

Capitalism and Morality

“THE RIGHT TO WORK: SHOULD THE MARKET BE REQUIRED TO PROVIDE JOBS?”

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The equality of each individual human being is inherent in each person. It is acknowledged in many different places, one being the Bible, which states, “So God created man in his *own* image, in the image of God created he him; male and female created he them.”¹ Equality is also affirmed in the United States Declaration of Independence, “We hold these truths to be self-evident that all men are created equal...”² Equality comes from the dignity that each person possesses.” Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world.”³ Dignity is also an apparent characteristic for the Catholic Church. It acknowledges the dignity of each human being when it states, “Being in the image of God the human individual possesses the dignity of a person, who is not just something, but someone.”⁴ Because man is an individual with inherent equality endowed by the dignity that he possesses, he also possesses inherent rights.

Rights are a means for advancing equality in society. Natural rights are given to man by God. “Every human person, created in the image of God, has the natural right to be recognized as a free and responsible being.”⁵ Not only does everyone possess natural rights, but, “in order for X to be a universal human, or ‘natural’ right, it must be generalized to all humans all the time.”⁶ One of these rights is the “right to work”. This right however, raises questions: Is it a “right” for everyone to have a job? Or would that “right” infringe upon another’s right? Finally, do people act on this right as it should be properly understood?

In present society, the right to request work has lost its meaning. The new belief is that everyone simply has a “right to work,” regardless of the employers’ right not to hire. Rights are important, however, “A and B can make whatever offers they wish, but they cannot impose on each other, or anyone else, the obligation to *accept* the offers they make.”⁷ It is also true that, “Entitlement to receive is different from obligation to supply.”⁸ If this were not true, then the moral virtue of giving someone without work a job would turn into the social responsibility of giving jobs to people, even those who might not deserve them.

This paper will show that everyone has the right to try to obtain a job regardless of race, sex, social status, or

¹ Genesis 1:27

² United States Declaration of Independence

³ "Universal Declaration of Human Rights." All Human Rights for All. 1998. United Nations. 16 Nov. 2007
<<http://www.un.org/Overview/rights.html>>.preamble

⁴ Catechism of the Catholic Church (Liguori: Liguori Publications, 1994) 357

⁵ Catechism 1738.

⁶ Baird, Charles W. "The Varieties of "Right to Work"" JSTOR. 1988. 28 Oct. 2007

<<http://links.jstor.org/sici?sici=0143-6570%28198824%299%3C33%3ATVO%27TW%3E2.0.CO%3B2-R>>. pg 34.

⁷ Baird. 33.

⁸ Baird. 33.

other obstacles. The Church recognizes this as a basic principle. "Discrimination in job opportunities or income levels on the basis of race, sex, color, or other arbitrary standards can never be justified."⁹ Discrimination does not include disabled or mentally challenged people who are unable to work due to their disabilities. The reason for this is because these people do not possess the full capacity needed to obtain a job in the workforce. The fact that all men are created equal justifies that people should not be discriminated against when they are trying to obtain a job. It is only practical however, that not every single person who wants to work at a specific place be hired for that position. Not everyone can be hired for the job in which they would like because the pay rate would eventually exceed the profit rate of the company and eventually the business could collapse. The people who once depended on that job for their livelihood will once again be out of work, thus adding to the unemployment count. This paper will prove this point through the examination of eudaimonia, freedom, private property, rights, and responsibilities.

The fulfillment of becoming a complete person is called eudaimonia, or happiness. All human beings strive to become complete, happy persons. They do this because it is what God, the Creator, wanted as is stated in the *Catechism of the Catholic Church*, "The Beatitudes reveal the goal of human existence, the ultimate end of human acts: God calls us to his own beatitude."¹⁰ It is also evident in, "...that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness"¹¹ The founders of America knew that all people have a right to strive toward happiness in order that they become complete persons. Happiness also corresponds with the dignity that is inherent in each person. "Human dignity comes from God, not from nationality, race, sex, economic status, or any human accomplishments."¹² If man were not able to strive for eudaimonia, he would never be able to be reunited with his Creator, God.

A way in which a person is able to reach eudaimonia is through work. "The Church is convinced that work is a fundamental dimension of man's existence on earth"¹³ "Work is a good thing for man- a good thing for his humanity- because through work man not only transforms nature, adapting it to his own needs, but he also achieves fulfillment as a human being and indeed, in a sense, becomes 'more a human being'"¹⁴ Work is a way in which a person is able to actively put effort toward becoming a complete person. "Labor has great dignity, so great that all who are able to work are obligated to do so."¹⁵ "Each worker is a rational being who is naturally motivated to pursue his own happiness, able to discern opportunities and barriers to his happiness, and cognizant that his happiness is, for the most part, dependent upon his own efforts"¹⁶ It allows a person to provide for his family and retain a feeling of self-fulfillment, which promotes happiness.

Every person has the freedom to pursue eudaimonia. "Freedom is the power, rooted in reason and will, to act or not to act, to do this or that, and so to perform deliberate actions on one's own responsibility."¹⁷ The Church also believes that "Freedom makes man *responsible* for his acts to the extent that they are voluntary"¹⁸ "Employment is a basic right, a right which protects the freedom of all to participate in the economic life of society."¹⁹ Because every human being has freedom, he is able to choose the type of work that most suits his person. "Each worker owns his own labor and hence is free to offer or not to offer to work for a prospective employer, depending on whether he deems the employer's offered wage acceptable."²⁰ Also, "If a potential employee does not like the terms of employment, then he or she has the freedom to look somewhere else"²¹ These statements do not imply that the employer has the responsibility to provide a prospective employee with a job, only the responsibility to acknowledge

⁹ Economic Justice for All. Washington: National Conference of Catholic Bishops, 1997.73. (EJFA)

¹⁰ Catechism 1719.

¹¹ Jefferson, Thomas. "The Declaration of Independence." 28 Oct. 2007
<<http://www.ushistory.org/declaration/document/>>.

¹² EJFA 13

¹³ John Paul II, encyclical, *Laborem Exercens* 4.1.

¹⁴ *Laborem Exercens* 9.3.

¹⁵ EJFA 102

¹⁶ Younkins, Edward W. Capitalism and Commerce. Lanham: Lexington Books, 2002. 72.

¹⁷ Catechism 1731.

¹⁸ Catechism 1734.

¹⁹ EJFA 137

²⁰ Baird. 13.

²¹ Malek, Ninos. "A Free Market in Workplace Regulations." 9 Feb. 2005. Mises Institute. 28 Nov. 2007
<<http://www.mises.org/story/1735>>. 2.

that the prospect is looking for a chance at employment within that particular establishment. Because everyone is equal in their freedoms, it follows that they should also have the freedom to negotiate their right to work. “Employees have the basic individual rights of free choice, one can choose to accept or reject the offer or make a counteroffer, but once the terms are consented to, the worker is required to honor them”²²

Coercion is not part of the contract between employer and employee. The Church states, “A significant part of economic and social life depends on the honoring of contracts between physical or moral persons- commercial contracts of purchases or sale, rental or labor contracts. All contracts must be agreed to and executed in good faith”²³ Good faith is not coercion; good faith is freedom of both parties to choose whether the contract that is offered is in the spectrum of both parties’ goal of eudaimonia. This view of freedom is contradicted when governments intervene to try to force the unemployed upon the private sector business owner. “The assumption of this new view is that a right is not simply a freedom to do a certain thing but is the privilege of forcing other to take positive actions to provide some perceived entitlement. If this were true, a right would not be seen as a freedom but rather as power”²⁴ Therefore, the right to freely choose who one wants to work at his private establishment turns into the power of the government to coerce the private sector business owner to hire the prospect. The business is owned by a private citizen. Therefore, the business is part of that person’s private property.

In an attempt to help human beings reach eudaimonia, God gave man the earth to use as he sees fit. “And God blessed them, and God said unto them, Be fruitful, and multiply, and replenish the earth, and subdue it: and have dominion over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth”²⁵ “The fact that God gave the whole human race the earth to use and enjoy cannot indeed in any manner serve as an objection against private possessions”²⁶ As a matter of fact, the Church does say that man needs and is entitled to private property. “For they have always unanimously maintained that nature rather the Creator himself, has given man the right of private ownership not only that individuals may be able to provide for themselves and their families, but also that the goods which the Creator destined for the entire family of mankind may through this institution truly serve this purpose”²⁷ This quote illustrates that the Church does believe that private property can be a step toward happiness.

Not only does the Church acknowledge the right of private property, early philosophers saw it as part of the foundation of human beings. “According to St. Thomas Aquinas, private property is “necessary for human life, and is one of those social institutions which are prescribed by the jus gentium; and the content of the jus gentium is not determined by positive law, but by the dictates of ‘natural reason,’ by ‘natural reason itself’”²⁸ This illustrates that protecting private property is a jus gentium, or international law that should be followed in order to maintain the pursuit of happiness of all nations.

The United Nations also has a view on the right to private property. It states, “Everyone has the right to own property alone as well as in association with others”²⁹ The fact that the right to private property respected by all helps to establish that private individuals should not have to give up their rights to the private ownership of their property, in the form of giving a person a job strictly on the grounds that the aforementioned person does not have a job.

Even though the Church does see private ownership as a right that each person is able to possess, it does acknowledge that private property can be taken away or encroached upon when the government deems it necessary. “On the contrary, it has always understood to this right within the broader context of the right common to all to use the goods of the whole of creation: *the right to private property is subordinate to the right to common use*, to the fact

²² Younkens. 74.

²³ Catechism 2410.

²⁴ Younkens. 11.

²⁵ Genesis 1:28.

²⁶ Leo XIII, encyclical, Rerum Novarum. 14.

²⁷ Pius XI, encyclical, Quadragesimo Anno 45.

²⁸ Ryan, John. *Distributive Justice*. New York: The Macmillan Company, 1942. 51.

²⁹ Universal Declaration of Human Rights. 4.

that goods are meant for everyone”³⁰ A reply to this statement would be that “No one shall be arbitrarily deprived of his property”, as was stated by the United Nations.³¹

The only concern is what the word “arbitrarily” means. Within the meanings of the former statements about freedom and private property, it should be agreed that the statement means that the government should not be allowed to force the private sector to provide jobs to all those seeking them. In a free market, a businessman should have the right to hire and fire whomever he pleases in his private corporation. “If the government is the entity that forces a company to hire or fire somebody based on whatever criteria it sets forth as official policy, then that is an imposition, a violation of the rights of private property holders, an infraction against the freedom of association”³² Because human beings are given the right to private property, it cannot be taken away from them in order to give to another who has already been established as an equal. Therefore, because of a person’s right to own private property, it is evident that the coercion of the private sector business owner to provide jobs is infringing upon a person’s right.

The “right to work” is a natural right, a claim supported by the argument that: “Since everyone has the natural right to perfect his own natural essence, it follows that work is a natural right”³³ It also follows that, “Everyone has the right of economic initiative; everyone should make legitimate use of his talents to contribute to the abundance that will benefit all and to harvest the just fruits of his labor”³⁴ “All people have a right to participate in the economic life of society.”³⁵ In addition, similar rights are given to human beings in the United States Declaration of Independence, as well as in the United Nations Declaration of Human Rights. “Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment”³⁶ Within the realm of these rights, it should be evident that to protect one’s right to work does not mean that the government should encroach upon a private sector business and force employment.

Common sense says that competent workers will have more jobs available to them than under-qualified workers do. So, if one does not have the skills for a particular job, it should be evident that he should not be hired for that particular placement in society. However, some people believe that there is a responsibility for everyone to be provided with a job. If this is true, whose job is it to provide the jobs for everyone? The responsibility would either lie in the private sector or the government. In an attempt to allow the government as little control over the lives of the people as possible, a moral obligation is then placed on the private sector business owner to provide jobs to those without.

Everyone who works also has responsibilities. “Hence work is a duty: ‘If any one will not work, let him not eat’”³⁷ This quote illustrates that the Church believes that everyone who is able to work needs to work. “Participation is achieved first of all by taking charge of the areas for which one assumes personal responsibility; by the care taken for the education of his family, by conscientious work, and so forth, man participates in the good of others and of society”³⁸ The responsibilities do not lie only with the employees, but with the employers as well. “Among the most important duties of employers the principle one is to give every worker what is justly due to him”³⁹ Giving what is justly due to him does not imply giving someone who does not deserve a job work because he is not able to find it himself. It means that once a contract is formed between employer and employee, the employer is to follow through with what was agreed upon and to treat his employees fairly. “But in general, the rich and employers should remember that no laws, either human or divine, permit them for their own profit, to oppress the

³⁰ Laborem Exercens 14.2.

³¹ Universal Declaration of Human Rights pg 4.

³² Malek. 1.

³³ Haggard, Thomas. "The Natural Law Right to Work." The Online Library of Liberty. 28 Oct. 2007

<http://oll.libertyfund.org/?option=com_staticxt&staticfile=show.php%3Ftitle=910&chapter=99892&layou.4

³⁴ John Paul II, encyclical, Centesimus Annus. 32, 34.

³⁵ EJFA 15

³⁶ Universal Declaration of Human Rights pg 4-5.

³⁷ Catechism 2427

³⁸ Centesimus Annus. 43.

³⁹ Rerum Novarum 32.

needy and the wretched or to seek gain from another's want"⁴⁰ Although the main goal of a business is to make a profit, if the workers are treated unfairly, the business will not run at its potential, thus hurting the business in the long run.

Luis de Molina, a 16^c Jesuit theologian, taught that the owner was "only obliged to pay [the laborer] the just wage for his services considering all the attendant circumstances, not what is sufficient for his sustenance and much less for the maintenance for his children and family."⁴¹ This idea also corresponds with the fairly treated workers. If one worker is not working to his full potential and another is, the business owner should not be obligated to pay both the same wage. If this were the case, every employee would be paid the same and not do as much work as they had the potential to complete. This would eventually cause the business to suffer a loss and it would eventually have to close.

Employees (workers) also have duties to fulfill:

Among these duties the following concern the poor and the workers; To perform entirely and conscientiously whatever work has been voluntarily and equitably agreed upon; not in any way to injure the property or to harm the person of employers; in protecting their own interests, to refrain from violence and never to engage in rioting, not to associate with vicious men who craftily hold out exaggerated hopes and make huge promises, a course usually ending in vain regrets and in the destruction of wealth.⁴²

To perform work that has been voluntarily agreed upon does not mean that the employer was forced to give the employee a job. It means that within the freedom that each person possesses, each party has, without coercion, agreed to the terms of work. An employee must show that he has the skills needed to for the job, and the employer must show that he is interested in the skills that the prospective employee has. "Capacity for work- that is to say, for sharing efficiently in the modern production process- demands greater and greater preparation and, before all else, proper training"⁴³ This is a most important part, because if the prospect does not have the proper training, the business could fail, leaving a greater number of people unemployed. Providing unemployed people with jobs is becoming increasingly difficult, because many people do lack necessary skills for jobs that wages are enough to sustain a family.

It is true that an increasing number of people are without jobs. However, whose fault is it? The Boston Compact, which was convened in 1982, guaranteed a job to anyone who graduated high school. It also pledged scholarships and priority admissions for Boston graduates to colleges. However, after the Compact went into effect, the dropout rate of high school students actually rose.⁴⁴ This does not imply that everyone who dropped out of school lacked necessary job skills, but it does mean that the students who were once guaranteed jobs chose not to take an active stance in the process of finding a job. However, it is true that many people lack basic skills for acquiring a job. The Church believes that the employees must possess the proper training for the job which they are seeking. "It is particularly painful when it [unemployment] especially affects young people, who after appropriate cultural, technical, and professional preparation fail to find work, and see their sincere wish to work and their readiness to take on their own responsibility for the economic and social development of the community sadly frustrated."⁴⁵ What type of job does the lack of the basic skills of reading, writing, and arithmetic guarantee? "Unless agitators for 'economic human rights' are prepared to argue that the poor are complete imbeciles who cannot even be expected to learn basic math, these unsuccessful job seekers can hardly be blameless for their situation"⁴⁶ Is it then, the fault of the private business owner who does not want to hire someone who is not qualified to work, or is it the fault of the prospect who does not even apply enough effort to his livelihood to learn basic job skills? A responsibility cannot be given to the private sector to provide everyone with a job when the hiring of some people will do nothing more than hinder the company and potentially lead to business' closing.

⁴⁰ Rerum Novarum 32.

⁴¹ Woods, Thomas E. The Church and the Market. Lanham: Lexington Books, 2005. 50.

⁴² Rerum Novarum 30.

⁴³ Laborem Exercens 12.5.

⁴⁴ Woods. 152.

⁴⁵ Laborem Exercens 18.1

⁴⁶ Woods. 153.

Those who believe that the right to work means the right to be given a job are confusing rights with responsibilities, moral virtue with social responsibility. "To the [British] Labour Party, of course, the right to work means that government has a duty to provide a job to every unemployed worker and to guarantee the continued existence of the job of every employed worker"⁴⁷ But this right would mean that the private business owner must provide jobs to those people who do not have the skills to perform the job, or the government must use tax money to create jobs for those without. So, in the end it is still the private sector that is paying for others to have a job. However, "Clearly it does not exist as a claim right, there is no legal duty on anyone to provide a person with employment and the mere existence of around four million unemployed ought to be sufficient evidence to discredit any argument which suggests otherwise"⁴⁸ Our rights to be able to pursue a job should not interfere with others rights to earn a livelihood. "If a person has a right to perform a certain activity, then others have the obligation not to interfere with that activity."⁴⁹ If the government interferes with private sectors' businesses, then it is infringing on the rights of that sector.

The existence of the poor is a sad reality that must be dealt with in its own way. The Church believes that, "In any event, we see clearly, and all are agreed that the poor must be speedily and fittingly cared for, since the great majority of them live undeservedly in miserable and wretched conditions"⁵⁰ However, there are many different ways to do this. It does not make sense to give people jobs when they are not ready to gain the skills and work hard to keep the job. Taking this action will only lead to everyone losing their jobs because they are part of that particular company.

The economic policy that is suggested by the Church has optimistic views, but may not succeed. The people who work hard for their pay only for it to be taken away will eventually quit working as hard. Eventually, the private sector's business owners will lose their companies due to lack of money. Wealth will dwindle to nothing, causing more people to live in a state of poverty. As John Ryan states, "No man will pay anything for a revenue-producing property if someone else, for example the state, is forever to take the revenue"⁵¹ A more progressive solution would be to help people gain the skills necessary to work and even help many try to overcome the indolence that has plagued so many in the past.

There is a natural right to work. However, that right is also accompanied by responsibilities to which one must adhere. Some of these responsibilities include, but are not limited to: a contract that must be signed in order to ensure the free choice of both the employer and employee to engage in work, guidelines necessarily given to the employee from the employer to maintain the job, an absence of discrimination in the workforce, and the skills that are necessary for the job requirement to be met and maintained over the period in which the prospect is to be employed. When the right to work becomes confused with the responsibility of employers to provide work, the moral justice of providing work becomes confused with the social obligation to do so. To remedy this, one must always remember that the "right to work" is really no right at all, but merely a "right to request work".

⁴⁷ Baird. 37.

⁴⁸ Danby, Gerry. "The Use and Abuse of Rights." JSTOR. 28 Oct. 2007 <<http://links.jstor.org/sici?sici=0263-323X%28198524%2912%3A3%3C375%3ATUAAOR%3E2.0.CO%3B2-X> 377>.

⁴⁹ Younkins. 11.

⁵⁰ Rerum Novarum. 5.

⁵¹ Ryan. 25.