

NATURAL LAW AND ECONOMIC HUMANISM

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In his 1948 essay, *Existence and the Existent*, Jacques Maritain responded to the philosophical questions raised by a number of thinkers who, for often diverse reasons, were known as existentialists. Maritain was particularly interested in distinguishing what he considered to be an authentic, Christian existentialism (or "existential existentialism" from a bogus academic existentialism (most prominently represented by "atheistic existentialism").¹ In the concluding chapter he writes:

Having made up its mind to be the sole supreme knowledge and so to replace theology, philosophy has for three centuries assumed the heritage and the burdens of theology. The great modern metaphysical systems are thus only seemingly liberated from theology. The questions which the latter claimed to answer continue to haunt those systems. Nowhere is this plainer than in the philosophy of Hegel. It is not useless to remark that atheistic existentialism itself remains dependent upon theology, though an inverted theology. For it, as for Marxism, atheism is a *point of departure* accepted in advance. These two antagonistic philosophies, the one rationalist, the other irrationalist, both develop in the light of an *a-theo-logy* of which they are the *ancillae*.²

Thus, for Maritain, both Sartre and Marx are involved in a fundamental error which vitiates their entire systems. Their prior commitment to atheism makes it impossible for them adequately to conceptualize being, general existence, or human existence. In the final analysis, says Maritain, atheistic existentialism and Marxism are merely "philosophies of action" divorced from any defensible link to the *telos* of action, namely, Truth or the Good.

Such philosophies are in reality philosophies of action, either of *praxis* and the transforming action of the world, or of moral creation *a nihilo* and liberty for liberty's sake.

This is why the very notion of contemplation has become unthinkable for them and they have no other resource than, in the fine scorn of ignorance, to stigmatise with the name of 'quietism' the highest and purest activity of intellect, the free activity of fruition of truth.³

The burden of Maritain's argument concerning being, existence, and act is borne by *Existence and the Existent*. Even a brief review of his argument is beyond the scope of the present essay, except insofar as the fundamental points of the thesis bear on one particularly thorny problem of the modern era, namely the problem of economic justice. I propose to examine the ways in which Thomism leads to certain fundamental truths about economic life in the modern world and to an economic philosophy that Maritain called "economic humanism" and which is today commonly known as "democratic capitalism."

The entire Christian church--Roman Catholic, liberal Protestant, and, to a lesser extent, evangelical Protestant and Eastern Orthodox--is engaged in the larger debate between "capitalism" and "socialism." In the world of nations this conflict manifests itself, for example, in the superpower tension between the Soviet bloc and its allies, on the one hand, and the United States and its allies, on the other. In political terms the "ideological divide" in our world today seems to be between those "capitalist" countries that are characterized by open systems of liberal democracy and the "socialist" countries that are characterized by closed systems of authoritarianism or totalitarianism (and which, ironically, claim to be truly democratic). In economic terms, the ideological dichotomy separates systems of private property rights and market exchange, on the one hand, from systems of state ownership of the means of production and state control of non-market, command economies, on the other.

While the above summary of the ideological debate ignores for the moment a number of interesting nuances in our contemporary world, it serves adequately to define the larger dimensions of global relationships. Even more fundamental than the democracy-authoritarianism debate, I believe, is this "core" ideological conflict of the twentieth century, the capitalism-socialism debate.

Since the Christian church is itself entangled in this great debate of the present era, how Christians resolve the problem of ideology--and how they resolve the specific issue of economic justice--will determine in large part the future of the world social order.

How, then, should we understand the significance of the Marxist worldview and the socialist or communist society? I am fully aware that certain theorists, wittingly or unwittingly, propagate vast confusions by referring to some countries as "socialist" which, in fact, are organized on the basis of market exchanges. Be that as it may, I believe the basic differences

between capitalism and socialism are generally understood. How should we understand the significance of the capitalist systems that are present in the countries of the non-Marxist "free world"? I am also aware that many theorists prefer to give other names than "capitalism" to the system of private property rights and market exchanges--I prefer the term "*democratic capitalism*."

Maritain believed that the awakening of the self-consciousness of the working classes in the nineteenth and twentieth centuries was a positive and necessary step toward the realization of the just society. But, Maritain argued, what the socialists called "class consciousness" should have contributed to, rather than detracted from, the notions of human dignity and vocation. Said Maritain: "Class consciousness [has] been chained to an historic calamity [and] . . . spoiled by the gospels of despair and of social warfare which are at the bottom of the Marxist idea of class struggle and the dictatorship of the proletariat."⁴

Maritain points to a profound ambiguity in Marxism: a deterministic view of the formation and function of social classes and a utopian wish for a fundamental revolution in the social order that would eliminate social classes. Here is the double bind. First, if the social order presupposes class stratification, Marxists who come to power are, in fact, a new elite which rules over its own oppressed classes. Second, if class stratification is not historically determined, then its elimination may come about through a non-utopian evolution. It is no wonder that Marxist-run societies everywhere suffer under a politically hegemonic "new class" of elites that is forced by its own ideology to deny that it is a class at all. Experience teaches that class stratification may be inevitable in some form, but class warfare is not.

The same problem holds for Marxism when we examine the doctrine of man. Marx's prior commitment to historical materialism creates a second enduring ambiguity within Marxism. Man is, on the one hand, determined by his class location and by the material coordinates of his world and, on the other, he makes a pseudo-spiritual leap of faith into that revolutionary consciousness that overcomes all material limits and issues in an economy of automatic abundance. In *The Person and the Common Good*, Maritain concludes:

The person which [Marxism] strives to liberate is conceived as purely immanent in the group. Hence the only emancipation which it could, in reality, achieve, would be that of the collective man, not at all that of the individual person.⁵

Marxist philosophy, in other words, denies the fundamental freedom of the individual person that the genuine existentialism of *Existence and the*

Existent so adamantly defends. And, in denying the freedom of the individual person, Marxism also denies the possibility that a society of free persons could create political and economic systems that would approximate justice in a given historical epoch. In a book published in Polish before he became pope, Karol Wojtyla described this fundamental error of Marxism under the rubric of "totalism":

The dominant trait of totalism may be characterized as the need to find protection *from* the individual, who is seen as the chief enemy of society and of the common good. Since totalism assumes that inherent in the individual there is only the striving for individual good, that any tendency toward participation or fulfillment in acting and living together with others is totally alien to him, it follows that the "common good" can be attained only by limiting the individual. The good thus advocated by totalism can never correspond to the wishes of the individual, to the good he is capable of choosing independently and freely according to principles of participation; it is always a good that is incompatible with and a limitation upon the individual. Consequently, the realization of the common good frequently presupposes the use of coercion.⁶

In passing we might note that these fundamental contradictions in Marxism, none of which have been resolved by the vast array of subsequent Marxist or neo-Marxist interpretations, today infect theology and the Church itself by way of some "liberation theologians" who propound Marxist principles rather than Christian and personalist principles of genuine liberation.⁷ Perhaps one example will suffice to illustrate the fundamentally anti-personalist perspective of some liberation theologians. Juan Luis Segundo writes: "We give the name of socialism to a political regime in which the ownership of the means of production is removed from individuals and handed over to higher institutions whose concern is the common good."⁸ The idea that individual good and the common good are simple opposites is anathema to personalism.

Another philosophical objection may be raised to the presuppositions of much contemporary social thought, whether it be of the Marxist or of the liberal variety. This objection is to the conflation of history with eschatology. When the *eschaton* no longer represents a transhistorical point of reference from which the Divine judges the temporal, it is merely the climax of history and it becomes a justification for the imposition of a utopian vision upon society. In short, without a genuine revelation of Truth beyond history, history itself becomes a god, and historicism dominates philosophy. Maritain made this point on several occasions. This same

objection has been raised recently in a remarkable essay by Oliver O'Donovan, *Resurrection and the Moral Order*:

[Historicism's] use of eschatological categories is characteristically to *legitimize* the immanent tendencies of history rather than to *criticize* them. If there is no locus of value outside history, then history must provide its own critical movements from within, so that the kingdom of God becomes a form without content, an empty 'end' which will receive its definition from the history which has led up to it. Thus historicism represents a return to totalitarian thinking, in which the whole content of the claim of the good is mediated to man through his developing social culture.⁹

In this passage O'Donovan specifically criticizes both liberalism and Marxism, including the neo-Marxism of the Protestant liberation theologian, Juergen Moltmann.

Not only at the philosophical level, but also at the level of social policy, Marxism has shown itself to be deficient. In the twentieth century, many experiments with socialist economic policy have been carried out. Almost without exception they have created greater poverty and more injustice than the essentially precapitalist, "feudal" systems they have replaced. What are the classical characteristics of socialism? Nationalization of basic industries, an economically dominant public sector, centralized economic planning, equal income distribution, the total welfare state. None can be convincingly defended on the grounds of efficiency or justice.

What we are left with, after the death of Marxism as a philosophy and an economic policy, is the task of re-examining market economies in an effort to discover ways to make them more compatible with personalist social philosophies. How do we define "democratic capitalism"? It is a three-part system of political, economic, and cultural freedoms. In the political sphere, it is that set of institutions (universal suffrage, representative government, redress of grievances, independent judiciary, etc.) and the requisite rights and responsibilities of the citizen that are characteristic of a self-governing democracy. In the economic sphere, it is that set of institutions (open and fair markets in both labor and product exchange, legal protection of private property rights, government regulation of economic activity, mechanisms for the material support of the economically non-productive members of society) and the requisite rights and responsibilities of workers and their families that are characteristic of a generally capitalist-oriented society. In the cultural sphere, it is that set of institutions (churches and other religious bodies independent of state control, a free press, non-ideological schools and colleges, voluntary associations

representing a wide variety of interests) and the requisite rights and responsibilities of the person that are characteristic of a pluralist and tolerant society.

This capsule definition of democratic capitalist society provides a context for discussing the specific economic questions that must arise in any complete social theory.

Maritain shared the basic aversion to "bourgeois liberalism" that was common to Catholic intellectuals of his era. He believed that the "Protestant" culture of Northern Europe and North America had fallen into the error of excessive individualism and that this had led to theological and political heresies on a grand scale.

Thus, Maritain had little admiration for capitalism and often criticized it "in the same breath" with socialism. Yet, by the late 1950's, Maritain had experienced life in the United States and Canada and had begun to sharpen his views on economics and the future course of the social order in the Western democracies. Maritain wrote in *Reflections on America*:

A new social and economic regime is, in actual fact, developing in this country--a phenomenon which gives the lie to the forecasts of Karl Marx and which came about not by virtue of some kind of inner necessity in the evolution of capitalism which Marx overlooked, but by virtue of the freedom and spirit of man, namely by virtue of the American mind and conscience, and of the American collective effort of imagination and creation.¹⁰

Maritain began to see that profit is merely the calculus of productive work, and money is merely the medium of exchange of work's value.

Philosophically speaking, I would say that individual profit still remains, as it ever will, an indispensable human incentive but that it is now definitely losing absolute primacy, and that the principle of the fecundity of money is definitely superseded now by the principle of profit-sharing in a contractual association.¹¹

Yet, Maritain believed that the embryonic justice that democratic capitalist countries had achieved would require much fuller development and creative adaptation.

This new social and economic regime is still in a state of full becoming, but it has already brought history beyond both capitalism and socialism.¹²

"Capitalism," in Maritain's mind, represents a system in which individual profit--"an indispensable human incentive"--had absolute primacy, which contradicted other values. An example of this would be a monopoly enterprise in a "company town." Such an enterprise is protected from competition in either the labor market or the product market. Such a monopoly, whether enforced by private or public writ, would contravene the economic rights and freedoms of the persons in that town.

The historic reforms within capitalist societies that forced all enterprises to operate in an open market also caused profit and productivity to be *optimized* over the long term rather than *maximized* over the short term. And, when the market for capital was opened to the forces of competition, many people who did not previously control wealth could come to do so, either individually or collectively. The most important such collective of persons acting in the economic sphere, according to Maritain, was the labor union. Operating according to the principles of private property rights and market exchanges without monopolies-- and ensuring free access to the capital, labor, and product markets--the capitalist societies have progressed over time toward greater economic justice.

By 1958, Maritain saw emerging in North America a new form of economy which showed great promise for the future. It was a system in embryo that arose from a doctrine of "economic humanism." It paralleled the democratic system based on the doctrine of "political humanism" that Maritain had been defending with great force for more than two decades.¹³

In *Reflections on America*, Maritain told the story of a magazine editor who wrote an article in the 1950's entitled "Wanted: A new Name for Capitalism." The editor invited his readers to send in their suggestions. To his surprise, 15,000 replies came back. The suggestions included "industrial democracy," "economic democracy," "the new capitalism," "democratic capitalism," "distributivism," "mutualism," "productivism," and "managementism." Maritain, too, felt the need for a new phrase to describe the inner transformation of the industrial regime. He suggested "economic humanism" as the term that best conformed to the broader personalist and pluralist society that he envisioned. He advocated an economy in which every agent in the productive process, acting with intelligent self-interest, would receive his due proportion of the material reward. Further, there would be freedom to initiate a business for its possible rewards; there would be equality of opportunity in a relatively classless system, with a high degree of upward (and downward) social mobility, and there would be a bond of civic friendship that generated obligations to honesty and fairness in business dealings.¹⁴

Democratic capitalism as we know it today has continued down that generally positive path that Maritain described in the 1950's. This is not to say that there has been a steady, unimpeded progress toward justice. Justice is never won easily, and it exists today side by side with many injustices.

There are many problems in the democratic capitalist countries today--there is much to be done for the sake of ensuring economic justice for all, as the American Catholic bishops have reminded us. But the overall system of democratic capitalism--private property rights, markets, material incentives, government regulation of the economy, and a limited welfare system--has been vindicated by historical experience.

Modern democratic society is based on the presupposition that individual persons, given the opportunity to make informed choices at the ballot box, in the marketplace, and in the activities of ordinary daily life, can, under the influence of the Truth itself, gradually create a progressively more just society. The modern era, in spite of its many distortions of the Christian vision, has disclosed the moral basis of freedom and, hence, the approximate compatibility of democracy, the market economy, the pluralistic culture with the Christian vision of man and society. Genuine Christian political theology cannot celebrate liberty for its own sake, as merely a *freedom from*; it must be a *freedom for* a life based on Truth and Love.¹⁵

The *economic* choices, then, which each of us makes in his daily life are a part of that larger drama of human existence and responsible action that Maritain describes in *Existence and the Existent*. When a person chooses freely to take one job rather than another (because it offers a variety of advantages: monetary, emotional, even spiritual), when a person chooses to buy or not to buy a certain product or service (based on a realistic perception of its usefulness and appropriateness), when a person chooses to embark upon a financial enterprise at the risk of monetary loss but with the potential for monetary gain (and usually with a creative urge to organize human and material resources for optimum efficiency), when a person acts in these and a multitude of other ways as a participant in the economic life of society, he or she is fulfilling a natural function of human existence, fulfilling the natural law as it applies to this realm of human activity.

It is the responsibility of able-bodied adults to be economically self-reliant. Exceptions are made for those persons with responsibilities for child-bearing and the care of others. Upon the economic productivity of able-bodied adults depends the fate of children, the elderly, the disabled, and others who are unable, either temporarily or permanently, to participate in economic production. The free society is made possible through the uncounted efforts of the majority to grow food, build homes, heal the sick, manage enterprises, and produce all of the other goods and services necessary to human existence and fulfillment. Democratic capitalism is the fairest and most efficient system yet devised by which these diverse efforts of individual persons are organized. As a system it encompasses all those instances of market exchange whereby goods and services are produced and consumed as well as those activities that transcend the market mechanism, such as philanthropy; the maintenance of the welfare of the poor and

disadvantaged through the agencies of the state, the church, or other voluntary associations; and the defense of the public order through law enforcement and military deterrence.

Economic dynamism and productivity are key elements in the pursuit of social justice. A portion of the wealth created in the market economy, a portion of the profits, must always be set aside to provide for those persons and sectors of society that do not themselves produce a profit.

What of those able-bodied adults who consciously reject economically productive vocations? Some persons have been called to a hermetic or contemplative lifestyle that minimizes their involvement in mundane existence, including economic activity. But some persons who are not called to the contemplative life are, nevertheless, profoundly alienated from ordinary daily life, especially in its economic dimensions. Those who have rebelled against the organization of economic life sometimes make a vocation, as it were, of their rebellion, although this can only be a bogus vocation. Such persons have sometimes marshalled powerful intellectual energies to justify a system of totalitarian control based on Marxist principles. In so doing they have denied the very bases of human freedom and responsibility set forth in the doctrine of the natural law. By contrast the ordered freedom of the person in his role as an economic actor is most fully maintained under a system of democratic capitalism--property rights, markets, government regulations, a limited welfare program. Totalitarianism is the logical end of Marxist presuppositions. Democratic capitalism is the logical end of personalist presuppositions. Maritain writes:

From the old socialistic ideas comes the temptation to grant primacy to the economic set-up, and at the same time the tendency to turn everything over to the authority of the State, administrator of the welfare of all, and to its scientific and bureaucratic machinery; which, like it as we will, moves in the direction of a totalitarianism with a technocratic base. It is not this rationalization of mathematical organization that should inspire the work of reconstruction; rather, it should be a practical and experimental wisdom attentive to human ends and means. The idea of planned economy should thus be replaced by a new idea based on the progressive adjustment, due to the activity and the reciprocal tension of autonomous agencies, which, from the bottom up, would bring producers and consumers together, in which case it would be better to say an adjusted rather than a planned economy. Likewise, the notion of collectivization should be replaced by that of associative ownership of the means of production, or of

joint ownership of the enterprise, . . . substituting, as far as possible, joint ownership for the wage system.¹⁶

The "progressive adjustment" of the democratic capitalist economy comes about through the market mechanism itself and through the interplay of institutions--corporations, labor unions, governments, the media. "Associative ownership" has also begun to take new forms: publicly-traded stock corporations, pension fund investments, home ownership, and similar property-ownership arrangements. In these and many other ways the practical experience of the democratic capitalist countries has confirmed the basic principles set forth by Jacques Maritain in his writings on man's existence and his social responsibilities.

Democratic capitalism is that social system that most closely conforms in the present era to the demands of the Christian ideal of justice. As such, it requires further development in the light of future experience. It is necessary to examine a wide variety of factors in the economy and in the society at large to arrive at a correlation between the principles of natural law and the achievements of man. The present essay attempts to open this question to further scrutiny. There is much work that remains to be done in this field, especially in the area of economics. Many theologians are turning to the task of developing a theology of economics, many will make valuable contributions in the coming years. But it is imperative that Christian theology clearly delineate its objects to the philosophical presuppositions of Marxism and other false ideologies, including even those which appropriate the name of "capitalism" for social programs that contradict the personalist view of man--his existence and his freedom.

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NOTES

1. Jacques Maritain, *Existence and the Existent*, trans. Lewis Galantieri and Gerald B. Phelan (Lanham, Md.: University Press of America, 1987), p. 123.
2. *Ibid.*, p. 135.
3. *Ibid.*, p. 136.
4. Jacques Maritain, *The Social and Political Philosophy of Jacques Maritain*, eds. Joseph W. Evans and Leo R. Ward (Notre Dame, In.: University of Notre Dame Press, 1976), p. 340.
5. Jacques Maritain, *The Person and the Common Good*, trans. John J. Fitzgerald (Notre Dame, Ind.: University of Notre Dame Press, 1966), p. 93.
6. Karol Wojtyla, *The Acting Person*, trans. Andrzej Potocki (Dordrecht, Holland: D. Reidel Pub., 1979), p. 274.
7. Two lengthy "intructions" on the matter of genuine versus false concepts of liberation have been promulgated by the Congregation for the Doctrine of the Faith under the leadership of Cardinal Joseph Ratzinger and with the endorsement of Pope John Paul II: "Instruction on Certain Aspects of the 'Theology of Liberation,'" *Origins* 14 (September 13, 1984) 193, 195-204; and "Instruction on Christian Freedom and Liberation," *Origins* 15 (April 17, 1986) 713, 715-728.
8. Juan Luis Segundo, "Capitalism-Socialism: A Theological Crux," in Claude Geffre and Gustavo Gutierrez, *The Mystical and Political Dimension of the Christian Faith* (New York: Herder and Herder, 1974), p. 115.
9. Oliver O'Donovan, *Resurrection and Moral Order: An Outline for Evangelical Ethics* (Leicester, England: Inter- Varsity Press, 1986), p. 73.
10. Jacques Maritain, *Reflections on America* (New York: Gordian Press, 1975), pp. 114-115.
11. *Ibid.*, p. 115.
12. *Loc. cit.*
13. The pinnacle of Maritain's political thought, in my estimation, is *Man and the State* (Chicago: University of Chicago Press, 1951).
14. Maritain, *Reflections on America*, pp. 112-13.
15. For a fuller discussion of the moral basis of freedom in the social order, see my *The Theology of Freedom: The Legacy of Jacques Maritain and Reinhold Niebuhr* (Macon, Ga.: Mercer University Press, 1985).
16. Maritain, *The Social and Political Philosophy of Jacques Maritain*, p. 43.