

# Catholic Social Teaching and the "Right to Organize"

**Marilynn P. Fleckenstein, Ph.D.**  
**Niagara University**  
**March 1, 1999**

**Working Draft**

Catholic social teaching has, since the time of Leo XIII, placed importance on the right of workers to associate and has at times even asserted an obligation to form certain kinds of associations such as labor unions. As John Paul II states in *Laborem Exercens*,

"The call to solidarity and common action addressed to the workers – especially to those engaged in narrowly specialized, monotonous and depersonalized work in industrial plants, when the machine tends to dominate man – was important and eloquent from the point of view of social ethics. It was the reaction against the degradation of man as the subject of work, and against the unheard-of accompanying exploitation in the field of wages, working conditions and social security for the worker. This reaction united the working world in a community marked by great solidarity..

But John Paul was commenting on and reiterating the position of the past encyclicals on labor beginning with *Rerum Novarum* in 1891. Leo, pope during the height of the Victorian era, a time when England and its navy spanned the globe, a period in which the dominance of the British Empire was being threatened by a new German empire which possessed greater industrial skill. The kingdom of Italy had been united and was secure even though not recognized by the Holy See. To many Europeans, Catholicism appeared to be an anachronism while at the same time the church was thriving in the English speaking world, a world in which ironically, Catholics constituted a minority. In politics, economics, philosophy, and religion, the dominant ideology was liberalism with its emphasis on the idea that progress was an inevitable and automatic process arising from the laws of nature and history. This idea of progress was at its peak precisely because important social groups and nations had experienced real improvement. Liberals throughout the nineteenth century regarded the church unfavorably citing as evidence the militantly anti-liberal tone of Vatican I, which took place two decades before *Rerum Novarum*. Leo intended to institutionalize the Council's centralization and to provide the "new" church with a less obstructionist ideology. It was against this background that there began to emerge, in 1891, a Catholic social movement aimed at directing the energies of the church to the social question. Some Catholic leaders, especially in Germany, urged that the future of the church depended on forging new bonds with workers who were seen as having become distanced from the church and increasingly infatuated with socialism. It was against this background that *Rerum Novarum* as issued.

*Rerum Novarum* was a reformist, not a radical document which attempted to find a center between socialism and liberalism by endorsing workers associations, affirming the positive responsibility of the state to intervene on behalf of the poor, upheld the claim of the workingperson to decent wages, hours and conditions. The church would take the lead defending the rights of workers and helping them to organize. While the encyclical claimed that the source of the problems of the modern world was rooted in the Reformation and the subsequent decline in Catholic influence, it attempted to provide a foundation for the active participation in modern society. However, it was the clergy, not the laity who Leo urged to take up the cause of workers, He expected lay Catholics to participate through Catholic organizations and expected that these organizations would be under clerical control.

" Pope Leo XIII also defended the worker's natural right to enter into association

with his fellows, such associations may consist either of workers alone or of workers and employers, and should be structured in a way best calculated

to safeguard the workers' legitimate professional interest. And it is the natural right of the workers to work without hindrance, freely, and on their own initiative within these associations for the achievement of these ends." (*Mater et Magistra*,22)

Leo argued that the right to associate was a natural one that permits the workingperson to form private societies and that the State "has been instituted to protect and not destroy natural right..." (*Rerum Novarum*, 72). Workers may determine the type of association they wish. "Furthermore, if citizens have the right to associate, they must also have the right to freely to adopt the organization and rules which they judge most appropriate to achieve their purpose." (*Rerum Novarum*, 76). Leo did not use the term "trade unions" indicating a willingness to keep open the form that the association might take.: Workers' associations ought to be so constituted and so governed as to furnish the most suitable and most convenient means to attain the object proposed, which consists in this, that the individual members of the association secure, so far as possible, an increase in the goods of the body, of soul and of prosperity." (*Rerum Novarum*, 74). All social organization ought to be directed toward the moral and religious perfection of the individual and society. "Besides, what would it profit a worker to secure through an association an abundance of goods, if his soul through lack of its proper food should run the risk of perishing." (*Rerum Novarum*,77) And again, "When the regulation of associations are founded upon religion, the way is easy toward establishing the mutual relations of the members so that peaceful living together and prosperity will result." (*Rerum Novarum*, 78)

To argue that the right to associate is a natural right, Leo and the subsequent writings of Pius XI, John XXIII and John Paul II stress that this right is rooted in the very social nature of the human person. The human person's physical, mental, and emotional life

demands the company of others. The notion of society is a broader concept than that of the state since the state is only one form of societies which human beings tend to form.

While *Rerum Novarum* was reformist, *Quadragesimo Anno* was radical. The keynote of *Quadragesimo Anno* was social justice while the central theme of *Rerum Novarum* had been a living wage. This was the first social encyclical to "see the need for sweeping institutional reform rather than mere charity or the reform of morals to tackle the root problems of the social order." (Coleman, 1991, p.183) Pius XI, affirming the view of Leo on the right to associate had a far-reaching affect on organized labor in the United States. "To the founding of these associations the clergy and many of the laity devoted themselves everywhere with truly praiseworthy zeal, eager to bring Leo's program to full realization. Thus associations of this kind have molded truly Christian workers who, in combining harmoniously the diligent practice of their occupation with the salutary precepts of religion, protect effectively and resolutely their own temporal interests and rights, keeping a due respect for justice and a genuine desire to work together with other classes of society for the Christian renewal of all social life. (*Quadragesimo Anno*, 33)

*Quadragesimo Anno* helped to reinforce the activist trend in American Catholicism. Pius XI went further than Leo XIII in calling for the collaboration between workers and employers to create new associations to form industrial corporations. Pius outspokenly advocated for radical change in the economic system. "Instead of conflict between labor and capital, Pius advocated collaboration. Joint industrial corporations and professional associations would cooperate with government to plan economic growth and determine priorities. Thus in place of the old order's economic anarchy, he envisioned economic planning and cooperation. The Papacy therefore, moved beyond the conservatism of the two previous popes. It surpassed, as well, in both its desire for a new economic direction, the statements of Leo XIII; himself a papal economic innovator." (Betten, 1976, p. 24) Fr. John A. Ryan, a noted reformer in the church, headed up the Social Action Department of the National Catholic Welfare Conference. His work set the stage for the official Catholic response to the Great Depression. Ryan favored trade unionism in the 1920's and became a more consistent supporter of the movement in the 1930's. this changed resulted from his evaluation that the unions have become more effective and stated that "the worker needs the union in order to achieve something like equality in bargaining power with his employer." (*Ryan Papers* 1929-33, A-C)

He also defended sit-down strikes despite the fact that he disliked them for political reasons claiming that while they did violate property rights, they were a legitimate attempt by strikers to prevent machinery from being operated by strike-breakers. He stated, "owing to the dependence of the worker and his family upon his present job, his equitable claim therefore, might sometimes justify the sit-down strike." (Ryan, *Ecclesiastical Review*, 419-420) he also defended, in certain circumstances, the use of force by workers, claiming "that employees, as such, have certain natural rights and that they may be defended by 'coercion'" (*Ryan Papers*, 1938, S-R)

Fr. John P. Boland, a priest of the Buffalo, New York diocese, who did not have the national reputation of someone like Ryan, spent much of his life with the American

worker. Within Catholic circles, Boland was considered an expert on labor problems. He planned a course of study for the Association of Catholic Trade Unionists labor school in 1937 and was eventually appointed chairman of the New York State Labor Relations Board. His own interpretation of *Quadragesimo Anno* determined his labor views seeking the establishment of a confederation of unions, employer associations and organizations of farmers and consumers to solve the American economic problems. Believing that such a system could be established without governmental involvement, which, in his opinion must be limited. He felt that this was the best approach. "The state should follow neither the individualistic nor the collectivist theories regarding its duties....its course may well be down the middle road. ... both industry and unions have been long on militancy and short on statesmanship" (Forton, 1959 p. 7-10) Boland was a staunch supporter of the labor union arguing that Pius XI had fully supported them in *Quadragesimo Anno*. While some Catholic theorists suggested that unions promoted class conflict, Boland constructed a carefully crafted argument against this position. He claimed that collective bargaining not only improved the economic conditions of the worker but he moral and religious position of the worker as well (Betten, 1976,p.86) . Thus, he argued that "collective bargaining, rightfully carried out with such proper governmental supportive services as mediation, would lessen class conflict by bringing order and peace into the labor market." (Betten, 1976 p.86.)

Collective bargaining as a means to lessen class conflict would become a tool for stability. "Collective bargaining presupposes belief in the wage system." (*Boland Papers*, Box 25) Boland was one of many priests involved in the support of trade labor unions.

The focus of *Laborem Exercens* is on the condition of human labor. The human person is defined as worker creating one' own history through labor. The human person is defined as the subject of work who through labor becomes more fully subject in the world. The self-constitution through labor is a moral task. The central moral principle is therefore, that of the priority of labor over capital. In order to help insure the priority of labor over capital, John Paul discuss the nature and history of unions in the struggle for justice. "The experience of history teaches that organizations of this type are an indispensable element of social life, especially in modern industrialized societies." *Laborem Exercens*, 20). His statement does not mean, however, that only industrial workers have the right to organize. All workers share this right. The aim of the union is social justice, and "turns against others only to the extent that these others, the rulers or the bosses obstruct the way toward greater justice." (Baum, 1982, p.49)

John Paul argues that the need for workers to secure their natural rights gives rise to the right to organize. Workers have the right to organize, to form associations for the purpose of defending their vital interests, common to all but, which take different forms in different professions. While such associations of workers have existed since the formation of the medieval guilds, modern unions are different from them in that they grew up from the struggle of the worker to protect just rights against entrepreneurs and owners of the means of production.

In *Laborem Exercens*, John Paul puts emphasis on the historical role of unions (John Paul II, 1981, n20) "The Pope thinks that in today's world any employees who do not think of themselves as working class may have to organize in unions and create wider bond of solidarity." (Baum, 1982 p. 29.) He puts this forward in the context of a rethinking of class conflict where he proposes that the struggle resides in the persons who recognize their common objective situation and commit themselves to solidarity to in a joint struggle. For him "class consciousness" is a rational reaction to the objective conditions of oppression, "generated by free persons who recognize their situation and opt for solidarity as the only way out of their common predicament. The dynamic of Western history, the struggle for greater justice in society, resides in the free engagement of the oppressed." (Baum, 1982, p. 30)

Msgr George Higgins in his book *Organized labor and the Church* points out that Catholic social teaching "vigorously supports the free exercise of this right (to associate) and regards bona fide trade unions as morally necessary, in the terminology of John Paul II, "indispensable" in contemporary society." (Higgins, 1993, p. 219) For example, the U.S. bishops' pastoral letter, *Economic Justice for All*, reads: "The Church fully supports the right of workers to form unions or other associations to secure their rights to fair wages and working conditions. This is a specific application of the more general right to associate.... Unions may also legitimately resort to strikes where this is the only available means to the justice owed to workers. No one may deny the right to organize without attacking human dignity itself. Therefore, we firmly oppose efforts, such as those now seen in this country, to break existing unions and prevent worker from organizing." (*Economic Justice for All*, 1993) In opining to these documents and others such as *Gaudium et Spes* and *Centessimus Annus*, Catholic social teaching supports not only the right to organize but the exercise of that right. In their book *The Church and Social Justice*, Fathers Jean Yves Calvez, S.J. and Jacques Perrin, S.J. write:

There is need only to draw out the implications of the reasoning of the popes on the necessity of unionism and on the correlative obligation to join a union. The most easily seen argument rests on the fact that, by means of collective bargaining, all those who are employed in an enterprise, even the non-unionists, benefit from the action which the union undertakes in defense of their rights. The individual work contract made by the worker is established with reference to the collective bargain, so he has some sort of tacit engagement and ought to admit to some obligation toward the union. The union, for its part, cannot prosecute its just

claims unless it is really representative and even, sometimes, able to appeal to the force of numbers and of finance. There is an even stronger argument, which rests on the moral solidarity of the members of the workers' group. It is certainly ever permissible to shut a worker out from work simply because he is out of favor with his union, or to ring him to severe want simply because he refuses to join. But, on the other had, it cannot e maintained that workers are absolutely free to refuse to join a

union, nor even that they ought to suffer in some way for not joining.  
(Clavez and Perrin, 1961)

It is a fundamental principle of Catholic Social Teaching that the dignity of the human person springs from the fact of being created by God with an immortal soul. Having reason and free will, the human person has both rights and duties. From this dignity springs the basic right of the human person, the most basic of which is the right to life which is not mere survival. "From this it follows that he should be able to give his family a suitable home, adequate food and clothing, a education fitted to their needs, considering the state of the culture of his time and place, proper medical care and some security for the future."(Cronin and Flannery, 1965, p.11) The ordinary way to achieve economic security is through work. Thus we begin to see how one basic right leads to another with the right to life implying the right to a job.

It must be pointed out that the bishops' pastoral letter is not a partisan pro-union document. It does, however, stress the need for strong, effective unions and opposes efforts to thwart the free exercise of labor's right to organize. The pastoral is not siding against management nor pitting management against labor. "To the contrary, it explicitly states that workers have obligations to their employers and that trade unions and their counterparts in management jointly have duties to society as a whole. The pastoral, calling for an imaginative vision of the future that can help shape economic arrangements in critical new ways, strongly emphasizes the representative and coordinating role of organized labor and management, jointly assisted by the government, in developing new forms of bona fide partnership for the public good." (Higgins, 1993 p. 224)

In all the documents cited or discussed, the right to organize or associate has been linked to the issues of social justice. Labor organizations were cited as one means to help promote or ensure the rights of workers and within society to promote justice for all. Justice lies at the very heart of morality and the good life. While justice is not the only concern or priority for a society is it a part of the common good. " But in a society in which some people are rich while others are near starvation, and in which there are still many unpleasant jobs to be done, the fair distribution of wealth and work is an essential concern for the very existence of a livable society. We call this concern social justice. It means that , in an affluent society, everyone has the right to expect a decent life" (Solomon, Robert, 1992, p. 315) The first use of this term in church documents was in *Quadragesimo Anno*. "The concept of social justice is a conceptual tool by which moral reasoning takes into account the fact that relationships between persons have an institutional or structural dimension. Efforts to specify the content of human rights must occur within e context of these institutional dynamics." (O'Brien, 1977, p. 54) Pius' notion of social justice indicates a new sensitivity to the possibility of institutional change. The idea of social justice as a regulatory principle for societal institutions is based on the conviction that human dignity is a societal rather than a purely private affair. Human dignity makes moral demands on organizational patterns by which public life is structured. Moral demands must be responded to through a social effort. Social justice points to the fact that human rights, therefore, have a societal as well as an individual foundation. The protection of human rights is possible only through a process of societal

development, and institutions such as business and government has a role to play. The person is primary but recognized social and institutional relationships between persons are living processes in and through which the person actualizes transcendental worth. The basis of social justice lies in the social nature of the human person. As Virgil Michel states: "We can now define social justice as that virtue of justice by which the members of a society perform whatever actions are necessary for attaining or maintaining the common good of that society, and regulate all their conduct in right relation to that same common good" (Michel, p. 6)

The question remains as to why Catholic social teachings do not have more of an influence in business and schools of business. Perhaps this is due to the perception that this teaching represents an ideal, which is unattainable in the world but still requires constant striving. This would indicate that results are never adequate. It has been suggested by Louis C. Gasper that part of the fault lies in the way in which these teachings are presented. "Business people, including practitioners, professors and students are suspicious of any statement on business or economic matters coming from a hierarchy which had embraced political priorities that the business world knows to be wrong headed and which has not clearly distinguished from the unchanging moral doctrines of the Church," (Gasper, 1997, p. 3) The failure to make this distinction is a serious obstacle. The emphasis on rights may also be a primary determinant for businesspeople to ignore Catholic social teaching since most are not used to phrasing business relationships in terms of rights. As Gasper further explains: "The only reason to call something a 'right' is because the choice to exert a right is unilateral, not a matter of mutual agreement between the person in whom the right is vested and the person on whom the claim of right is made, even though one may become obligated in some way by exercising the right. The bearer of a right has the freedom either to exert the right or to refrain from doing so; the one on whom the claim of right is made has no freedom to refrain from honoring the claim if it is exerted. Hence, the mutuality once the right is exerted, but the exercise itself is not a matter of mutuality. The true mutuality is in the agreement to exchange labor for wages which is posterior to the right." (Gasper, 1997) Since the concept of right has the characteristic of being unilateral where typically those of mutual obligation.

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