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## CATHOLIC SCHOLARS FOR WORKER JUSTICE

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*Promoting Catholic Social Teaching on the Indispensable Role of Unions for Every Profession*

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### UNION BUSTING IS A MORTAL SIN

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**U**nion busting refers to the action of any person who seeks to prevent employees from forming a labor union, or who attempts to undermine or destroy an existing union. This person is in grave material violation of Catholic Social Doctrine on labor unions. This violation of Catholic Doctrine constitutes material grounds for mortal sin, because it stands in grave violation of: 1) both the letter and spirit of Catholic Social Doctrine; 2) the roots of this Doctrine in the First Commandment (idolatry), the Fifth Commandment (scandal), and the Seventh Commandment (theft). We will discuss each point in turn.

### CATHOLIC SOCIAL DOCTRINE ON UNIONS

Catholic Social Doctrine is forthright and unambiguous on labor unions: it states boldly that they are essential to the universal common good. A complete discussion of official Catholic Doctrine on workers' rights and labor unions can be found in the COMPENDIUM OF THE SOCIAL DOCTRINE OF THE CHURCH, (See Chapter 6: "Of Human Work," pars. 323-376).<sup>1</sup> The COMPENDIUM summarizes 2000 years of Catholic teaching on social justice and peace, and the roots of that teaching in the Hebrew Scriptures, including the Ten Commandments.

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<sup>1</sup> Pontifical Council for Justice and Peace, COMPENDIUM OF THE SOCIAL DOCTRINE OF THE CHURCH (Vatican City State: Libreria Editrice Vaticana, 2004). The full text is also available on line at the Vatican website: [http://www.vatican.va/roman\\_curia/pontifical\\_councils/justpeace/documents](http://www.vatican.va/roman_curia/pontifical_councils/justpeace/documents).

The COMPENDIUM states clearly that labor unions “*are a positive influence for social order and solidarity, and are therefore an indispensable element of social life.*” (Par. 305) The Catholic Church teaches that “*unions have the duty of acting as representatives working for “the proper arrangement of economic life” and must play an active role “in the whole task of economic and social development and in the attainment of the universal common good.*” (Par. 307)

The Church’s support for labor unions is rooted in the philosophical principle of freedom of association and the moral principle of a just or living wage. In Vatican Council II’s PASTORAL CONSTITUTION ON THE CHURCH IN THE MODERN WORLD (1965), also known by its Latin name *GAUDIUM ET SPES*, the world’s Catholic bishops teach: “*Among the basic rights of the human person must be counted the right of freely founding labor unions.*” (Par. 68)

ECONOMIC JUSTICE FOR ALL, the 1986 “Pastoral letter of United States Catholic Bishops on Catholic Social Teaching and the U.S. Economy, states: “*The Church fully supports the right of workers to form unions or other associations to secure their rights to fair wages and working condition ... No one may deny the right to organize without attacking human dignity itself.*” (Par. 104) In this document, the U.S. bishops further state: “*We vehemently oppose violations of the freedom to associate, wherever they occur, for they are an intolerable attack on social solidarity.*” (Par. 105)

The Catholic Church’s doctrinal support for labor unions is based on the natural right of free assembly, and on the well documented reality that workers are far more likely to achieve “*fair wages and working conditions*” through labor unions which strengthen the individual worker through collective bargaining with the employer for just wages and benefits. The Church believes that the result of this process will be an increase in “*social solidarity*” that will benefit the “*universal common good.*”

Catholic doctrinal support for a just wage (sometimes called a “fair,” “living,” or “family” wage) is rooted in both the Hebrew and the Christian Scriptures. Support for the just wage is also found in the Patristic and Medieval periods where the payment of an unjust wage was often linked to the avarice of the rich who engaged in wage theft by stealing workers’ wages for themselves. The COMPENDIUM teaches: “*Remuneration is the most important means for achieving justice in work relationships.*” The ‘just wage’ is the legitimate fruit of work. Whoever refuses to pay a just wage, or does not give it in due time and due proportion to the work done, commits a grave injustice which is a serious violation of Catholic Social Doctrine. (cf. Leviticus 19:13; Deuteronomy 24:14-15; James 5:4).” (Par. 302)

## **FIRST, FIFTH, AND SEVENTH COMMANDMENTS**

### **The First Commandment**

“*You shall have no other gods before me.*” (Exodus 20:3) In his counsel to reject “*all the kingdoms of the world and the glory of them,*” Jesus invoked the First Commandment with these words, “*Away with you, Satan! For it is written, ‘Worship the Lord your God, and serve only him’.*” (Matthew. 4:10) The temptation to worship idols – false gods – can take the form of placing loyalty to the nation

state or to humanly created civil law before faithfulness to eternal or divine law. There is nothing wrong with loyalty if the laws created by a state are rooted in the divine natural law. But there are times when civil law can contradict divine law, or perversely a good civil law may be used to thwart divine law.

Since the right to form labor unions is rooted in the Divine Law, no created law may be invoked to deny, or frustrate, or impede that right. Sadly, this is the case with some employers and managers – and even more sadly, with some Catholic employers or managers – who use the pretext of a long delayed “secret ballot” election, eventually to be conducted by the National Labor Relations Board, to discredit the union itself and to intimidate the workers organizing the union and the workers who will be voting. Hence, when employers or managers use the civil law to delay elections for a union in order to undermine workers’ organizing, and thus to deny workers’ rights found in Divine Law, such employers or managers stand in grave material violation of the First Commandment.

Concerning the use of civil law to contradict Divine Law, we do well to remember the words of the CATECHISM OF THE CATHOLIC CHURCH: *“The worship of the one God sets man free from turning in on himself, from the slavery of sin and the idolatry of the world.”* (Par. 2097) Consequently, any agent who prevents workers from forming a union, or who undermines or destroys existing unions, engages in “idolatry of the world” and may be in a state of mortal sin.

### **The Fifth Commandment**

*“You shall not murder.”* (Exodus 20:13) The Sermon on the Mount, extends the prohibition against murder in the Hebrew Scriptures to a prohibition against even anger and insults to others (Matthew 5:22). The Catholic Church teaches that the Fifth Commandment requires respect for human life throughout a person’s natural lifetime. This respect extends to the spiritual life or death of others. Hence, the Church holds that scandal is a violation of the Fifth Commandment, since it can cause the “spiritual death” of another.

The CATECHISM OF THE CATHOLIC CHURCH defines scandal as *“an attitude or behavior which leads another to do evil.”* (Par. 2284) The Church states that *“Scandal can be provoked by laws or institutions, by fashion or opinion.”* (Par. 2286) Consequently, THE CATECHISM concludes: *“Anyone who uses the power at his [sic] disposal in such a way that it leads others to do wrong becomes guilty of scandal and responsible for the evil that he has directly or indirectly encouraged. ‘Temptations to sin are sure to come, but woe to him by whom they come.’”* (Luke 17:1, cited in Par. 2287)

Consequently, any agent who attempts to prevent the formation of unions or to undermine or destroy existing unions is giving scandal to others by violating the workers’ right to free association and presumably also their quest for a just wage. Further, “union busting” gives scandal because it injures social solidarity and diminishes the universal common good.

This is even more the case with sponsors and managers of Catholic institutions who ignore or deny Catholic Social Teaching on unions by hiring “union avoidance firms” to prevent or “bust” unions. When an employer or manager, and all the more with a Catholic employer or manager, engages in

such scandal by publically and systematically denying the official magisterial teaching of Catholic Social Doctrine on labor unions, that person has committed the grave matter of mortal sin.

### **The Seventh Commandment**

*“You shall not steal.”* (Exodus 20:15) In 1 Corinthians 6:10, St. Paul reminds us that theft is a grave sin: *“neither thieves, nor the greedy...nor robbers will inherit the Kingdom of God.”* The CATECHISM OF THE CATHOLIC CHURCH defines theft as *“the usurpation of another’s goods against the reasonable wishes of the owner.”* (Par. 2453) “Goods” or “property” in Catholic teaching include physical ownership of goods as well as economic, political, and spiritual rights. Hence, the act of stealing a person’s wages robs that person of her or his human dignity as well. The Catechism teaches that a just wage must be directed to the whole person, physical and spiritual:

*“Remuneration for work should guarantee man [sic] 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 productivity of each, the state of the business, and the common good.”* (Par. 2434)

Catholic teaching holds that wages play an essential role in securing a *“dignified livelihood”* for workers and their families. The Church has long made a direct connection between a worker’s *“vital interests”* (just wages and benefits) and the essential role that labor unions play in defending those interests. The COMPENDIUM teaches: *“The Magisterium recognizes the fundamental role played by labor unions, whose existence is connected with the right to form associations or unions to defend the vital interests of workers employed in the various professions.”* (Par. 305)

This aspect of Catholic Social Doctrine was heightened in 1891 when Pope Leo XIII in his landmark social encyclical *RERUM NOVARUM* endorsed *“workmen’s associations”* as *“the most important”* of all *“institutions and organizations which afford opportune assistance to those in need.”* Indeed, Pope Leo stated that it was *“greatly desired”* that unions *“should multiply and be more effective.”* Pope Benedict XVI in 2009 reaffirmed this teaching in *CARITAS IN VERITATE* (2009), when he stated that labor unions *“have always been encouraged and supported by the Church.”* (Par. 64)

Employers or managers who deny just wages to their employees, or who prevent them from forming labor unions to secure wages and benefits that defend the vital interests of workers, engage not only in wage theft but in the theft of the human right of free association. Such employers or managers commit the grave material grounds for mortal sin.

In particular, we note below seven ways that “union-busting,” that is, the blocking, undermining, or destroying of a labor union, constitutes a serious violation of the Seventh Commandment and hence constitutes material for mortal sin.

1. The employer or manager steals the natural right of workers to free association.
2. The employer or manager steals just wages and benefits from workers and their families.

3. The employer or manager steals institutional funds to employ union avoidance firms to harass, intimidate, and divide workers.
4. The employer or manger steals public tax funds to employ the civil law and its agencies unjustly to delay, prevent, or to “bust” unions.
5. The employer or manger steals the moral integrity of those managers or supervisors who believe that workers should be represented by unions in the workplace.
6. The employer or manger steals the time of its workers and managers who are forced to take time away from their work (through mandatory meetings) and their families by spending evenings, weekends, months, and years struggling for something that employers should welcome from day one: an employee union in the workplace.
7. In the case of Catholic institutions, the employer or manger steals the spirit and the letter of Catholic Social Teaching by depriving it of its authentic place in a Catholic institution and of weakening its teaching authority through scandalous behavior.

Further, the Social Doctrine of the Catholic Church teaches that “*Commutative justice requires the restitution of stolen goods.*” (CATECHISM, Par. 2454). Hence, employers and mangers guilty of the above violations are morally obligated to restore lost wages, benefits, rights, time, and dignity to their workers and managers.

Finally, we state throughout this document that all the above violations constitute objective material grounds for mortal sin. Whether one is subjectively culpable is a matter that a confessor can help one determine as part of an examination of conscience. Catholic teaching holds that there are three components for subjective culpability of mortal sin: 1) *grave matter*; 2) *full knowledge*, and 3) *complete consent*. (CATECHISM, Pars. 1858, 1859) Certainly the anti-union actions described here all meet the objective material criterion of “grave matter.” But the question of whether the penitent had “full knowledge” and “complete consent” should be left to the judgment of the confessor. After reading this statement, however, the reader can no longer claim ignorance of the magisterial teaching of Catholic Social Doctrine. After reading this statement, the reader certainly has “full knowledge.”

Are you guilty of mortal sin because of your actions against labor unions? Have you failed to live up to the high demands of Catholic Social Doctrine on workers’ rights, including the right to form labor unions and to bargain collectively? If so, we suggest that you bring the matter before your confessor.

Feast of St. Joseph the Worker

May 1, 2010

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