

# Catholic Teaching on Human Rights of Access to the Means of Survival

United States' laws banning *all* incarcerated persons from civilian labor force participation appear to violate basic human rights as expressed in Catholic social teaching, particularly (a) for unsentenced persons and misdemeanants, (b) when viewed in light of unmet obligations to children, family, and crime victims, and (c) when accompanied by incarcerants' infrequent and unsatisfactory sole alternative - prison labor - under conditions of idleness, lack of fair pay, and denial of worker participation rights.

Moreover, policies and customs of business, labor, and others denying incarcerants basic labor force participation rights also appear to violate Catholic social teaching. Both the denial of the opportunity of remunerative work and the denial of fair pay are violations of the 7<sup>th</sup> Commandment, "You Shall Not Steal."

*The Catholic Church sees the right to participate in the economy as an inalienable basic human right, springing from responsibilities, from at least four bases:*

1. *From the nature of the person as co-creator*
2. *For the survival and prosperity of the individual*
3. *For the individual's support of his or her dependents – children and family*
4. *From the Church's option for the poor and the vulnerable.*

As cited in the *Compendium of the Social Doctrine of the Church* (Pontifical Council for Justice & Peace, 2004), "*The ultimate source of human rights is not found in the mere will of human beings...but in man himself and in God his Creator. These rights are 'universal, inviolable, inalienable.'* *Universal* because they are present in all human beings, without exception of time, place, or subject. *Inviolable* insofar as 'they are inherent in the human person and in human dignity.'... *Inalienable* insofar as 'no one can legitimately deprive another person, whoever they may be, of these rights, since this would do violence to their nature.'" (*Compendium*, Part I, Human Rights, 153, pp 76, 77)

The Catholic Church is explicit that the right to work is a fundamental human right:

"Human work proceeds directly from persons created in the image of God and called to prolong the work of creation ... Everyone should be able to draw from work the means of providing for his life and that of his family and of serving the human community.

Everyone has the right of economic initiative...." *Catechism of the Catholic Church*, Doubleday, New York, 1994, "Economic Activity and Social Justice," pages 642, 643.

287: *Work is a fundamental right...* 288: *Work is a good belonging to all people and must be made available to all who are capable of engaging in it...* A society in which the right to work is thwarted or

systematically denied, and in which economic policies do not allow workers to reach satisfactory levels of employment “cannot be justified from an ethical point of view, nor can that society attain social peace.” (*Compendium*, Part Two, “Human Work,” pages 148, 149, including citing John Paul II, Encyclical Letter *Centesimus Annus*)

“Work is ‘a foundation for the formation of family life, which is a natural right and something that man is called to.’ It ensures a means of subsistence and serves as a guarantee for raising children...In this regard, it is necessary that businesses, professional organizations, labor unions and the State promote policies that, from an employment point of view, do not penalize but rather support the family nucleus.” (*Compendium*, Part II, “Human Work,” 294, page 151)

“A just wage is the legitimate fruit of work. To refuse or withhold it can be a grave injustice...Remuneration for work should guarantee man the opportunity to provide a dignified livelihood for himself and his family on the material, social, cultural, and spiritual level, taking into account the role and the productivity of each, the state of the business, and the common good.” ....” *Catechism of the Catholic Church*, Doubleday, New York, 1994, “Economic Activity and Social Justice,” page 644.

In *Economic Justice For All; Pastoral Letter on Catholic Social Teaching and the U.S. Economy*, the Bishops lay out six basic moral principles underlying a just economy:

1. **Human Dignity:** Every economic decision and institution must be judged in light of whether it protects or undermines the dignity of the human person...We judge any economic system. . . by how it permits all to participate in it.
2. **Community:** Human dignity can be realized and protected only in community. . . the human person is not only sacred but social.
3. **Participation:** All people have a right to participate in the economic life of society...Such participation has a special significance. . . because we believe that it is a means by which we join in carrying forward God’s creative activity.
4. **Special Obligation to the Poor and the Vulnerable:** The kingdom that Jesus proclaimed . . .excludes no one... As followers of Christ, we are challenged to make a fundamental ‘option for the poor’ – to speak for the voiceless, to defend the defenseless, to assess life styles, policies, and social institutions in terms of their impact on the poor...As Christians, we . . . respond to . . . *all* our brothers and sisters, but those with the greatest needs require the greatest response.
5. **Human Rights:** In Catholic teaching, human rights include . . . economic rights. As Pope John XXIII declared, ‘all people have a right to life, food, clothing, shelter, rest, medical care, education, and employment.’ This means that when people are without a chance to earn a living... they are being denied basic rights.

There is no defense in Catholic social teaching for excluding incarcerated from the civilian labor force or for denying children parental support. There are no specific exclusions and no stated

criteria for exceptions. To the contrary, the Bishops' statements encourage meaningful, paid work (see "Catholic Social Doctrine on Rehabilitation and Punishment," below).