

JUST WAGES: IT'S IN CHURCH LAW

Although the issue of just wages is not directly a canonical one, since it pertains more to the realm of moral theology and to the social teachings of the church, we do find references to this topic in the *Code of Canon Law*. For instance, the fundamental canon, Canon 1286, provides that administrators of temporal goods are to observe the principles taught by the church and to observe all applicable civil laws relating to labor and social life. This implies that employers are to pay an honest wage that would enable the employees to provide for their own needs, and for those of their dependents.



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It could be noted in passing that when the code speaks of the duties of “administrators” (whether in Canon 1286 or in other canons), by analogy the same obligations would apply to all those who share in the responsibility of administering the goods. These include, for instance, members of the finance committee, or of the board of directors of a juridic person, of a corporation or even of an institution that is unincorporated.

We note that there are two dimensions to Canon 1286: the observance of applicable civil laws when entering into contracts, and paying just wages. The canon is addressed to those persons who are responsible for works carried out in the name of the church. As such, it is not a general norm applicable to all employers. Nevertheless, we must keep in mind that if the church is to preach credibly to others on the demands of justice, it must first begin by practicing justice itself.

For this reason, we could also look at the content of the canon from two perspectives: that of the person receiving the wages, and that of the person who is required to pay them.

From the perspective of those receiving wages, we often find differences when the person involved is a cleric or a religious. It seems to be taken for granted that they would receive a lesser salary, even though their obligations to their community or to their family are often just as demanding as anybody else's, especially given the smaller number of wage earners today as communities grow older. But, from the perspective of the person hav-

ing to pay the salary, the issue often comes down to a proper distribution of the available resources.

The applicable civil legislation could refer to minimum wages, to discrimination in hiring policies or to eligibility for employment in the country. An administrator who does not follow the civil law in effect in the territory cannot expect to be protected by church authorities because, in this matter, the canon law simply canonizes the civil law in effect.

The church's social teaching on “just wages” found its first formal expression in Pope Leo XIII's encyclical, *Rerum Novarum* (May 15, 1891). This notion was developed further by successive popes, and today we see it repeated in Pope Benedict XVI's three encyclicals, especially in *Caritas in Veritate* (June 29, 2009) where he bases this issue firmly on the dignity of each person (see, for instance, paragraph 25).

The collective teachings of the popes and other church authorities can be found in the book edited by the Pontifical Council for Justice and Peace, October 25, 2004, the *Compendium of the Social Doctrine of the Church*. In particular, two articles are of special importance to us, sections 302 and 309.

Section 302, quoting Pope John Paul II, reminds us that “remuneration is the most important means for achieving justice in work relationships.” It also notes that the “just wage is the legitimate fruit of work.” Among the principles put forward in this context, we are told that in the simple agreement between employee and employer with regard to the amount of pay to be received, it is not sufficient for the wage to be considered “just”; it must not be below “the level of subsistence.”

Section 309 enters into details relating to salary negotiations, particularly when unions are

involved. The text reminds us that workers' associations must focus their efforts on the acceptance of greater responsibilities, particularly in relation to the creation of social, political and cultural conditions that will permit all who are able and willing to work to exercise their right to work in full respect for their dignity as workers. It refers, in passing, to the "gradual obsolescence" of some models presently in effect and takes a stand in favor of updating the norms and systems of social security. This strikes a particularly sensitive chord today as budget crunches are felt across the country.

Returning to section 302, we could ask what is meant by "the level of subsistence." Canon 1086.2 gives us an insight into this when it speaks of being able to provide "fittingly" for workers' needs and those of their dependents.

Subsistence is more, then, than simply enough to get by on. We could say that it entails that which is necessary for food, clothing, housing, medical care and the preservation of health. It could also include provision for decent relaxation and the payment of one's debts. In today's world, some type of prudent provision for the future should also be taken into consideration. The *Catechism of the Catholic Church*, Art. 2434, takes a slightly different approach to this issue and speaks in terms of a dignified livelihood for workers and their families on the material, social, cultural and spiritual levels, taking into account the various circumstances of the moment.

It is obvious that needs will vary from place to place, and even from person to person. The church cannot lay down a general norm applicable everywhere. We should also keep in mind that what was considered to be just at one point in time might no longer be such today, because of changed social conditions.

There is a further dimension to the church's teaching on a just wage. The worker who receives the wage must, in turn, provide quality work and satisfy the conditions accepted during the hiring process. There must be a two-way street here. It is an issue of justice.

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