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Subsidiarity in the conceptual framework of a social market economy

Abstract: The article comprehensively describes the principle of subsidiarity and its role in the contemporary Social Market Economy (SOME) model of the economy. The principle of subsidiarity first builds upon adopted ethical principles such as freedom and justice. Only with such an assumption can its role be considered, including in the model of the Social Market Economy. The text deals with the role of subsidiarity in the state and economic order as well as the relevance and topicality of this concept.

Keywords: Catholic social teaching, social market economy, (principle of) subsidiarity

Abstrakt: W artykule została opisana kompleksowo zasada pomocniczości znana również pod nazwą: subsydiarność i jej roli we współczesnym modelu gospodarki jakim jest Społeczna Gospodarka Rynkowa. Zasada pomocniczości w pierw wyływa z przyjętych zasad etycznych takich jak wolność i sprawiedliwość. Dopiero przy takim założeniu można rozważać jej rolę, także w modelu Społecznej Gospodarki Rynkowej. Tekst podejmuje zagadnienie roli pomocniczości w porządku państwowym i gospodarczym a także aktualność tej myśli.

Słowa kluczowe: katolicka nauka społeczna, społeczna gospodarka rynkowa, subsydiarność, zasada pomocniczości

Introduction

Justifying the choice of the subject matter of this text as specified by its title, I would like to recall that the social market economy (SOME) is a “contemporary” concept. It was developed theoretically by ordoliberalists from the Freiburg School in the 1930s and implemented by Ludwig Erhard in post-war Germany based on a program developed mainly by Alfred Müller-Armack. The currency

reform introduced in Germany on 20 June 1948 is assumed to mark the beginning of the social market economy. This Rhenish model of “socially tamed capitalism” (J. Schumpeter) in various versions and shades was then adopted by some European countries (e.g. Austria, Switzerland, Belgium, partially – France) and by the European Union. The basis of the economic system of Poland as well, pursuant to Article 20 of the 1997 Constitution, rests precisely on the SOME.

I do not intend to discuss here the entire axiological foundation of the SOME concept. I choose only one guiding idea – that of subsidiarity. From a meta-theoretical perspective, subsidiarity is recognized as a norm, even a social principle, and also as a certain value. After all, ethics assumes the equivalence of values and norms, for values whose realization is demanded are guarded by certain norms. I am also aware that the “social” component of the SOME concept is rather associated with solidarity, social equalization. However, I believe that subsidiarity is an even more distinctive “trademark” of this model. Sometimes, the SOME is even defined as “a market economy based on subsidiarity”.¹ This deserves attention also because it was the founders of the social market economy, the ordoliberal, who gave “a modern expression to the idea of subsidiarity” [cf. Delsol 1996: 49]. Of course, subsidiarity cannot be isolated from other guiding ideas, which form the foundation of the SOME.

Since the ordoliberal treated the principle of subsidiarity as closely related to a specific image of a human being, a reconstruction of the ordoliberal’s anthropological concept (1), as well as the place of subsidiarity among the guiding ideas of the SOME (2) will precede further considerations. It turns out that the category of order (*ordo*), which is of key importance for the SOME concept, was developed precisely in reference to subsidiarity (3). We find similar references both in the development of the economic “framework order”, which is the main objective of economic policy (4), and in the course of the activity of the “social state” in the course of its conduct of subsidiarity-rooted social policy (5). The conclusion of this reflection will be providing the answer to the question regarding the topicality of the concept of subsidiarity inscribed in the social market economy (6).

¹ See the title of the text by U. Nothelle-Wildfeuer: *Soziale Marktwirtschaft als subsidiaritätsbasierte Marktwirtschaft*.

1. Anthropological foundation of the SOME

It is impossible to adequately learn and assess any economic concept and the corresponding economic system without revealing their anthropological foundations. Therefore, what image of man is assumed in the SOME system?

Even the name “ordoliberalism” to describe the Freiburg School that developed the theoretical foundation of the SOME shows that its representatives generally admitted to liberalism. They understood it, like Wilhelm Röpke, as a “legitimate child of Christianity”, oriented towards traits such as humanistic, personalist, antiauthoritarian and universalistic [1950: 18 after Franco 2018: 268]. Such liberalism, of course, was far from the *laissez-faire* approach of the so-called “paleo liberalism” of the 19th century. It clearly distanced itself from a paleo liberal characteristic image of a human being – *homo oeconomicus*, i.e. a fully free, rational egoist focused on seeking the fulfillment of self-interest.²

Conversely, ordoliberalism, by recognizing the necessity to anchor the market in a moral and institutional framework, placed at the centre the dignity and freedom of a human being understood as a person. Wilhelm Röpke’s formula of “economy in the service of man” [1937/1979: 332-334 after Franco 2018: 269] well reflects the “economic humanism” of this specific liberalism, which does not isolate itself from the socio-political context and tries to link human freedom with the social dimension – with reference to community [1957/1964 after Franco 2018: 269]. Here, a human being was not treated in a one-dimensional manner. When identifying human nature, both material and non-material needs were taken into account. A human being is a whole that also includes the moral, spiritual and religious dimensions, and is open to transcendence and religious questions.

For the founding fathers of the social market economy, human dignity was the ultimate normative criterion. It was human dignity upon which economic laws and mechanisms depended; the laws and economic mechanisms depended on it. The existing economic, social and political order was assessed in the light of the criterion of dignity. The shaping of the “dignity order” (Röpke, Eucken) or “the economic order according to the measure of man”, in the words of Müller-Armack [1981: 123-140 after Franco 2018: 270], was also declared.

² This is how Andrea Hotze and Wolfgang Ockenfels reconstruct Wilhelm Röpke’s thought [Hotze 2008: 115-190; Ockenfels 1999: 54].

Wilhelm Röpke's anthropological concept is enclosed in the image of *homo liberalis*. At the same time, he remembers about human fallibility, but also emphasizes a human being's social and solidarity dimensions and stands up for individual responsibility. He defends small communities and intermediate groups against the unauthorized interference of the state. The humanistic-liberal anthropological core of Röpke's thought [1964 after Franco 2018: 270] is well conveyed by the sentence: "man is the measure of the economy; the measure of man is his relationship to God".³ In someone who was inspired by ancient philosophy, the Christian image of man, liberal tradition and Christian social ethics, the seemingly shocking identification of a Christian is not surprising. According to Wilhelm Röpke "a Christian is a liberal, who does not know it" [1949: 18 after Franco 2018: 270].

This thinker is, quite rightly, placed in the current of economic personalism, and even treated as a representative of Christian economic ethics.⁴ Chantal Millon-Delsol is of a similar opinion. In her mind, Wilhelm Röpke undertook the task of adapting the social teaching of the Church to modern society [1995: 33]. He successfully sought points of convergence between the social market economy and the principles of Christian social ethics. One of them is the principle of subsidiarity, which, however, cannot be understood in isolation from other guiding ideas of the SOME.

2. The place of subsidiarity among the guiding ideas of the SOME

As the name of the philosophical current within which the SOME was developed indicates, its foundation is the idea of *ordo*, that is: order, of social order. This order must be based on certain fundamental values, which are built into the entire system, and whose universal acceptance is a prerequisite for the efficient functioning of the economy. Namely, the SOME is a synthesis of freedom and social justice. The obvious consequence of freedom is personal responsibility, and of social justice – solidarity.⁵

Just as solidarity protects the social dimension of the person, defending it against individualism, so subsidiarity defends personal freedom, participation and responsibility against the claims of collectivism. In Catholic social teaching, which – as in the case of Wilhelm Röpke – was close to the founders of the SOME, solidarity and

³ This is how Martin Hoch, in his 1962 laudation in honor of Wilhelm Röpke, summed up his achievements.

⁴ This is the opinion of, among others, Wolfgang Ockenfels.

⁵ For more on this subject, see Dylus 1994: 11-19, especially: 14.

subsidiarity are treated as mutually complementary basic social principles. The reason they are inextricably linked is because “the former without the latter gives way to social privatism, while the latter without the former gives way to paternalist social assistance that is demeaning to those in need” – recalled Benedict XVI in his 2009 Encyclical Letter *Caritas in veritate* (58).

Millon-Delsol provides yet another justification for the relationship of the principles discussed herein. As is known, the negative sense of subsidiarity comes down to the obligation of non-interference, while the positive involves the obligation to intervene (“help”). The latter is based on the idea of solidarity. Being a social creature by nature, a person cares about common, and not only individual, welfare [ibid: 34].

It is worth taking a closer look at the subsidiarity upon which the SOME is based.

3. The contribution of subsidiarity to order (*ordo*) in the state and society

It is difficult to overestimate the importance of the subsidiarity guidance in shaping the proper relationship between the market and the state. As in the case of the image of man, the ordoliberalists distanced themselves from two extreme approaches: both from the classical liberal concept of the “night watchman state”, completely uninterested in the market [cf. e.g. Eucken 1940/1989 after Franco 2018: 273], and from various forms of collectivism, where the state aspires to be the only regulator of market relations. As Wilhelm Röpke wryly noted, in collectivism the state becomes a “crocodile” swallowing everything around [1923/1959: 42-46 after Franco 2018: 273]. In reflecting on the proper – from the perspective of the criterion of dignity of the person and subsidiarity – place of the state in relation to the market and organized society, it is certain that it is necessary to avoid both solutions in the style of a liberal minimal state and the statist tendencies typical of various totalitarianisms.

In general, in the SOME the role of the state is assumed to be an active one. The concept of the state that guards the common good is its constitutive element. The state must have a comprehensive vision of the socio-economic order and is to watch over its implementation. However, it is not about interventionism, about single, direct interventions in the sensitive mechanism of the free market. The tasks of the state vis-à-vis the economy come down primarily to shaping the market order (*ordo*),⁶ to building a “framework order” that creates the right

⁶ A comprehensive description of the development and content of the idea of *ordo* from the point of view of Walter Eucken, the founder of the Freiburg School, was presented by Grzegorz Szulczewski [2012: 105-131] (especially sub-chapter 3.3).

conditions for the effective functioning of economic life. The criterion of the correctness of this order is providing inspiration for active participation in the market – so that undertaking economic activity turns out to be more attractive than soliciting resources from the redistribution of social income. The steering of economic processes, usually forced by strong interest groups, is excluded. The state is simply to constitute the forms of providing order in the economy; it is to correctly shape the foreground of the market.⁷

The undertaking or not undertaking of specific tasks by state institutions, by “a greater and higher association” towards “lesser and subordinate organizations” (in the language of the 1931 encyclical *Quadragesimo anno*) or by decision-making levels “further” and “closer” to the citizen (in the language of the 1992 Treaty of Maastricht) is determined by the competences of a lower-level person or institution. Therefore, a society with a complex structure has to continually resolve the question of the division of competences. Here, subsidiarity proves to be an invaluable guidance – especially when there appears a conflict of competences. It is no wonder that subsidiarity is sometimes referred to as the “principle of competence”. This does not mean that it is a recipe for everything. As an example, for a long time, the issue of “competence in the field of competence” has been the subject of heated debates. By looking at the guidepost of subsidiarity, we will not determine who is to identify the deficits in the competences of a lower instance and decide on the delegation of tasks to a higher instance.⁸

As we know, the competences of individuals, communities or decision-makers at various levels are not static, defined once and for all; they change depending on the context. That is why the SOME, which refers to subsidiarity, is not a rigid, established doctrine, but a system open to changes, corrections and reforms. After the period of Nazi dictatorship in Germany, there was an urgent need to search for an order that could counterweight the power of the state. For Wilhelm Röpke, an important element of such order was the emerging social fabric developed bottom-up. Röpke strongly emphasized the role of the market’s social background: small communities, intermediate groups and various institutions. Supporting them meant for him the affirmation of human dignity and remained in the spirit of subsidiarity, for robust social ties are an antidote to the processes of massification and proletarianization [Kolev 2013: 119, 154-156, 160-169 after Franco

⁷ I have previously written about the ordering tasks of the social state [cf. Dylus 1994: 15].

⁸ This is pointed out by, among others, Chantal Millon-Delsol [1995: 33-35].

2018: 273]. In accordance with subsidiarity, not only the state, but also individual and social actors, a whole range of different institutions are eligible to contribute to economic and social integration. It is therefore important to mobilize such “ordering forces”, which form a counterweight to the state, that are capable of inhibiting the concentration of power and the formation of monopolies. Among such “counteracting forces” (*Gegenkräfte*) Röpke included, among others, religion, press, science, family. They are to strive for a balance between an individual and society and guarantee a proper relationship between the individual and the state. They are to help citizens lead free and responsible lives. The same is achieved by not only moral and intellectual “counteracting forces”, but also material ones – enveloped by political and economic institutions. This concerns, for example, the issue of private property or economic independence of individuals [Franco 2018: 275].

Moreover, being guided by subsidiarity in shaping the state order offers an opportunity to avoid bureaucratization, overgrowth of the welfare state and concentration of power [Röpke 1950/1964 after Franco 2018: 274]. Röpke further combined subsidiarity with the philosophy of federalism and the program of decentralization [ibid.]. On the issue of European integration, referring to this principle, he opposed the creation of a European federal state. Europe as unity in diversity would tend to be a decentralized union of states [Feld 2012: 1-31 after Franco 2018: 274].

4. Elements of subsidiarity in economic policy

Ordoliberals strove for a market economy that would be worthy of man. Such a market economy is possible when the economic system is based on values such as freedom, justice and rationality. The founders of the SOME, including Walter Eucken [2005: 231 after Franco: 120], therefore argued for the creation of such an economic environment based on the values of a smooth “undisturbed economic system”. The state that carries out this task and its economic policy must be understood in a dynamic way. It is supposed to be a “strong state”: non-partisan and incorruptible. Only such a state will be able to guarantee the proper functioning of the market “rules of the game” and fair competition, and to prevent monopolistic tendencies and the concentration of economic power, which means the elimination of small and medium-sized entities from the market. The creation of a “system of competition” that would prevent the emergence of barriers limiting market access for many dynamic economic actors was probably considered the most important task of a subsidiarity-based economic policy. Monopolistic tendencies are to be nipped in the bud, and various cartels and corporations should be subject

to control by some central antimonopoly office in the interest of other market participants.

Such a hierarchy of tasks within the framework of economic policy resulted from the ordoliberalists' appreciation of the mechanism of competition as the fundamental and extremely sensitive market instrument. After all, it is competition, as noted by Franz Böhm, which is the force that breaks down the power in the economy. However, left to itself, according to Walter Eucken, it has a tendency to self-destruct. To prevent this from happening and to prevent market seizure by powerful economic entities capable of eliminating competitors and achieving monopolistic and speculative profits, the state must protect competition.

However, individual representatives of the Freiburg School laid out the accents slightly differently as regards the manner of achieving this goal. According to Eucken and Böhm, the priority role for the state vis-à-vis the great cartels is the role of a "disempowering referee" (*entmachtender Schiedsrichter*). As already indicated, the state is to fulfill this role through the creation of an effective order or system of competition. Admittedly, Röpke also stressed the importance of institutional framework conditions for the regulation of the competition order. He even considered such an economic order as a "value frame" for market exchange. Nevertheless, Röpke focused not so much on formulating the tasks of the state, like Eucken did, but on developing a comprehensive political and social "framework order" for market processes, as mentioned earlier.

The "framework order" of the economy, shaped by economic policy, is to guarantee direct access to the market for all individual entities ready to undertake economic activity. At the same time, it should be attractive enough to trigger their initiative and creative capabilities. The more specific tasks of economic policy remain at the service of this idea. Among them, employment to the fullest extent possible comes to the fore. It gains a political and economic priority, as most members of society have a chance to become active market participants merely by offering their work. And the category of participation is essential for the understanding of subsidiarity. Various other economic policy measures, such as loan preferences for young entrepreneurs – those who are ready to engage in independent business, who are active and full of initiative, but who do not have adequate capital – take this value into account.

This shows that one of the most important objectives of economic policy in the SOME system is economic independence. The idea was – as Ludwig Erhard put

it years ago – to move the maximum number of entities from the periphery of the market to its centre. The rank of independence is at least equivalent to other objectives usually associated with this system, such as welfare for all [Dylus 1994: 15-16].

The concept of the “social state” (*Sozialstaat*), characteristic of the SOME, is to conduct an active social policy interdependent with the economic policy [Röpke 1952: 18-27 after Franco 2018: 275]. It is advisable at this point to try to determine whether and how the outlines of the social order set out by ordoliberalism were consistent with the subsidiarity “direction indicator”.

5. Subsidiarity-based social policy

In the concept of the SOME, the economic and social spheres form an integral whole. Therefore, ordoliberals, tirelessly and emphatically, stressed the interdependence of economic and social policy. An appropriate social policy is a prerequisite for sound economic development. In turn, the premise of proper social policy is free, efficient economy and the market order.

Müller-Armack clearly defined the objective of social policy, that is: the integration of man with the free order of society. Formulated in a slightly different way, social policy is primarily to find the right measure between economic growth, personal initiative and freedom, and social balance. Help in creating conditions for a dignified life and social safety is especially due to those individuals and groups who, for various reasons, found themselves in a difficult situation. As such, in a way it protects, complements and corrects the economy. However, it cannot cross certain limits (it is precisely the principle of subsidiarity that helps to set them) so as not to harm the market order [ibid.], and – ultimately – also the beneficiaries themselves. Namely, criticism is due to the far-reaching interventions of the “social state”, which destabilize the budget and cause such phenomena as chronic inflation or “fiscal socialism” that violates the taxpayers’ freedom to dispose of income [Röpke 2009 after Franco 2018: 276].

Based on the foundation of an efficient economy and assuming the mutual solidarity of citizens, a redistribution of social income is carried out within the framework of social policy. The pillars of the “social state” consist of compulsory social insurance for protection against the risks posed by old age, illness, accidents or unemployment. The pension scheme, health, accidents and unemployment insurance systems are supplemented by a system of social protection and various

other forms of assistance. These systems deserve to be considered as supportive and “subsidiarity-linked” when they not only fail to limit the independence, responsibility and creative initiative of the beneficiaries, but also inspire and stimulate the emergence of these traits. In other words, the assistance provided in the framework of social policy is meant to be “help for self-help”. Wilhelm Röpke and Alexander Rüstow further postulated that social policy should be an “organic policy” (*Vitalpolitik*), taking into account the anthropological and social framework. Namely, it is supposed to secure not only human material existence, but also decent work, family life, proper relationship with the community and nature [Röpke 1951: 48-53 after Franco 2018: 276].

At the same time, ordoliberalists were aware of the effects of such social policy, which would run against the grain of the principle of subsidiarity. They tirelessly warned against exaggerated aid and overgrowth of the welfare state. Excessive social interventionism of the state means a violation of the balance in relations between an individual and society. It often demeans a person and turns him or her into someone submissive to a state that takes on collectivist forms. It also threatens the emergence of despotism, centralization, bureaucracy and corruption, as well as the growing exploitation of the state by interest groups. The state gradually brings about a paradoxical situation: no one wants to bear burdens, but everyone expects the state to fulfill any wishes and to satisfy any needs [Röpke 1949: 182-188 after Franco 2018: 276]. In such a situation, the duty of personal responsibility, the ability to care for oneself and one’s relatives, as well as being thrifty and able to save, may be violated. The founders of the SOME watched with concern people’s uncritical entrusting of all their problems and worries to the state. The most dangerous social effect of “anti-subsidiarity” social policy is the process of accumulation of claims, the struggle between individuals and groups for the maximum share in the distributed goods. Lack of political stability, instability of the state, and succumbing to pressure from organized interest groups usually trigger an avalanche of further demands that are impossible to meet.

Therefore, it is necessary to remove state monopoly on social policy. Subsidiary state assistance is intended only to complement individual foresight. That is why ordoliberalists, for example Wilhelm Röpke [2009 after Franco 2018: 276], proposed to restore some aid institutions known from the past: small self-help communities, mutual insurance groups, or savings and loan unions. Such concretization of subsidiarity is consistent with the short description known in Catholic social teaching: “as much society as possible, as much of the state as is necessary”. Apart

from the government administration, the conduct of social aid should also be allowed (or rather: should be invited) by non-state entities that make up broadly understood civil society, as we would say today. In the worthy work of alleviating the social issues, there is room for charismatic charity activists as well as for various social organizations, unions, associations, local, national and even international foundations, including for the Church. In any case, the multiplicity of actors is undoubtedly one of the signs of subsidiarity-rooted social policy.

Another sign is also the decentralization of this policy, for which Röpke strongly advocated and linked this idea directly with the principle of subsidiarity. The definition of this principle that he gave is noteworthy: subsidiarity means that on the axis leading from an individual to the central state authorities, the primary right belongs to the lower level, and the higher level enters the space directly below it merely in an auxiliary manner, only when a task exceeds the capabilities of the latter [ibid: 179 after Franco 2018: 277]. A contemporary application of a subsidiary and decentralized social policy understood in this way is to leave the widest possible scope of local affairs within the competence of local authorities of various levels⁹ and to ensure stable sources of financing for the ensuing tasks. A clear definition of the jurisdiction and responsibilities of central government and local authorities' actors responsible for social policy at various levels will help avoid many misunderstandings and conflicts. The obvious authority of central government is to control the legality of the actions of local authorities. In turn, the right of citizens and their organizations is to participate in designing the directions of social policy development. Thus understood, decentralization strengthens the citizens' ownership – it increases their participation in the exercising of power. It constitutes a solid foundation for a strong and efficient state. On the other hand, unjustified centralization of social policy contrary to subsidiarity, causing a loss of human energy, triggering passivity and frustration of society, is usually additionally associated, as John Paul II noted, with the domination of “bureaucratic ways of thinking” (*Centesimus Annus*, 48), with excessive supervision and control.¹⁰

The synthetic description of the subsidiarity-rooted social policy presented here within the framework of the SOME concept allows us to conclude that in the literature on the subject this model of conducting social policy was rightly called

⁹ In the field of social policy, the tasks of the local authorities include: health care, social assistance, municipal housing, education, culture, and care for pregnant women [Auleytner 1997: 313].

¹⁰ For more on this subject, see Dylus, Mazur 2018: 546-549.

the “motivational model”.¹¹ The starting point for this model of social policy is the assumption that the needs of citizens are met by citizens themselves thanks to remuneration for their work. The assistance provided is not an objective in itself, but a motivating means to overcome a difficult situation.

6. Topicality of subsidiarity as a guiding idea of the SOME

First it is worth recalling that in ordoliberal thought we find the seeds of the idea of civil society. Undoubtedly, its renaissance came later, along with the discovery of the importance of social capital. Several decades after the implementation of the subsidiarity-rooted SOME system, we are all the more convinced that in order to tackle the new social issues that arise today, the importance of the third sector cannot be overestimated. Benedict XVI also recalled (cf. *Caritas in Veritate*, 37-39) that civil society has great potential. It introduces an element to the public sphere that is absolutely necessary for the proper functioning of both the economy and politics. It is about gratuitousness and altruism, the “logic of the unconditional gift” that goes beyond the “market logic” and “political logic”.

One of the many new social issues, especially pressing in the Western world, also in the aging “grandmother Europe” (as Pope Francis described our continent) is, for example, the proper way to organize care for bedridden patients.¹² This issue will not be addressed well without a subsidiarity-rooted social policy. In this case, it requires the creation of a whole “scaffolding of the social fabric”. It requires cooperation and division of tasks between public and non-state care actors: private and non-governmental [cf. Welskop-Deffaa 2018: 15].

In Poland, the interest in the principle of subsidiarity as the guiding idea of the organization of social life was clearly invigorated after 1989. During the transition period, this “signpost”, reliably showing the directions of reforms, was rediscovered. The fascination with concepts of subsidiarity, decentralization, “civic state” while framing and implementing the local government reform is described directly by the authors of this reform: Michał Kulesza [2018: 129-136] and Jerzy Rogulski [2007: 32-35]. The Constitution of the Republic of Poland, adopted on 2 April 1997,

¹¹ Synthetic description of this model (and others) – see Balicki 2004: 893-894.

¹² One of the last issues of the series “Church and Society”, published by the Catholic Centre for Social Science in Mönchengladbach, was dedicated to this topic. Each issue tries to articulate a pressing subject matter. This time the issue’s title sounds alarmingly: *End Exploitation in the So-called 24-hour Care! Ethical Considerations on Labour Relations in German Home Care* [cf. Emunds 2018].

states (in the Preamble) that fundamental rights are to be based on “the principle of subsidiarity in the strengthening the powers of citizens and their communities”. The centralized system of state paternalism in the distribution of social benefits, characteristic of the previous system, was no longer possible. On the other hand, there remained the decentralization of social policy in the spirit of subsidiarity. It was possible due to the creation of new democratic institutions to replace the state at the local level, i.e. the local government. Moreover, after 1989, non-state entities were allowed to implement social policy, that is: non-governmental organizations, trade unions, foundations, or associations, including religious entities. We also know that Article 20 of the Constitution provides that: “A social market economy (...) shall be the basis of the economic system of the Republic of Poland”. This definitely helps to shift economic and social policy towards the path of subsidiarity. Another issue that requires separate reflection is the actual implementation of this constitutional norm.¹³

On the other hand, however, a thorough reflection on the topicality of subsidiarity must not lose sight of some disturbing symptoms. Namely, there does not seem to be a great need for subsidiarity in the second decade of the 21st century; rather, an anti-subsidiary spirit of the times dominates. In view of the effects of the financial and economic crisis of 2008 and the following years, felt to this day, the worrying consequences of globalization, the migration crisis and symptoms of de-globalization – a feeling of growing chaos is spreading among citizens of the Western world. As noted by Udo Di Fabio [2018], “There runs a new tear in Western democracies, the gusty wind of populism is blowing; there is a rebellion against the cold conditions of a globalized economy and against the hard logic of supranational governance.” In this atmosphere, longings are born for a paternalistic state with an authoritarian power that would “establish order”. Statist tendencies are somewhat understandable under the conditions of multiple threats and the associated anxiety, but such a spirit of the times is definitely not conducive to subsidiarity. Nevertheless, it is in this context – as it seems – that the ordering potential of the subsidiarity principle should be all the more recalled.

¹³ On this subject, see, for example, *The Social Market Economy in Poland. Postulate or Reality?* (2015); Dylus 2016: 333-350, (especially sub-chapter V.3: “Social Market Economy as the Basis of the Polish Economic System”). On subsidiary social policy in the Third Polish Republic, see Dylus, Mazur 2018: 555-558.

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