

Soziale Orientierung

Band 25

**Religion und Politik
in der freiheitlichen Demokratie**

**Religion and Politics
in Liberal Democracy**

Herausgegeben von

Klaus Stüwe



Duncker & Humblot · Berlin

Klaus Stüwe (Hrsg.)

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herausgegeben von

Anton Rauscher · Stefan Mückl · Arnd Uhle

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Vorwort

Die freiheitliche Demokratie zeichnet sich dadurch aus, dass in ihr die verschiedensten Religionen und Wertkonzeptionen respektiert werden. Sie ist weltanschaulich neutral. Aber gerade deswegen ist die liberale Demokratie auf gesellschaftliche Institutionen angewiesen, die eine ethische Prägekraft besitzen und damit zugleich eine demokratische politische Kultur fördern. Das Christentum spielt dabei eine besondere Rolle. Zwar ist der liberale, demokratische Staat ein Phänomen der Moderne, aber seine Wurzeln hat er in der christlichen Tradition. Das christliche Menschenbild war inspirierender Ausgangspunkt der modernen Demokratie. Empirisch nachweisbar ist darüber hinaus, dass vor allem auch das Christentum mit seinen Wertepositionen ein ethisches Fundament der modernen Demokratie darstellt.

Das Christentum ist jedoch in vielen modernen Demokratien auf dem Rückzug. In Deutschland und anderen europäischen Ländern nimmt die Zahl der Mitglieder christlicher Kirchen kontinuierlich ab. Auch in den USA, die lange Zeit eine Ausnahme bildeten, lassen sich in letzter Zeit zunehmend gesellschaftliche Säkularisierungstendenzen erkennen. Auf der anderen Seite nimmt im Zeitalter der Migration der Anteil anderer Religionsgemeinschaften an der Bevölkerung demokratischer Staaten zu.

Mit dem Verhältnis von Religion und liberaler Demokratie befassten sich die Teilnehmerinnen und Teilnehmer des 14. Deutsch-amerikanischen Kolloquiums, das im Juli 2016 in Portsmouth, Rhode Island (USA), stattfand. Es stand unter der Überschrift: „*The Public Character of Religion in Liberal Democracy*“.

Die Deutsch-amerikanischen Kolloquien wurden im Jahr 1990 von Prof. Dr. Dr. hc. mult. P. Anton Rauscher S.J., dem langjährigen Direktor der Katholischen Sozialwissenschaftlichen Sozialstelle, sowie Prof. Dr. Jude Dougherty von der Catholic University of America gegründet. Sie finden alle zwei Jahre abwechselnd in den USA und Deutschland unter Beteiligung von Wissenschaftlerinnen und Wissenschaftlern der verschiedensten akademischen Disziplinen, aber auch von Vertretern aus Politik, Kirche und Gesellschaft statt, um aktuelle Themen zu analysieren und zu diskutieren. Auf US-amerikanischer Seite ist seit einigen Jahren Prof. Dr. William Frank (University of Dallas, Texas) für die Durchführung verantwortlich.

Der vorliegende Band umfasst nicht nur die Referate, die im Rahmen des 14. Deutsch-amerikanischen Kolloquiums gehalten wurden, sondern auch einige Artikel von Kollegen, die aus verschiedenen Gründen nicht persönlich an der

Konferenz teilnehmen konnten, aber einen willkommenen Beitrag zum Thema leisten wollten.

Mein Dank gilt allen, die zum Gelingen dieses Tagungsbandes beigetragen haben. An erster Stelle ist den Autoren zu danken, die ihre Vortragsmanuskripte überarbeiteten und mit Geduld auf die Publikation warteten. Dem Verantwortlichen auf US-amerikanischer Seite, Herrn Kollegen Prof. Dr. William Frank, danke ich für die kollegiale Zusammenarbeit. Der Konrad-Adenauer-Stiftung und einigen individuellen Spendern ist für die finanzielle Unterstützung der Tagung zu danken. Die Stiftung zur Förderung der Katholischen Soziallehre übernahm die Druckkosten für diesen Sammelband. Dem Stiftungsvorstand und insbesondere dessen Vorsitzendem P. Anton Rauscher S.J., gilt daher großer Dank. Meiner Sekretärin Frau Petra Halsner danke ich für das sorgfältige formale Überarbeiten der Manuskripte. Mein wissenschaftlicher Mitarbeiter Manuel Knoll M.A. übernahm dankenswerterweise den Großteil der redaktionellen Arbeiten. Wesentlich unterstützt wurde er dabei von Sebastian Rajca M.A. Meine langjährige Mitarbeiterin Dr. Eveline Hermannseder hat das Manuskript ebenfalls noch in bewährter Weise Korrektur gelesen. Nicht zuletzt bin ich dem Verlag Duncker & Humblot zu Dank verpflichtet, der die Reihe „Soziale Orientierung“ betreut.

Eichstätt, im Oktober 2017

Klaus Stüwe

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I.

Christliche Wurzeln der liberalen Demokratie

Christian Roots of Liberal Democracy

Religion in the Public Square

An Analysis from a Catholic Perspective

By *Oscar Cantú*

It's a crazy world! Let me be a little more theological: It's a fallen world! It's a very fallen world; and it's a redeemed world. We are realists, and we are people of hope.

In this presentation, I wish to outline a bit the “craziness” of the world, that is to say, evidence of sin, confusion, and complication in our contemporary world. We see, at times, an exaggeration of truths to the detriment of freedom, and, at times, an exaggeration of freedoms to the detriment of truths. I also wish to propose the Church's world view as a broad outline for a pathway forward in engaging various issues in our society that trouble us. The broad topic that I wish to develop today regards the role of religion in the public square.

The United States has seen in the past eight years a series of laws that coerces citizens to violate their conscience and act against the tenants of their faith. Religious liberty, though it is guaranteed by the First Amendment to the Constitution, has been compromised. In Europe, secularization has taken hold of what was once a bastion of Christianity, of a Christian culture, and of a Christian ethic and worldview. In recent years, with increased immigration from Africa and the Middle East, Islam has become more prominent, and has made society more international, multicultural, and pluralistic. This has left Europe in somewhat of an identity crisis. How does it define itself? What is the interplay between tolerance and identity? New and Old? In the past several decades we have witnessed a rise in violence of ideological intolerance that, in the name of religion, wishes to purify the world of those who do not fit their narrow and distorted view of righteousness.

I. Stating the Issues: The United States, Europe, and Violent Intolerant Ideologies

As an effect of the secularization of society, the liberties of religion in the United States have been encroached upon. The United States Conference of Catholic Bishops regularly monitors the introduction of laws that will affect its legal standing and apostolic work. While the bishops had long been advocating for universal health care, we expressed our concern with the Obama administration when plans were first pro-

posed for a health care plan: we requested that conscience be respected with regard to any procedures that we would find morally objectionable. The verbal guarantee from the President was made but, unfortunately, not kept. The issue of religious liberties being encroached upon in America, however, is not limited to the Federal Government. We find it at the state and local levels, as well.

The bishops' document on religious liberty, "Our First Most Cherished Liberty", outlines a series of violations of religious liberty in the United States:

- "*HHS mandate for contraception, sterilization, and abortion-inducing drugs.* (...) In an unprecedented way, the federal government will both force religious institutions to facilitate and fund a product contrary to their own moral teaching and purport to define which religious institutions are 'religious enough' to merit protection of their religious liberty. (...) As Archbishop-designate William Lori of Baltimore, Chairman of the Ad Hoc Committee for Religious Liberty, testified to Congress: 'This is not a matter of whether contraception may be *prohibited* by the government. This is not even a matter of whether contraception may be *supported* by the government. Instead, it is a matter of whether religious people and institutions may be *forced* by the government to provide coverage for contraception or sterilization, even if that violates their religious beliefs'."
- "*State immigration laws.* Several states have recently passed laws that forbid what the government deems 'harboring' of undocumented immigrants – and what the Church deems Christian charity and pastoral care to those immigrants. Perhaps the most egregious of these is in Alabama, where the Catholic bishops, in cooperation with the Episcopal and Methodist bishops of Alabama, filed suit against the law: '(...) This new Alabama law makes it illegal for a Catholic priest to baptize, hear the confession of, celebrate the anointing of the sick with, or preach the word of God to, an undocumented immigrant. Nor can we encourage them to attend Mass or give them a ride to Mass. It is illegal to allow them to attend adult scripture study groups, or attend CCD or Sunday school classes'."
- "*Altering Church structure and governance.* In 2009, the Judiciary Committee of the Connecticut Legislature proposed a bill that would have forced Catholic parishes to be restructured according to a congregational model"
- "*Christian students on campus.* In its over-100-year history, the University of California Hastings College of Law has denied student organization status to only one group, the Christian Legal Society, because it required its leaders to be Christian and to abstain from sexual activity outside of marriage."
- "*Catholic foster care and adoption services.* Boston, San Francisco, the District of Columbia, and the state of Illinois have driven local Catholic Charities out of the business of providing adoption or foster care services (...) because those Charities refused to place children with same-sex couples or unmarried opposite-sex couples who cohabit."
- "*Discrimination against small church congregations.* New York City enacted a rule that barred the Bronx Household of Faith and sixty other churches from renting public schools on weekends for worship services even though non-religious groups could rent the same schools for scores of other uses."
- "*Discrimination against Catholic humanitarian services.* Notwithstanding years of excellent performance by the United States Conference of Catholic Bishops' Migration

and Refugee Services in administering contract services for victims of human trafficking, the federal government changed its contract specifications to require us to provide or refer for contraceptive and abortion services in violation of Catholic teaching.”¹

This list outlines some of the challenges in the United States with regard to religious liberty. The immediate response to them has been a juridical one, at times suing the government, in order to claim our religious liberty rights. In the long term, however, we realize that government and law generally reflect the culture. And thus our long term task is to influence the culture such that religious liberty becomes a value not only in law, but in society.

With regard to the pluralization of society in Europe, I would simply make a couple of observations. After World War II, the continent seemed rather shell shocked that such terrible evil (of Nazism and Fascism) could convince a populace and gain political control right under its nose. Secularization set in, religious fervor grew cool, Church attendance dropped. Enter immigration from the Africa and Middle East. This wave of immigrants, while maintaining its native religious beliefs, essentially became part of the European ethos. After a wave of hundreds of thousands of immigrants have poured into Europe resulting from the war in Syria, Europe is asking questions about its identity. What does it mean to be European? Will such a large number of immigrants alter the character and identity of nations and a continent? Will one feel like a stranger in one’s own home? How far can the European ethos stretch before it bursts into (...) who knows what? One question that has been begged by this encounter of east and west is, what weight does Europe’s Christian heritage bear? Is there a renewed value of its Christian roots? What does Christianity offer as a way to navigate an unexpected encounter with a large number of Muslim neighbors? Concerned about the secularization that was leaving religion out of the public square, when Pope Benedict spoke to the German Parliament in September of 2011, he said the following: “The culture of Europe arose from the encounter between Jerusalem, Athens and Rome – from the encounter between Israel’s monotheism, the philosophical reason of the Greeks, and Roman law. This three-way encounter has shaped the inner identity of Europe. In the awareness of man’s responsibility before God and in the acknowledgment of the inviolable dignity of every single human person, it has established criteria of law: it is these criteria that we are called to defend at this moment in our history.”² Now, it seems, Europe may be turning to its Christian roots in order to claim its identity.

Finally, with regard to pointing to difficulties with religious liberty around the world, the freedom, or lack thereof, of the Church in China, is most troubling. We pray that Pope Francis might be able to dialogue with China in order to achieve a

¹ <http://www.usccb.org/issues-and-action/religious-liberty/our-first-most-cherished-liberty.cfm>.

² “The Listening Heart: Reflection on the Foundations of Law”. http://w2.vatican.va/content/benedict-xvi/en/speeches/2011/september/documents/hf_ben-xvi_spe_20110922_reichs-tag-berlin.html.