To sum up, over the last century and a half, with the development of society and the state, more serious risks for society's life have appeared, which the state cannot cope with on its own.

In current conditions, secular politics is again coming to understand the need to increase the number of actors involved in the formulation of the most important political decisions of the state and even supranational level, to ensure a decent standard of living, in connection with which the social doctrine of the Roman Catholic Church does not lose relevance.

The Catholic Church's role as a provider of social services was an outstanding organizational achievement and surpassed anything provided by any other non-governmental organization in the western world (Kratochvil & Dolezal, 2015). Moreover, the Catholic Church has not stopped reflecting on macro-social issues, that is, what form of government and social system is best suited to promote human freedom; why faith should be part of society; how business should ensure human dignity; the danger of the welfare state among many other challenges of modern society.

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References

- Beckett, P. (2021). *Labour Rights and the Catholic Church*. Routledge.
- Bradley, G. V., & Brugger, E. Ch. (2019). *Catholic Social Teaching: A Volume of Scholarly Essays (Law and Christianity)*. Cambridge University Press.
- Carrera, S., & Parkin, J. (2010). The Place of Religion in European Union Law and Policy: Competing Approaches and Actors Inside the European Commission. *SSRN Electronic Journal*. <https://www.ceps.eu/ceps-publications/place-religion-european-union-law-and-policy-competing-approaches-and-actors-inside/>
- Compendium of the Social Doctrine of the Church*. (2005). Ed. Pontifical Council for Justice and Peace. Continuum.
- De Feo, A. (2016). The Contribution of the Social Teaching of the Catholic Church in the Construction of a New Concept of “Sustainability”. *Agriculture and Agricultural Science Procedia*, 8, 796.
- Dorodonova, N. V., & Chilkina, K. V. (2020). Role of the Catholic Church in the Formation of International Organizations in the Protection and Implementation of Social Human Rights (first third XX century). *Saratov State Law Academy Bulletin*, 4(135), 29–38.
- Holland, J. (2020). Theological economy, Catholic social teaching and human flourishing. *Journal of Futures Studies*, 24(3), 37–49.
- Kratochvil, P., & Dolezal, T. (2015). *The European Union and the Catholic Church. Political Theology of European Integration*. Palgrave Macmillan.
- Murphy, P. E., & Schlegelmilch, B. B. (2013). Corporate social responsibility and corporate social irresponsibility: Introduction to a special topic section. *Journal of Business Research*, 10(66), 1810.
- Popovic, P. (2020). Human Rights as Natural Juridical Goods and the Juridical Domain of the Principles of Catholic Social Doctrine. *Nova et Vetera, English Edition*, 18(3), 909–944.

Shortall, S., & Steinmetz-Jenkins, D. (2020). *Christianity and Human Rights Reconsidered*. Cambridge University Press.

Valadez, J., & Mirci, P. (2015). Educating for Social Justice: Drawing from Catholic Social Teaching. *Journal of Catholic Education*, 19(1), 155–177.