A NATURAL LAW OF HUMAN LABOR

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I don’t like work—no man does—but I like what is in the work,—the chance to find yourself. Your own reality—for yourself, not for others—what no other man can ever know. They can only see the mere show, and never can tell what it really means.

Joseph Conrad, Heart of Darkness.

A blindness to the intrinsic and irreducible good of human work pervades the Thomistic tradition. Unfortunately, this blindness is not an easily-corrected oversight; rather it is the consequence of fundamental doctrines of human activity and practical reason. The denial that work is a basic good—that is, that work is a fundamental opportunity for human flourishing—is explicit in Aristotle, Thomas Aquinas, Germain Grisez, and John Finnis. Although the Grisez and Finnis restatement of natural law theory is often criticized for not being authentically Thomistic, in their neglect of human labor Grisez and Finnis are, if anything, too Thomistic.

Nonetheless, change is afoot—even in the philosophia perennis. The Grisez-Finnis-Boyle natural law theory is very much work-in-progress, and since 1983 (Grisez) or 1987 (Finnis, Grisez, Boyle), they have begun to mention work in their lists of basic human goods. For the first time in Thomistic natural law theory we find an opening for the view that there could be a natural law ethics of work. So far, this opening is rather meager: the word “work” has merely been tacked on to the existing category of “play” in their list of basic human goods. No defense or justification of work as a basic good has been mounted; nor have any reasons for the earlier neglect of work been proffered. I wish to advance this work-in-progress by:

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(1) Criticizing the foundational analysis of work and action in Aristotle and Thomas Aquinas;
(2) Developing arguments to justify the treatment of labor as a basic human good;
(3) Proposing a moral natural law norm to govern choices that either promote or attack the basic good of human work; and
(4) Considering the implications of including labor as a basic good for the new natural law theory as a whole.

I. A Legacy of Aristotle and St. Thomas Aquinas

Since labor fills the lives of most adults (and, in many societies, most children) it would seem natural to inquire whether labor is a fundamental opportunity for human flourishing. For Aristotle and the Aristotelian tradition, there are major obstacles to any consideration of labor as a basic good. Consider Aristotle's official distinction between production (poiesis) and action (praxis): "For while making (poiesis) has an end other than itself, action (praxis) cannot; for good action is its own end." Here productive labor is defined as a means to something else, either the pay or the product; it is not a basic good, not a component of eudaimonia, that is, human flourishing. Action, by contrast, has intrinsic value; it is a basic good, a component of human flourishing. But perhaps work could be its own end in addition to having an external end? Perhaps work could be inherently valuable even though it also issues in a product? Aristotle allows that some intrinsic goods, such as intelligence, sight, certain pleasures, and honor, may also be instrumentally valuable. Yet Aristotle resists the analysis of work as a more-than-instrumental good: "Where there are ends apart from the actions, it is the nature of the products to be better than the activities." So what is valuable in production is not the experience of the worker, but the product made. On this account, it makes no sense to inquire about the eudaimonia of the worker, since eudaimonia is to be found only in actions that are their own end and never in activities even partly instrumental: "if some activities are necessary and desirable for the sake of something else, while others are so in

2. In this section I can only state dogmatically what I use exegesis and analysis to argue in my book, The Moral Economy of Labor: Aristotelian Themes in Economic Theory (1993), ch. 3.
4. Ibid., 1096b 15 and 1094a 5.
themselves, evidently happiness must be placed among those desirable in themselves, not among those desirable for the sake of something else."

Here Aristotle's analysis of basic goods is clearly derived from his metaphysical distinction between immanent and transitive activities (*Metaphysics* 1050a30). Immanent activities are complete in themselves, such as seeing, contemplating, experiencing joy; transitive activities, by contrast, are incomplete until they reach a goal distinct from the activity itself, such as making and dieting. From this metaphysical premise Aristotle draws the normative conclusion that although some immanent activities have intrinsic value, all transitive activities have only instrumental value. If immanent and transitive activities are mutually exclusive classes of events, and if only immanent activities afford opportunities for human flourishing, then how can there be mixed goods? Certainly Aristotle would admit that, as a matter of psychology, one could value immanent acts for their utility or one could value transitive acts in themselves. But only immanent activities can be, as a normative matter, intrinsically valuable. Thus, although Plato had argued that the highest goods, such as justice, are valuable both in themselves and for their consequences, Aristotle sometimes admits and sometimes denies that the highest goods are valuable for their consequences.

In his commentary on Aristotle's *Metaphysics* (1050a30), Thomas Aquinas argues that immanent activities are a perfection of an agent, while transitive activities are a perfection of an external entity. From this metaphysical premise, Aquinas also draws the normative conclusion that productive labor, being the perfection of an external thing, is not an intrinsic good; moral action, by contrast, is an intrinsic good because it is the perfection of the agent. Whereas production perfects only the product, action perfects only the agent. Productive labor, says Aquinas, has a purely instrumental function and, therefore, is not an opportunity for human flourishing.

the value of an art lies in the thing produced rather than in the artist, since art is right judgment about works to be made. The action of making passes into external material, and is a perfection of the thing made, not of the maker, even as motion is an actuality for the thing set in motion. Now art is concerned with the making

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6. See Plato, *Republic*, 358A. In one revealing passage, Aristotle wavers: "The greater the amount of each of the goods of the soul, the greater is its utility—if indeed it is proper to predicate 'utility' at all here, and we ought not simply to predicate 'value'." (*Politics*, 1323b10)
of things. The value of prudence, on the other hand, is in the agent himself, and in the very acting which fulfills him; for prudence is right judgment about things to be done. . . .  

In the eighteenth and nineteenth centuries, thinkers as diverse as Adam Ferguson, Adam Smith, G.W.F. Hegel, Karl Marx, and John Ruskin argued that, contrary to the Thomistic tradition, human labor has a profound effect on the moral and intellectual character of workers. They insisted that work has the potential to be a major, if not the major, locus of human flourishing. As we shall see, myriad empirical studies of work by industrial psychologists decisively refute Aquinas' view that "production is not a perfection of the producer."

There is a curious and disturbing similarity between the view of human labor found in the Aristotelian-Thomistic tradition and that found in the contemporary orthodoxy of neoclassical economics. Modern economic theory defines labor as a disagreeable drudgery ("a disutility") undertaken solely to gain pleasure from the paycheck. In both orthodoxies, work is a mere instrument whose value lies in what it produces, either the product or the pay. But this view of labor has been effectively challenged—notably by Karl Marx and John Paul II—and is now giving way to gradual recognition of the importance of labor to human happiness and well-being.

II. THE NEGLECT OF WORK IN THE NEW NATURAL LAW THEORY

What we find in the new natural law theory of Grisez, Finnis, and Boyle is essentially the same denial of the intrinsic value of work as we found in Aristotle and Thomas Aquinas. In Beyond the New Morality, Grisez lists the eight basic goals or purposes of human activity: four "substantive purposes" (life, play, aesthetic experience, speculative knowledge) and four "reflective" ones (integrity, authenticity, friendship, and religion). These purposes or goods are basic, he says, in the sense that they are not instrumental: we pursue them for their own intrinsic values and not as a means to something else.

Yet before we are able to evaluate the relation of work to the other basic goods, we must first clarify an ambiguity in the very notion of a "basic" good. Aristotle, Thomas Aquinas, Grisez, and Finnis all tend to contrast intrinsic with instrumental goods. A basic good, in the new natural law theory, is almost always described as

7. Summa theologiae 1-II, q. 57, a. 5, ad 1.
an intrinsic or non-instrumental good. But basic can also mean "irreducible" as opposed to "complex." A good could be intrinsic without being irreducible: W.D. Ross though that aesthetic enjoyment was a compound of pleasure and knowledge. Grisez, Finnis, and company clearly intend their basic goods to be both intrinsic and irreducible. Marriage, for example, would not count as a basic good merely because it is intrinsically valuable; in addition, we would have to show that it is not reducible to some compound of other goods, such as friendship and procreation.

Nonetheless, Grisez follows Aristotle with a flat-footed distinction between intrinsic and instrumental goods: "One is in a play situation whenever he engages in a performance simply because he enjoys the performance itself." Since Grisez insists that his list of basic goods is exhaustive, we may conclude either that work is never enjoyed for its own sake or that when it is enjoyed for its own sake it is not work but play. Since the first alternative is clearly false and the second a mere semantic dodge, we must turn to a third possibility: what if work is a mixed good that is valuable both for its own sake and for the sake of other goods? Indeed, Grisez admits as much when he speaks of a workman, "who does his job not exclusively or even mainly for its own sake but in order to earn what he needs to support himself and his family." So we may conclude that work is at least a mixed good.

But if work is a mixed good—that is, if work is valuable, at least in part, for its own sake—and if work provides intrinsic values not reducible to the other basic goods, then work would seem to qualify as a basic good. Work would qualify as an ultimate purpose and would embody an ultimate value not reducible to or commensurate with, other basic purposes and other basic values. Grisez could respond that mixed goods are excluded from the basic goods simply because they are mixed. Indeed, he suggests that basic goods, such as aesthetic enjoyment, are unmixed: "a man listening to a beautiful or stirring piece of music is enjoying the music for its own sake, not because he has bought a concert ticket and wants to get his money's worth." A good is mixed not because it is pursued for mixed motives, but because it is valuable both in itself and for its

10. Ibid., p. 66. John Finnis repeats this definition in Natural Law and Natural Rights (1980), p. 87.
11. Beyond the New Morality, p. 65. Grisez's language here conflates the psychology of valuation with the logic of objective values.
12. Ibid.
consequences. Music might be valuable both in itself and for its effects on mental equanimity. Even the basic good of life is valuable in part for the sake of other goods: we nourish our bodies so that we can work, so that we play, as well as so that we can simply live. It would seem, then, that many basic goods are mixed goods. And why should it matter? What makes basic goods basic is not that they are pure but that they afford unique and irreducible satisfactions. Only purely instrumental goods, such as money, would seem to disqualify as basic goods.

In later versions of the natural law theory developed by Grisez, Finnis, and Boyle, we find similar inconsistencies about mixed goods. Finnis, in his *Fundamentals of Ethics*, seems to admit that all basic goods are mixed: in speaking of the good of practical reasonableness, he says “[t]hough, like the other basic goods, it can be instrumental . . . its significance is not at all exhausted by its utility. It is itself a basic form of human fulfillment.” As we shall see, work is also “a basic form of human fulfillment” because “its significance is not at all exhausted by its utility.” Yet later Finnis seems to recant this admission. In *Nuclear Deterrence, Morality and Realism*, our authors emphasize the distinction between choosing something for its intrinsic value and choosing something as a means to something else. Indeed, so strong is our authors’ commitment to the distinction between instrumental and ultimate goods, that in the official restatement of their theory they attempt to exclude all mixed goods by definition: “though an action often has more than one purpose, we usually talk about ‘the purpose’ as if each action had but one.”

This attempt fails because, to repeat, what makes a mixed good mixed is not that it is pursued for mixed motives, but because it is valuable both in itself and for its consequences. By attempting to establish a one-to-one correspondence between basic purposes for acting and basic goods, our authors tend to conflate psychological valuation with the logic of objective values.

In any ethics predicated upon a dichotomy between intrinsic and extrinsic goods, one would expect to find human work demoted to an extrinsic good. What makes the absence of work in the natural law ethics of Grisez and Finnis so conspicuous is that they also justify their choice of basic goods in terms of the self-realization of

14. *Nuclear Deterrence, Morality and Realism*, p. 289. True, on this page they do admit that one can mix business and pleasure but not that basic goods are mixed.
human personality. Ever since Hegel observed that *Die Arbeit bildet*, self-realization has been inextricably bound to work: "By thus acting on the external world and changing it, he at the same time changes his own nature. He develops his slumbering powers and compels them to act in obedience to his sway." The exemplar of self-realization, of the transformation of human potential into actuality, is widely seen to be labor.

Even more than Grisez, John Finnis develops the language of self-constitution, self-fulfillment, and self-realization in his defense of the basic goods. In his 1980 *Natural Law and Natural Rights*, Finnis rethinks and revises Grisez's list of basic goods but still omits human labor. Although his list differs somewhat from Grisez's list, he, too, claims that it is exhaustive: "life, knowledge, play, aesthetic experience, friendship, practical reasonableness, and religion." Finnis is squarely within the Hegelian tradition when he speaks (repeatedly) of "the common good of mutual self-constitution, self-fulfillment, self-realization."

The basis of the metaphysics of self-realization is the priority of act to potency, of activity to passivity, of doing to consuming. Aristotle offers two models of self-realization. The first is the transformation of power (*dynamis*) into a disposition (*hexis*), and a disposition into an activity (*energeia*). The second is the transformation of natural aptitude (*physis*) into habit (*ethos*), and habit into rational stipulation (*logos*).

Here Aristotle, Marx, and Finnis are on common ground. In several of his works, for example, Finnis reflects on a thought experiment proposed by Robert Nozick in which we are offered an opportunity to passively enjoy any experiences we choose—but on the condition that we have no active experiences. Finnis takes it to be obvious that we would reject any range or intensity of solely passive enjoyments: "For, as Nozick rightly concludes, one wants to do certain things (not just have experiences of doing them); one

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17. *Natural Law and Natural Rights*, p. 90. He repeats this list in *Fundamentals of Ethics* (1983), pp. 51, 124. This list would be exhaustive only until 1987, when he adds "work."
18. *Natural Law and Natural Rights*, p. 141. See the index of this book, "Self-constitution (self-determination, self-perfection)."
19. *See Aristotle, De Anima* 417a21ff and *Politics* 1332a 40. For a comparison of these two models of self-realization, see James Bernard Murphy, *The Moral Economy of Labor*, pp. 225-34.
wants to be a certain sort of person, through one's own authentic, free self-determination and self-realization..."20 Indeed, Finnis goes so far as to say that "Only in action (in the broad sense that includes the investigation and contemplation of truth) does one fully participate in human goods."21 It seems strange that action and activity should be given the extended sense of "contemplation," but not the focal sense of labor.

The obstacle posed by this Aristotelian-Thomistic legacy to the evaluation of the good of work is especially evident in the case of Finnis, who approvingly cites Aristotle's sharp distinction between production and action (as well as between technical and moral reason) in several of his works. "This fundamental point is expressed by Aristotle in his important distinction between practical reasonableness (phronesis) and technical ability (techne) (in other words, between 'doing something' and 'making something...')22 Why is Finnis so committed to Aristotle's dichotomies? First, because he wishes to rescue practical reasonableness from the reductive technical calculus of utilitarianism. This is laudable, but it requires only a subordination of technical to moral reason, not a divorce between them. Second, Aristotle's dichotomy serves to justify the strong distinction, fundamental to the theory of basic goods, between activities that are instrumentally good and those that are intrinsically good. Unfortunately, this same dichotomy makes it difficult to acknowledge the possibility of mixed basic goods. Finally, Finnis's recent emphasis on what he calls the "intransitivity" of moral action—that is, the way in which moral choices shape the character of the agent—derives from Aquinas' view that whereas production is transitively directed to the product, action is immanent (or intransitive) to the agent.23

20. Natural Law and Natural Rights, p. 95. "Human good requires not only that one receive and experience benefits or desirable states; it requires that one do certain things..." Ibid., p. 147. Emphases are his.
21. Ibid., p. 147.
22. Natural Law and Natural Rights, p. 197n. On the same point see Nuclear Deterrence, Morality and Realism, p. 288 and John Finnis, Moral Absolutes (1991), p. 22. Since Finnis conflates the praxis-poiesis distinction with the phronesis-techne distinction, it is not always clear whether he means to contrast action and production or moral reason and technical reason. For the argument that one cannot rightly distinguish moral and technical reason until they have been detached from action and production, see my Moral Economy of Labor: Aristotelian Themes in Economic Theory, pp. 102-12.
23. As Finnis rightly says: "And every choice, once made, lasts in one's character." See Moral Absolutes, p. 73. Aquinas' distinction between immanent and transitive action is from his commentary on Metaphysics 1050a 30: "Nam actio manens in ipso agente operatio dicitur, ut videre, intelligere, et velle. Sed factio est
What is lacking here is simply the recognition that productive labor is also intransitive and profoundly shapes the character of the worker.

III. AN ASSEMBLAGE OF REMINDERS

In the new natural law theory, every basic good is self-evidently a form of good. We do not infer the value of our basic goods from any theoretical knowledge of human nature whether metaphysical or empirical. Instead, the faculty of practical reason somehow "grasps" the value of the activities called basic goods. It is difficult, then, to know how to argue that work is a basic good, if it is not self-evident to Plato, Aristotle, Thomas Aquinas, Germain Grisez, and John Finnis that work is a basic good. Still, what was not self-evident in 1983 is self-evident in 1987: Finnis and company have now come to list work (with play) as a basic good.34

Although it is self-evident to practical reason that each basic good is an opportunity for human flourishing, our confidence in the correct identification of goods can be bolstered by assembling evidence and by arguing dialectically. "To know that and how other persons have valued knowledge [read "work"] is relevant, for it serves as a disclosure or intimation or reminder of the range of opportunities open to one."25 In this spirit of assembling reminders, let us test the view that work is a basic component of human flourishing. The dignity of labor has always been recognized in one form or another, at least since St. Benedict's "laborare est orare." The ancient aristocratic denigration of labor was attacked by the early church fathers, who insisted upon the dignity of common labor.26 Still,


24. Indeed, Finnis' list of self-evident basic goods has evolved even since 1991. In his Moral Absolutes, pp. 42-43, Finnis lists these basic goods: life, knowledge and aesthetic experience, work and play, friendship, integrity and authenticity, and religion. In his 12 November 1993 Bradley Lecture, "Natural Law and Limited Government" at Boston College, he lists these goods: knowledge (including aesthetic experience), skilful performance in work and play, bodily life, friendship, marriage, practical reasonableness, and religion (pp. 7-8).

25. Natural Law and Natural Rights, p. 66. Emphasis in original. In his Fundamentals of Ethics (p. 51), Finnis comments on his use of empirical evidence in his earlier Natural Law and Natural Rights to justify his list of basic goods: "I have pointed to the empirical anthropological literature which can aid our reflective identification of those basic goods and help us to test the view that they are an exhaustive list."

paradoxically, the most profound insights into the distinctive dignity of work were not achieved until many trades had been fragmented into degrading routines by the industrial revolution. Adam Smith’s observation of the detailed division of labor in a pin-factory—where each worker was limited to one simple operation—led him to a deep appreciation of the power of work to shape the character of workers:

But the understandings of the greater part of men are necessarily formed by their ordinary employments. The man whose whole life is spent in performing a few simple operations, of which the effects too are, perhaps, always the same, or very nearly the same, has no occasion to exert his understanding, or to exercise his invention in finding out expedients for removing difficulties which never occur. He naturally loses, therefore, the habit of such exertion and generally becomes as stupid and ignorant as it is possible for a human creature to become.27

Of course, this might seem to constitute evidence that work, far from being a basic good, is a basic evil. But Smith goes on to contrast this portrait with the varied and more challenging occupations of simpler societies in which “the varied occupations of every man oblige every man to exert his capacity, and to invent expedients for removing difficulties which are continually occurring. . . . Every man has a considerable degree of knowledge, ingenuity, and invention. . . .” Alfred Marshall made Smith’s point about the capacity of work either to promote or to undermine human flourishing more simply: “For the business by which a person earns his livelihood generally fills his thoughts during by far the greater part of those hours in which his mind is at its best; during them his character is being formed by the way in which he uses his faculties in his work. . . .”28

What we may gather from these passages is that work is a basic good in the precise sense that “[t]he basic goods are no more and no less than opportunities of being all that one can be.”29 Work affords a unique opportunity for human flourishing, but one that can be squandered or even corrupted. I will consider below precisely what criteria define work as a good, but for now I will simply say that challenging work is a basic good.

Another set of reminders comes from the vast empirical literature on the effects of work on workers. This literature must be read

carefully and critically because much of it focuses on job satisfaction, whereas our concern is self-realization or what Aristotle means by human flourishing (eudaimonia). What is the relation of job satisfaction to human flourishing? By human flourishing, Aristotle means the unity of subjective happiness and the objective exercise of moral, physical, and intellectual excellence. Indeed, researchers of industrial psychology have come to see the wisdom of measuring both the subjective and objective dimensions of human flourishing. Subjective job satisfaction is not a very reliable indicator of human flourishing because job satisfaction is very sensitive to expectations: workers in very degraded jobs can report high satisfaction because of their low expectations. For these reasons, researchers have taken an interest in such objective measures of flourishing as physical and mental health as well as performance on cognitive tests.

What aspects of work are most closely tied to human flourishing?—the pay, the conditions of work, the social relations? Actually, it is the intrinsic challenge of work, the exercise of complex skills, that most powerfully affects not only the subjective satisfaction of workers but also their objective mental and physical health. In other words, challenging jobs foster, and monotonous jobs undermine, human flourishing. What people value most are not the consequences of work—not the pay, not the passive consumption of commodities—but rather the intrinsic rewards of mastering complex skills.30

Perhaps the most telling "remindêr" of the importance of work comes from a major longitudinal study of the relation of job complexity to cognitive complexity. By testing the intellectual capacities of a group of men in 1964 and 1974, and by measuring the substantive complexity of their jobs, Kohn and Schooler found that the cognitive capacities of men with complex jobs developed through work whereas the cognitive capacities of men with simple and repetitive jobs deteriorated. Adam Smith's observation that a worker "whose whole life is spent performing a few simple operations . . . generally becomes as stupid and ignorant as it is possible for a human creature to became" has been empirically verified.31 After surveying a vast quantity of the literature on industrial psychology, Robert Lane concludes, "What we have found in this discussion of work is that working activities are the best agents of well-being and the best


sources of cognitive development, a sense of personal control, and self-esteem in economic life, better than a higher standard of living, and, I believe, better than what is offered by leisure.** In short, we have considerable evidence not just that people value challenging work, but that such work is also objectively valuable to them.

Let us return to the question of why Finnis, Grisez, and Boyle have added the expression “some degree of excellence in work” to their list of basic goods since 1983 (Grisez) and 1987 (Finnis, Grisez, Boyle). I doubt that they were prompted by reminders from industrial psychologists. Rather, they heeded the reminder of the Pope. In 1981 John Paul II issued his major encyclical on human work, *Laborem exercens.* Here the Pope argues that work is a fundamental human good: “It is not only good in the sense that it is useful or something to enjoy; it is also good in the sense that it is worthy, that is to say, something that corresponds to man’s dignity, that expresses this dignity and increases it.”* Indeed, he argues that work is the foundation of justice. From work, he says, man’s life derives its specific dignity; “human work is a key, probably the essential key to the whole social question, if we try to see that question really from the point of view of man’s good.”* John Paul II evidently endorses Marx’s theory of self-realization through work: “Work is a good thing for man—a good thing for his humanity—because through work man not only transforms nature, adapting it to his own needs, but he also achieves fulfillment as a human being and indeed, in a sense, becomes ‘more a human being’.”* The Pope’s analysis of work represents a profound departure from the Aristotelian-Thomistic approach, leaving Grisez and Finnis in the awkward position of being plus thomiste que le pape.

Indeed, John Paul II is concerned to show not only that work is a basic good but also to show that the prevailing treatment of labor as a mere “factor of production” represents an attack on the good of work. He speaks of “the degradation of man as the subject of work” when “man is treated as an instrument of production, whereas he . . . ought to be treated as the effective subject of work and its true maker and creator.”* In this remarkable encyclical, John Paul

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33. In his *Christian Moral Principles*, where work is first added to the list of basic goods, Grisez says of *Laborem exercens* that John Paul II “articulates a true Christian conception of work as inherently fulfilling of persons. . . .” (p. 828 n.)
34. *Laborem exercens*, sec. 9.
35. Ibid., sec. 1 and 3.
36. Ibid, sec. 9.
37. Ibid., sec. 7.
II shifts the whole focus of social ethics away from questions of ownership, distribution, and exchange and toward questions of the use and control of capital, the design of jobs, and the relation of workers to technology. Since humans flourish more through activity than through consumption, it makes sense to focus on self-realization at work, As the Pope says: "a person is more precious for who he is than for what he has." 38

IV. LABOR AS A BONUM ARDUUM

All of this talk of self-realization and human flourishing makes work sound like fun—at least challenging or skilled work. But work is not usually fun. Every European language has two words for this basic good: work and labor. And each language uses one of them to convey the toil, pain, and exertion of labor: ponos, labor, Arbeif, travailler, and our labor. 39 No woman in child-birth thinks that labor is fun. Work at its worst ranks among the most inhuman cruelty and exploitation known to man: the deliberate destruction of the human body and spirit through slave labor, forced labor, child labor—achieving its apotheosis in the Nazi's "Arbeit macht frei." No one could rightly call these forms of work a human good. But even work at its best is an exacting master: when we work we must submit to a rigorous discipline, to an arduous learning process, to the authority of our superiors, to the fatigue of monotony, to the pain of exertion. Such a harsh discipline appears to be incompatible with many other human values such as liberty, autonomy, authenticity, and spontaneity.

According to Finnis, each basic good "is equally self-evidently a form of good." 40 Yet if work is a basic good it is not self-evidently so. The inescapable drudgery of work has led many men, ordinary and wise, to believe it self-evident that work is a curse, a punishment, or at best an instrument to attain leisure. Here the contrast with play is so important. For virtually everyone feels the immediate and spontaneous inclination toward play, just as every society and virtually every person feels an immediate and spontaneous disinclination to work. Even those who champion work as a basic good, like St. Paul, feel the need to exhort and even threaten men to get them to work.

38. Ibid., sec. 26.
40. Natural Law and Natural Rights, p. 92.
But no one has ever felt the need to say: "If he shall not play neither shall he eat."

"And yet, in spite of all this toil—perhaps, in a sense, because of it—work is a good thing for man." Here the Pope reminds us that work is a paradoxical rather than a self-evident good. The good is that which all things desire—which, of course, is not to say that something is good because it is desired; rather, being desired is a sign of good. But how could anyone desire toil, discipline, and fatigue? This is why the Pope says that man is called to work by God: we may have a vocation even where we lack an inclination. Work is like the stone the builders rejected; it could become the cornerstone.

Can we provide a philosophical account of the paradoxical notion of a *bonum arduum?* Let us consider the logic and psychology of self-realization. According to Aristotle, as we have said, human beings flourish when they exercise complex skills. John Rawls describes what he calls the Aristotelian Principle: "Other things being equal, human beings enjoy the exercise of their realized capacities (their innate or trained abilities), and this enjoyment increases the more the capacity is realized, or the greater the complexity." Of course there is a limit at which complexity becomes utterly frustrating and no longer enjoyable; this limit varies with individual aptitudes. Checkers is more enjoyable than tic-tac-toe, and chess more enjoyable than checkers; but not everyone will have the capacity to enjoy chess, and so some will prefer checkers. What is more important is that many people will never learn chess even though they would flourish as chess players once they had mastered the complex skills. Why? Because learning chess is an arduous, tedious, and painful process. Why submit to this discipline if one does not have to?

Leibniz wrote that "*l'inquiétude est essentielle à la félicité des créatures.*" Marx developed this notion in his theory of labor as self-realization:

it seems quite far from [Adam] Smith's mind that the individual 'in his normal state of health, strength, activity, skill, facility,' also needs a normal portion of work and of the suspension of

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tranquillity. Certainly, labor obtains its measure from the outside, through the aim to be attained and the obstacles to be overcome in attaining it. But Smith has no inkling that this overcoming of obstacles is in itself a liberating activity. [Labor] becomes attractive work, the individual's self-realization, which in no way means that it becomes mere fun, mere amusement, as Fourier, with grisette-like naïveté, conceives it. Really free working, e.g. composing, is at the same time precisely the most damned seriousness, the most intense exertion.  

Self-realization, one kind of human flourishing, requires the mastery of complex skills which, unfortunately, is initially a difficult and frustrating experience. As Jon Elster reminds us: "Aller Anfang ist schwer." The logic of self-realization requires a temporary divergence of the subjective and the objective dimensions of human flourishing. Our subjective happiness must be painfully suspended in order to enhance our objective well-being—in Leibniz's words, "il faut reculer pour mieux sauter." In the end, if our mastery of a set of skills is successful, then subjective happiness will converge with objective well-being. 

Elster suggests some of the deep-seated reasons why people tend to resist self-realization; why, in our terms, people have a disinclination to work even though they might flourish at work. The first reason is myopia: we often refuse to defer gratification because we radically discount the value of future rewards from present toil. The second reason is weakness of the will: even when we recognize the value of future rewards, and judge that we should pursue them, we lack the will to pursue them. The third reason is risk aversion: self-realization requires a matching of abilities to tasks so that one is neither completely bored nor completely frustrated. Unfortunately, we cannot know in advance which tasks will exceed our capacities until we try them—meaning that self-realization is a risky affair. After a long and arduous learning process, we may still fail to make a fine cabinet.

These are powerful and widespread reasons, therefore, for resisting the good of self-realization. The profound rewards of self-realization are inextricably linked to its pain. What is the link between work and self-realization? Is work necessary for self-realization? The disinclination to work that we noted earlier is actually a resistance to the arduous discipline required for self-realization. The intrinsic rewards of work (especially self-realization but also contact with

reality) are rarely compelling enough to counteract resistance to the
toil of work. Fortunately, however, the extrinsic rewards of work
(pay, survival, supporting one’s family) are often compelling enough
to counteract the disinclination to work—either in conjunction with
the intrinsic rewards or alone.

The reality of work is thus complex and paradoxical. We seek
work initially for its instrumental value because most of us simply
must work in order to live. Having agreed to submit to the discipline
of work for reasons external to the work itself, we then begin to
enjoy the intrinsic rewards of work itself. Now flourishing in our
mastery of various skills, we believe that we would want to work
even without the pay. In more abstract terms, we began by valuing
work as a mere means to an end; but, as often happens in the
curious dialectic of means and ends, we end up valuing work as an
end in itself. Usually work becomes valued both as a means and as
an end: both sets of reasons cooperate to overcome the resistance
we continue to feel to the discipline of work. This is why it is wrong
to attack the tendency to value work as a means to pay—for without
this extrinsic motivation few would ever come to enjoy the intrinsic
rewards of work.

To the argument that self realization (which is but one of the
intrinsic rewards of work) is equally possible in play, one must ask:
how likely is it for people to submit to the arduous discipline of
mastering complex skills as a form of play? Play is rarely valued for
instrumental reasons. So to pursue self-realization in play one must
be motivated purely by the expectation of future rewards in the
exercise of complex skills. No doubt there have been some rare cases
of genuine excellence achieved without the discipline of work, but
rank dilettantism is what we normally expect. The squandering of
human talent and energy among those who have no financial need
to work is evidence enough of the importance of the discipline of
work. Play is a basic good with its own intrinsic rewards and not a
substitute for self-realization at work. Indeed, play is valuable in
part because it allows a release of spontaneous impulses locked up
by the discipline of work.

Moreover, even when self-realization is achieved in leisure it is
usually a by-product of the discipline learned at work. Researchers
Kohn and Schooler found that men with challenging jobs also engaged
in challenging leisure activities, while men with monotonous jobs
engaged in escapist leisure activities. The discipline of self-realization
learned at work is carried over into leisure.45

45. See Work and Personality, pp. 81, 239-40.
V. THE MORAL NATURAL LAW OF HUMAN LABOR

A basic good, recall, is an opportunity for human flourishing. Work is such an opportunity, but it is an opportunity often squandered. Many jobs offer so little opportunity for the exercise of either manual or mental skills that the very capacity for these skills atrophies. A detailed manpower survey by the New York State Department of Labor, for example, found that "approximately two-thirds of all the jobs in existence in that state involve such simple skills that they can be—and are—learned in a few days, weeks, or at most months of on-the-job training." With so many jobs requiring so few skills it is perhaps not surprising that only one-quarter of American jobholders say that they are working at full potential.

We might think: it is unfortunate that people are not working up to their potential, but in what sense is it a moral issue? Here Finnis is quite helpful when he articulates the master principle of ethical reasoning. "Make one's choices open to human fulfillment: i.e. avoid unnecessary limitation of human potentialities." This principle must be addressed in the first place to each worker, as an exhortation to assume the risks and challenges of self-realizing work, that is, "Do not sell yourself short!" But this principle must also be addressed to employers: a major reason why many people lose their desire for challenging work is that they adjust their desires to the paucity of opportunities. If it can be shown that jobs can be designed to give more scope to the exercise of manual and mental skills without undue sacrifice of efficiency, then we must exhort employers: "Do not sell your workers short!" Thus, for both workers and their employers, the existing degradation of work is indeed a moral issue.

What norms should govern the design of jobs if we are to promote work as an opportunity for human flourishing? What kinds of jobs represent an attack on the integrity of work? Assuming with Aristotle that the exercise of complex skills is necessary for human flourishing and acknowledging the diversity of aptitudes for complex skills among workers, we need some general criteria to define good work. Is mental work superior to manual work? Is a variety of tasks superior to a single complex task? Aristotle tells us that work is properly the

46. For details of this survey, see Harry Braverman, Labor and Monopoly Capital (1974), p. 433n.
49. For argument and evidence that alternative patterns of the division of labor are economically feasible, see my The Moral Economy of Labor, ch. 1.
unity of conception and execution, of *noesis* and *poiesis*.\textsuperscript{50} What gives work its dignity, according to Aristotle, is that a worker first constructs in thought what he then embodies in matter; conversely, what makes work sordid is that one man executes the thought of another: "It is the mark of a free man not to live at another's beck and call."\textsuperscript{51} Indeed, complex skill is developed through the dialectic of conception and execution. By learning the general principles of a craft, a skilled worker is able to solve problems that arise in its execution; and by solving these particular problems in execution, he deepens his conceptual knowledge of the general principles. Through this dialectic of conception and execution we become autonomous subjects, rather than mere instruments, of labor.\textsuperscript{52}

The degrading monotony of so many jobs is chiefly due to the separation of conception from execution. This separation is far from new; it is found in the age-old relations of slave owner to slave, of adult to child, and of master to apprentice. It is now a universal principle of management science: engineers and managers decide not only what is to be done but how it is to be done; line workers, secretaries, and bureaucratic functionaries execute tasks designed by their superiors. Obviously, any system of management will require some separation of conception from execution; managers will normally decide what to make and how many to make. But workers can quite feasibly (and in many places do) decide how general goals set by managers will be specified and reached. The unity of conception and execution offers a spectrum of possibilities that will vary across industries and over time. Nonetheless, the dignity of labor depends upon the degree of integrity of conception and execution.

Marx attempted to ground this norm in a theory of human nature, specifically in a theory of the unique character of human work.

We presuppose labor in a form that stamps it as exclusively human. A spider conducts operations that resemble those of a weaver and a bee puts to shame many an architect in the construction of her cells. But what distinguishes the worst architect from the best of bees is this, that the architect raises his structure in imagination before he erects it in reality.\textsuperscript{53}

\textsuperscript{50} *Metaphysics* 1032b 15.
\textsuperscript{51} *Rhetoric*, 1367a 32.
\textsuperscript{52} "In fact there is no doubt that human work has an ethical value of its own, which clearly and directly remains linked to the fact that the one who carries it out is a person, a conscious and free subject, that is to say, a subject that decides about himself." *Laborem exercens*, sec. 6.
\textsuperscript{53} *Capital*, vol. 1, ch. 7.1.
Marx attempts to define human labor as the unity of conception and execution, on the view that this unity is unique to man. But such attempts to ground normative ideals in human nature are often misguided—if only because research may undermine such claims of uniqueness. Recent study of primates, for example, reveals some measure of conception prior to the execution of tasks among brute animals. Indeed, what makes human labor unique is precisely that the unity of conception and execution can be dissolved so that what is conceived by one person may be executed by another. In all other species the motive force of labor and the task itself are unified: "the spider which weaves its web in accordance with a biological urge cannot depute this function to another spider." Of course, even if the unity of conception and execution were unique to humans, this fact as Finnis rightly insists, would not serve to justify our norm. Why should a unique natural capacity have normative force? All we need to know about human nature is that the unity of conception and execution is within the repertoire of human behavior. Consider the unique human capacity to divorce the conception from the execution of a task. Should we infer from this natural fact that conception ought to be divorced from execution?

Our norm is grounded in the essential character of work and of the worker. Work of necessity requires some degree of unity of conception and execution: the effective design of a task requires some idea of how it would be executed, just as the effective execution of a task requires some understanding of why it was designed. But more importantly, human flourishing requires the unity of conception and execution: first, because the exercise of complex skills presupposes a unity of conception and execution; second, because if I merely execute the tasks designed by another, I have become an instrument and not a subject of work. Where conception and execution are divorced, "man is treated as an instrument of production, whereas he—he alone, independently of the work he does—ought to be treated as the effective subject of work and its true maker and creator."

Since both Grisez and Finnis have a fondness for self-defeating arguments, let us consider whether the denial of our principle is self-defeating. Our principle holds that human labor in its focal sense is the unity of conception and execution. To deny this principle one would have to hold that B’s labor could simply be the execution of the designs of A. But if this were the case, it would no longer be

54. See Labor and Monopoly Capital, pp. 50-51.
55. Laborem exercens, sec. 7.
B's labor but A's labor alone; for if I use an instrument to execute my designs, then in ordinary language, in morality, and in law, what I have accomplished is my labor not that of my instrument. *Qui facit per alium facit per se*. Conversely, to the extent that I merely carry our the wishes of another, my labor is not just degraded, it is no longer even my labor.

**VI. *Per Ardua ad Astra: Implications for the New Natural Law Theory***

In their official restatement of the theory of basic goods (1987), Grisez, Boyle, and Finnis write:

> as simultaneously rational and animal, human persons can transform the natural world by using realities, beginning with their own bodily selves, to express meanings and serve purposes. Such meaning-giving and value-creation can be realized in diverse degrees. Their realization for its own sake is another category of basic good: some degree of excellence in work and play.\(^5\)\(^6\)

While one can only applaud this belated recognition of work, the attempt to combine work and play into one category of good distorts the true nature of both goods. Moreover, the attempt to sneak work into their general framework as just one more epicycle fails to “save the phenomena”: the addition of work has important implications for other parts of the new natural law theory.

The attempt to define adequately the nature of work and play has defeated even the greatest philosophers. I will, therefore, only offer some preliminary suggestions why work and play do not form the compound described by Grisez, Boyle, and Finnis. Although we can “play at work” or “work at play,” these very expressions suggest that the focal senses of work and play are quite distinct. But neither are work and play opposites—in the sense that work is instrumental and play intrinsic—which is the implicit doctrine in Grisez’s and Finnis’ earlier work. Rather, work and play seem to be complementary: work is discipline and tedium, play is impulse and spontaneity. Play in a world without work would be just as tedious. Play is parasitic on work in the sense that it is a necessary release from the repression of impulse required by work; but work is parasitic on play in the

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sense that what makes work burdensome is in part the stifling of the urge to play.

Our theorists link work and play to engagement with reality and to the transformation of the natural world. Indeed, Freud saw work as a person’s primary link to reality, and research on the crucial role of work (even criminal work) in the maintenance of mental health bears Freud out. Work derives much of its dignity and seriousness from its engagement with reality. Now reality is a formidable task master and a strict disciplinarian. But work’s engagement with reality is not solely or even mainly a matter of the transformation of nature. The reality we engage at work is mainly the reality of social custom and convention. At work we cannot make anything we like, we must make something that people will want to buy; and figuring out what people will want to buy is a challenge that has confounded many of the most powerful corporations in the world and has bankrupted most small businesses. Similarly, at work we cannot make things any way in which we want; we must make things in a way at least as efficient as is customary in our industry. Engaging this reality, the reality of socially-defined needs, the reality of socially-defined standards of efficiency, is hard work.

Play, far from being an engagement with reality, is our essential escape from reality. Indeed, play comes naturally to mentally-ill people. All play, even the most apparently serious games and sports, is a matter of “make-believe” of “let’s pretend,” of all manner of pretense and artificiality. In play we build a miniature version of reality, a model whose dimensions are finite and intelligible. We take such delight in our miniature utopia that we often have to be reminded that it is “only a game.” When we play at work in our hobbies, we often make Rube Goldberg devices that please only ourselves. Grisez, Finnis, and Boyle’s language of meaning-giving and value-creation is how Huizinga describes the symbolic imagination of play. In work, the meaning and value of what we make is for the most part socially-given, not the product of the maker’s act of bestowal. In short, work and play are two very different and complementary goods, not two manifestations of one good.

But acknowledging that work is a basic good has implications for the new natural law theory far beyond the list of such goods. To

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57. Freud was right to link work to reality and play to fantasy, but wrong to interpret work and play as the opposition of the reality and the pleasure principles. See David Riesman, “The Themes of Work and Play in the Structure of Freud’s Thought,” in Individualism Reconsidered (1954), pp. 310-33.
begin with, as I have argued, the pervasive dichotomy between instrumental and intrinsic goods will have to be set aside in order to allow for the possibility that a basic good can be mixed. Recall that what makes basic goods basic is not that they are pure, but that they afford unique opportunities for human flourishing. Second, if we admit that work is such a basic, though mixed, good, and that work is a fundamental form of human flourishing subject to moral norms, then we must revise the Aristotelian dichotomy between technical production and moral action. We must acknowledge techniques of moral action and moral norms of production.

Third, if work is to be treated as a basic good, the discussion of justice in Finnis' *Natural Law and Natural Rights* will have to be substantially re-oriented. It is not that what Finnis says about distribution and exchange is wrong, just that it focuses on the ownership of capital rather than the use of capital. Since wealth is not a basic good but work is, the focus of distributive justice must be the distribution of challenging work. What people do is much more central to human flourishing than what people have, so justice must be centrally concerned with providing opportunities for dignified work. For example, whether capital is owned by private individuals or by the state usually has no bearing the quality of work: both forms of ownership often use capital to degrade the worker, to turn him into another "means of production." According to Pope John Paul II, the fundamental principle of economic life is the priority of labor over capital. What this means is that capital must be used to support the dignity of workers by making them subjects of their work, and by giving them power to shape the conception and execution of their tasks. To ensure the priority of labor, the Pope considers alternatives to either private ownership or state ownership, namely producer cooperatives. But the question of ownership must be carefully subordinated to the question of the use of capital—either to foster or to attack the basic good of work. What kinds of ownership best contribute to the integrity of job design? How can opportunities for challenging work best be distributed? The principle of the priority of labor will require a thorough-going transformation of the whole treatment of distributive and commutative justice.

Fourth, the tangled and tortured historical dialectic by which labor only recently came to be recognized as a basic form of human flourishing calls into question the emphasis on "self-evidence" in the new natural law theory. Finnis claims that each basic good "is

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58. On the priority of labor over capital, see *Laborem exercens*, sec. 12.
equally self-evidently a form of good." But while Plato, Aristotle, and Thomas Aquinas thought that labor is not a basic good, John Ruskin, Karl Marx, and Pope John Paul II thought (or think) that labor is a basic good. To read Plato's description of craftsmen in the *Republic* against John Ruskin's description of craftsmen in *The Stones of Venice* is to traverse several universes of thought. That manual labor could be evaluated in such wildly different and contradictory ways by two very wise men calls into question any notion of trans-historical self-evidence.

Grisez, Finnis, and Boyle emphasize the self-evidence of the basic principles of practical reason so as to protect the autonomy of ethics from dependence on historically-conditioned metaphysical and empirical knowledge. Whether it is possible to have practical knowledge of human goods that does not depend upon particular theoretical beliefs is, to put it mildly, controversial. What is certain is that the practical evaluation of human labor has always rested on historically-specific metaphysical propositions. As we saw, the moral appraisal of action and production in Aristotle and Thomas Aquinas is inextricably intertwined with their fundamental metaphysical dichotomy between immanent act (*energeia*) and transitive act (*kinesis*). In this tradition, an act is either immanent or transitive but not both. Such metaphysical principles effectively blocked practical reason's grasp of the ethical dimension of human work. Indeed, the radically different metaphysics of self-realization in German romanticism contributed greatly to a new ethical evaluation of labor. In this metaphysics, action is immanent (that is, perfects the self) only because it is transitive (perfects the world); self and world are jointly articulated in the act of labor. A new speculative vision led to a new practical evaluation of work. Work has always been a basic human good; but, as the recent revisions in the new natural law theory show, the goodness of work is not self-evident—not even to the wise.

Finally, in the last chapter of *Natural Law and Natural Rights*, Finnis considers the relation between the natural and the supernatural goods. Natural law theory concerns goods insofar as they can be discerned by human reason. But rational speculation about the meaning

59. *Natural Law and Natural Rights*, p. 92.
of the human drama has led most philosophers to speculation about
the larger cosmic drama, either in terms of our part in a larger
natural whole or in terms of a harmony between our will and the
divine will. That is, a deep and searching account of the human
good, focusing upon the distance between our reach for integral
fulfillment and our grasp of only very partial fulfillment, has propelled
philosophers since Plato to look to God as the measure of all goods
and all fulfillment.

If, says Finnis, all the basic goods are self-evidently good, then
there is a fundamental congruence between subjective human
orientation and objective human flourishing, between the basic human
purposes and the basic human goods. This alleged congruence leads
Finnis, as it led St. Thomas, to the cosmic question: "Whence this
parallelism, this fit, this convenientia, of felt inclinations with valuable
aspects of human well-being?" Surely such a fitness is a sign of
divine providence, of the participation of natural law in the eternal
law, of the God-given capacity of human reason to discern our
natural destiny as well as prepare us for our supernatural destiny.

However, if work is a bonum arduum, if we are by nature
disinclined to toil, to the discipline of self-realization, then what we
have to consider is rather: Whence this incongruence, this lack of
fit, this inconvenientia, of felt inclinations with valuable aspects of
human well-being? We are not, after all, worker bees. The paradox
of a bonum arduum, the antinomy of this inconvenientia, may propel
us beyond human reason to the truths of revelation, beyond natural
law to divine law. Is the phenomenon of work is a stumbling block
to unaided human reason? For example, the prospect that technological
progress in the form of automation will eventually eliminate work is
applauded by almost everyone. Reason alone may have few resources
to defend work from the crusade to eliminate what seems so obviously
a curse.

Perhaps this inconvenientia is also a sign of divine providence—a
sign of our rational capacity to discern our natural destiny only
through a glass darkly; a sign that we do not always know what is
[a] good for us. Man, says John Paul II, is not by nature inclined
to work; rather he is called, is exhorted, to work by God: "By
enduring the toil of work in union with Christ crucified for us, man
in a way collaborates with the Son of God for the redemption of
humanity. He shows himself a true disciple of Christ by carrying the
cross in his turn every day in the activity that he is called upon to

61. See Natural Law and Natural Rights, pp. 380, 403.
perform." The question that work pointedly poses for the new natural law theory is this: does Christian belief in the redemptive power of work simply complete and perfect our rational appraisal of work or, rather, does the rational appraisal of the goodness of work somehow presuppose the belief that work redeems us?

62. *Laborem exercens*, sec. 27.