What does the Church say about the separation of powers and the constitutional State?

The Church has explicitly pronounced in favor of the principle of the separation of powers. Only when the Judicial, Legislative and Executive branches exist independently of one another is a constitutional State possible. This in turn is the prerequisite for the dignified development of human beings, for instance, inasmuch as they enjoy freedom of conscience and of religion. In particular, the existence of an independent judiciary is considered in Catholic social ethics the test of an ethically justified political system. The principle of the constitutional State is regarded as something so fundamental that the Church makes herself subject to this principle. Catholic social teaching agrees that religious freedom, for instance, cannot be exclusively advantageous to the Catholic Church. Religious freedom must be guaranteed for all religious communities.

1. Why is it bad if a human lawmaker (= legislative power) is at the same time the judge (= judicial power)?

2. Why is it bad if a human lawmaker (= legislative power) is at the same time the person to execute the laws (= executive power)?

3. Why should an executive body (executive power) neither draft laws (legislative power) nor be a judge (judicial power) over the executed?

4. How is it possible that the Catholic church supports the general religious freedom?

Investigate if your own country is a constitutional state already (or not any longer)! Is there any independent justice? Is there any freedom of the press? Is there any right to freedom of religion? Are you allowed to openly express your opinion? Can you make public statements? Sometimes only prayer is possible.

Do you take on this challenge?
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Foundations of the state

STUDY

1. Read DOCAT text sentence-for-sentence. Then one person reads the text aloud in full.
2. Three minutes of silence.
3. Each person reads a word or phrase aloud (without comment) that he or she has noticed.
4. Explain briefly in the next round why you have chosen the sentence (e.g. memories, questions, etc.).

DISCUSS

Also discuss your own questions on this topic!

Treasure Book: Take five minutes to write down what you don’t want to forget.

CHALLENGE

Our CHALLENGES are just suggestions you can make in addition to your study guide meetings. You can also replace them with stronger, more fitting, more original or better ones. Just let us know at feedback@youcat.org.

#DOCATChallenge: Share your experience on Facebook or Instagram.

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