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DOROTHY DAY’S LESSONS FOR THE TRANSFORMATION OF WORK

David L. Gregory

“Comforting the afflicted and afflicting the comfortable.”

“Widely regarded as the most influential lay person in the history of American Catholicism for her steadfast living of the Gospel message.”

“And whenever I tell them about Dorothy Day, they always think I’m saying Doris Day.”


1. These words were bestowed upon Dorothy Day when she was awarded the Lastare Medal, the University of Notre Dame’s highest honor, in March, 1972. See Alden Whitman, Dorothy Day, Outspoken Catholic Activist, Dies at 83, N.Y. TIMES, Nov. 30, 1980, at 45.

2. The Dorothy Day Catholic Worker Collection, Memorial Library Newsletter (Marquette University), Mar. 1994, at 1.

I. INTRODUCTION

This is a commemorative essay in honor of the late Dorothy Day, upon the eve of the centennial of her birth. It is also an assessment of the contemporary relevance of her lessons for the "transformation of work." Dorothy Day was a great champion of workers and one of the great social justice heroines of the twentieth century.4

In 1997, several groups of people should rightfully commemorate the centennial of the birth of this remarkable woman. Workers are primary among them. Those who read law review literature should also reflect upon her life and her enduring wisdom. Beyond being a defender


A motion picture was recently released, Entertaining Angels: The Dorothy Day Story (Paulist Pictures 1996). The film had a three week run in a few Manhattan theaters before opening nationwide in October, 1996, and generally received good reviews. See, e.g., Richard Alleva, Diminishing Dorothy Day, Commonweal, Oct. 25, 1996, at 18; Richard Blake, Converts, America, Sept. 28, 1996. There is at least one video available. Haunted By God: The Life of Dorothy Day (Corpus Video 1993). In addition, folksinger Pierce Pettis includes a reference to Dorothy Day in his song, Lions of the Coliseum: “I Saw Dorothy Day on the Barricades; She Was Hanging With Comrade Jesus.” Pierce Pettis, Chase The Buffalo (Windham Hill Records 1993).
of the common laborer, Dorothy Day was also a journalist and author with a particularly apt message for all who put pen to paper, including those who compose law review articles: "We write in response to what we care about, what we believe to be important, what we want to share with others." While a few past works appearing in law reviews and journals have mentioned Dorothy Day in passing, none has, thus far, squarely focused upon the relevance of her efforts on behalf of workers.

It is always appropriate to honor the lives of saints, and indeed, within the tradition of the Catholic Church, many believe that Dorothy Day is a saint. More immediately, for the practical purposes of this

8. VOICES FROM THE CATHOLIC WORKER 71 (Rosalie Riegle Troester ed., 1993). However, Dorothy Day's response has been: "Don't make me a saint; I don't want to be dismissed so easily." Id. "One day somebody went up to Miss Day. She said, 'Miss Day, Do you have visions?' Miss
Dorothy Day’s active contributions to her cause are noteworthy. She first achieved fame in this regard as a journalist. In 1933, while living in New York in the depths of the Great Depression, she co-founded the *Catholic Worker* newspaper as the deliberate alternative to the *Daily Worker* newspaper of the Communist Party. She concurrently initiated the Catholic Worker movement, which opened “houses of hospitality” throughout the United States, Canada and Europe. These sites were established for the purpose of providing shelter for the homeless population and special care for the psychologically disabled within it. Day also championed peaceful civil disobedience and conscientious objection to the military-industrial complex and war machinery of the U.S. government.

Day said, ‘Oh shit!’” Id. Many Catholics, including the Claretian Fathers and Brothers religious community, support the movement for Dorothy Day’s formal canonization as a saint of the Catholic Church. See Robert E. Burns, *The Examined Life: Give Us This Day*, U.S. CATH., Apr. 1991, at 2. “For several years the Claretians, publishers of *U.S. Catholic* and *Salt* magazines, have been promoting the canonization of Dorothy Day . . . . [T]he Claretian promoters of this canonization drive have received ‘more than 1500 letters, many of them recalling the spiritual influence Dorothy had on the correspondents’ lives.’” Id.

Not every candidate for sainthood has been enthusiastic about the notion. Dorothy Day, the founder of the Catholic Worker movement and someone who was always in the front lines of social issues, is being promoted for canonization by the Claretian Fathers and Brothers. See Paul Galloway, *Heaven Can Wait: Think Presidential Campaigning is Tough? Try Becoming a Saint*, CHI. TRIB., Aug. 27, 1989, at C1.

“There are those in the Catholic Worker movement who aren’t too happy about our plans,” says the order’s Rev. Mark Brummel. “They tell me that before she died, she said, ‘Please don’t dismiss me so easily by trying to have me canonized.’ She believed that when you put people on the pedestal of a saint, they weren’t real anymore.” Id.; see *Pope’s List Of Potential Saints Grows*, LONDON OBSERVER, Jan. 2, 1991, at 8A.

There is evidence that even the atheist Michael Harrington, a former Catholic Worker, thought about the late Dorothy Day interceding for him during his battle against cancer. See *Voices FROM THE CATHOLIC WORKER* 133 (Rosalie Riegle Troester ed., 1993).

Here is this woman who is going to be a Catholic saint . . . . this pope . . . might figure out that she’s a perfect saint from his point of view . . . . [T]he Claretian promoters of this canonization drive have received ‘more than 1500 letters, many of them recalling the spiritual influence Dorothy had on the correspondents’ lives.’” Id.

10. See id. at 259-60.
11. See id.
Dorothy Day’s personal life of special solidarity with the poor inspired many,\textsuperscript{13} including Thomas Merton,\textsuperscript{14} the Trappist monk, Cesar Chavez, President of the United Farm Workers Union, Robert Coles,\textsuperscript{15}


\textsuperscript{15} Robert Coles, the Harvard College and Medical School professor and writer, recounts poignantly his first meeting with Dorothy Day.

She and another woman were sitting at a table together with what one could call a “one-sided” conversation taking place. The woman sitting with Dorothy was speaking of things indiscernible to most of us of this world. Yet if Dorothy hadn’t a clue as to what this woman was saying . . . she sat there patiently listening. When Dorothy noticed [Coles] standing before them, she simply asked, “Did you wish to speak with one of us?”


Her social influence considerably antedated the 1960s.
the Harvard University medical professor, and perhaps the single most famous “alumnus” of the Catholic Worker movement, the socialist, Michael Harrington. Harrington, reminiscing on his Catholic Worker activities in the fifties said, “[T]he Catholic Worker was as far left as I could go and still be in the church.” He later eloquently challenged the nation with his classic book, *The Other America,* which, in turn, served as inspiration for President Lyndon Johnson’s “War on Poverty.” In the Vietnam War era, Dorothy Day’s socially conscious journalism and Catholic Worker resistance to the war inspired

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16. Michael Harrington graduated at the age of nineteen from the College of the Holy Cross in 1947. See VOICES FROM THE CATHOLIC WORKER 120-22 (Rosalie Riegle Troester ed., 1993). After one year of very successful study at the Yale University Law School, where he was invited to become a student editor of the Yale Law Journal upon the basis of his first year law school grades, he withdrew from the Law School and went on to earn a graduate degree in literature from the University of Chicago, in 1949. See id. Thereafter, he moved to New York City, where, for the period from 1951-1954, he lived as a Catholic Worker. See id. Until his death from cancer in 1989 at the age of 61, he taught political science at Queens College of the City University of New York from 1972. See Michael Harrington Memorial Service Set, BOSTON GLOBE, Oct. 3, 1989, at 79; Robert Kuttner, Harrington’s Democratic Socialism Helped Give Capitalism a Humane Face, ATLANTA J. & CONST., Aug. 8, 1989, at A21.


Catholic left's most prominent anti-war resisters, Daniel and Philip Berrigan.

Many contemporary social justice movements have philosophical and practical roots in the life and example of Dorothy Day and the Catholic Worker movement. Plowshares and Pax Christi, for example, both opposing the use of nuclear weapons and promoting peace through nonviolent civil disobedience, can be traced to Dorothy Day and the Catholic Worker. Modern social programs, such as the Nehemiah

20. One of the first prominent acts of resistance to the Vietnam War occurred when Robert LaPorte, a 22 year old Catholic Worker in New York City, publicly immolated himself at sunrise in front of the United Nations on November 9, 1965. See id. at 38.


On May 17, 1968, he and his brother Philip, and seven others, poured their blood, upon draft files they publicly removed from the offices of the United States Selective Service System in Catonsville, Maryland. See Tom Robert, Soon 75, Berrigan's Is Still an Edgy God, NAT'L CATH. REP., Jan. 1996, at 10. They were subsequently convicted and incarcerated in federal prison. See id. Daniel Berrigan's account of the trial became internationally recognized through the play he wrote, The Trial of the Catonsville Nine (1970); it has been translated into many languages. See Linda Keene, Daniel Berrigan Preaches Against "Poison" Trends—At 73, Active Priest Plans To Stay Active, SEATTLE TIMES, Mar. 4, 1995, at B10. Today, Father Berrigan remains involved in lecturing on peace and in resistance activities to nuclear weapons and nuclear technology, through the Plowshares and Pax Christi movements, and he works with persons in AIDS hospices in New York City. See id. In 1986, he had a brief appearance in the role of a Jesuit missionary priest in the film The Mission, with Jeremy Irons and Robert DeNiro, depicting resistance to European colonial slavery imposed in seventeenth century South America. See Tom Roberts, Soon 75, Berrigan's Is Still an Edgy God, NAT'L CATH. REP., Jan. 1996, at 10.

22. Philip Berrigan went on to found Jonah House in Baltimore, Maryland, and to continue civil disobedience activities against militarism and nuclear weaponry. See Jennifer Holland, Vietnam War-era Activists Still Spreading Message, DES MOINES REG., Aug. 24, 1996, at 3.

23. See Fred A. Wilcox, Uncommon Martyrs: The Plowshares Movement and the Catholic Left (1991); see also William L. Switzer, Jr., If I Had A Hammer—United States v. Kabat—Sabotage and Nuclear Protesters, 20 CREIGHTON L. REV. 1167, 1173-76 (1987). The usual tactic of Plowshares members is to enter nuclear weapons manufacturing or storage facilities, and to pour their own blood on the weapons and to bang the weapons with hammers until they are
Housing Initiative and the Industrial Areas Foundation, owe as much to Dorothy Day and the Catholic Worker as they do to the more sophisticated political organizing initiatives of famous Chicago community organizer, Saul Alinsky.

Although certainly mindful of these broader contexts, the primary focus of this essay will be an examination of the relevance of Dorothy Day’s desire and efforts to create lives of dignity for all those who must try to survive in the ominously transmogrifying, precarious and anxiety-ridden working world of today.

Part I will present a synthetic biography of Dorothy Day, and an overview of the Catholic Worker newspaper and the houses of hospitality, in addition to the broader social ministry and mission, pacifist and arrested. Taking its name from the Book of Isaiah 2:4 — “And they shall hammer their swords into plowshares and their spears into sickles.” Id. at 1173. The Plowshares movement was founded by Daniel and Philip Berrigan. See generally WILCOX, supra. On September 8, 1980, the two Berrigans and six colleagues broke into the General Electric Company’s missile manufacturing plant in King of Prussia, Pennsylvania, and poured vials of their own blood onto the nuclear weapons. See WILCOX, supra, at xi. They were arrested, convicted, and sentenced to prison. See WILCOX, supra, at xii, xv. There have been fifty three plowshares actions since 1980. See generally WILCOX, supra; Chris Sorochin, If I Had A Hammer, STONY BROOK PRESS, Mar. 11, 1996, at 7.

24. The Nehemiah Housing Initiative in the 1980’s transformed abandoned portions of Brooklyn, New York, into vibrant communities of proud, working class homeowners. See SAMUEL G. FREEDMAN, UPON THIS ROCK: THE MIRACLES OF A BLACK CHURCH 319-44 (1993). Thousands of homes were built, via positive synergies among local churches and government, through church-based community organizers. See id. (describing the actions of the East Brooklyn Congregations in their efforts of community renewal); Robin Epstein, The Industrial Areas Foundation Is Breaking Old Barriers of Class and Race to Build A New Political Powerhouse, CITY LIMITS, Mar. 1995, at 18.


The Industrial Areas Foundation was founded by the legendary Chicago rabble-rouser Saul Alinsky in 1940. Its national network now includes 45 groups, up from 28 in 1990.

In the years since 1972, when Ed Chambers took over as executive director following Alinsky’s death, the IAF has perfected its unique brand of church-based organizing. Robin Epstein, The Industrial Areas Foundation Is Breaking Old Barriers of Class and Race to Build A New Political Powerhouse, CITY LIMITS, Mar. 1995, at 18 (discussing community organizing initiatives in many parts of the United States, targeting improvements in communities’ public education, health care, and housing).

civil disobedience and conscientious objection resistance ethos of Dorothy Day and the Catholic Worker movement. Part II will examine the political theory of Dorothy Day, with special emphasis on the concepts and practical applications of “subsidiarity” and “personalism,” key philosophical and practical points which stood at the core of Dorothy Day’s wisdom and of the Catholic Worker movement. Part III will set forth and discuss the labor praxis and theories of Dorothy Day, primarily through her written efforts regarding workers. Finally, the integration of all of these themes in the rapidly shifting, computer-mediated contemporary workplace of today will be suggested as a possible critical beginning for infusing dignity and hope in the lives of those working in very uncertain domestic and global political economies.

II. DOROTHY DAY: A LIFE

The life of Dorothy May Day, which began at 6:50 p.m. on November 8, 1897, in Bath Beach, Brooklyn, New York, and ended eighty three years later on November 29, 1980 in her Catholic Worker apartment on Third Street in Manhattan, is probably best understood in light of some ongoing initiatives to canonize her. Day’s early years were anything but those of a model Catholic. Like St. Augustine, much of her youth was spent indulging in the offerings of the material world. She was a hedonist who had love affairs with many men; Eugene O’Neill among them. She had an abortion, an attempted suicide, experienced two failed marriages and remained the unmar-

28. See id. at 516-17.
29. See discussion supra note 8.
30. St. Augustine of Hippo was a great Bishop and Doctor of the early Christian Church. Much of his early adult life was spent in dissolute, wasteful living. His major works were THE CONFESSIONS (R.S. Pine-Coffin trans., 1966) and THE CITY OF GOD AGAINST THE PAGANS (Philip Levine trans., 1966). For an excellent biography of Augustine, see PETER BROWN, AUGUSTINE OF HIPPO: A BIOGRAPHY (1969).
33. See COLES, supra note 32, at 3.
34. See VOICES FROM THE CATHOLIC WORKER 79 (Rosalie Riegle Troester ed., 1993). Jim Forest commented on Dorothy Day, saying, “[O]ne of the most important parts of her intercession was praying for people who had committed suicide. She had a great deal of sympathy for them. Now probably that was partly connected to her apparent attempt at suicide when she was a young woman.” Id.
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ried single mother of a daughter for a long period of time. The prodigal similarities, beyond the particulars, between the lives of Day and Augustine are evident.

A. Family Life

Dorothy’s father, John I. Day, was never close to her. In her autobiography, Dorothy maintains that none of his children ever knew him very well. John Day’s only true loves were the racetrack and alcohol. In referring to his somewhat Darwinist approach to life, Dorothy noted that her father’s character was “[o]therwise . . . composed of the frontier and Calvin.” Day uprooted his family many times in search of a permanent position writing about horses and horseracing. Dorothy claimed that he was most troubled by those “ideas that he did not understand, and those which he thought were subversive and dangerous to the peace of the country.” Among these were active attempts to care for the needy. To her father’s dismay, “comforting the afflicted and afflicting the comfortable” were ideals that Day came to

35. See COLES, supra note 32, at 7-8. Day was married to Barkley Tobey and claimed a “common law” marriage with Forster Batterham, the father of her daughter. See COLES, supra note 33, at 7-8.
36. See COLES, supra note 32, at 9.
37. The Bible presents the parable of Jesus, recounting the story of two sons. See Luke 15:11-32 (Revised Standard). One remains on the farm, while the other son demands of his father his inheritance, which he subsequently squanders. See id. During a severe famine, the younger son cannot find work or food. See id. He envies the food fed to pigs. See id. He repents, swallows his pride and returns to his father to ask for work as a servant. See id. The father then orders a great feast for the returning younger son, to which the elder son objects. See id. at 15:31-32. The father replies to the faithful son, “Son, you are always with me, and all that is mine is yours. It was fitting to make merry and be glad, for this your brother was dead, and is alive: he was lost, and is found.” Id.
40. Charles Darwin was an English naturalist who originated the theory of evolution by natural selection, “which holds that all species of plants and animals developed from earlier forms by hereditary transmission of slight variations in successive generations, and that the forms which survive are those that are best adapted to the environment.” WEBSTER’S NEW WORLD DICTIONARY 359 (2d college ed. 1980).
41. MILLER, supra note 39, at 5. John Calvin was a French Protestant reformer, who founded a theological system “which emphasizes the doctrines of predestination and salvation solely by God’s grace.” WEBSTER’S NEW WORLD DICTIONARY 202 (2d college ed. 1980).
42. See MILLER, supra note 39, at 9, 14.
43. DAY, supra note 38, at 24.
love, embrace, and personify. This exacerbated the harshness of their already cold relationship. Only later in their lives, when they put aside some of their differences and established a casual friendship, were Day and her father able to treat each other with civility.

In contrast, especially during her early adulthood, Day was very close to her mother, Grace Satterlee Day, a frequent topic of Dorothy's writings throughout her life. Dorothy points out that her mother, though deprived of many material items due to the family's poverty, enjoyed the little things in life.

Dorothy, the third child born to Grace and John Day, had a mixed relationship with her siblings. Her two older brothers, Donald and Sam, both of whom eventually became reputable journalists in their own right, were not close to Dorothy and receive little attention in her written works. On the other hand, Dorothy and her younger sister, Della, shared an unusually close and life-long sisterly bond. In 1912, the last of her siblings, John Jr., whom Dorothy spent much of her own childhood rearing, was born.

On the whole, Dorothy's family was not an easy one to be a part of. The Days usually lived in poverty, primarily because of John Day's inability to find regular work writing about his passion, the racetrack. His search, which forced the family to relocate a number of times, brought Dorothy, her mother and her siblings through California and Chicago, before eventually returning them to New York in 1916.

B. The Early Years

Dorothy Day's first venture into religion was, at best, inauspicious. Her mother, an Episcopalian, and father, a Congregationalist, neither attended church services nor took any steps to bring religion into their

44. This Dorothy Day aphorism was inscribed on the Lastare Medal, the University of Notre Dame's highest honor, awarded to Day in March, 1972. See Alden Whitman, Dorothy Day, Outspoken Catholic Activist, Dies at 83, N.Y. TIMES, Nov. 30, 1980, at 45.
45. See DAY, supra note 38, at 24.
46. See DAY, supra note 38, at 24.
47. See WILLIAM D. MILLER, DOROTHY DAY: A BIOGRAPHY 5 (1982).
48. See id. at 6.
49. See id. at 7.
50. See id. at 8.
53. See MILLER, supra note 47, at 9.
children's lives; Dorothy and her siblings were not even baptized.\textsuperscript{54} Dorothy's nanny, who happened to take her to Sunday Mass on one occasion recalled, "The child had no special signs of piety; rather, she had stood in the pew and gawked at the people around her."\textsuperscript{55} Dorothy, who had gained the ability to read by the age of four,\textsuperscript{56} experienced her first religious inspiration through examining the text of "the first Bible [she] had ever seen."\textsuperscript{57} Dorothy's neighbors, the Reeds, introduced an eight year old Dorothy to religion by taking her to church and Sunday school.\textsuperscript{58} For Dorothy, this became a period of fear and confusion. She could not comprehend why the Reeds were religious; "she began to be afraid of God, of death, and of eternity."\textsuperscript{59} Day, a rambunctious child who had become conditioned to strike back in a fury when teased by her brothers,\textsuperscript{60} was eventually banned from the Reed household after fighting with one of their sons.\textsuperscript{61}

The Days moved to California in 1904, but relocated to Chicago after the great San Francisco earthquake of 1906.\textsuperscript{62} Here, Dorothy and her family were exposed to a little more of the church than they had been used to. Dorothy came to meet a young girl by the name of Lenore Clancey, who gave Dorothy a book to read containing the story of her birthday saint, St. Pelagia.\textsuperscript{63} The local Episcopalian pastor invited the family to join his parish, the Episcopal Church of Our Savior.\textsuperscript{64} It is here that Dorothy was first attracted to the Psalms and prayers, especially the Benedictus and the Te Deum.\textsuperscript{65} Soon after, she was baptized and confirmed.\textsuperscript{66} During this time, she read the sermons of John Wesley and the lives of the early Christian saints.\textsuperscript{67} However, her connection with Christianity proved to be weak, at this point in her life. At the age of sixteen, she began dabbling in Christian Science.\textsuperscript{68} After reading Mary

\begin{footnotes}
\footnotetext[54]{See Miller, supra note 47, at 9.}
\footnotetext[55]{William D. Miller, Dorothy Day: A Biography 8 (1982).}
\footnotetext[56]{See id. at 9.}
\footnotetext[57]{Id. at 9.}
\footnotetext[58]{See id. at 12.}
\footnotetext[59]{Id. at 13.}
\footnotetext[60]{See id. at 12.}
\footnotetext[61]{Id. at 13.}
\footnotetext[62]{See id. at 9, 14.}
\footnotetext[63]{See id. at 18.}
\footnotetext[64]{See id. at 18.}
\footnotetext[65]{See id. at 18-19.}
\footnotetext[66]{See id. at 21.}
\footnotetext[67]{See id. at 21.}
\footnotetext[68]{See id. at 28.}
\end{footnotes}
Baker Eddy’s *Science and Health* and then Swinburne’s *Tristram of Lyonesse,* Day abandoned her embryonic belief in religion, exclaiming “she would like to lie on the grass in the woods with a lover all night just like Tristram and Iseult.” In June 1914, Dorothy graduated from Robert Waller High School, with a $300 scholarship from the Hearst Chicago *Examiner* competition.

**C. College and Conversion**

In the fall of 1914, Dorothy began attending the University of Illinois at Urbana, beginning a period of further distancing from spirituality as well as one of enlightenment to social concerns. In her two years there, she performed well enough to pass all but one of her classes; all of the while aimless and shiftless, lacking purpose and struggling with loneliness. Her grades reflected a lackluster spirit as she remained a student without distinction. Her college days were marked by dissatisfaction with, and distance from, religion; “[Religion] had nothing to do with everyday life: it was a matter of Sunday praying.” Recalling a professor’s lecture on the subject, Dorothy summarized her attitude at this time, stating that she felt as if “religion was something that I must ruthlessly cut out of my life.” She was stirred by injustices, which she believed to be the true human concern, not the anachronistic and irrelevant gospel of Christ. To this end, she sought answers in Marxism and its mandate, “Workers of the world, unite! You have nothing to lose but your chains.” This, in her estimation, was where justice would be realized.

Soon after her arrival on campus in September of 1914, Dorothy joined a “Socialist study club.” She then began her own intensive study of labor history, utilizing the biographies of those who had

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70. *Algernon Charles Swinburne, Tristram of Lyonesse, and Other Poems* (1882).
72. See id. at 29.
73. See id. at 31.
74. See id. at 32-33.
75. See id. at 33.
76. Id. at 34.
77. Id.
78. See id. at 34-35.
79. Id. at 35.
80. See id.
81. Id. at 39.
“resisted capitalist exploitation.” She became familiar with the Industrial Workers of the World and the Chicago Haymarket anarchists. Dorothy’s study of the writings of nineteenth century Russians such as Gorki, Chekhov, and, above all, Tolstoi and Dostoevsky evolved into her greatest literary passion.

Dorothy became a member of the Scribblers Society in her second semester. There she met Samson Raphaelson and Rayna Simons, whom she became close friends with. Rayna became Dorothy’s roommate and insisted that Dorothy allow her to pay their entire rent, since Dorothy could not afford it.

Dorothy left the University of Illinois in June 1916 a different person from the impressionable, naive and relatively apathetic girl she was upon entering. She had developed a passion for a relatively new and radical movement, which was anything but widely accepted, and completely ignored or dismissed two very traditional institutions, namely religion and the university. Noting her lasting moderate contempt for the latter, she stated, “I had been there for two years and to this day I haven’t the slightest idea what I learned in class.”

D. Hedonism and Radicalism

Upon her departure from the University of Illinois, nineteen year old Dorothy headed to New York City, where her father had gained a position at the New York Morning Telegraph. Dorothy, also wishing to be a journalist, immediately attempted to find work but was repeatedly...
rebuffed. She subsequently blamed her lack of success on her father. Her persistence paid off, however, and she finally received her first opportunity with the Socialist paper, the Call, a sister paper to The Masses. The Call espoused four core labor positions: support for the American Federation of Labor ("AFL"), the Industrial Workers of the World ("IWW"), anarchists, and the Amalgamated Clothing Workers. It was not a glamorous job; it was such a small paper that sometimes the editor had to take up daily collections from his own workers in order to finance each edition. Dorothy had won him over by proclaiming that she could live on $5 a week for a month. He responded that if she could do that, she would thereafter receive $12 a week. Day soon moved to the Lower East Side of Manhattan into a fourth floor, four room tenement apartment, where she occupied a small spare room. Unable to cope with the very dreary living conditions of the apartment and the neighborhood in general, Day moved into an Episcopalian Church parish hall, after residing there for only three months. The most effective speaker Dorothy heard at this time was the radical, Elizabeth Gurley Flynn, who eloquently lectured on the desperate labor plight of miners. Dorothy was so moved that she donated all she could, including several days worth of lunch money. An omen of future events perhaps rested in Dorothy's first article about attempting to live on $5 per week for a month, on how it felt to be poor, live on nothing, and eat almost nothing.

When the United States entered World War I, Dorothy began appearing at Columbia University students' war protests. One of these rallies, the "Anarchist's Ball," occurred on April 13, 1917 at

92. See id. at 55. When able to get past the office boy she was told that "newspapers weren't the place for young girls." Id.
93. See WILLIAM D. MILLER, DOROTHY DAY: A BIOGRAPHY 55 (1982). Dorothy accused her father of telling "his city editor friends to lecture me on the subject of newspaper work for women." Id.
94. See id. The Masses was "a magazine that began in 1911 as an insignificant socialist publication emphasizing cooperatives." Id. at 71.
95. See id. at 61.
96. See id. at 57.
97. See id.
98. See id. at 58.
99. See id. at 59-61.
100. See id. at 62.
101. See id. at 62.
102. See id.
103. See id. at 71.
Webster Hall, located on 12th Street. This event marked the end of her tenure at the Call. She had been rebuked by Mike Gold, a co-worker she had been spending much time with for repelling a drunken anarchist’s sexual advances. This led her to resign from the Call the next day. Several weeks later, she began working for the Masses, then under the leadership of editor Floyd Dell. She took up residence during the summer of 1917 at Dell’s apartment on MacDougal Street in Greenwich Village, New York City, trading the squalid surroundings of the lower East Side of Manhattan for a luxurious apartment in an area with an entirely different flair. In the Greenwich Village intellectual and social scene, she met Max Eastman and John Reed, both of whom had previously written for the Masses before the government censored the paper. From 1917 to 1924, most of Day’s friends and associates either lived in Greenwich Village or had some intellectual or cultural connection with it, especially as writers of new politics or new lives in America. The most prominent of these was the playwright Eugene O’Neill, whom she met in December of 1917 at the Village’s Provincetown Playhouse. In 1918, Dorothy

104. See id.
105. See id. at 74.
106. See id. at 64. Gold later became the editor of the Communist newspaper, the Daily Worker, in the 1930s. See id.
107. See id. at 74.
108. See id.
109. See id. at 77.
110. See id. at 75.
111. See id. at 81.
112. See id. at 82.
113. See id. at 77. The government successfully suppressed the Masses in September 1917. See id. at 78, 82.
114. See id. at 105.
115. See id. at 105. Eugene O’Neill (1888-1953) was a playwright born in New York City. He won three Pulitzer Prizes, and, in 1936, the Nobel Prize for literature. Many consider O’Neill the greatest playwright in the history of the United States. His plays include: AH WILDERNESS! (1932); ANNA CHRISTIE (1921) (Pulitzer Prize); BEYOND EAST FOR CARDIFF (1916); BEYOND THE HORIZON (1920) (Pulitzer Prize); DESIRE UNDER THE ELMS (1924); THE EMPEROR JONES (1920); THE HAIRY APE (1922); HUGHIE (1941); THE ICMAN COMETH (1946); LONG DAY’S JOURNEY INTO NIGHT (produced 1956); A MOON FOR THE MISBEGOTTEN (1956); MOURNING BECOMES ELECTRA (1931); STRANGE INTERLUDE (1927) (Pulitzer Prize). See Biography of Eugene Gladstone O’Neill, MICROSOFT ENCYCLOPEDIA (1993).

Dorothy Day and Eugene O’Neill probably had a sexual love affair. See Voices from the Catholic Worker 75 (Rosalie Riegle troester ed., 1993). “[T]o hear Dorothy talk, she and Eugene O’Neill were simply good friends. My impression of O’Neill was that if he were good friends with a woman, it tended to go beyond friendship.” Id.

began working for the Liberator, which had succeeded the Masses and had become an American voice of the Russian Revolution. Following her need to do something for her fellow man, Day began a nurse’s training course at King’s County Hospital in Brooklyn, New York. Dorothy mentioned of this period, perhaps in reference to the internal conflict she felt between her social consciousness and promiscuity, “[T]hough I felt the strong, irresistible attraction to good . . . there was also . . . a deliberate choosing of evil.”

It was also at this time that Dorothy met, and became infatuated with, Lionel Moise. She often wrote of how she continued to seduce him, despite his professed coldness to her. The two eventually became lovers and lived together for a brief time. Lionel soon ended their brief romance, throwing Dorothy into a massive depression which resulted in an attempt to commit suicide by gassing: an incident she never formally discussed. Despite their breakup, Dorothy and Lionel continued to have romantic interludes and in 1919, Dorothy became pregnant. Moise’s reaction was not a positive one and he stated to Day, “[d]on’t build up any hopes’ of reconciliation. ‘It is best, in fact, that you forget me.” Moise refused to marry her and she decided to terminate the pregnancy.

In 1920, only months after her tragic romance with Lionel ended, Day “married a man on the rebound,” Barkeley Tobey. The short-lived marriage was a disaster. In the summer of 1921, Dorothy left

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117. See id. at 119.
118. See id.
119. Id. at 123.
120. See id. at 125.
121. See id. at 128. Moise did not find Day’s affections to be genuine, as “[i]t was the usual business of a young girl (Day was twenty) falling for an older man (Moise] was thirty).” Id.
122. See id. at 131.
123. See id. at 136-37.
124. See id. at 137.
125. See id. at 138.
126. Id. at 142.
127. See id. at 140; VOICES FROM THE CATHOLIC WORKER 95 (Rosalie Riegle Troester ed., 1993).
128. MILLER, supra note 116, at 143.

She said when she was twenty-two, she was exhausted, so she married this sugar daddy, just to go to Europe to take a rest. What I remember about Europe is falling asleep on a yacht off Capri and having a drink in the Eiffel Tower. When I got back, we were staying in the Hotel New Yorker. One morning I got up before he did and took all the jewelry he had given me and put it on the counter and went home to my mother.

Id.
him, because according to her, she knew "[s]he wanted Moise 'and marriage and babies!'". She traveled to Chicago in an unsuccessful attempt to win Lionel back. While there, her focus shifted and she became associated with the International Workers of the World (the "Wobblies"), which was under constant surveillance by the government. This led to her arrest for allegedly engaging in prostitution. Day continued her literary efforts while remaining in the city, writing book reviews for the Chicago Liberator.

In the fall of 1923, Dorothy and her sister, Della, moved to New Orleans. Day found work as a reporter with the New Orleans Item, where she related her experiences by chronicling the life of a dance hall girl. The twenty six year old’s stay was short lived, and she returned to New York the following April.

E. Turning Points

Upon her return to New York City Dorothy reunited with some old friends, one of whom was Sue Brown. Brown introduced Dorothy to three sisters: Rose, Lily, and Margaret Batterham. Dorothy became close friends with Lily, who subsequently introduced Dorothy to Forster Batterham, their brother. A year later, the two were joined in a common-law marriage. Forster, an English anarchist and biolo-

130. WILLIAM D. MILLER, DOROTHY DAY: A BIOGRAPHY 147 (1982).
131. See id.
132. See id. at 150. The Wobblies were under suspicion because it was the time of the Red Scare and they were believed to be a communist organization. See id.
133. See id. at 150-51. The Wobblies were known to be a male organization, and therefore Dorothy looked suspicious when she entered a Wobblies’ house looking for “hospitality,” and while she was undressing and preparing to go to bed, the police raided her bedroom and arrested her and her female companion. See id.
134. See id. at 157.
136. See id.
137. See id. Day got a job in a Canal Street dance hall and wrote about her experiences there for the paper. See id.
138. See id. at 55.
139. See WILLIAM D. MILLER, DOROTHY DAY: A BIOGRAPHY 166 (1982).
140. See id.
141. See id.
142. See id. A Common law marriage is, “one not solemnized in the ordinary way but created by an agreement to marry, followed by cohabitation.” BLACK’S LAW DICTIONARY 227 (6th ed. 1990).
gist, was aloof and inarticulate despite his ideology and, as such, was the embodiment of nothing that Dorothy admired. During the winter of 1925, Dorothy spent much time indulging her many friends, celebrating and socializing at various parties; one of which provided her the opportunity to meet the fledgling writer, Hart Crane. It was at this time that her long-time friend, Peggy Baird, urged Dorothy to concentrate on writing and to buy a place in the country. Dorothy bought a twenty-five by fifty foot fishing shack on the shore of Staten Island, New York, where she remained for four years. While there, Day focused upon nature, her personal idea of God’s handiwork. It was at this time that Day began to pray, informally at first. “In the winter when it was too cold to live in the cottage, Dorothy and Forster moved in to share with sister Della her New York apartment. Allen Tate and his wife, Caroline Gordon, lived across the street, and Hart Crane used to drop in at all their places for coffee and talk.” As Dorothy neared the age of 27, she became more introspective and wrote about how Batterham had been the catalyst in bringing her the peace associated with being in harmony with nature.

In the beginning of June 1925, Day first began to feel physical signs that told her she was pregnant again. Batterham, however, found the prospects of a family, and especially fatherhood, extremely unattractive. Forster deeply resented the pregnancy and Dorothy’s new-found faith in religion, both of which precipitated his long absences from the

143. See WILLIAM D. MILLER, DOROTHY DAY: A BIOGRAPHY 166 (1982).
144. See id. at 168.
145. See id.
146. See id. at 169. Hart (Harold) Crane, most noted for his work, THE BRIDGE (1930), was an “american poet who celebrated the richness of life—including the life of the industrial age—in lyrics of visionary intensity.” 3 THE NEW ENCYCLOPEDIA BRITANNICA MICROPEDIA READY REFERENCE (15th ed. 1993).
148. See MILLER, supra note 143, at 170. Day later wrote extensively about her time at the cottage. See MILLER, supra note 143, at 170; see also DOROTHY DAY, FROM UNION SQUARE TO ROME (1938); DOROTHY DAY, THE LONG LONELINESS: THE AUTOBIOGRAPHY OF DOROTHY DAY (1959).
149. See WILLIAM D. MILLER, DOROTHY DAY: A BIOGRAPHY 171 (1982) (“One principal theme that appears in her writing during this period is nature.”).
150. See MILLER, supra note 147, at 56.
151. MILLER, supra note 147, at 55-56.
153. See id. at 178.
154. See id. at 179.
Staten Island cottage. Their daughter, Tamar Theresa Day, was born March 3, 1927.

The birth of her daughter sparked events which further enhanced Dorothy’s working class consciousness and simultaneously brought her closer to the Church. While recuperating in the hospital, Dorothy received from her roommate, a medal of Saint Therese of Lisieux, who eventually became one of Dorothy’s favorite saints. Dorothy had also been troubled for some time about baptizing Tamar in New York’s St. Joseph’s Home. The building had been a gift to a group of nuns who lived there from Charles Schwab, a man Dorothy recognized as having ruthlessly crushed the Homestead Strikers in 1892 and generally “defrauded the workers of a just wage.” She communicated her desire to baptize Tamar to a nun who currently resided there and was pleased by the attention she gave to her. Years later, Dorothy recounted the resolve she had begun to feel after Tamar’s baptism, stating, “I had become convinced that I would become a Catholic.”

Day was not prepared to allow her problematic background: an abortion, a suicide attempt, a series of love affairs, a collapsed and waning marriage and a life of adultery with a man who refused to marry her, to keep her from achieving her goal. Wanting her daughter to believe in Jesus and also having come to view the Catholic Church as the protector of immigrants and common laborers, Dorothy decided that she would indeed provide Tamar with religious instruction one day.

155. See id. at 180.
156. See id. at 182-84.
157. See id. at 185.
158. See id. at 431.
159. See id. at 189.
160. Id. Around this time, Dorothy had been reading Sigrid Undset’s Kristin Lavransdatter. See id. at 193. Her conflict may have been sparked, not only by her own socially conscious past, but also by the emotions expressed by Kristin, the work’s main character, who professed a profound love for the weak and downtrodden. See id. Day resolved this problem by deciding not to blame the church for “the mistakes of churchmen.” Id. at 190.
161. See id.
162. Id. at 192.
164. See id. at 187-88.
165. See id.
The August, 1927 execution of Sacco and Vanzetti\textsuperscript{166} induced in Forster a catatonic state and Dorothy left him the following December.\textsuperscript{167} After closing the Staten Island beach house, Dorothy moved back to Manhattan with Tamar.\textsuperscript{168} Dorothy, feeling in need of spiritual guidance, spent much of her time at Our Lady of Guadalupe, a small Catholic Church on Fourteenth Street in Greenwich Village.\textsuperscript{169} There, she received penance and instructions from the Augustinian Fathers of the Assumption.\textsuperscript{170}

Dorothy decided that this was not enough; that she needed to search for additional meaning in her life, and began to travel extensively.\textsuperscript{171} She first traveled to Hollywood, where she found a position as an assistant to a movie dialogue author, and then back to New York once again, for a position writing for a publisher of \textit{Commonweal} magazine.\textsuperscript{172} Day then ventured to Mexico, where Tamar contracted malaria, forcing a move back to New York.\textsuperscript{173} In the fall of 1931, upon returning to New York City she moved into a Greenwich Village apartment located on East Twelfth Street.\textsuperscript{174} There, Day continued to practice her religion with zeal but, by the following summer, she sensed that her conversion to Catholicism had created distance between herself and some of her old friends.\textsuperscript{175} She did what she could to maintain these relationships, but focused her attention on praying that her talents could be used for the benefit of both her fellow workers and the poor.\textsuperscript{176}

\textsuperscript{166} See Commonwealth v. Sacco, 151 N.E. 839 (Mass. 1926). Sacco and Vanzetti were Italian immigrants who were convicted and executed for first degree murder, allegedly committed during a robbery. See Roz Young, \textit{Real Crime of the Century Is Still Open for Discussion}, \textsc{Dayton Daily News}, Oct. 22, 1994, at 13A. It was widely believed that they were innocent. See id.
\textsuperscript{168} See id. at 200.
\textsuperscript{169} See id. at 201.
\textsuperscript{170} See id.
\textsuperscript{171} See William D. Miller, \textit{A Harsh and Dreadful Love: Dorothy Day and the Catholic Worker Movement} 60-62 (1973).
\textsuperscript{172} See id.
\textsuperscript{173} See William D. Miller, \textit{Dorothy Day: A Biography} 216-17 (1982).
\textsuperscript{174} See William D. Miller, \textit{A Harsh and Dreadful Love: Dorothy Day and the Catholic Worker} 61 (1973).
\textsuperscript{175} See Miller, supra note 173, at 223.
\textsuperscript{176} See Miller, supra note 173, at 226.
Day's introduction to Peter Maurin, through the editor of *Commonweal* magazine in December of 1931, was an event she later attributed to direct Providential intervention because it marked the beginning of the vocation Dorothy sought. Maurin was the product of a strong family of Catholic peasants from the province of Languedoc, in southern France. Day described him as "a short, broad-shouldered workingman" with a "high, broad head, . . . graying hair, . . . [and] warm grey eyes." Dorothy cited Peter as the catalyst for both the establishment of the many houses of hospitality, which later sprouted up across the country, and the production of the *Catholic Worker* newspaper, which was, in fact, created at Peter's insistence. Maurin deeply believed in both the dignity of the worker and the dignity of labor. He heavily influenced Dorothy with his teachings. He was pessimistic about the future, saw little hope in the rationalist idea of progress, and denied the Enlightenment dogma that truth which serves true human progress can only be found in an analysis of the "objective." The most important belief of Maurin, the formally uneducated but autodidactic thinker, was in the practice of "personalism," a


179. See MILLER, supra note 178, at 231-32.

180. See MILLER, supra note 178, at 228.


182. See MILLER, supra note 178, at 232. The houses of hospitality were "for men and women who had no other place to go, nothing to eat, and were at the mercy of whatever secular or religious charity happened to be available." ROBERT COLES, DOROTHY DAY: A RADICAL DEVOTION 14 (1987). There Maurin and Day sought to provide "works of mercy" in a personal fashion. Id.


184. See *id.*

185. See *id.* at 243.

186. See *id.* at 247.

187. *Id.* at 238 (citation omitted). The "objective" is described as a philosophy substituting individual subjective thought and behavior for supposedly ideal thought and behavior based upon establishing social norms. *Id.*

188. Personalism, according to Maurin, was based on the subjective ideal. See *id.* at 244. He often stated in explaining his design, "Be what you want the other fellow to be." *Id.* (citation omitted).
philosophy which directly countered the theory of the objective and affirmatively answered Cain’s rhetorical “Am I my brother’s keeper?” According to Jesus, to love one’s neighbor was the second of the two greatest commandments. Maurin believed that this divine command could best be achieved by renewing the Christian community.

F. The Catholic Worker Movement

In 1932, Peter Maurin proposed the production of a multi-part action program via a newspaper, the establishment of round table discussions, the opening of houses of hospitality and the creation of farming communes. Day was especially intrigued by Maurin’s notion of publishing a newspaper because it offered an opportunity to counter the anti-religious message of the Communist Daily Worker. For fifty-seven dollars, the Catholic Paulist Press agreed to print 2,500 copies of the team’s eight page tabloid. The first edition of the Catholic Worker was ready for sale on May Day, May 1, 1933. From its inception and throughout its history, the Catholic Worker, at a sale price of one penny per copy, has been well within the financial reach of all.

With the first issues of Catholic Worker in hand, the ink not yet dry on the pages, Dorothy and her co-workers proceeded to Union Square, New York City, where thousands of radicals were denouncing Hitler, and Communists paraded in conjunction with their Soviet counterparts marching through Red Square, thousands of miles away in Moscow. The Catholic Worker made its debut here, declaring its solidarity with labor and its intention to fight social injustices. The paper was an

189. Id. at 244-45 (citing Genesis 4:9).
190. See Matthew 22:34-40.
192. See id. at 252.
193. See id.
194. See id. at 254.
195. See id. at 253.
196. According to Day, Maurin originally wanted to call the paper the Catholic Radical. See id. at 254.
197. See id.
198. See id. at 255.
199. See id.
200. See id.
Dorothy Day's Lessons for the Transformation of Work

immediate success and its readership rapidly expanded from Day's humble abode at Fifteenth Street to other nearby apartments.201

Their efforts in regard to the houses of hospitality began a short time after.202 Dorothy Day later wrote of Maurin's personalist philosophy about the houses:

"Every house should have a Christ's room... It is no use turning people away to an agency, to the city or the state or the Catholic Charities. It is you yourself who must perform the works of mercy. Often you can only give the price of a meal, or a bed on the Bowery. Often you can only hope that it will be spent for that. Often you can literally take off a garment if it only be a scarf and warm some shivering brother. But personally, at a personal sacrifice..."203

This was Maurin's way of combating the growing, passive, fatalist belief that the state had to assume the social work which God wanted each person to do.204 Day immediately adopted the idea and her Fifteenth Street apartment served as the first Catholic Worker house of hospitality.205 Training those out of work was one of the key purposes behind the establishment of the houses, and in the late fall of 1933, the Catholic Worker School was inaugurated at the Fifteenth Street apartment.206 Speakers included Columbia University professors and Jesuit priests.207 The houses of hospitality soon attracted many young men and women who were eager to volunteer their time and energy for the benefit of the poor.208

The newspaper continued to flourish throughout the early thirties. By December of 1934, the circulation of the Catholic Worker reached 60,000.209 In March, 1935, in need of more space, the Catholic Worker moved to 144 Charles Street.210 In that month's issue, Dorothy announced the initiation of a new Catholic Worker enterprise of a combined farm and school, located near the shore in Huguenot, Staten

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201. See id. at 258.
202. See id. at 259.
203. Id.
205. See id.
206. See id. at 265.
207. See id. at 265. Professors Carlton Hayes, Harry Carmen and Parker Moon, as well as John La Farge, Gerard Donnelly and Wilfred Parsons, all spoke at the fifteenth Street apartment. See id.
208. See id. 262-65.
209. See id. at 266.
210. See id. at 270.
By May Day of that year, the Catholic Worker newspaper had achieved a circulation of 110,000.

1. The Catholic Worker Newspaper

The first edition of the Catholic Worker, which had been "planned, written, and edited in the kitchen" of Day's Fifteenth Street tenement, on various New York subway platforms and on the Staten Island ferry, was published on May 1, 1933. The fifty-four year old Peter Maurin served as the tangible "rock" upon which the newspaper was founded. Having been the eldest of twenty two children and educated by the Christian Brothers near his village in France, Peter was well aware of the virtue and value of hard work and sacrifice and had the drive needed for the Catholic Worker's success. Maurin proselytized Catholic social thought. He had originally sought out Dorothy Day, following a suggestion from the Commonweal magazine editor, George M. Shuster. His suggestion, that Day begin a Catholic newspaper for the unemployed, was almost immediately implemented. Dorothy was involved with all the work of the newspaper; fund-raising, circulation, and reporting, while Peter's role was that of theorist; his idea of fund-raising was one of divine intervention—praying for money. The first issue of the Catholic Worker prompted Maurin to remark disdainfully, "everybody's paper is nobody's paper." He was upset over the contents, which focused on labor union strikes, race relations, labor schools, and housing. He had wanted it to revolve exclusively around his ideas, essays, and theories. Maurin ultimately became the elder statesman of the Catholic Worker and spent the last decade of his life speaking to those interested in the paper, contributing "Easy Essays"

211. See id. at 271.
212. See id. at 274.
214. See id. at 59.
215. See id. at 57.
216. See id. at 58.
217. See id. at 58-59.
218. See id. at 58.
219. See id. at 59.
220. See id. at 59-60.
221. Id. at 60.
222. See id.
223. See id.
to its pages, and moving between the New York houses of hospitality and the Catholic Worker farm.\textsuperscript{224} Peter Maurin and his theories were the catalysts that motivated Dorothy Day to find meaning and purpose in her life.\textsuperscript{225} Dorothy, in turn, absorbed Maurin’s ideas and communicated them on paper to the rest of the population in a less harsh, more tempered fashion.\textsuperscript{226}

Although word of mouth was the primary vehicle allowing for the rapid expansion and early popularity of the \textit{Catholic Worker}, Day further fostered the newspaper’s readership and helped secure its financial well being by mailing copies of it to various editors, book reviewers, academics and members of the clergy, many of whom generously offered both moral and fiscal support.\textsuperscript{227} The growth of the \textit{Catholic Worker} from the 2500 copies distributed on May 1, 1933, to its peak in the 1940s was truly dramatic: November, 1933, 20,000 copies sold; March 1935, 65,000 copies sold; December, 1936, 100,000 copies sold; 1938, 150,000 copies sold; December, 1940, 185,000 copies sold.\textsuperscript{228} Although the 91,000 copies printed for each of the seven issues in 1995\textsuperscript{229} indicates something of a decline since the middle of the century, the numbers are still remarkable, considering today’s comparatively calm labor scene and many additional sources of information. The paper has always been sold for a penny a copy, or twenty five cents for the yearly subscription.\textsuperscript{230} The editors continue to receive no compensation, as evidence of the paper’s rejection of the capitalist profit motive.\textsuperscript{231}

Most \textit{Catholic Worker} articles integrate social justice and religious themes in addressing contemporary problems.\textsuperscript{232} For example, the May, 1935 issue included reports on efforts to organize food relief for

\textsuperscript{224} See \textit{id}. at 60-61. During the winter of 1946, Peter Maurin’s health began to fail and he died on May 15, 1949. See \textit{WILLIAM D. MILLER, A HARSH AND DREADFUL LOVE: DOROTHY DAY AND THE CATHOLIC WORKER MOVEMENT} 210-12 (1973).


\textsuperscript{226} See \textit{id}. at 69. For two of Peter Maurin’s most famous \textit{Catholic Worker} “Easy Essays,” expressing the core purposes of key Catholic Worker ideas, see \textit{id}. at 63-64.

\textsuperscript{227} See \textit{id}. at 67.

\textsuperscript{228} See \textit{id}.


\textsuperscript{230} See \textit{id}. The seven issues, at 1\$ per issue, or 25\$ per annual subscription, are published January-February, March-April, May, June-July, August-September, October-November, and December, at 36 East 1st Street, New York City. See \textit{id}.


\textsuperscript{232} See \textit{id}.
displaced sharecroppers, poor mothers in need of child care, the Scottsboro case, a farm labor strike, a utility stockholders' meeting, and living conditions for poor urban children.

The Catholic Worker was influenced by several foreign intellectual sources. One of these was Emmanuel Mounier’s personalist journal L’Esprit, which focused on both religion, in the context of contemporary social and moral issues, as well as “distributism,” an anti-capitalist, anti-industrialist, and anti-statist philosophy. The works of Russian novelist Fyodor Dostoevsky and the religious philosopher Nicholas Berdyaev provided additional guidance.

Until 1940, Dorothy had not only been the editor of the Catholic Worker, she was also a reporter and columnist who contributed many articles. Day’s greatest pieces focused upon topics directly relevant to the general work force. She developed a large working-class readership by reporting on strikes, union discussions, and other labor issues. Day, who strongly supported the union movement, came to know the influential union leaders Philip Murray, John Lewis, John Brophy, Harry Bridges, and Joseph Curran, very well, a factor which almost certainly aided in enhancing the reputation of the Catholic Worker. Day was one of only two reporters, and the only woman, to be allowed into the factory by the United Auto Workers Union during their sit down strikes at General Motors. The Catholic Worker found both the activities of its parent group and the opinions of its editors to be a powerful and influential source of news. In 1934, the Catholic Workers joined department store strikers in New York City and held picket signs reading “Unionization is Favored by the Pope” and “The Catholic Church

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235. See id. at 69-71.
236. See id. at 72.
237. See id. at 77.
238. See id. at 78.
239. See id.
240. See id. at 118. Day’s support of labor, resulted in the Catholic Worker getting involved in the labor movement in a tangible fashion. See id.
241. See id. at 78.
242. See id.; see also VOICES FROM THE CATHOLIC WORKER 12 (Rosalie Riegle Troester ed., 1993) (“She climbed through the window and visited the sit down strikers in the General Motors plant in Flint. The only woman allowed in the plant.”).
Backs a Living Wage.” In 1935, the organization actively supported a proposed child-labor amendment to the Constitution, which fell eight states short of ratification. The Catholic Workers’ role was also pronounced in the 1936 New York maritime strike. The group had also formed the Catholic Worker Labor School in New York. In 1936, the Catholic Worker offered a special publication called the Catholic Worker Stand on Strikes, which outlined the paper’s case for solidarity with the newly formed Congress of Industrial Organizations and support of labor in general. The underlying purposes behind the Catholic Worker’s support of striking workers were twofold. First, the editors of the Catholic Worker wished to express the paper’s compassion for the worker and thus further appeal to the religious among the population by suggesting that the Catholic Worker Stand on Strikes was but one of its “works of mercy.” Second, it was felt that the special edition might appeal to those currently on the picket line who might not have been exposed to the Catholic Worker previously or, in the alternative, that it might fortify relationships with those workers already in touch with the Catholic Worker.

Dorothy Day’s column “Day By Day” was, in some ways, the centerpiece of the newspaper. It contained straightforward monthly essays presenting her personal views on issues that appealed to the common person, deliberately eschewing the often more abstract writing of other Catholic Worker journalists and contributors. The tone of her rhetoric would often generate sympathy. However, it could also be very patronizing and acerbic. On one particular occasion, she challenged the policies of Joseph Ryan, the leader of the Longshoreman’s Union, who retorted, “You tell Dorothy Day she’s no lady.”

244. See id. at 121.
245. See id. at 118. In order to assist the large number of seamen who were striking, an area was set up by the Catholic Worker where the seamen could go for food and shelter. See id.
246. See id. at 119. In the school Catholics were given help with entering the field of labor. See id.
247. See id. at 125.
248. Id.
249. See id.
250. See id. at 79. The name of the piece was changed in 1946 to “On Pilgrimage.” See id.
251. See id.
252. Id. at 81.
Without question, the Catholic Worker was a major supporter of both the labor movement and Christian ideals; by no means did it merely "report" the news. Its reporters were often on the scene to support a picket or work stoppage and periodically participated in these efforts. The paper consistently reiterated its fundamental faith to the Catholic Church and actively espoused the word of the Lord. Nevertheless, the Catholic Worker never became the official newsletter of any individual labor or religious organization. It always retained its autonomy; it openly commented upon a wide range of social issues and often criticized the actions of many parties, regardless of whether they were on the side of labor or not.253

2. Catholic Worker Houses of Hospitality

The Catholic Worker movement was one of the first Roman Catholic social initiatives since the Reformation to support revolutionary Gospel applications throughout the social order.254 In addition to the Catholic Worker newspaper, the ideas of Dorothy Day and Peter Maurin were implemented by the Catholic Worker houses of hospitality.255 These houses distributed food to the hungry, provided beds for the homeless and served as "newspaper offices, volunteer centers, soup kitchens, boarding houses, schools" and "places of worship."256 By 1938, the Catholic Worker house on Mott Street, in Greenwich Village, was feeding breakfast and dinner to an estimated 1,200 people per day.257 The Catholic Worker Maryhouse, located at 55 East Third Street, also in New York City's Greenwich Village, was acquired in 1973 to alleviate some of the strain on the Mott Street operation.258 To this day, the two houses continue their mission, although the original Mott Street house is now located two blocks away, at 36 East First Street where, as St. Joseph's House, it also serves as the headquarters for the

253. See id. at 91.
254. See id. at 95.
255. See id. at 96.
256. Id.
257. Id.; see also WILLIAM D. MILLER, A HARSH AND DREADFUL LOVE: DOROTHY DAY AND THE CATHOLIC WORKER MOVEMENT 106 (1973) (stating that the Catholic Worker quickly outgrew the Charles Street apartment and moved to the Mott Street building on April 18, 1936, where it remained for fourteen years).
258. See William Miller, Dorothy Day: A Biography 511 (1982).
Catholic Worker newspaper.\textsuperscript{259} Maryhouse remains where it was, providing the same services it did almost sixty years ago.\textsuperscript{260}

In addition to helping the needy at the houses, each Catholic Worker volunteer engages in discovering, individually, the implications of the Gospel.\textsuperscript{261} The constant threat at each house of hospitality is anarchy. The members and residents are only held together by commitment, religion, friendship, experience, and spirituality; there is no constitution and generally no elections or officers.\textsuperscript{262} While there exists no requirement for a house of hospitality volunteer to do so, each traditionally takes a vow of poverty which, according to the Catholic Worker ideal, means living without attachment to the material world, so that one might be brought closer to spiritual perfection.\textsuperscript{263} Such a practice constituted Peter Maurin's core view on how best to restore civilization.\textsuperscript{264} Not all of Maurin's ideas were adopted, however, as evidenced by the deliberate creation of Catholic Worker houses of hospitality in urban population centers rather in the countryside, where Peter Maurin's "Green Revolution"\textsuperscript{265} wished to develop self-sufficient agrarian communities.\textsuperscript{266}

Houses of hospitality soon surfaced beyond the boundaries of New York City. In 1936, operations opened in Cleveland, Harrisburg (Pennsylvania), Boston, Milwaukee, Pittsburgh, Detroit, Houma (Louisiana), Chicago, and San Francisco.\textsuperscript{267} By World War II, there were thirty houses across the country, and one in England.\textsuperscript{268} Today, there are more than 130 Catholic Worker houses worldwide, scattered across twenty nine states, the District of Columbia, Australia, Canada, England, Germany and the Netherlands.\textsuperscript{269}

Throughout the thirties and forties, Dorothy Day visited many of these Catholic Worker houses, in an attempt to provide whatever aid she could to both the houses and those who benefitted from them. Upon her
arrival in February, 1936, at one particular house in Parkin, Arkansas, Day witnessed one hundred and eight people living in a tent colony on the surrounding property. The group had recently been evicted from their employer-provided shacks because of their union activity and its incessant drive to establish a farming community on the employer’s grounds. Dorothy, in an attempt to remedy the situation, immediately wrote the First Lady, Mrs. Eleanor Roosevelt, relating the purpose of her cause, activity of the union, the plight of its workers and the misery that existed in the Arkansas tent colony. The First Lady responded immediately by contacting the governor of the State. The governor then drove to the site and looked over the situation. He said, “there was nothing wrong—just a bunch of happy go lucky people who refused to work.” The governor of Arkansas blamed the entire situation on the “bleeding-heart liberal” outsider.

By 1949, Day had returned to New York. At that time, Cardinal Francis Spellman, the Catholic Archbishop of New York, was engaged in union-breaking, considered a ruthless tactic, against the unionized gravediggers of Calvary Cemetery, Local 293 of the International Food, Tobacco and Agricultural Workers Union. The local had gone on strike against the trustees of St. Patrick’s Cathedral, Cardinal Spellman principal among them, over demands for a pay increase and improved working conditions. The Cardinal immediately ordered his seminarians to replace the strikers, in order to provide timely burials. He proclaimed that the union’s strike was “communist-inspired,” that he was “happy to be a strike breaker,” and that his action was “the most important thing that I have done in my ten years in New York.” Some strikers made their way to the Mott Street house, where Dorothy

271. See id.
272. See id.
273. See id.
274. Id.
275. Id. at 287.
276. See id. at 404.
277. See id at 404. At the time Cardinal Spellman was a principal trustee of St. Patrick’s Cathedral. See id.
Dorothy Day's Lessons was working. Day immediately stopped what she was doing and joined the picketers at the cemetery.

G. Middle Age Pacifism

Dorothy Day was always a staunch opponent of war, both in her early socialist years and throughout her life with the Catholic Worker movement. She wrote in one pre-World War II editorial appearing in the Catholic Worker, "We oppose ... preparedness for war, a preparedness which is going on now on an unprecedented scale and which will undoubtedly lead to war." In another issue, she openly declared that "the Catholic Worker is sincerely a pacifist paper." In an article addressing the Spanish Civil War, the October 1938 edition of the Catholic Worker stated, "We are opposed to the use of force as a means of settling personal, national, or international disputes." This pacifist stance, in the face of totalitarian fascism, brought sharp criticism from the Catholic community, which had always been opposed to anti-religious philosophy of Communism and was in support of Franco’s Spanish Fascists. Dorothy Day and Peter Maurin were also adamant in their defense of Jews, as anti-Semitic sentiment grew internationally, in Hitler’s Germany, and domestically, through the words of well known figures such as Charles Coughlin, a Detroit Catholic priest with a very popular political radio program. In the June 1940 edition of the Catholic Worker, entitled the “Peace Edition,” Dorothy wrote that the Catholic Worker was opposed to all violence between countries, including the use of any violent means to resist an invader. This editorial, naturally, drew very harsh criticisms.

Although the voices against her did not lure Day from her personal convictions, she and her movement did not go completely unaffected. Even upon the United States’ entrance into World War II, Dorothy continued to urge her Catholic Worker colleagues and the rest of the

280. See id.
281. See id.
282. Id. at 313.
283. Id.
284. Id. at 314.
285. See id. at 315-16.
286. See id. at 316-18.
287. See id. at 331.
288. See id. at 332.
world to adopt the pacifist position. Her pleas were not generally well received. The Catholic Worker newspaper lost over 100,000 readers. Many years later, Dorothy recalled how many hundreds of her own young Catholic Workers ignored the Catholic Worker’s stand for pacifism after the 1941 bombing of Pearl Harbor, rationalizing that the war was for a just cause. By 1942, only sixteen Catholic Worker houses of hospitality continued to operate. By 1945, that number had dwindled to ten.

Day remained unshaken and proceeded on. She explained that the Worker’s remaining readership of 50,500 represented the “tried and true.” In 1946, she changed the name of her column to “On Pilgrimage,” explaining that “[w]e should always be thinking of ourselves as pilgrims anyway.” The Worker, as a whole, became more focused on economic and social matters.

The Korean War brought a new set of challenges. During the course of its domestic preparedness campaign, the United States government initiated a number of Civil Defense drills, which required citizens to seek shelter, to prepare for a hypothetical nuclear attack. A group of Catholic Worker members, headed by Ammon Hennacy, led a peaceful civil disobedience protest against these drills on June 15, 1955, at New York City Hall, asserting their refusal to participate, in an effort to demonstrate the insanity of taking shelter from a nuclear

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291. See MILLER, supra note 289, at 180.
292. See MILLER, supra note 290, at 344-45.
293. See MILLER, supra note 289, at 174.
294. See MILLER, supra note 289, at 174.
295. MILLER, supra note 290, at 377.
296. MILLER, supra note 290, at 379.
297. See MILLER, supra note 290, at 389.
298. See MILLER, supra note 290, at 283.
299. Ammon Hennacy was an activist in the 1950s who was at the center of the Worker movement and was an influential part of the Catholic Worker. Day, herself, has compared him to Peter Maurin. See id. at 266.
300. See id. at 283.
Similar protests were staged throughout the remainder of the decade and into the next. The Catholic Worker movement has been regaining its strength ever since and is well on its way to recapturing a good part of the popularity it saw in the early thirties. During the 1960s and early 70s, the Catholic Worker once again led the way for substantial anti-war resistance within American Catholicism. The righteousness of the conflict in Vietnam was not as decided as that of the Second World War, and, as a result, the entire organization received much more support from the population at large. Today, there are 130 Catholic Worker houses of hospitality in twenty nine states, The District of Columbia, and five other nations. The Catholic Worker now delivers approximately 91,000 copies of each of its seven annual issues from its New York offices. Its mission and its faith continue to be known.

301. See id. at 284-86.
302. See MEL PIEHL, BREAKING BREAD: THE CATHOLIC WORKER AND THE ORIGINS OF CATHOLIC RADICALISM IN AMERICA 214-15 (1982). On May 3, 1960, over a thousand protesters from the Catholic Worker, the War Resisters League, the Fellowship Reconciliation, and other pacifist groups, led a peace rally in Central Park. See id. at 215. There were even more people involved in the protests in 1961. See id.
303. See id. at 215-26, 230.
304. See id. at 230-31.
307. See VOICES FROM THE CATHOLIC WORKER, supra note 305, at 577-80 (reprinting the 1992 statement of the "Aims and Means of the Catholic Worker Movement").
H. The Circle Closes

During the sixties and seventies, the effects of both the natural effects of age combined with depression caused by the ongoing departures of so many of her early friends from the world began to limit Dorothy’s advocacy; the physical aspect in particular. Her last major political resistance and solidarity venture occurred in August of 1973, when she traveled to California’s San Joaquin Valley to join Cesar Chavez’s United Farm Workers’ protest against the Teamsters Union. She thereafter returned to her Third Street apartment in the New York City Catholic Worker House, where she remained until her death in 1980 after a long illness.

III. The Political Theory of Dorothy Day

Dorothy Day’s life, in dedication to, and commentary upon the labor movement and the rights of workers, can be best understood as critical constituent parts of her political theory. In turn, her political theory was largely implicit, assuming the reader chooses to situate political theory classically, in, for instance, Platonic or Aristotelian terms. Nevertheless, as fundamentally as any great classical political theorist, Dorothy Day concentrated on the twin primacies of the dignity of the individual and the importance of the community. She was not an abstract theoretician, but rather a pragmatist; an applied theoretician. Most importantly, she “practiced what she preached” and truly lived by her principles.

The dignity of meaningful work, especially through the mediating device of the organized labor union, is a very important unifying thread between the individual and the responsible community. Dignified work contributes significantly to fundamental human dignity, and the absence of such work can significantly retard progress toward the establishment

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Benedictine motto ‘Ora et Labora’ reminds us that the work of human hands is a gift for the edification of the world and the glory of God.

VOICES FROM THE CATHOLIC WORKER, supra note 305, at 577-79.


Cesar Chavez led the United Farm Workers in the struggles against the California Vineyards. See id.

309. See WILLIAM D. MILLER, DOROTHY DAY: A BIOGRAPHY 500 (1982). In her support of Chavez and the Mexican interant workers, Day, “along with a thousand-or-so others, was arrested and briefly jailed.” Id.

310. See id. at 517.
of that dignity.\textsuperscript{311} The key operatives in Dorothy Day’s political theory are the philosophy of personalism, which stresses the centrality of the individual, and the social organizing principle of subsidiarity, which emphasizes the important constituent components of the local community as the primary locus for political organization.\textsuperscript{312} Each merits significant attention in order to identify and fully appreciate Dorothy Day’s transformative lessons for labor.

\textbf{A. The Philosophy of Personalism}

Preeminence in the philosophy of personalism is placed upon the dignity of the individual person, who is considered the socially aware conscious of the community.\textsuperscript{313} Personalism can be very complex and intellectually intricate; it can also be very simple. Perhaps the best definition of the philosophy of personalism is that set forth in the annual mission statement of the Catholic Worker:

\begin{quote}
Personalism, a philosophy which regards the freedom and dignity of each person as the basis, focus and goal of all metaphysics and morals. In following such wisdom, we move away from a self-centered individualism toward the good of the other. This is to be done by taking personal responsibility for changing conditions, rather than looking to the state or other institutions to provide impersonal “charity.” . . .”\textsuperscript{314}
\end{quote}

The philosophy of personalism is at the center of Catholic social teaching.\textsuperscript{315} Personalism holds that human beings are created in the likeness of God and are endowed by God with a soul, an intellect, and a rational free will.\textsuperscript{316} As the creatures of God, made in God’s image

\begin{footnotesize}
\begin{enumerate}
\item \textit{See William D. Miller, Dorothy Day: A Biography} 244-45 (1982).
\item \textit{Voices from the Catholic Worker} 578 (Rosalie Riegle Troester ed., 1993).
\item \textit{See Mel Piehl, Breaking Bread: The Catholic Worker and the Origins of Catholic Radicalism in America} 63 (1982).
\item \textit{See id.} at 70; \textit{see also} William D. Miller, \textit{A Harsh and Dreadful Love: Dorothy Day and the Catholic Worker Movement} 6 (1973). In order for man to bring about change in the world he had to “put on Christ.” \textit{Id.}
\end{enumerate}
\end{footnotesize}
and possessing these innate spiritual attributes, humans cannot be regarded merely as a means to a goal or reified as mere objects. Rather, every human being must be treated as a subject in and of himself. The philosophy of personalism thus affirms two basic human needs: the material physical need, and the need for dignified work. Addressing these necessities is a central requirement of a properly functioning social order. Humans are unique and alike, solitary and communal, autonomous and dependent, self-centered and other-centered, self-made and culture-bound. These characteristics reflect the presence of both individuality and social cognizance. The worker thus possesses the need to both belong to a social community within the workplace and strive for self-expression within it; a model achieved by the formation of social groups at one's place of work and individual contribution to those groups. Through the philosophy of personalism, "[w]ork affords a person[,] as an individual[,] an opportunity to produce a good or service by contributing skills and talents that are uniquely his/hers." This aids a person to realize his or her potential.

In personalism, the individual is called to liberation and may only achieve it by conferring to others the freedom he or she seeks for him or herself. The central affirmation of personalism is a creative and free population. Freedom, in the context of this discussion, has multiple definitions. It is achieved not only by establishing the dignity of the person alone. Thus, personalism also calls every individual to fight injustice, wherever it is found and whatever the consequences. These are the central insights of Emmanuel Mounier, the leading philosopher of personalism. During the 1930s and 1940s, he popularized this philosophy through his journal, L'Esprit. Mounier especially pointed to, "the opposition, tensions, conflicts and dilemmas which make up and

318. See id.
319. Id. at 299-300.
320. See id. at 300 ("[Work allows] an individual to contribute in some unique way to the production of some good[s] or service[s].").
322. See PIEHL, supra note 315, at 69. Emmanuel Mounier, founder of L'Esprit called personalism "the philosophy of action." Id.
323. See generally JOSEPH AMATO, MOUNIER AND MARITAIN: A FRENCH CATHOLIC UNDERSTANDING OF THE MODERN WORLD 10-13 (analyzing the life and philosophy of Emmanuel Mounier).
324. See id. at 10-12.
are in the process of destroying contemporary civilization.”

Personalism revolves around the notion of the human person— as “spiritual, free and rational.” This ideal allows each individual a new vision, allowing him to escape whatever destructiveness of civilization he may experience. Personalism strives “to affirm the existing unities between thought and action, person and community, [and] community and historical situations.”

The key goal of personalism is the “advance[ment] of the world of persons . . . [by] the communication of consciousness.” Such a link fosters prophetic action, the optimal form of all action. According to Mounier, three fundamental insights are needed to be comprehended by an individual in order for him to gain new consciousness. First, “man alone of the animals lives amidst and within significance.” Second, “man must admit how reality eludes and overwhelms his analyses, judgments, and systems.” Finally, “all objects of man’s knowledge are not exclusively reducible to their causes and effects.”

In the ominous 1930s and 40s, Mounier saw personalism as the viable alternative to the ideologies of the day. Various events of the early twentieth century resulted in the polarization of the world into three camps; one communist, one capitalist and one fascist. Marxist-Leninist communism, which was unconcerned with developing individual personality and consciousness, disavowed religion. This disavowal of religion meant the potential elimination of God from any attempt at the development of that human consciousness. Western

325. Id. at 3.
326. Id.
327. See generally id. (describing the opposition inherent in contemporary society and how human beings need to form a new vision to combat the ensuing tension and destruction).
328. Id. at 13.
329. Id. at 22.
330. See generally id. at 13 (explaining that the spirit action of the individual will allow him to transcend the destructive force of society).
331. Id. at 87.
332. Id.
333. Id.
334. See generally id. at 125-47 (discussing the political atmosphere and crisis occurring in the 1930s and 40s which signalled disenchantment with civilization).
335. See generally id.
336. Communism has been defined as “[a] theoretical economic system characterized by the collective ownership of property and by the organization of labor for the common advantage of all members.” THE AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE 383 (3d ed. 1992).
capitalism, however, did promote the material element of individualism. Mounier found this element undermined the spiritual rehabilitation of the community and served to foster a greed, which threatened to deprive a substantial portion of the community of basic life necessities. Fascism was a complete contrast to the subjective, centrist theory of personalism, as it held the desires of the state far more important than those of the individual.

In essence, "[p]ersonalism represented Mounier's response to what he believed to be the needs of mankind" during that time period. His was a philosophy of reformation. The "primacy of the person" is at the center of personalism because "no other person . . . no collective whole, no organism, can utilize the person as an end." The second main principle of personalism is the notion of the community as family. In the same way one spouse needs another or a child needs its parent, the individual needs those around him to help aid in the fulfillment of his own needs. Personalism through such notions of community support, was envisioned as the "[spiritual] guide [in] building a new human order . . . a new humanism."

Personalism is an integrated and holistic philosophy that respects the individual and pays full attention to the physical and moral dimensions. 

338. Capitalism has been defined as "[a]n economic system in which the means of production and distribution are privately or corporately owned and development is proportionate to the accumulation and reinvestment of profits gained in a free market." THE AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE 284 (3d ed. 1992).

339. Individualism has been defined as "[a] belief in the primacy importance of the individual and in the virtues of self-reliance and personal independence." THE AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE 920 (3d ed. 1992). Materialism has been defined as "[t]he theory or doctrine that physical well-being and worldly possessions constitute the greatest good and highest value in life." Id. at 1109. Western capitalism, unlike Marxist-Leninist communism espoused the theory of materialism through its emphasis on individualism and the desire of the individual to seek the "greatest good" for himself. See AMATO, supra note 323, at 124-47.

340. See generally AMATO, supra note 323, at 124-47 (discussing the political atmosphere during the period and how the atmosphere contributed to the development of the theory of personalism).

341. Fascism has been defined as "[a] system of government marked by centralization of authority under a dictator, stringent socioeconomic controls, suppression of the opposition through terror and censorship, and typically a policy of belligerent nationalism and racism." THE AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE 663 (3d ed. 1992).


343. Id. at 124.

344. See id. at 125.

345. Id. at 134.

346. See id. at 134.

347. See id. at 134-35.

348. Id. at 134.
of the human character. It is not, however, merely an abstract philosophy. The most important aspect is the practical way of thinking and of living which it espouses. After World War II, personalism was especially recognized for its association with French worker priests of the Roman Catholic Church, whose political activism had been directly involved in their working lives. Personalism was also recognized during that period through the work of Dorothy Day and the Catholic Workers, who directly applied their philosophy in their newspaper, houses of hospitality, and job training schools. The philosophy of personalism, therefore, has both a very sophisticated, abstract quality and a very tangible, real, and immediate praxis. Part of this custom is a social imperative that translates into direct and rapid social action.

Were it not for Peter Maurin, personalism may have remained solely in the realm of the conceptual. The major philosophical components of personalism were already present in the sophisticated thinking of philosophers such as Gabriel Marcel, and Kierkegaard. Peter Maurin, the French peasant philosopher and Dorothy Day's mentor, translated the philosophy of personalism into action through urging

349. See id. at 124-47 (discussing Mounier's theory of personalism and how it was shaped by the competing ideologies of the 1930s).
353. Gabriel Marcel (1889-1973) has been deemed the first French existentialist philosopher. He believed in a world that looked past the material and embraced the spiritual. His main theory, called "participation," dealt with the interaction of human beings in society. 7 THE NEW ENCYCLOPEDIA BRITANNICA 820-21 (1994); see also JOSEPH AMATO, MOUNIER AND MARITAIN: A FRENCH CATHOLIC UNDERSTANDING OF THE MODERN WORLD 112 (1975) (discussing the influence of Marcel upon the theory of personalism).
354. Soren Kierkegaard (1813-1855) was a philosopher of religion. He is famous as the originator of the philosophy known as existentialism. Existentialism, as espoused by Kierkegaard, is rooted in the belief that human beings exercise free will and that they must exercise individual choice in their lives. See 6 THE NEW ENCYCLOPEDIA BRITANNICA 854-56 (1994); JOSEPH AMATO, MOUNIER AND MARITAIN: A FRENCH CATHOLIC UNDERSTANDING OF THE MODERN WORLD 106 (1975) (discussing the influence of Kierkegaard upon the theory of personalism).
agrarian manual labor. Personalism, through the practice and example of Peter Maurin, appealed to the ineffable romantic nature of many Americans, especially those already a part of the country’s farming community. Thomas Jefferson preceded Maurin as a great champion of agrarian personalism in the United States and he enthusiastically assigned the primary position in the social order of his new country to the agrarian citizen farmer. "Those who labor in the earth,’ wrote Thomas Jefferson in 1783, ‘are the chosen people of God, if ever He had a chosen people, whose breasts He has made His peculiar deposit for substantial and genuine virtue.”

Personalism is closely related to the social organization principle of subsidiarity. Subsidiarity emphasizes that local, community-centered organizations are the most efficacious, most conducive, and most responsive associations in existence for the fulfillment of social needs. It is to the principle of subsidiarity that we now turn.

B. The Principle of Subsidiarity

The principle of subsidiarity, simply stated, holds that political and social activity should be reduced to the most immediate and local context possible. This tenet was at the root of Dorothy Day’s vision of

357. See id. In discussing the emergence of the Jeffersonian Republican Party in the 1790s, in their Pulitzer prize winning book, Elkins and McKitrick describe the essays by the Jeffersonian Republicans, heralding the virtues of the agrarian citizen:

"The class of citizens who provide at once their own food and their own raiment, may be viewed as the most truly independent and happy. They are more: they are the best basis of public liberty and the strongest bulwark of public safety." They are exempt from the "distresses and vice of overgrown cities," and it follows “that the greater the proportion of this class to the whole society, the more free, the more independent, and the more happy must be the society itself.”

Id. at 269 (citation omitted).
358. Id. at 195.
360. See id. at 620.

There is an impressive body of scholarship on subsidiarity, both in theory and in its applications. See, e.g., George A. Bermann, Taking Subsidiarity Seriously: Federalism in the European Community and the United States, 94 Colum. L. Rev. 331 (1994); Deborah Z. Cass, The Word that Saves Maastricht? The Principle of Subsidiarity and the Division of Powers Within the European Community, 29 Common Mkt. L. Rev. 1107 (1992); Thomas C. Kohler, Lessons from
political action and continues to vitalize the Catholic Workers’ mission statement:

We advocate... [a] decentralized society in contrast to the present bigness of government, industry, education, health care and agriculture. We encourage efforts such as family farms, rural and urban land trusts, worker ownership and management of small factories, homesteading projects, food, housing and other cooperatives—any effort in which money can once more become merely a medium of exchange, and human beings are no longer commodities. 362

Subsidiarity is powerfully situated in Catholic social theory, possessing political roots many centuries old. At its core, it champions both social cooperation and responsible self-determination. For instance, Catholic social theory regarding activism focuses on individual self-help via the merger of labor union, cooperative and employee association activity with supplementary social legislation. 363 Some commentators situate the source of the principle in Catholic social thought of the mid-nineteenth century, when it was articulated in response to massive urban poverty and social dislocation, which were prevalent conditions during the Industrial Revolution. 364 The principle of subsidiarity was integral to the first modern papal encyclical on the rights of workers, *Rerum Novarum*, 365 which was promulgated in 1891, and has been incorporated into every papal encyclical on social issues since. 366 Subsidiarity was most expressly articulated by Pope Pius XI in the papal encyclical of 1931, *Quadragesimo Anno*, 367 which was issued to commemorate the fortieth anniversary of *Rerum Novarum*. 368 Still, that most weighty principle, which cannot be set aside or changed, remains fixed and unshaken in social philosophy:

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364. *See* id. at 303.
365. *See* id. at 304.
366. *See* id.
368. *See* id.
[I]njustice, a grave evil and a disturbance of right order for a larger and higher organization to arrogate to itself functions which can be performed efficiently by smaller and lower bodies. . . . Of its very nature the true aim of all social activity should be to help individual members of the social body, but never to destroy or absorb them.\textsuperscript{369}

Prior to this statement, the Pope stated, "[I]t is wrong to withdraw from the individual and commit to the community at large what private enterprise and industry can accomplish. . . .\"\textsuperscript{370}

As delineated in the law review article, \textit{Subsidiary in the Church: The State of the Question},\textsuperscript{371} there are nine major elements to the principle of subsidiarity.\textsuperscript{372}

1. The priority of the person as the origin and purpose of society:
   . . .

2. At the same time, the human person is naturally social, only able to achieve self-realization in and through social relationships—what is sometimes called the "principle of solidarity."

3. Social relationships and communities exist to provide help (\textit{subsidium}) to individuals in their free but obligatory assumption of responsibility for their own self-realization. . . .

4. Larger, "higher" communities exist to perform the same subsidiary roles toward smaller, "lower" communities.

\textsuperscript{369} Id. at 304.

\textsuperscript{370} Id. In the context of the times, the Catholic Church faced the twin totalitarian specters of atheistic communism and fascism. Thus, perhaps Pope Pius XI reflected an historical European "corporatism" in his exhortations in \textit{Quadragesimo Anno}. See George Higgins, \textit{Organized Labor and the Church} 203 (1993).

In his corporativist design Pius XI envisaged: (1) an organized and orderly economic society, with organizations of each industry and profession and a federation of such organizations; (2) an economic society which is self-governing, subject only to the superior power of the state to intervene when the public good demands it; (3) social institutions organized to seek the common good for their members as well as for all economic society; (4) the predominance of such organizations and institutions as the primary means of putting justice into economic life; (5) the rule of the great virtues of justice and charity through the functioning of these organizations.

Unfortunately, corporativism became associated to some extent with Italian, Spanish, and Portuguese forms of fascism or semi-fascism. And this led many critics, particularly on the Continent, to repudiate \textit{Quadragesimo Anno}'s formula for the reconstruction of the social order. That was admittedly an understandable and salutary fear.

\textit{Id.}


\textsuperscript{372} \textit{Id.} at 301.
5. [A]ll communities not only permit but enable and encourage individuals to exercise their own self-responsibility and that larger communities do the same for smaller ones. . . .

6. [C]ommunities [should] not deprive individuals and smaller communities of their right to exercise their self-responsibility. Intervention, in other words, is only appropriate as “helping people help themselves.”

7. Subsidiarity, . . . serves as the principle by which to regulate competencies between individuals and communities and between smaller and larger communities.

8. It is a formal principle, needing determination in virtue of the nature of a community and of particular circumstances.

9. Because it is grounded in the metaphysics of the person, it applies to the life of every society.

Closely related to the philosophy of personalism, the principle of subsidiarity emphasizes individual free will and the primacy of the human being. It recognizes that “the state should intervene and provide help (subsidium) for only that portion of need that the private sector is unable to provision by itself.” This dynamic, therefore, places effective decision-making control in the hands of each individual, and reaffirms basic democratic principles. Further, it transforms the attainment of human needs from an exclusively individual concern to one of an entire society, placing a responsibility on the larger social community only where human needs cannot be met through individual aspiration alone.

Subsidiarity can be a double-edged sword. There are obvious advantages flowing from subsidiarity in action. “[I]t allows considerable individual freedom of choice, and . . . encourages personal responsibility,” thus influencing each individual to fulfill his or her own needs, a result which generates “powerful incentive[s] to produce” within that person. One must recognize, however, that personal freedom also has distinct disadvantages. Unchecked, individuals may use their resources imprudently, “satisfy[ing] whims, fads, fancies, and fashion[s] and to feed obsessions and addictions, at the expense of meeting needs and dependencies.” Therefore, the possibility exists that “the strong will

373. Id. at 301-02.
375. Id.
376. Id.
use the state not to help the weak but to enhance their own [social, political and] economic standing.\textsuperscript{377}

The market economy allows us to satisfy those wants and needs while simultaneously maintaining the greatest possible freedom for us. It requires us to choose among all of our demands, all of which we are rarely able to satisfy fully. Problems are created when the state and the private sector market fail to meet physical needs, for unmet basic needs may lead to loss of personal freedom. For example, hunger destroys equality by subordinating the beggar to the provider and illiteracy destroys communication, which harms the community.\textsuperscript{378}

One may equate subsidiarity not only with personalism, but also with humanism,\textsuperscript{379} for both see humans as "unique beings of infinite worth."\textsuperscript{380} "Any help that is provided under subsidiarity is intended principally for the purpose of protecting and preserving the dignity of the person."\textsuperscript{381} Without subsidiarity there cannot be authentic social economics, because "without that principle the needy who are helped are seen as instruments or threats and [are] thereby diminished as persons."\textsuperscript{382} Therefore, as the principle asserts, "[A] larger and more powerful unit of society, such as the state, should not undertake to perform functions which can be handled as well by a smaller and weaker unit, such as the individual and his/her family, but rather should offer help where necessary to enable the weaker unit to function at full capacity."\textsuperscript{383}

Cooperation activates the various economic pressures "by means of a disposition on the part of the individual to undertake certain tasks through collective action, [which] is an important characteristic of the workplace."\textsuperscript{384} Subsidiarity helps us determine where the responsibility lies for meeting unmet needs. The weakening significance of the workplace and the neighborhood leads to greater dependence on the state to provide for needs, but undue dependence on the state will compromise personal freedom.

\textsuperscript{377} Id.
\textsuperscript{378} See id. at 297.
\textsuperscript{379} Humanism is "an outlook or system of thought concerned with human rather than divine of supernatural matters, or with the human race (not the individual), or with mankind as responsible intellectual beings." OXFORD ENCYCLOPEDIC ENGLISH DICTIONARY 694 (1991).
\textsuperscript{380} O'Boyle, supra note 374, at 297.
\textsuperscript{381} Id.
\textsuperscript{382} Id. at 298.
\textsuperscript{383} Id. at 295 n.5.
Like the philosophy of personalism, principles of subsidiarity have found potentially fertile ground in both the United States and overseas. The primacy of local government, the philosophy of Thomas Jefferson, and the contemporary renaissance of states’ rights, known by concepts of federalism, find many applications in American political life. The Maastricht Treaty of 1992 demonstrates the powerful international dimension of subsidiarity. Article 3b of the Treaty provides:

The Community shall act within the limits of the powers conferred upon it by this Treaty and of the objectives assigned to it therein.

In areas which do not fall within its exclusive competence, the Community shall take action, in accordance with the principle of subsidiarity, only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community.

Any action by the Community shall not go beyond what is necessary to achieve the objectives of this Treaty.

Just as the Tenth Amendment of the United States Constitution reserves all powers to the states, and ultimately to the people, not expressly granted to the federal government, so too does the Maastricht Treaty limit the authority of the federal government and reserve the balance of all powers to the otherwise sovereign nation constituent members of the European community. Likewise, in the Treaty on European Union, tit. XVI, art. 130r, para. 2, the member states’ concern for effective subsidiarity is also quite evident when it states that: “Community policy on the environment shall aim at a high level of protection taking into account the diversity of situations in the various regions of the Community.”

On an individual level, local social groups provide the best forum for the kind of self-determination envisioned in subsidiarity theory. In his 1993 law review article, Lessons From The Social Charter: State,

387. Id.
388. U.S. CONST. amend. X.
Corporation, and the Meaning Of Subsidiarity. Professor Thomas Kohler argues that subsidiarity is a pervasive organizational norm for authentic self-rule. As he states, "It recommends that social institutions of all types be ordered so that decision-making can occur at the lowest capable level." The state and other large institutions ought to step in only if the smaller associations cannot perform. Kohler notes that the key feature of subsidiarity is “[t]he continuous and active involvement of those directly affected in an ongoing discourse about the way their lives should be ordered." The overall goal of subsidiarity seems to be one which is “flexible rather than dogmatic, and emphasizes practice over programmatic versions of theoretical certainty and structural uniformity." As De Tocqueville put it, “individuals and societies alike become self-governing only by repeatedly and regularly engaging in acts of self-government." Similar themes are replete in Pope John Paul II’s encyclical Laborem Exercens, which speaks of a “wide

393. Id. at 614-15.
395. Id. at 622.
396. Id. at 620.
397. Alexis De Tocqueville was a political student who came to the United States from France in 1831 to observe the definition and workings of democracy in relation to how it might replace the traditional European aristocracy. See Robert D. Heffner, Introduction to ALEXIS DE TOCQUEVILLE, DEMOCRACY IN AMERICA 9 (1956). In the Book, Democracy in America, De Tocqueville gives an “unparalleled abundance of description,- analysis, and prophecy” dealing with “the impact of democracy or majority rule upon the structure and dynamics of American society, upon the way Americans think and feel and act, upon the essential nature of our freedoms." Id.
398. Id.
range of intermediate bodies” of “real autonomy” vis-a-vis public powers, “in honest collaboration with each other and in subordination to the demands of the common good . . .” 400

Modern conditions have deprived many people the type of local democracy subsidiarity calls for. In his law review article The Overlooked Middle, 401 Professor Kohler proffers that the deterioration of the “middle,” specifically family structure, religious organizations, grass-roots political clubs, unions, and like institutions which normally provides for us a key opportunity to teach and practice the idea of self-rule, has led to the inevitable collapse of individual autonomy. 402 What inevitably must follow is the decline of the notion of subsidiarity. 403 Kohler argues that when the human, as a social being, loses the opportunity for personal, sometimes mundane, interaction with others, he also loses his identity as a “self-constituting being.” 404

Unions, which regularly utilize mediating groups to promote individual empowerment and self-determination, a goal lying at the heart of subsidiarity, 405 have recently experienced perhaps the most widespread and noteworthy deterioration of all the constituents of the middle. 406 Millions have become aware of the decline of union power, a story currently addressed by a wide range of media. 407 The population has become ambivalent toward the very idea of union association. 408 Kohler repeatedly emphasizes that the unions, because of their promotion of autonomous mediation groups, are a key component of the “middle” 409 and points out the critical role that work plays in subsidiarity by giving rise to dignity through employee associations. 410 Should the erosion of individual associations continue, the role of the state will increase in an attempt to provide for our needs and those needs

400. Id. at 55.
401. Kohler, supra note 391, at 229.
404. Id. at 232.
405. See id. at 240.
406. See id. at 234-35.
407. See id. at 234.
408. See id. at 235.
409. See id. at 230.
410. Id. at 234.
may not be fully satisfied under this less efficient and more rigid statist method.\footnote{See id.}

Like personalism, there may be no perfect way to describe the concept of subsidiarity. Professor John Hellman discusses how “no one seems to be very clear about what [personalism] is”\footnote{JOHN HELLMAN, EMMANUEL MOUNIER AND THE NEW CATHOLIC LEFT 1930-1950 (1981).} and that personalism “can be defined as a statement of concern for the human person, the human being considered in all his dimension.”\footnote{Id. at 5.} The philosopher and personalist, Jean Lacroix, viewed personalism as an “anti-ideology.”\footnote{Id. at 4.} “While . . . prominent personalists could do no better than to call for the affirmation of the ‘absolute value of the human person,’”\footnote{Id.} early attempts at personalism’s exact meaning were denounced from all sides of the ideological political spectrum.\footnote{See id. at 6 (“The earliest articulations of personalism were violently attacked from both the Right and the Left. . . . The consistent, violent condemnations of personalism by French communist and Soviet observers contrasted with the approbation accorded the movement by German observers after Hitler came to power.”).} Similarly, Kohler describes subsidiarity as being widely discussed but that different definitions are used by everyone.\footnote{See Thomas C. Kohler, Lessons from the Social Charter: State, Corporation, and the Meaning of Subsidiarity, 43 U. TORONTO L.J. 607, 614 (1993).} As discussed by Kohler, author Lord Wedderburn “describe[d] subsidiarity as ‘that principle of feline inscrutability and political subtlety.’”\footnote{Id. at 6 (“The earliest articulations of personalism were violently attacked from both the Right and the Left. . . . The consistent, violent condemnations of personalism by French communist and Soviet observers contrasted with the approbation accorded the movement by German observers after Hitler came to power.”).} Labor priest George Higgins described it as emphasizing “the role of non-governmental ‘mediating structures’ in social and economic life.”\footnote{George Higgins, ORGANIZED LABOR AND THE CHURCH: REFLECTIONS OF A “LABOR PRIEST” 201 (1993).}

After World War II, personalism, which, again, is closely related to the principles embodied in subsidiarity, had been generally associated with French worker priests, who championed the Roman Catholic Church’s recent adoption of “new leftist activism.”\footnote{Wolfgang Saxon, Yves Congar, French Cardinal, Is Dead at 91; Vigorous Ecumenist Promoter of the Laity, N.Y. TIMES, June 24, 1995, at A8. [Yves Cardinal] Congar was a driving force in the French worker-priest movement, which called on priests to be close to workers by living their lives.

The Vatican disapproved of that notion, on the ground that it distracted priests from their ecclesiastical function. The Vatican held that priests risked being led into trade union affiliations and were subjected to too many secular temptations.

Id. For two years, Congar was silenced and forbidden to teach or write. See id. He later shaped the http://scholarlycommons.law.hofstra.edu/hlelj/vol14/iss1/2 50


the great “labor priest” of the United States, who studied their work, perhaps best summarizes the complexities and simplicities of subsidiarity and personalism by reference to the “correlative principle of socialization.”422 He asserts that “[t]he [c]hese principles, in tandem, are of central importance in the corpus of modern Catholic social teaching.”423 The individual, the local community, and the government are all indispensable components of one integral construct.424 According to Higgins,

The principle of subsidiarity holds that government intervention in the economy is justified, and even necessary, when it provides help indispensable to the common good but beyond the competence of individuals or groups. It further holds that family, neighborhood, church, professional and labor groups all have a dynamic life of their own which government must respect.425 He favorably cites Pope John XXIII for bringing the concept of socialization expressly into the social encyclical Mater et Magistra.426 Higgins, in quoting the Pope, states,

Social justice, became the most widely publicized and perhaps the most controversial part of Mater et Magistra. The pope defined socialization, a word which, to the best of my knowledge, had never before appeared in a papal document, as the “progressive multiplication of relations in society, with different forms of life and activity, and juridical institutions.” It finds expression for the most part, not in government programs but in “a wide range of groups, movements, associations, and institutions ... both within single national communities and on an international level.”

John XXIII embraced the phenomenon of socialization—the sum total of these organizational forces, private and public, in a participatory society. “It makes possible, in fact, the satisfaction of many personal rights, especially those of economic and social life, such as, for example, the right to the indispensable means of human maintenance,
to health services, to instruction at a higher level, to a more thorough professional formation, to housing, to work, to suitable leisure, to recreation.\footnote{426}

Pope John XXIII was not the last to provide insight into some of the issues adding complexity to the attainment of a proper understanding of socialization. In his papal encyclical \textit{Centesimus Annus} (One Hundred Years),\footnote{427} issued to commemorate the centennial of the first great labor encyclical, \textit{Rerum Novarum} (of New Things), Pope John Paul II elegantly synthesizes the delicate tensions underlying the relationship between individual and state in a participatory society:\footnote{428}

\begin{quote}
[M]an, who was created for freedom, bears within himself the wound of original sin, which constantly draws him toward evil and puts him in need of redemption. Not only is this doctrine an integral part of Christian revelation, it also has great hermeneutical value insofar as it helps one to understand human reality. Man tends toward good, but he is also capable of evil. He can transcend his immediate interest and still remain bound to it. The social order will be all the more stable, the more it takes this fact into account and does not place in opposition personal interest and the interests of society as a whole, but rather seeks ways to bring them into fruitful harmony. In fact, where self-interest is violently suppressed, it is replaced by a burdensome system of bureaucratic control which dries up the wellsprings of initiative and creativity.\footnote{429}

Pope John Paul II especially integrates the appropriate supplementary role of the economic state in the coordinating contexts of subsidiarity and socialization.

It is the task of the state to provide for the defense and preservation of common goods such as the natural and human environments, which cannot be safeguarded simply by market forces. Just as in the time of primitive capitalism the state had the duty of defending the basic rights of workers, so now, with the new capitalism, the state and all of society have the duty of defending those collective goods which, among others,
constitute the essential framework for the legitimate pursuit of personal goals on the part of each individual.  

Another task of the state is that of overseeing and directing the exercise of human rights in the economic sector. However, primary responsibility in this area belongs not to the state, but to individuals and to the various groups and associations which make up society. The state could not directly ensure the right to work for all its citizens unless it controlled every aspect of economic life and restricted the free initiative of individuals. This does not mean, however, that the state has no competence in this domain, as was claimed by those who argued against any rules in the economic sphere. Rather, the state has a duty to sustain business activities by creating conditions which will ensure job opportunities, by stimulating those activities where they are lacking or by supporting them in moments of crisis.

C. The Interrelations of Personalism and Subsidiarity

Personalism and subsidiarity both focus on the dignity of the individual person. Both point to the fulfillment of human needs and wants as their main goal. While personalism focuses on individual activism, subsidiarity calls for as many decisions as possible to be decided on the smallest level possible, which may not necessarily be the individual level. State involvement is not shunned by subsidiarity, as is the case for personalism, but is instead seen to play almost a necessary role, albeit a limited one. Where personalism seems to reject any

430. Id. at 463.
431. Id. at 463-69.
433. See id. at 728.
form of communalism and materialism, in favor of individual spiritual vision as a means to reshape the community, subsidiarity requires some variety of mid-level organization, whether it be a public association, union, fraternal club, or simply daily interaction among humans, in order to allow us to develop our abilities to directly control our lives and the world around us. Materialism is seen by subsidiarity as both a necessary and unavoidable product of this great strive for individual freedom. While personalism seeks to imbue man with freedom, it declines to accept materialism and does not tolerate well its potential side-effect: greed. Personalism's rejection of material want provided hope in Europe during the Great Depression, where so many were forced to find a silver lining in the midst of their poverty.

Personalism and subsidiarity are two adjacent limbs on the tree representing the activities and messages of Dorothy Day. Their intentional renewal and nurturing of public relationships of mutual respect and accountability across the divisions of a pluralistic, atomized society—whether via labor unions or the broader plane of working peoples' associations—make Day’s theory, practice, and Catholic social teaching extraordinarily relevant today.

IV. DOROTHY DAY’S LESSONS FOR LABOR

A. Labor Praxis

Dorothy Day, Peter Maurin and the members of the Catholic Worker practiced what they preached. Day consistently emphasized the dignity and the importance of work while encouraging the solidarity of labor with the unemployed, and ever-present poor; an approach reflecting both Depression-era realities, and perhaps even more compelling, the Catholic Church’s preferential option for the poor. Dorothy’s writing was eloquent and her personal commitment to, and solidarity with, workers was magnificent. In her autobiography, The Long Loneliness, Day

438. I am especially indebted to my friend Leo Penta for these insights.
439. For copies of these early Catholic Worker newspaper articles by Dorothy Day on the rights of workers, I am especially indebted to the Marquette University Library’s Catholic Worker Archives.
Dorothy Day's Lessons recounts how her awareness of labor issues first emerged during her college years:

There was Eugene Debs. There were the Haymarket martyrs who had been “framed” and put to death in Chicago in 1887. They were martyrs! They had died for a cause. . . .

There had been in the past the so-called “Molly Maguires” in the coal fields, a terrorist organization, and the Knights of Labor, made up of union men working for the eight-hour day and the co-operative system. My heart thrilled at those unknown women in New England who led the first strike to liberate women and children from the cotton mills.

. . . .

Already in this year 1915 great strides had been taken. In some places the ten-hour day and increased wages had been won. But still only about 8 per cent of the workers were organized, and the great mass of workers throughout the country were ground down by poverty and insecurity. What work there was to be done!

In recounting her first experiences as a journalist with the socialist paper, The Call, Dorothy noted her ever-increasing awareness of the labor union movement and the major players within it, including the American Federation of Labor, the Industrial Workers of the World, and the newly formed Congress of Industrial Organizations (C.I.O.), whose members were said to be the remainder of the larger group which had signed up with the “reds.”

Dorothy Day’s first signs of a maturing labor consciousness, thus, were initially formed far from the contours of Catholic teaching or the influence of the Catholic Church. In her autobiography she summarized these early social influences on her thought:

I wavered between my allegiance to socialism, syndicalism (the I.W.W.’s) and anarchism. When I read Tolstoi, I was an anarchist. Ferrer with his schools, Kropotkin with his farming communes, the

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441. Id. at 44-45.
442. The Call was a Socialist daily paper. See id. at 48.
444. “Those IWW workers who did not go over to the Communists were organized into the great industrial unions of the CIO, the Congress of Industrial Organizations.” DOROTHY DAY, THE LONG LONELINESS 52 (1959).
I.W.W.'s with their solidarity, their unions, these all appealed to me. . . . The I.W.W. had an immediate program for America so I signed up with them.

I do not remember any antireligious articles in the Call. . . . I was surprised to find many quotations from Rerum Novarum of Pope Leo XIII and a very fair exposition of the Church's social teachings. I paid no attention to it at the time. Catholics were a world apart, a people within a people, making little impression on the tremendous non-Catholic population of the country.

There was no attack on religion because people were generally indifferent to religion. They were neither hot nor cold. They were the tepid, the materialistic, who hoped that by Sunday churchgoing they would be taking care of the afterlife, if there were an afterlife. Meanwhile they would get everything they could in this.

On the other hand, the Marxists, the I.W.W.'s who looked upon religion as the opiate of the people, who thought they had only this one life to live and then oblivion—they were the ones who were eager to sacrifice themselves here and now, thus doing without now and for all eternity the good things of the world which they were fighting to obtain for their brothers. It was then, and still is, a paradox that confounds me.445

Shortly after becoming a Catholic, she began working as a reporter for The Commonweal, a progressive periodical founded in 1924 and the first Catholic publication for which she would write as a journalist.446 Dorothy's work could often be found in more than one journal. In 1932, a piece Day wrote about regarding a Washington D.C. convention of protesting small tenant farmers from around the nation, the first article she ever was compensated for, appeared in both America and Commonweal magazines.447 In it, Dorothy Day recounts the experience of seeing the caravan of cars and trucks which had traveled to the nation's capital, the poverty of the demonstrators, the willingness of the participants to share food, and the comraderie which blossomed between the farmers, the poor, and the unemployed.448 Here she recounts their demonstration:

On a bright sunny day the ragged horde triumphantly with banners flying, with lettered slogans mounted on sticks, paraded three thousand

445. Id. at 60-61.
446. See id. at 158.
447. See id.
448. See id. at 160.
strong through the tree-flanked streets of Washington. I stood on the
curb and watched them, joy and pride in the courage of this band of
men and women mounting in my heart, and with it a bitterness too that
since I was now a Catholic, with fundamental philosophical differences,
I could not be out there with them. I could write, I could protest, to
arouse the conscience, but where was the Catholic leadership in the
gathering of bands of men and women together, for the actual works
of mercy that the comrades had always made part of their technique in
reaching the workers?

... ...

The demands of the marchers were for social legislation, for
unemployment insurance, for old-age pensions, for relief for mothers
and children, [and] for work. I remember seeing one banner on which
was inscribed, "Work, not wages," a mysterious slogan having to do
with man's dignity, his ownership of and responsibility for the means
of production.449

Years later, in reflecting on her early work, Dorothy experienced shame
and remorse over her abstraction, her absence of solidarity, and her
detachment from workers:

How little, how puny my work had been since becoming a Catholic, I
thought. How self-centered, how ingrown, how lacking in sense of
community! My summer of quiet reading and prayer, my self-absorp-
tion seemed sinful as I watched my brothers in their struggle, not for
themselves but for others. How our dear Lord must love them, I kept
thinking to myself. They were His friends, His comrades, and who
knows how close to His heart in their attempt to work for justice.450

It was in that galvanizing epiphany experience that Dorothy Day's labor
and social consciousness as a Catholic was fused, rejuvenated, and
revivified in a new, different, transforming way. She poignantly recounts
in her autobiography:

When the demonstration was over and I had finished writing my story,
I went to the national shrine at the Catholic University on the Feast of
the Immaculate Conception. There I offered up a special prayer, a
prayer which came with tears and with anguish, that some way would
open up for me to use what talents I possessed for my fellow workers,
for the poor.

449. Id. at 160-61.
450. Id. at 161.
As I knelt there, I realized that after three years of Catholicism my only contact with active Catholics had been through articles I had written for one of the Catholic magazines. Those contacts had been brief, causal. I still did not know personally one Catholic layman.\textsuperscript{451}

The first issue of the \textit{Catholic Worker} newspaper, printed on May 1, 1933,\textsuperscript{452} gave Day the opportunity she desired. Dorothy described the solidarity of the \textit{Catholic Worker} as follows: "\textit{The Catholic Worker}, as the name implied, was directed to the worker, but we used the word in its broadest sense, meaning those who worked with hand or brain, those who did physical, mental or spiritual work. But we thought primarily of the poor, the dispossessed, the exploited."\textsuperscript{453} This posture was evident from the start. One of the articles appearing in the first edition addressed the exploitation of African-American labor in the South.\textsuperscript{454} The second issue focused on farmer strikes in the Midwest and the poor working conditions of restaurant workers in urban areas.\textsuperscript{455} The third issue dealt with textile strikes, and child labor in the textile industry.\textsuperscript{456} The fourth issue dealt with strikes in the coal and milk industries.\textsuperscript{457}

The \textit{Catholic Worker} also gave Day the opportunity to really become an integral part of the stories she and her colleagues had been writing. Throughout the volatile period of labor organizing which accompanied the Great Depression, Dorothy Day constantly supplemented her journalistic efforts in the \textit{Catholic Worker} by physically joining workers at job sites and on picket lines.\textsuperscript{458} In 1934, Dorothy and other employees of the \textit{Catholic Worker} directly practiced the labor solidarity which the paper urged by picketing the Ohrbach Department Store in Manhattan, side by side with the store’s own striking employees.\textsuperscript{459}

\begin{footnotesize}
\begin{enumerate}
\item Id. at 161-62.
\item See \textsc{william d. miller, dorothy day: a biography} 254 (1982).
\item \textsc{dorothy day, the long loneliness} 199-200 (1959).
\item See \textsuperscript{id} at 201.
\item See \textsuperscript{id}.
\item See \textsuperscript{id}.
\item See \textsc{dorothy day, the long loneliness} 201 (1959).
\item See \textsuperscript{id}.
\item See \textsuperscript{id}.
\end{enumerate}
\end{footnotesize}
them to jail. When we entered the dispute with our slogans drawn from the writings of the popes regarding the condition of labor, the police around Union Square were taken aback and did not know what to do. It was as though they were arresting the Holy Father himself, one of them said, were they to load our pickets and their signs into their patrol wagons. The police contented themselves with giving us all injunctions. One seminarian who stood on the side lines and cheered was given an injunction too, which he cherished a souvenir.469

“The most spectacular help” Dorothy Day and the Catholic Worker gave to assist a strike was through providing housing and food to strikers during the formation of the National Maritime Workers Union in May, 1936:461

The seamen came and went and most of them we never saw again . . . . For the duration of the strike we rented a store on Tenth Avenue and used it as a reading room and a soup kitchen where no soup was served, but coffee and peanut butter and apple butter sandwiches. The men came in from picket lines and helped themselves to what they needed. They read, they talked, and they had time to think.462

Day and others went to Pittsburgh “to write about the work in the steel districts,” and to cover the organizing drives by the Congress of Industrial Organizations.463 On another occasion, the group directly supported a dairy workers strike.464 According to Day, “when the Borden Milk Company attempted to force a company union on their workers, The Catholic Worker took up their cause, called public attention to the use of gangsters and thugs to intimidate the drivers and urged our readers to boycott the company’s products while unfair conditions prevailed.”465 Day also reported that she “spoke to meetings of the unemployed in California, to migrant workers, tenant farmers, steelworkers, stockyard workers, [and] auto workers.”466

With the support of the Archbishop of Detroit, who urged her to “go to them, to write about them,” Dorothy travelled to Flint, Michigan to cover a sit-down strike being staged in a number of General Motors’

460. Id. at 201-02.
461. Id. at 203.
462. Id. at 204.
463. Id. at 205.
464. See id.
465. Id. at 205.
466. Id. at 208.
Speaking of the Archbishop, Day wrote, "[h]e had one of his priests reserve and pay for a Pullman berth for me so I would be fresh the next day for my work."468 "I visited strike headquarters during the Little Steel strike and talked with the men."469 For more than two decades, beginning in 1937, the Catholic Worker was the intellectual home for the Association of Catholic Trade Unionists.470 At its zenith, the Association maintained fourteen chapters and one hundred labor schools, most of which were concentrated in New York and Detroit.471 Perhaps Dorothy's most direct advocacy on behalf of labor was her challenge to Cardinal Francis Spellman, Archbishop of the Archdiocese of New York. In 1949, the unionized "grave diggers of Calvary Cemetery, [represented by] Local 293 of the International Food, Tobacco and Agricultural Workers Union, went on strike against their employer, the trustees of St. Patrick Cathedral, principal among whom was Cardinal Spellman."472 The strike continued for over a month, until it was crushed by the Cardinal, who personally ordered and led his seminarians into the cemetery as replacement workers.473 Cardinal Spellman stated that the strike was "communist inspired," [and] that he was 'proud and happy to be a strike breaker.'"474 He said "his resistance to the strike was 'the most important thing I have done in my ten years in New York.'"475 While he eventually broke the strike, Dorothy Day and the Catholic Worker bore profound and direct witness to his egregious repudiation of Catholic social teaching on the rights of workers. Dorothy Day had decided that "the strike was justified," and members of the Catholic Worker joined striking workers on the picket line at the cemetery.476 Cardinal Spellman and Dorothy Day, in spite of, or perhaps because of this confrontation, had deep respect for one another, strengthened by Dorothy Day's manifest practices as a Catholic in impeccably good theological standing.477 She was theologically and liturgically traditional, while radical in her social justice activism. She

467. Id. at 213.
468. Id. at 213-14.
469. Id. at 214.
471. See id. at 13.
475. Id.
476. Id.
477. See id. at 405.
once stated, "[w]hen it comes to labor and politics, . . . I am inclined to be sympathetic to the left, but when it comes to the Catholic Church, then I am far to the right." 478

Dorothy, called to witness, confronted the Cardinal directly and she made real and living the Catholic Church’s powerful and eloquent social teaching on the rights of workers. She later said of the strike,

[It] “could have been headed off in the very beginning. The trustees could have shown the books to the workers if justice was on their side, proven in black and white that they were incapable of paying of what the strikers asked. . . .” [I]t was “all yesterday’s news now, those strikers who had to drop their life insurance because they couldn’t meet payments.” [T]he “terrible significance” of the strike was that “here in our present peaceful New York, a Cardinal, ill-advised, exercised so overwhelming a show of force against a handful of poor working men”. 479

Day wrote a very eloquent letter to Cardinal Spellman on March 4, 1949.

I am deeply grieved to see the reports . . . of your leading Dunwoodie seminarians [sic] into Calvary cemetery, past picket lines, to “break the strike.” . . . Of course you know that a group of our associates at the Catholic Worker office in New York, have been helping [sic] the strikers, both in providing food for their families, and in picketing . . . . [Y]ou have been misinformed. I am writing to you, because this strike, though small, is a terribly significant one in a way. Instead of people being able to say of us “see how they love one another,” and “behold, how good and how pleasant it is for brethren to dwell together in unity” now “we have become a reproach to our neighbors an object of derision and mockery to those about us.” It is not just the issue of wages and hours as I can see from the conversations which our workers have had with the men. It is a question of their dignity as men, their dignity as workers, and the right to have a union of their own, and a right to talk over their grievances. It is no use going

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478. For example, the Catholic Worker has never concentrated significant attention to issues of abortion or homosexuality. See Voices From the Catholic Worker 63 (Rosalie Riegle Troester ed., 1993). “That was a very funny thing about Dorothy. For all her radicalism politically, Dorothy had a profoundly conservative streak in her makeup. She was a very conservative Catholic, theologically . . . .” Id. at 75. “Dorothy was an extremely orthodox Catholic, not at all theologically a dissident. She certainly would not at all favor abortion. She would, I think take a very dim view of homosexual behavior.” Id. at 80; see also Alden Whitman, Dorothy Day, Outspoken Catholic Activist, Dies at 83, N.Y. Times, Nov. 30, 1980, at 45.
479. MILLER, supra note 474, at 405.
into the wages, or the offers that you have made for a higher wage (but the same work week). A wage such as the Holy Fathers have talke[d] of which would enable the workers to raise and educate their families of six, seven and eight children, a wage which would enable them to buy homes, to save for such ownership, to put by for the education of the children,—certainly the wage which they have in these days of high price prices [sic] and exhorbitant [sic] rents, is not the wage for which they are working. Regardless of what the board of trustees can afford to pay, the wage is small compared to the wealth of the men represent- ed on the board of trustees[.] The way the workers live is in contrast to the way of living of the board of trustees. . . . Regardless of rich and poor, the class antagonisms which exist between the well- to- do, those who live on Park [A]venue and Madison [A]venue and those who dig the graves in the cemetery, —regardless of these contrasts, which are most assuredly there, the issue is always one of the dignity of the workers. It is a world issue.\footnote{480}

Even near the end of her life, Dorothy Day continued her commit- ment of physical presence with the organization of workers.

Her last major adventure came in August, 1973, when she went to the San Joaquin Valley in California to join Cesar Chavez’s United Farm Workers in its demonstration against the Teamsters Union. In her support of Chavez and the Mexican itinerant workers, she, along with a thousand-or-so others, was arrested and briefly jailed. “If it weren’t a prison, it would be a nice place to rest,” she commented.\footnote{481}

With her lifetime of fifty years of direct and immediate solidarity with workers and with the poor, Dorothy Day wrote of the absolute imperative of the fusion of labor practice and labor theory.

Going around and seeing such sights is not enough. To help the organizers, to give what you have for relief, to pledge yourself to voluntary poverty for life so that you can share with your brothers is not enough. One must live with them, share with them their suffering too. Give up one’s privacy, and mental and spiritual comforts as well as physical.

\footnote{480} Letter from Dorothy Day to Francis Cardinal Spellman, Archbishop of New York (Mar. 4, 1949) (on file with author, courtesy of the Marquette University Library’s Catholic Worker Archives) [hereinafter Spellman letter].
\footnote{481} MILLER, supra note 474, at 500.
We have lived with the unemployed, the sick, the unemployables. The contrast between the worker who is organized and has his union, the fellowship of his own trade to give him strength, and those who have no organization and come in to us on a breadline is pitiable.

Going to the people is the purest and best act in Christian tradition and revolutionary tradition and is the beginning of world brotherhood.\(^\text{482}\)

The struggle for workers’ dignity must be perpetual and incessant. Although the poor will always be with us, Dorothy Day reminds us, by her personal witness, to struggle valiantly to improve the status of workers everywhere.

In the labor movement every strike is considered a failure, a loss of wages and man power, and no one is ever convinced that understanding between employer and worker is any clearer or that gains have been made on either side; and yet in the long history of labor, certainly there has been a slow and steady bettering of conditions. Women no longer go down into the mines, little children are not fed into the mills. In the long view the efforts of the workers have achieved much.\(^\text{483}\)

Throughout her half century of direct personal commitment to workers, throughout a half century of participation in labor strikes and solidarity on picket lines, Dorothy Day always kept in mind the dignity of all persons—including the employees, with an emphasis on peace and conciliation, and the imperative of charity, decency, and kindness to all.

Her March 4, 1949 letter to Cardinal Spellman, urging him to negotiate with the graveyard workers, rather than break their strike, perhaps best, and certainly most poignantly, summarizes her practice and her theory.

You are a Prince in the Church, and a great man in the eyes of the world, and these your opponents are all little men, hard working, day laborers, hard handed and hard headed men, filled with their grievances, an accumulation of their grievances. They have wanted to talk to you, they have wanted to appeal to you. They felt that surely their Cardinal would not be against them. And oh, I do beg you so, with all my heart, to go to them, as a father to his children; do not go to a court, do not perpetuate a fight, for ages and ages. Go to them,

\(^{\text{483}}\) Id. at 212.
conciliate them. It is easier for the great to give in than the poor. They are hungry men, their only weapon has been their labor, which they have sold for a means of livelihood, to feed themselves and their families. They have indeed labored with the sweat of their brows, not lived off the sweat of anyone else. They have truly [sic] worked, they have been poor, they are suffering now. Any union organizer will tell you that it is not easy to get men out on strike and it is not easy to keep them out on strike. But the grievance has grown, the anger has grown here. If there were only some way to reach peace. I am sure that the only way is for you to go to them. You have been known to walk the streets among your people, and to call on the poor parishes in person, alone and unattended. Why cannot you go to the union, ask for the leaders, tell them that as members of the mystical body, all members are needed and useful and that we should not quarrel together, that you will meet their demands, be their servant as Christ was the servant of [H]is disciples, washing their feet.484

Because of her personal witness, commitment and solidarity with workers everywhere, whether expressed on picket lines or in her newspaper, Dorothy Day's lessons for labor have profound practical and theoretical significance. It is to her theory of labor that the article will now turn.

B. The Labor Theory of Dorothy Day

Because of her unequivocal and courageous personal commitment to literally walk the picket lines with striking workers and to be a member of the labor community in this most real and dramatic way, Dorothy Day's theory of labor has special resonance and genuine meaning. Like her personal philosophies regarding the role and rights of workers, Day's conceptualization of labor theory is best articulated and appreciated through her articles appearing in the Catholic Worker newspaper, which she edited from its founding on May 1, 1933.485 When the Catholic Worker was founded, the United States was in the depths of the Great Depression.486 Dorothy's statements on labor throughout the period reflect a rich, complex and sophisticated mind. They also reflect, at least equally, and perhaps in an even more compelling way, her deep, personal and lifelong commitment to workers as human beings. Day's essays and columns in the Catholic Worker from

484. Spellman letter, supra note 480.
1933 until the immediate post-World War II period of the late 1940s best reflect her fused praxis and theory.

From its inception, the Catholic Worker focused upon the universal world of work. Of the view of one of its co-founders, Day noted, "[In Peter's [Maurin] vision, work is a gift. Given for the common good, —And the reason why one works is to share gifts and talents, in common with others, to help create a better kind of society."  Emphasizing the "catholicity" of the paper, in both the religious and universal sense of that word, the Catholic Worker sought the unity of workers.\footnote{487} In a direct, working class language, the newspaper promulgated to workers the social teaching of the Catholic Church, a social justice language that is thoroughly integrative and truly universal: "We try to stress the duty of the workers towards God and himself first of all. And the Catholic neglects those duties when he does not work for social justice."\footnote{489} The Catholic Worker unsparing criticized the aristocracy of organized labor, repudiated the influences of atheistic communism within labor, and thoroughly condemned the materialism of the capitalist ownership elites:

One of the difficulties of the labor movement in the United States is that there has been an aristocracy of labor, union men getting high wages in various trades, and ignoring their poorer comrades who have not had the benefits of unionization such as in the textile and mining fields. There is graft and racketeering in labor organizations which has justly prejudiced not only the employer but the poorer worker against them so that they are more willing very often to accept the radical trade unions than they are the old established ones. There is always a rank and file fight going on against existing trade unions and their technique.\footnote{490}

Throughout the Catholic Worker essays is an ongoing call for pride and care in work on the part of each individual worker:

I agree too that the attitude of the worker towards his labor is not correct. There is a loss of pride in craftsmanship which is due to the mechanization of industry. Pride in doing to the best of one's ability
the work that God has given him to do, is a lesson which the American worker will have to relearn.\textsuperscript{491}

The organized labor union was a major focus of Day’s attention throughout the years of her advocacy. The labor union is the greatest tool in a system of fallible alternatives and mediating social structures available to the working individual.\textsuperscript{492} The labor union is not an end in itself, but, rather, a means towards the achievement of human dignity, the central theme of the papal encyclicals on the rights of workers.\textsuperscript{493} Wherever possible, Dorothy Day urged Catholic employees to strengthen the Catholic solidarity between one another by seeking each other out both within the union structure and outside of it, in the non-unionized workplace. She pointed to a third and better path, transcending both atheistic Marxism and capitalist materialism, which members of labor unions in a capitalist political economy could look to attempt to solve the problems of society. In her February, 1936 Catholic Worker column, she stated:

\footnotesize{\textsuperscript{491} Id.\textsuperscript{492} See David L. Gregory, The Right to Organize as a Fundamental Human & Civil Right, 9 Miss. C. L. Rev. 135, 143 (1988).\textsuperscript{493} See Gregory Baum, The Priority of Labor (1982); Co-Creation and Capitalism: John Paul II’s Laborem Exercens (John W. Houck & Oliver F. Williams eds., 1983); George G. Higgins, Organized Labor and the Church: Reflections of a ‘Labor Priest’ (1993); Pope John Paul II, Laborem Exercens (1981); Pope Leo XIII, Rerum Novarum, in Proclaiming Justice & Peace 15 (Michael Walsh & Brian Davies eds., 1991); Pope Pius XI, Quadragesimo Anno, in Proclaiming Justice & Peace 41 (Michael Walsh & Brian Davies eds., 1991). Catholic social teaching is an evolving body of ecclesiastical documents and a rich tradition of particular, heterogeneous applications. In 1891, Pope Leo XIII commended workers’ associations. See Pope Leo XIII, supra. Forty years later, Pope Pius XI recommended associations of workers, managers, and owners, which via the corporatism of national councils, would direct national economies. See Pope Pius XI, supra. Critics of this corporatism regard it as ultra-conservative. Pope John Paul II was a powerful champion of the Solidarity movement, a labor union political initiative which brought down the Communist government of Poland. See Pope John Paul II, supra.\textsuperscript{491}}

The Canadian and United States Bishops also have been eloquent spokespersons for the rights of workers. Perhaps the most influential early work on Catholic social teaching on labor in the United States was that of Monsignor John A. Ryan, one of Father Higgins’ intellectual mentors at the Catholic University of America. See John A. Ryan, A Living Wage (1906); John A. Ryan, Distributive Justice: The Right and Wrong of Our Present Distribution of Wealth (1916) (discussing the moral aspects of the distribution of wealth).\textsuperscript{491}

The Catholic Worker does not believe that unions, as they exist today in the United States, are an ideal solution for the social problem, or for any part of it.

We do believe that they are the only efficient weapon which workers have to defend their rights as individuals and Christians against a system which makes the Christ-life practically impossible for large numbers of workers. We believe that Catholic workers must use unions in their efforts to heed the exhortations of the Popes to “de-proletarianize” the workers. (For we too are working toward a classless society, one in which all may become owners, instead of none as the Marxian would have it, or only the ruthless few as capitalism decrees.)

In this measure unions are a form of propaganda for more constructive measures toward a truly Catholic social order. As Pius XI has said in speaking of the work of Catholic unions and of Catholics in unions: “Thus they prepare the way for a Christian renewal of the whole social life.”

Unions must be autonomous and independent, with each individual constituent member contributing to the collective common good. In language eerily prescient of the contemporary debate regarding whether to repeal section 8(a)(2) of the National Labor Relations Act, Dorothy stated:

It seems obvious that a union instigated and controlled by the company, whose officers are paid for their “union work” by the company, is not likely to meet with success in gaining these benefits for the workers. . . .

It should be obvious, too, that a union cannot function effectively in an “open shop”—a plant where the union represents only some of the men, and where the company is at liberty to hire non-union men. Such a condition means that the presence of men who will have no protection in the event of wage-cutting or any form of exploitation will act as an obstacle to union efforts and will tend to lower the general wage level.

She particularly emphasized the critical importance of a collective consciousness:

495. See id. at 7.
496. 29 U.S.C § 158(a)(2) (1994).
497. DAY, supra note 494, at 7.
There must... be a sacrifice of individual freedom for the common good. We regret that, in the present instance of the Borden [milk company strike] dispute, we have found some Catholics both too short sighted to see the advantages of organization to the workers as a whole, and unwilling to make the sacrifices or take the risks involved in fulfilling their duty of charity.

We believe it is the duty of every Catholic worker to inform himself of the Church's teaching on labor, and to strive for the common good of himself and his fellow workers by applying them to labor situations in which he may be involved.

...We believe that strikes are a grave danger to the common good, and that we as Catholics have a duty to use every means in our power to prevent them.498

The Catholic Worker always focused on the international human rights dimension of unionization. In a September, 1937, page one article, the Catholic Worker emphasized:

The Catholic Worker is a workingman's paper which is published to bring Catholic social principles to the workers in industry, to men and women and young people in mills, in factories, in mines and lumber camps, on ships that sail all over the world, and on docks where men unload those ships. The Catholic Worker is not a local paper. It doesn't just go to the workers in New York, where it is published, but goes all over the United States and Canada and even all over the world.

....

Our paper is addressed especially to Catholics, because we are Catholics, and because a great number of the workers of this country, those who have come from the other side as well as those whose families have been here for generations, are Catholics. We are all Catholics first of all, whether we are French or Irish, Lithuanian or Italian. Nationalities make no difference. Catholic principles remain the same. And the Church has a great deal to say about these principles in regard to the rights and duties of labor.

Your right and your duty to organize, to join a union, is an elementary right, a natural right, but it is also a duty. As long ago as 1891 Pope Leo XIII wrote a great letter to labor in which he told the workers of the world that the only way to better their position was to organize into unions so that they could achieve better wages and hours.

Dorothy Day's Lessons of labor, better working conditions, and the right to be recognized as men, creatures of body and soul, temples of the Holy Ghost.

Pope Pius XI followed that great letter on labor by another one in 1931 when he repeated all Leo XIII had said and pointed out again in even stronger terms the duty as well as the right of labor to organize. He wanted the workers to have such good salaries that they could save enough to buy homes, to educate their children, and to put by for their old age. He wanted them to have enough even so that they could buy a share in industry, so that they could become part owners and share in the responsibilities of industry. 499

The Catholic Worker emphasized the imperative of collective action, not for its own sake, but for the ultimate enhancement of human dignity.

We all know that by himself, the worker can do very little. He has to join into association with his fellows in order to have the strength to meet with his employer and to bargain collectively.

As Catholics we do not like especially that word “bargain.” It assumes that labor is a community [sic] to be sold by the worker at the highest possible price, and to be bought by the employer at the lowest possible price. It degrades labor and takes away from it the dignity it has as a vocation as well as a task by which we earn our daily bread.

We would rather say that labor must organize so that they will have the strength to make their voice heard, not only by the employer but by the public. So that they can bring pressure to bear, if needs be on the employer, to force him by this moral pressure to give better conditions to the workers.

Without this combined strength the worker can get nowhere. He must join with others to form a union to better his condition. 500

Thus, the labor union is more than a means of organizing the workplace and benefitting those who return to the job site each day; it has the additional imperative of seeking broader social justice. 501 Day elaborated on this point:

[I]f you have a strong union and good conditions in one town, you would have to help another town achieve those same conditions, by both moral and physical support. And only a national organization can do this.

500. *Id.*
501. *See id.*
As Catholics you certainly ought to realize the necessity to work as a body. You are all members of the Mystical Body of Christ and St. Paul's saying was that when one member suffers, the health of the whole body is lowered. If some of you, in other words, are satisfied with your wages and hours, you have no right to sit back and be comfortable while great masses of workers are suffering under deplorable conditions—poor wages that are not sufficient to maintain a family and keep them in decent health, let alone afford them education and other needs. As long as the great mass of workers have to live in unsanitary, unheated tenements, no one has a right to his comfort while his brother is in misery.502

Throughout, the Catholic Worker continually emphasized the example of Christ as worker and his solidarity with, and position as liaison to, the poor.503

502. Id. at 2.
503. See id. Solidarity with, liaisons to, and preferential options for the poor have long been essential elements of Catholic social teaching. Jesus Christ is the source of these teachings, through His life and many parables on themes of wealth and poverty, for example: the Sermon on the Mount, "Blessed are the poor in spirit, for theirs is the kingdom of heaven" Matthew 5:3 (Revised Standard); the blessed widow giving her last coins to the Temple:

And [Jesus] sat down opposite the treasury, and watched the multitude putting money into the treasury. Many rich people put in large sums. And a poor widow came, and put in two copper coins, which make a penny. And he called his disciples to him, and said to them, "Truly, I say to you, this poor widow has put in more than all those who are contributing to the treasury. For they all contributed out of their abundance; but she out of her poverty has put in everything she had, her whole living."

Mark 12:41-44 (Revised Standard); see also Matthew 21:12 (Revised Standard) (driving the money-changers from the Temple); Matthew 19:24 (Revised Standard) ("[I]t is easier for a camel to go through the eye of a needle, than for a rich man to enter the kingdom of God.").

In the social justice encyclicals of the modern Papacy, the fetishisms and pathologies of gross materialism are uniformly and severely criticized, and solidarity with the poor is powerfully urged. Pope John Paul II's consistent exhortations against materialism and for the poor are grounded in the first great social encyclical of Pope Leo XIII in 1891, Rerum Novarum, who wrote, "the poor and unfortunate seem to be especially favored by God." Pope Leo XIII, Rerum Novarum, in PROCLAIMING JUSTICE & PEACE 16 (Michael Walsh & Brian Davies eds., 1991). The 1971 Synod of Bishops echoed this theme in their document, Justice In The World: "Action on behalf of justice and participation in the transformation of the world fully appear to us as a constitutive dimension of preaching the Gospel." Id. at 270. A theme repeatedly articulated and affirmed by the Catholic Bishops of the United States in 1986 in their pastoral letter, ECONOMIC JUSTICE FOR ALL. See NATIONAL CONFERENCE OF CATHOLIC BISHOPS, ECONOMIC JUSTICE FOR ALL: PASTORAL LETTER ON CATHOLIC SOCIAL TEACHING AND THE U.S. ECONOMY (1986). Pope John Paul II powerfully continues to articulate these themes in his social encyclicals, LABOREM EXERCENS (1981) and CENTESIMUS ANNUS (1991). I examine these themes in an earlier law review article. See David L. Gregory, Catholic Labor Theory and the Transformation of Work, 45 WASH. & LEE L. REV. 119 (1988). In addition to Papal encyclicals and Bishops' Pastoral Letters, there is a huge body of supporting commentary and analysis of these social justice themes of poverty. See, e.g., JEAN-YVES CALVEZ & JACQUES FERRIN, THE CHURCH AND SOCIAL JUSTICE: THE SOCIAL TEACHINGS OF THE
Christ was a worker Himself, and He set an example to us all. He was a worker and He loved the workers. The last words He said to His disciples, the last commandment He gave them, which comprised all the rest, was that we were to love one another. We cannot, in other words, love God unless we love our neighbor. And if we love our neighbor, we have to show our love by trying to help him. Of ourselves we can do nothing. We must band together, and with God's help, fight for better conditions for the workers throughout the country, not only in one town. If we are not working together, we are denying Christ and His poor. And He said, "inasmuch as you have not done it unto the least of these my brethren, you have not done it unto me." He was talking then of ministering to others, and seeing to it that they have food and drink, and visitors when they were in prison or sick in the hospital. An association of workers can do these things for each other.504

Perhaps Dorothy Day’s greatest synthesis of her labor theory was set forth in the June 1939 issue of the Catholic Worker, in an essay entitled The Catholic Worker and Labor. The emphasis throughout was on the example of Christ, and the teaching of the Church through the great social and labor encyclicals of 1891 and 1931.

[W]e are not only urging the necessity for organization to all workers . . . but [are] also stressing over and over again the dignity of labor, the dignity of the person—a creature composed of body and soul made in the image and likeness of God, and a Temple of the Holy Ghost. It is on these grounds that we fight the speed-up system in the factory, it is on these grounds that we work toward de-proletarianizing the worker, working toward a share in the ownership and responsibility.

. . . .

We pointed out again and again that the issue is not just one of wages and hours, but of ownership and of the dignity of man. It is not State ownership toward which we are working, although we believe that

504. Join the Union! Natural and Supernatural Duty, supra note 499, at 2.
some industries should be run by the government for the common
good, it is a more widespread ownership through cooperative owner-
ship.\textsuperscript{505}

The immediate post-World War II era saw an increasing sophistica-
tion and awareness of the corroding effects of industrial production on
the human psyche. These trends became increasingly evident to the
\textit{Catholic Worker} as did the themes which drove them. However, no
attempt to commercialize the newspaper was made. The \textit{Catholic Worker}
continued to be sold for a penny and Dorothy Day's theory of labor
never became idealized or romanticized beyond the hard lessons of the
Christian gospel. In fact, Day took great pains to expose the false
romanticism that upper middle class, distanced intellectuals often attached
to organized labor.

I wish to fling down the challenge at once, that what is the great
disaster is that priests and laity alike have lost the concept of work,
they have lost a philosophy of labor, as Peter Maurin has always said.
They have lost the concept of work, and those who do not know what
work in the factory is, have romanticized both it and the workers
... \textsuperscript{506}

Mass production de-emphasized the role of the individual, and compelled
one to submit oneself to a dehumanizing work process of "work without
end," which chains workers to machines and especially to the authority
of those who own and control them—capital and its managerial
retainers."\textsuperscript{507} This was the reality of the industrial assembly line era and
the newspaper worked to warn its readers against the growing false
consciousness:

In the great clean shining factories, with good lights and air and the
most sanitary conditions, an eight-hour day, five-day week, with the
worker chained to the belt, to the machine, there is no opportunity for
sinning as the outsider thinks of sin. No, it is far more subtle than that,
it is submitting oneself to a process which degrades, dehumanizes. To
be an efficient factory worker, one must become \textit{a hand}, and the more
efficient one is, the less one thinks. Take typewriting, for instance, as
an example ... or driving a car, or a sewing machine. These machines

\textsuperscript{505} \textit{The Catholic Worker and Labor}, \textsc{CATH. WORKER}, June 1939, at 1.
\textsuperscript{506} Dorothy Day, \textit{The Church And Work}, \textsc{CATH. WORKER}, Sept. 1946, at 1.
\textsuperscript{507} STANLEY ARONOWITZ \& WILLIAM DIFAZIO, \textsc{THE JOBLESS FUTURE: SCI-TECH AND THE
DOGMA OF WORK} 357 (1994).
Dorothy Day's Lessons may be considered good tools, an extension of the hand of man. We are not chained to them as to a belt, but even so, we all know that as soon as one starts to think of what one is doing, we slip and make mistakes. One IS NOT SUPPOSED TO THINK. TO THINK is dangerous at a machine. One is liable to lose a finger or a hand, and then go on the scrap heap and spend the rest of one's life fighting for compensation for one's own carelessness, as the factory owners say, for not using the safety devices invented and so plentiful . . . .

AND HERE IS THE DANGEROUS PART, it is not so much the loss of the hand or the arm, but the loss of one's soul. When one gives one's self up to one's work, when one ceases to think and becomes a machine himself, the devil enters in. We cannot lose ourselves in our work without grave danger.508

Dorothy Day shattered romanticism; she urged reality, and professed that, in reforming reality, ideals can be envisioned and perhaps might even be achieved:509

I accuse the leaders, the teachers, the intellectuals, the clergy, of having a romantic attitude towards the workers. They write with fervor and glowing words—they dramatize the struggle, they are walking on picket lines, they love the man in the dungarees and the blue or plaid shirt, they write glowingly of his calloused hands—they take these leaves from the communist notebook—they are glorifying the proletariat, the dispossessed, the propertyless, the homeless, and the workers can hang a holy medal on their machine, or over their bunk in the fo'castle and pray as they begin and finish their work and go home to their two-room or three-room apartment and surrounded by children and an exhausted wife, sanctify their surroundings—or forget them in the nearest tavern with polluted beer, adulterated wine or hard liquor.

. . . .

In 1939, in an address to the International Congress of Catholic Women's League, the Holy Father said: "In this age of mechanization the human person becomes merely a more perfect tool in industrial production and how sad it is to say it, a perfected tool for mechanized warfare. And at the same time material and ready-made amusement is the only thing which stirs and sets the limits to the aspirations of the masses . . . . In this disintegration of human personality efforts are being made to restore unity. But the plans proposed are vitiated from the start because they set out from the self same principle as the evil

509. See Day, supra note 506, at 1.
they intend to cure. The wounds and bruises of individualistic and materialistic mankind cannot be healed by a system which is materialistic in its own principles and mechanistic in the application of its principles . . ..

Day quoted letters to the Catholic Worker written by Eric Gill in 1940 in which he decried the use and abuse of mechanization.

"I should like to say simply that fundamentally the problem of the machine is one which should be dealt with by those who actually use machines. . . . In a broad way it may be said that the first thing to be done (first in the sense of most important) is for the workers to recapture control of industry."

This, of course, is the communist idea but, unfortunately, the communists couple this [their] very crude materialist philosophy and their equally crude idolatry of the machine.

The worker is a man and not simply a "hand." Work done by a man is human work to be valued and thought of as such and not merely as a "cost in the account books."

"To labor is to pray[ ]—that is the central point of the Christian doctrine of work. . . . Communism and Christianity are moved by "compassion for the multitude," the object of communism is to make the poor richer but the object of Christianity is to make the rich poor and the poor holy.

"This supernaturalized ideal of labor must needs be accompanied by a supernaturalized ETHIC of labor, by a proper morality in working conditions. Such influences as self interest, hatred and violence have no place in it. Catholic teaching on this point is in direct opposition to that of the atheist, the agnostic, and the materialist, and it is these who have the ear of the laboring classes in the matter of work."

Dorothy was not nearsighted by any means and saw her lessons as enduring ones. In an analysis eerily prescient of the high technology computer age, Dorothy Day concludes her September 1946 article on labor by stating:

511. See Day, supra note 506, at 1.
Cities have fallen in the past and they will fall again. Perhaps that will be the judgment of God on the machine which has turned man into a hand, a part of a machine. He who lives by the sword will fall by the sword and he who lives by the machine will fall by the machine.513

These continuing themes powerfully resonate in the express mission of the Catholic Worker, as set forth in the annual mission statement in each May issue of the Catholic Worker:

In labor, human need is no longer the reason for human work. Instead, the unbridled expansion of technology, necessary to capitalism and viewed as “progress,” holds sway. Jobs are concentrated in productivity and administration for a “high-tech,” war-related, consumer society of disposable goods, so that laborers are trapped in work that does not contribute to human welfare. Furthermore, as jobs become more specialized, many people are excluded from meaningful work or are alienated from the products of their labor.514

V. THE TRANSFORMATION OF WORK

Although it has experienced several severe cyclical recessions since the end of the Second World War,515 by 1996 the economy of the United States was achieving marked increases in productivity through

515. See Samuel M. Ehrenhalt, Economic and Demographic Change: The Case of New York City, MONTHLY LAB. REV. 40, 41 (Feb. 1993). Recessions occurred in the following post-war periods: 1973-1975, 1980-1982, and 1990-1991. See id. Approximately 1.5 million jobs were lost during the 1990-1991 recession, with one million of the of the jobs from the manufacturing and construction sectors. See Christopher J. Singleton, Industry Employment and the 1990-1991 Recession, MONTHLY LAB. REV. 15 (July 1993). The losses were especially severe in New York City. See Kirk Johnson, Evolution of the Workplace Alters Office Relationships, N.Y. TIMES, Oct. 5, 1994, at B1. In New York City, there was a 10 percent loss of total employment, with disappearance of 350,000 jobs during the 1990-1991 recession. See Ehrenhalt, supra, at 42. Job losses in manufacturing were 20 percent, and in finance, insurance, and real estate, 14 percent, in wholesale and retail trade, 28 percent, of the total job losses during this most recent recession. See Ehrenhalt, supra, at 42. In the first half of 1996, “270,513 layoffs were announced...28% higher than the same period [in 1995].” Beth Belton, Workers Situation Seems to Be Improving, USA TODAY, Sept. 9, 1996, at 5B. The current trend shows an increase in the number of jobs being created in some parts of the country. See Robert D. Hershey, Jr., Labor Market Tightens but Pay Gains Stay Slim: Concerns Persist About Wage Inflation, N.Y. TIMES, Sept. 5, 1996, at D1. These replacement jobs are mostly in the service sector and are accompanied by lower wages. See Sara Rimer, The Fraying of Community, in THE NEW YORK TIMES, THE DOWNSIZING OF AMERICA 111, 114 (1996).
computer-mediated technologies. As a result, many corporations experienced surging profitability. Ominously and unfortunately, however, “the average productivity of American workers increased by more than 30 percent between 1977 and 1992, while the average real wage fell by 13 percent.” The purportedly vibrant economy of the mid-1990s, thus, is not witnessing corresponding increases in meaningful employment and wages. Ironically, workers in the

516. See Bad News for Workers, N.Y. TIMES, June 24, 1995, at A18 (“The economy has grown steadily for four years. Productivity—output per hour of work—shot up by 2 percent last year by a gaudy 2.7 percent annual rate at the beginning of this year.”); Bloomberg Business News, Worker Productivity Up, Costs Down, U.S. Reports, N.Y. TIMES, Aug. 9, 1995, at D4. (“Growth in worker productivity accelerated during the second quarter as more goods were produced with fewer workers. . . . ‘Computers have replaced people in a lot of jobs. . . . [P]lus people who have jobs are working harder.’”). Although the number of jobs are increasing and workers are working harder their salaries have stagnated. This is attributed to the intense competition from foreign and domestic business. See Robert D. Hershey, Jr., Labor Market Tightens but Pay Gains Stay Slim, Concerns Persist About Wage Inflation, N.Y. TIMES, Sept. 5, 1996, at D1.

517. See David E. Sanger & Steve Lohr, Searching for Answers, in THE NEW YORK TIMES, THE DOWNSIZING OF AMERICA 195, 200 (1996) (reporting that the downsizing of companies creates an increase in the value of their stock. “Three years after they cut their payrolls sharply, the downsized companies had averaged a gain of 4 percent in the value of their shares.”). Meanwhile, along with corporate profitability, wealth is perhaps more stratified and concentrated in fewer hands today, than at any other period in our modern history. See Andrew Hacker, Who They Are, N.Y. TIMES, Nov. 19, 1995, (Magazine) at 71 (“[T]otal household wealth, as distinguished from income, has become even more unevenly distributed. In 1970, the top 1 percent of households owned about 20 percent; in 1989, the top 1 percent held about 36 percent.”). By the early 1990s, the top 1 percent of the population held 40 percent of the nation’s wealth. See Lester Thurow, Why Their World Might Crumble, N.Y. TIMES, Nov. 19, 1995, (Magazine) at 78 (“By the early 1990’s the share of wealth (more than 40 percent) held by the top 1 percent of the population was essentially double what it had been in the mid-1970’s and back to where it was in the late 1920’s, before the introduction of progressive taxation.”); see also John Cassidy, Who Killed The Middle Class?, NEW YORKER, Oct. 16, 1995, at 113; Bob Herbert, The Issue Is Jobs, N.Y. TIMES, May 6, 1995, at A19 (“The top 20 percent of American households have more than 80 percent of the nation’s wealth.”); Steven Greenhouse, Labor Chief Asks Business For A New Social Compact, N.Y. TIMES, Dec. 7, 1995, at A20 (“[A]ll of the income growth in our country has gone to the top 40% of households, and nearly all of that, went to the top 20%.”).

Between 1980 and 1989, income in the top 1 percent of American families grew by 62.9 percent—amounting to 53.2 percent of all families’ income growth in those years—while income in the bottom 60 percent of all families declined. By the end of the decade, the total income of the top 1 percent equaled the total income of the bottom 40 percent.


The widening gap between rich and poor is an international trend. See Barbara Crossette, U.N. Survey Finds World Rich Poor Gap Widening, N.Y. TIMES, July 15, 1996, at A3 (“We still have more than half the people on the planet with incomes of less than $2 a day- more than 3 billion people.”).

While official unemployment is very low, approximately half of the new jobs created since 1980 are "contingent," meaning temporary.

Long working hours are associated with stress and workplace injuries. The International Labor Office estimated that job stress currently costs the United States $200 billion a year and that stress is "one of the most serious health issues of the twentieth century." Automobile factories in the U.S. which have very high overtime hours, experienced a 460% rise in injuries between 1985 and 1991. The rise in worktime has also led to a pervasive conflict between work and family.


See Mark H. Grunewald, The Regulatory Future of Contingent Employment: An Introduction, 52 WASH. & LEE L. REV. 725 (1995) ("[Contingent employment] is generally understood to include part-time, temporary, seasonal, casual, contract, on-call, and leased employees."); see also Rising Use of Part-Time and Temporary Workers: Who Benefits and Who Loses? Hearing Before the Employment and Housing Subcomm. of the Comm. on Gov't Operations, 100th Cong. 35 (1988); COMMISSION ON THE FUTURE OF WORKER-MANAGEMENT RELATIONS, U.S. DEPT'S OF LABOR AND COMMERCE, REPORT AND RECOMMENDATIONS 35-36 (1994) (reporting that many temporary and/or part-time workers are involuntarily underemployed, and that in 1992, 6.5 million of 20.6 million part-time workers were involuntarily relegated to part-time work) [hereinafter COMMISSION]; WILLIAM BRIDGES, JOBSHIFT: How To Prosper in a Workplace Without Jobs 5 (1994) (explaining that Toyota Motor Corporation recently created a new employment category, comprised entirely of temporary professional workers on one year contracts, with compensation determined somehow by their individual contributions, rather than via standard salaries); BARRY BLUESTONE & BENNETT HARRISON, THE DEINDUSTRIALIZATION OF AMERICA: PLANT CLOSINGS, COMMUNITY ABANDONMENT AND THE DISMANTLING OF BASIC INDUSTRY (1982) (determining that the trend toward a contingent workforce has been underway for more than a decade); H. Lane Dennard, Jr., & Herbert R. Northrup, Leased Employment: Character, Numbers, and Labor Law Problems, 28 GA. L. REV. 683, 695 (1994) (reporting that the hard, available data on the precise dimensions of the contingent work force is elusive; it is certainly evolving rapidly); David L. Gregory, Company Closings and Community Consequences, 72 U. DET. MERCY L. REV. 1 (1994); Lesley Alderman, Your Worklife: Your Smartest Moves on the Job, MONEY MAG., July 1995, at 37 ("Since 1991, a staggering one out of every seven of the 7.5 million jobs created in the country has been a temporary position."); William Bridges, The End of the Job, FORTUNE, Sept. 19, 1994, at 62.
without medical insurance or pension plans, and tied to stagnant wage levels.\textsuperscript{521} “During the 1980s, temp work grew ten times faster than

(analyzing the disappearance of the job in the modern work force); Barnaby J. Feder, \textit{Bigger Roles for Suppliers of Temporary Workers}, N.Y. TIMES, Apr. 1, 1995, at 37 (“The number of temps supplied by agencies to American companies soared from 500,000 in 1983 to nearly 2 million, or 1.5 percent of the work force, last year.”); Laura McClure, \textit{Working the Risk Shift}, PROGRESSIVE, Feb. 1994, at 23 (reporting that Manpower, Inc., an employee temporary placement service, is now a larger job source than the General Motors Corporation); John Templeman, \textit{A Continent Swarming with Temps}, BUS. WK., Apr. 1996, at 54 (determining that the movement toward a contingent workforce is an international problem).

\textsuperscript{[C]ontingent arrangements may be introduced simply to reduce the amount of compensation paid by the firm for the same amount and value of work, which raises some serious social questions. This is particularly true because contingent workers are drawn disproportionately from the most vulnerable sectors of the workforce. They often receive less pay and benefits than traditional full-time or “permanent” workers, and they are less likely to benefit from the protections of labor and employment laws. A large percentage of workers who hold part-time or temporary positions do so involuntarily.

COMMISSION, \textit{supra}, at 35.

Six million Americans hold jobs they do not consider permanent, far fewer than experts expected, the first Government survey of its kind has found.

\textsuperscript{\ldots .\ldots \ldots \ldots \ldots}

Some estimates have placed the share of contingent workers, who are not necessarily part-time employees, as high as 35 percent instead of the 4.9 percent found by the Bureau of Labor Statistics. \textit{Time Magazine}, for example, estimated in a prominent 1993 article entitled “The Temping of America” that contingent workers would make up half of the labor force by the year 2000.


Of 124 million people who were working in May, 8 million—2.2 million more than a decade ago—moonlighted, or held two or more jobs simultaneously. Of 22 million part-timers, 4.5 million wanted full time work and could not get it. The number of temporary workers has tripled in a decade to 2.1 million in May. And the average hourly wage, in terms of what people can buy with it, has been falling since 1973.


America has entered the age of the contingent or temporary worker, of the consultant and subcontractor, of the just-in-time work force-fluid, flexible, disposable. This is the future. \ldots \ldots \ldots \ldots \ldots For good \ldots \ldots and ill, \ldots \ldots the workers of the future will constantly have to sell their skills, invent new relationships with employers who must, themselves, change and adopt constantly in order to survive in a ruthless global market.


The expanding economy that has propelled stock prices to record levels has not spilled over to the paychecks of American workers, whose earnings rose by 2.7 percent in the last 12 months, the smallest amount on record, the Labor Department reported \ldots \ldots \ldots \ldots \ldots

Since the mid-1980s, the incomes of middle-class households have stagnated. \ldots \ldots

\textsuperscript{[E]ven in a year with a solidly expanding economy, a roaring stock market and strong

http://scholarlycommons.law.hofstra.edu/hlelj/vol14/iss1/2
overall employment; as a result, Manpower Inc., a temporary employment agency with over 500,000 workers, has replaced General Motors as the largest private employer in the United States. Contingent workers may constitute one-half of the work force by the year 2000. While twenty six million jobs were created in the United States between the years 1973-1986, for example, the super-majority of them were low-pay and low-skill positions. Meanwhile, three million workers have been laid off permanently since 1989, 55,000 of them occurring in December, 1995 alone. Highly profitable corporations continue to “downsize,” ruthlessly terminating entire echelons of workers, including senior managers, far beyond the usual target of blue collar, semi-skilled workers. In 1994, corporate profits, many American workers cannot find perceptible improvements in their earnings.

_{Id.; see Keith Bradsher, Americans’ Real Wages Fell 2.3% in 12-month Period, N.Y. TIMES, June 23, 1995, at D4 (“Wages plunged 2.3% after adjusting for inflation during the 12 months through March. The drop, while not the first, is the largest in the eight years that the Labor Department has calculated these figures.”); see also Keith Bradsher, Productivity Is All, but It Doesn’t Pay Well, N.Y. TIMES, June 23, 1995, at B4 (reporting that compensation stagnated, as productivity and profits increased); Nancy Gibbs, Working Hard, Getting Nowhere, TIME, July 3, 1995, at 16 (“Despite the exuberant stock market and mild inflation, real wages keep on falling.”); Steven Rattner, Leaky Boats on the Rising Tide, N.Y. TIMES, Aug. 29, 1995, at A19 (“Since 1973, annual earnings of the bottom 10 percent of workers have dropped by 24 percent (after adjustment for inflation), while those of the top 20 percent have increased by 10 percent. As a result, the United States—the great egalitarian society—has the widest income disparity of any modern democratic nation.”).} United States Secretary of Labor Robert Reich poignantly describes the “anxious class, consisting of million[s] of Americans who no longer can count on having their jobs next year, or next month, and whose wages have stagnated or lost ground to inflation.” Louis Uchitelle, The Rise of the Losing Class, N.Y. TIMES, Nov. 20, 1994, at D1; see Bob Herbert, Strength in Numbers, N.Y. TIMES, Nov. 3, 1995, at A29 (“[United States] Secretary of Labor Robert Reich said ‘It’s something wrong with rising profits, rising productivity and a soaring stock market, but employee compensation heading nowhere.’”).

Most recently, an actual shortage of workers has not seen increases in wages. This is attributed to the strong competition created by foreign businesses. See Robert D. Hershey, Labor Market Tightens but Pay Gains Stay Slim, Concerns Persist About Wage Inflation, N.Y. TIMES, Sept. 5, 1996, at D1.


523. _See id. at 732._


525. _See Bob Herbert, Firing Their Customers, N.Y. TIMES, Dec. 29, 1995, at A35. “The number of announced layoffs since 1989 will reach three million by New Year’s Eve, according to the outplacement firm, Challenger, Gray & Christmas.” Id._

526. _See Sunday Morning (CBS television broadcast, Jan. 14, 1996)._
two-thirds of the more than 450,000 persons laid off were college-educated, salaried workers. Likewise, most of the 40,000 employees

indepth look at corporate layoffs); Sixty Minutes: White Collar Blues (CBS television broadcast, Jan. 7, 1996).

The hope that higher growth will lift compensation may be of scant comfort to workers worried about keeping their jobs. Even as economic growth remains steady, companies continue to announce plans to shed jobs, the latest being an announcement today that W.R. Grace & Company would cut 800 jobs by the end of next year.

The job insecurity bred by such cut backs was cited this month by Alan Greenspan, the chairman of the Federal Reserve, as a major factor in the slowdown in labor compensation. That fear has doubtless played a significant role in the slowdown in the growth of labor compensation as workers have in effect sought to preserve their jobs by accepting lesser increases in wages ....

Robert D. Hershey, Jr., U.S. Wages Up 2.7% in Latest Year A Record Low, N.Y. TIMES, Nov. 1, 1995, at A1; see Kenneth N. Gilpin, Lockheed to Eliminate 12,000 Jobs, N.Y. TIMES, June 27, 1995, at D1 ("The Lockheed Martin Corporation announced a sweeping consolidation plan yesterday that would close plants and field offices, eliminate 12,000 jobs and ultimately save the company $1.8 billion a year"); see also G. Pascal Zachary, Sharp Decline in Job Stability is Found in New Study, Contradicting Prior Data, WALL ST. J., June 6, 1995, at A3.

Downsizing as a cost-cutting tool has tremendous momentum now. By one estimate, the number of corporate jobs cut in the first quarter of 1994 averaged 3,106 a day, up 13 percent from the similar 1993 quarter. In the first half of 1994, Nynex, GTE, Pacific Bell and AT&T alone announced a total of more than 59,000 job cuts. By yearend, American Express had cut 5,000 jobs; Eastman Kodak, 10,000; Hughes Aircraft, 4,400; Kidder Peabody, 750; Kmart, nearly 7,000; Northrop Grumman, 3,750, and Roche Holdings, 5,000.

James Drury, Tomorrow's Leaders Sideline, N.Y. TIMES, May 14, 1995, at F13; see Matt Murray, Thanks, Goodbye: Amid Record Profits, Companies Continue to Lay Off Employees, WALL ST. J., May 4, 1995, at A1 ("Corporate profits rose 11% in 1994, after a 13% rise in 1993 .... Meanwhile, corporate America cut 516,069 jobs in 1994 .... That is far more than in the recession year of 1990, when 316,047 jobs were eliminated, and close to the 1991 total of 555,292 jobs.").

[A]s downsizing threatens middle level managers and white collar workers, many "comfortable" job holders live under a "sword of Damocles." In 1994, according to Alan Blinder, downsizing (the other side of the productivity coin) has proceeded at the rate of 240,000 jobs a quarter — almost a million a year. New labor displacing technologies tick away like a time bomb.


scheduled for termination by AT&T in 1996 are white collar workers. The organized labor movement, in deep retrenchment since the inception of the Reagan administration in 1981, and now only representing little more than ten percent of the private sector workforce, seeks to consolidate its remaining strength through union mergers.

Capital continues to mutate in unprecedented ways that even the most sophisticated capitalists cannot fully comprehend and certainly cannot control. George Soros can make, and lose, hundreds of millions—even billions—of dollars, in one day of international currency


530. Newsweek reports:

Union membership as a percentage of the work force is at the lowest level since the Wagner Act was passed in 1935. (In the six years after that, union membership tripled.) Union membership was 33.2 percent of the workforce in 1955. Today it is 15.5 percent. In the private sector it is 10.9 percent. Since 1979 the United Auto Workers membership has shrunk from 1.5 million to 800,000, the United Steelworkers from 380,000 to 140,000.

Only 3 million of the 70 million jobs added to the economy since 1950 have been manufacturing jobs.

George F. Will, *Arise, Ye Prisoners...* NEWSWEEK, Nov. 27, 1995, at 98. As Thomas Geoghegan observed, there are consequently about as many strikes each year as there are major prison riots. See David L. Gregory, *Working for a Living*, 58 BROOK. L. REV. 1355, 1363-64 (1993) (reviewing THOMAS GEOGHEGAN, WHICH SIDE ARE YOU ON? TRYING TO BE FOR LABOR WHEN IT'S FLAT ON ITS BACK (1991) and BEN HAMPER, RIVETHEAD: TALES FROM THE ASSEMBLY LINE (1991)).


In May, 1995, the United Rubber Workers Union ignominiously declared an unsuccessful end to a ten month strike by 2,300 members against five plants owned by Bridgestone - Firestone, where they have been without a contract since April 23, 1994. See *Bridgestone - Firestone Strike Is Called Off*, N.Y. TIMES, May 24, 1995, at A17.

Nevertheless, many more workers still wish to join labor unions today, far beyond the numbers of workers who are currently unionized. According to a 1984 survey, a substantial minority of employees, several times the current level of union membership, want to join unions. See WORKING UNDER DIFFERENT RULES 210 (Richard B. Freedman ed., 1994). There are new initiatives to achieve worker coalitions that bridge the traditional divide between the unionized and non-unionized. One such initiative is Working Today, 25 West 43rd Street, New York City, led by Sara Horowitz, an attorney and graduate of the Kennedy School at Harvard. See Bob Herbert, *Strength In Numbers*, N.Y. TIMES, Nov. 3, 1995, at A29.
market manipulations. Through computer-pervasive technology, massive but ephemeral pools of capital can be dramatically transferred, concentrated, or perhaps most alarmingly, seemingly evaporate, with near-instantaneous speed. President Clinton, frustrated and enraged, confronts the reality that the domestic economic politics of the contemporary nation-states are governed primarily by the whimsy of the international bond markets.

Most apocalyptically, through the influence of tremendous productivity increases realized via computer technology, coupled with the relentless capitalist quest for profit maximization, the concept and the reality of meaningful work, as a critical, unifying thread of the social contract, is fraying and unraveling. The dimensions of the problems are thoroughly international, as Jeremy Rifkin expressly situates and describes in the global context of mass unemployment.

Global unemployment has now reached its highest level since the great depression of the 1930s. More than 800 million human beings are now unemployed or underemployed in the world. That figure is likely to rise sharply between now and the turn of the century as millions of new entrants into the workforce find themselves without jobs, many victims of a technology revolution that is fast replacing human beings with machines in virtually every sector and industry of the global economy. After years of wishful forecasts and false starts, the new


A new study on global labor predicts rising unemployment for the rest of this century in most industrialized nations and “endemic” joblessness and “underemployment” in many developing countries.

The ILO, which is issuing its first global job survey, estimates that 30% of the world’s labor force of about 2.5 billion people is either unemployed or underemployed. Id.; see Katherine S. Newman, What Inner - City Jobs For Welfare Moms?, N.Y. TIMES, May 20, 1995, at A23 (“Inner-city fast-food jobs have become the object of fierce competition. The ratio of job applicants to hires is about 14 to 1.”). There is a grimly powerful body of literature devoted to exploring the meaning of the loss of jobs on mass scales. See STANLEY ARONOWITZ & WILLIAM DIFAZIO, THE JOBLESS FUTURE: SCI-TECH AND THE DOGMA OF WORK (1994); RICHARD J. BARNET & JOHN CAVANAGH, GLOBAL DREAMS: IMPERIAL CORPORATIONS AND THE NEW WORLD ORDER (1994); PETER KELVIN & JOANNA E. JARRET, UNEMPLOYMENT: ITS SOCIAL PSYCHOLOGICAL EFFECTS (1985); JEREMY RIFKIN, THE END OF WORK (1995); MARGARET WEIR, POLITICS AND JOBS: THE BOUNDARIES OF EMPLOYMENT POLICY IN THE UNITED STATES (1992).

computer and communications technologies are finally making their long-anticipated impact on the workplace and the economy, throwing the world community into the grip of a third great industrial revolution. Already, millions of workers have been permanently eliminated from the economic process, and whose categories have shrunk, been restructured, or disappeared. 535

These points are also emphasized by Richard Barnet and John Cavanagh in their book, Global Dreams: 536 "[i]n the age of globalization, hundreds of millions of people are waking up to the fact that they are competing for their jobs with people who may live on the other side of the world .... [I]ndustrial restructuring is happening on a global scale—and with accelerating speed." 537 Further corroboration is provided by Stanley Aronowitz and William DiFazio in the Jobless Future, 538 "[t]he tendency of contemporary global economic life is toward the underpaid and unpaid worker... . . . [I]t is clear that jobs are no longer the solution, that we must find another way to ensure a just standard of living for all." 539

In many circumstances, the "workplace" has become an empty place. 540 If there is a physical work place still in literal existence, it is increasingly the home of the telecommuting employee, or the business sites of the customers, clients, and markets of a particular organization. 541

In the modern industrial economy, work has been constructed as a job in a corporate enterprise, consisting of an eight hour day, five day

537. Id. at 283.
539. Id. at xxi.

Increasingly the workplace itself is less one "place." Thus, for example, ten percent of the Chicago area employees of American Telephone and Telegraph now work at locations other than company facilities - many of them at home. Despite concerns about the impact of employee isolation, such "telecommuter" arrangements are on the rise.

Id. at 736.
The concept and reality of work as a job, is rapidly changing. A century ago, the world of work, and of jobs within that world, had barely evolved from the cottage-industry descendants of the medieval guild systems, with the surplus labor pools largely constituted by the desperately indigent, indentured servants, and newly-freed slaves.

Today, the precariously-perched world of work and the political and social premises with which work is inextricably interwoven, are again seismically shifting. The stability of the "eight hour day, five day week" job of the worker in the private industrial, manufacturing, and service sectors is just as rapidly fading from view—as perhaps a brief, exceptional passing moment in a much more grim, Malthusian history. In many western European economies, for example, the intractably high double digit unemployment which has existed for the past two decades has revealed the ugly and alarming reality that, absent thorough social welfare controls, effective unemployment rates could spike much higher. Unemployment in Germany has soared dramatically, reaching almost ten percent by December, 1995. France’s unemployment rate, by the same date, had reached over eleven percent. In November 1995, the greatest percentage of Japan’s population was out of work since the country began reporting unemplo-

543. See KUGELMASS, supra note 540, at 4-6.
548. See Nathaniel C. Nash, Unemployment in Germany Rose to 9.9% in December, N.Y. TIMES, Jan. 10, 1996, at D2; Bill Powell, Germany’s Disease, NEWSWEEK, Apr. 8, 1996, at 44 (“Unemployment in Germany is 11.2 percent.”).
Dorothy Day’s Lessons

ment figures in 1953.550 Within a decade, less than half of the work force in the industrialized world will hold full time, properly paid jobs.551

Organized labor unions in the United States now represent little more than one-tenth of the private sector work force, the lowest level of private sector union density since the enactment of the National Labor Relations Act in 1935.552 Many project that union representation will further erode to seven percent of the private sector work force within the decade.553 The national political legislative regime, currently in the hands of a Republican group whose political agenda is largely inimical to the objectives of organized labor554 could, if it remains in power,
further attack unions. These matters are eerily reminiscent of the circumstances facing labor in the 1920’s, prior to the enactment of the National Labor Relations Act in 1935.

This is a world, at century’s end, which is radically different in many ways from that of the 1930’s - 1960’s period familiar to Dorothy Day. What, therefore, might be the possible relevance of her labor praxis and theory for labor and the transformation of work upon the centennial of her birth?

Workers at all levels of the economy, work hierarchies, and in virtually all organizations, are becoming increasingly fractured, isolated, and atomized by technology. As a result, they face the possibility of being rendered helpless in the face of concentrated, often multinational, corporate employer power. The employment relationship at this century’s end is often as grotesque and pernicious as a meta-adhesion contract as it was prevalent during the earlier era of the blatant, anti-union yellow-dog contract. The positive potential of the workers’ cyberspace computer community has yet to be achieved.\(^5\) It is more imperative than ever

586 (book review). The activist tone of the Gould Board has alarmed many employers. The publication of Gould’s controversial book, AGENDA FOR REFORM (1993), while Mr. Gould was still an active Stanford Law School labor law professor, further exacerbated employer concerns. See Yager, supra, at 586. There is significant bi-partisan, Republican-led support to modify substantially section 8(a)(2) of the NLRA, and to provide for greater workplace participatory worker-management teams. This would legislatively overrule the Electromation decision. 35 F.3d 1148 (7th Cir. 1994) (finding that employer’s “action committees” constituted labor organizations which are in violation of section 8(a)(2)). Section 8(a)(2) of the NLRA provides that it is an unfair labor practice for an employer to dominate the employees’ labor organization. See 29 U.S.C. § 158(a)(2) (1994). For discussion of the merits of the Teamwork for Employers and Managers Act (TEAM) HR 743, #5293, see, William C. Byham, Congress Should Strengthen the Corporate Team, WALL ST. J., Feb. 5, 1996, at A14.

555. Everyone agrees that the influences of computer technology will be profound. However, there is considerable disagreement as to whether computer technology will necessarily be a good means to good ends, or the instrument for engineering Orwellian brave new worlds. See, e.g., NICHOLAS NEGROPONTE, THE ARCHITECTURE MACHINE (1970); see also, e.g., BILL GATES, THE ROAD AHEAD (1995); M. ETHAN KATSH, LAW IN A DIGITAL WORLD (1995); STANLEY KUBRICK, 2001: A SPACE ODYSSEY (1968) (fictionalizing a popular nightmare of technological dominance as demonstrated by Hal the computer, engineering the death of his human managers); NICHOLAS NEGROPONTE, BEING DIGITAL (1995); NEIL POSTMAN, TECHNOPOLY: THE SURRENDER OF CULTURE TO TECHNOLOGY (1992); KIRKPATRICK SALE, REBELS AGAINST THE FUTURE: THE Luddites and Their War on the Industrial Revolution Lessons for the Computer Age (1995); MARK SOUKA, WAR OF THE WORLDS: CYBERSPACE AND THE HIGH-TECH ASSAULT ON REALITY (1995) (arguing that it is increasingly difficult to separate real life from virtual existence, warns of the uglier aspects of seemingly unproblematic progress through computer technology, and urges reaffirmation of human connections to the non-computer-affected world); SHERRY TURKLE, LIFE ON THE SCREEN: IDENTITY IN THE AGE OF THE INTERNET (1995); SHERRY TURKLE, THE SECOND SELF: COMPUTERS AND THE HUMAN SPIRIT (1984). The popular press is also increasingly examining the issues of computer culture. See, e.g., Michael Krantz, The Great Manhattan Geek Rush of 1995, N.Y. MAG.,

http://scholarlycommons.law.hofstra.edu/hlelj/vol14/iss1/2
that human solidarity, established through the strengthening of both human communities and concern and care for others, is fostered, but not supplanted by, technology. The pace of current change is seemingly ever-accelerating, however the answer for the modern world is not that of the nihilistically desperate, machine-smashing Luddites of England in 1811.556 Rather, technology must be adapted to the service of human needs. As Dorothy Day consistently taught, communities—and especially communities of organized workers—are best formed around human beings who empathize and reach out to one another and who possess sufficient structure and materials needed to provide the social minima required to live decent and tolerable lives.557

VI. CONCLUSION

What, therefore, are Dorothy Day’s lessons for the transformation of work? Her life, her work, and her writing certainly are important parts

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556. See SALE, supra note 555, at 3 (recounting the uprising of English artisans, in the late 18th Century, known as the Luddites, who reacted violently to the introduction of new technologies to their trades, believing these technologies threatened their livelihoods).

of labor history. Does her life with workers and with the poor, her many essays on workers’ rights and on the dignity of work, stand only as eloquent, but ultimately irrelevant, witness to twentieth century labor history? On the contrary, study of, and reflection on, Dorothy Day’s life and work is very valuable from the standpoint for the study of labor history alone. History, especially labor history, can teach many lessons with contemporary relevance. I submit that Dorothy Day’s lessons for the future of work both encapsulate and transcend history. The challenge is to translate her personalism and subsidiarity into new forms of political and social organization, focusing on human relationships for the communal good.

Although the domestic and international economies of the Depression, mid-century, and this century’s end are each quite different and distinct from one another, dramatic parallels do exist between them. Economic volatility is as unsettling as ever. Work collapsed during the Great Depression. Work in the late twentieth century, as a defining thread of the social contract, is unravelling. Many domestic and international economies no longer rely on manufacturing or industrial models to provide the sources of wage jobs and growth in the private sector. The workplace has increasingly stratified itself into a camp of highly skilled, knowledgeable workers who are served by the other, a large population of precariously situated and low paid service workers. All are surrounded by vast seas of the underemployed and unemployable. The unemployed and the unemployable possess no viable concept of, nor realistic aspiration to acquire, a dignity providing, meaningful work experience. It is very difficult to speak realistically, or even sanely, of the nobility of work in such dire circumstances.

The effectuation of the National Labor Relations Act, was accomplished in response to express findings that the individual worker, without protection of the right to unionize, was helpless and atomized in the face of the formidable power of major corporate employers. The current situation is no different and, in many quarters, is even more egregiously stratified than in 1935. Today, individual workers are also atomized in the face of the concentrated power of multinational corporations who, unlike their early capitalist predecessors, have the

560. See id. § 151.
ability to execute instantaneous transfers of massive amounts of wealth into the international bond and finance markets through computer technology.

When Dorothy Day was born in 1897, the concept and reality of a job with an eight hour day and a forty hour work week was only an idealized union dream (and an employer’s nightmare). Now, upon the centennial of her birth, the concept of the eight hour day, forty hour work week job, briefly achieved through the efforts of organized labor in mid-century, is rapidly fading away. Most workers are working harder and longer for less money, with disturbing stagnation in wages for the past two decades, and more ominously, with dramatic stratifications of wealth on levels not seen since the days of the robber barons. Currently, the top one percent of the United States population controls forty percent of the national wealth.

Today, in the face of transnational corporate employer power how can an atomized and relatively helpless worker seek meaningful dignity and community in work? Technology may be both opening and closing doors, but it is probably not the primary means to new work communities.

Peter Maurin’s high romance of the beauty of agriculture, of the imperative of physical labor, and of the return to the land, remains utopian. This is not to say that physical work in agricultural environments is not worth consideration. Such an approach is simply not capable of mass realization in urban regions, or, in any other areas dominated by agribusiness. “A return to the land, a living out of Peter Maurin’s vision of decentralism, a re-creation of the medieval village with its self-sustained economy based on craft—these are regularly unrealized dreams of many Catholic Workers.” Agricultural employment, the dominant source of output and work in the pre-industrial age, represents less than three percent of all jobs in the 1990s.

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561. The Robber Barons were corporate buccaneers during the second half of the nineteenth century who were noted for their audacity, lucre, and slaughter within big business. See Allen D. Boyer, Activist Shareholders, Corporate Directors, and Institutional Investment: Some Lessons From the Robber Barons, 50 WASH. & LEE L. REV. 977, 978 (1993).
565. Id. at 249.
The increasing disappearance of the workplace, with increasing numbers of persons working in highly decentralized environments, without central offices, and who telecommute from their homes, seem to make the physical reality of organizing community networks literally impossible. Does the community of the computer offer "frictionless capitalism" or are we in the Darwinian, pioneering environment of the new "Wild West?" In either environment, achieving worker dignity in the new electronic, computerized workplace remains a largely unfulfilled aspiration.

Dorothy Day was an internationalist, like her universal Catholic Church. She was not just another Luddite. She clearly warned against the dehumanizing aspects of technology, which, in her day, was exemplified by the assembly line and the typewriter. As a journalist and a writer, she put the technology of the typewriter and the printing press to very good and valuable use. What, therefore, would Dorothy Day say regarding high technology and computerization in the workplace today? Her healthy apprehensions would no doubt be part of the fabric. She would also see, however, some means within computerized work environments for the realization of dignity and human fulfillment.

As an internationalist seeking to manipulate technology to the benefit of workers, she sought protections for the rights of all workers in the domestic and international regimes. The world of work, throughout this century is clearly and increasingly global in its dimensions and ramifications.

There is bitter truth to many of Dorothy Day's lessons, such as her understandable wariness of employer domination of unions, a specter currently resurrected with the initiatives for the statutory modifications of section 8(a)(2) of the National Labor Relations Act. She would no doubt see the need for the continuing independent voice of workers in protecting workers' rights. The world of workers is part of the larger world of all persons, including employers, each entitled to maximum human dignity. Therefore, Dorothy Day would also see the need for the

567. There are, however, powerful and resonating Luddite themes in many aspects of Catholic Worker philosophy. "Katharine Temple of the Catholic Worker movement has said it, calling on her comrades to "find even more ways to be latter-day Luddites."" KIRKPATRICK SALE, REBELS AGAINST THE FUTURE: THE LUDDITIES AND THEIR WAR ON THE INDUSTRIAL REVOLUTION: LESSONS FOR THE COMPUTER AGE 258 (1995); see also Dirk Johnson, A Celebration of the Urge to Unplug, N.Y. TIMES, Apr. 15, 1996, at A12 (reporting on meeting of Luddite Congress, 350 contemporary Luddites in Ohio, April, 1996). But even the Catholic Worker has two web sites on the Internet. See Anne G. Fullerton, Catholic Workers Online, NAT'L CATH. REP., Mar. 1996, at 29.

maximization of human dignity as inextricably interwoven with the need for community coherence and fruition beyond work and the workplace.

Dorothy Day, however, did not offer formulaic prescriptions for the achievement of strategic objectives. She was a journalist who had identified her life and her living with the workers and with the poor and not with the ruling elites. She was an eloquent voice, a visionary, and perhaps a saint. Saints are those who lived in the world, but were not fully of the world. Therefore, one must not be surprised by those aspects of Dorothy’s thinking that were based primarily on exhortation, as they were grounded on ideal aspirations and visions for a world not yet realized; a world that ought to be. Saints and labor organizers have much in common; they see the world as it is and urge the continuance of the struggle to create the world as it one day ought to be. These aspects of her life certainly merit admiration and emulation. Her labor theory, however, is much more problematic, and must be adjusted to contemporary circumstances.569

If workers are not to decline into an irredeemable state of helplessness and shattered individualism or to prostrate before transnational corporate employer power, perhaps, through the revitalization of Dorothy Day’s lessons, the workplace can once again be made the focus of possibilities for achieving lives of dignity and worth for all and a place to promote the consciousness of the unemployed and the underemployed. Meaningful work of dignity in the late twentieth century is as difficult to obtain as it was a century ago. Work is a delicate and precious thing; an important means to the attainment of the maximization of fundamental human dignity. If traditional, industrial work is no longer the unifying thread of the social contract, some third way of work, such as nonprofit community service, still incorporating fundamental notions of work and transcending the capitalist political economy of individual profit maximization, may become the central focus of meaningful social life, and informed by the enduring lessons of Dorothy Day.

Dorothy Day stood up for workers who stood up to their bosses.570 She thus focused primarily on the labor-management relationships, and probably less so on the nature of work itself. The courage and activism of organized workers, standing against corporate employers, was perhaps

569. I especially appreciate Dennis R. Nolan’s critical comments accentuating the “two Days” the American Mother Theresa worthy of admiration, and the failed policy advocate and social philosopher. I personally do not so view these latter aspects of Dorothy Day’s thinking and practice.
570. See William D. Miller, A Harsh and Dreadful Love: Dorothy Day and the Catholic Worker Movement 134-35 (1973) (discussing when Dorothy climbed through the window to be with the United Automobile Workers who were striking).
perceived by Dorothy Day as a means of empowerment, and as more politically ennobling than the work itself. Now, in the "post-work" world, workers and the vast masses of former workers and the unemployables must stand together politically to find means of social reconstruction for meaningful lives for all, including those precluded from the realms of conventional employment.571

Jeremy Rifkin, in his powerful new book, The End of Work,572 addresses the problems that face labor today573 and sets forth an agenda for dramatically expanding the non-profit community work sector,574

571. I thank Michael Zimmer for these insights. Many authors cited throughout this article, and certainly including Dorothy Day, have focused upon the psychological importance of meaningful work - and the devastating consequences likely in its absence. See generally Thomas Earl Geu & Martha S. Davis, Work: A Legal Analysis in the Context of the Changing Transnational Political Economy, 63 U. Cin. L. Rev. 1679 (1995).


573. Rifkin specifically identifies the following:

Now that the commodity value of human labor is becoming increasingly tangential and irrelevant in an ever more automated world, new ways of defining human worth and social relationships will need to be explored. . . .

Our corporate leaders and mainstream economists tell us that the rising unemployment figures represent short-term "adjustments" to powerful market-driven forces that are speeding the global economy into a Third Industrial Revolution. They hold out the promise of an exciting new world of high-tech automated production, booming global commerce, and unprecedented material abundance.

Millions of working people remain skeptical. Every week more employees learn they are being let go. In offices and factories around the world, people wait, in fear, hoping to be spared one more day. Like a deadly epidemic inexorably working its way through the marketplace, the strange, seemingly inexplicable new economic disease spreads, destroying lives and destabilizing whole communities in its wake. In the United States, corporations are eliminating more than 2 million jobs annually. . . .

Id. at xviii, 3.

574. He suggests that:

[T]hose with leisure hours and those with idle time—could be effectively directed toward rebuilding thousands of local communities and creating a third force that flourishes independent of the marketplace and the public sector.

The foundation for a strong, community-based third force in American politics already exists. Although much attention in the modern era has been narrowly focused on the private and public sectors, there is a third sector in American life that has been of historical significance in the making of the nation, and that now offers the distinct possibility of helping to reshape the social contract in the twenty-first century. The third sector, also known as the independent or volunteer sector, is the realm in which fiduciary arrangements give way to community bonds, and where the giving of one’s time to others takes the place of artificially imposed market relationships based on selling oneself and one’s services to others. . . .

. . . .
which already accounts for six percent of the domestic economy. This future non-profit community work draws implicitly but thoroughly upon the personalism, subsidiarity, and labor solidarity themes of Dorothy Day and the Catholic Worker.\textsuperscript{575} It is a compelling agenda that Dorothy Day would have endorsed, and it merits serious attention.

The stability of industrial employment in the post-war era is disintegrating. Manufacturing accounted for 33\% of the United States workforce in the 1950s.\textsuperscript{576} "Today, less than 17\% of the workforce is engaged in blue collar work."\textsuperscript{577} By the year 2000, manufacturing jobs are projected to offer only 12 percent of United States employment.\textsuperscript{578} In whatever forms the future of work will manifest itself, certain ineluctable truths will remain. But hard truths are being challenged, paradigms are shattered, and fundamental questions that have historically

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Community service is a revolutionary alternative to traditional forms of labor. Unlike slavery, serfdom, and wage labor, it is neither coerced nor reduced to a fiduciary relationship. Community service is a helping action, a reaching out to others. It is an act entered into willingly and often without expectation of material gain. . . .

Preparing for the decline of mass formal work in the market economy will require a fundamental restructuring of the nature of human participation in society. By providing shadow wages for millions of working American who are devoting more of their time to volunteer activity in the social economy, as well as providing a social wage to millions of the nation's unemployed and poor who are willing to work in the third sector, we can begin to lay the groundwork for a long-term transition out of formal work in the market economy and into service work in the social economy. . . . Forging new working alliances between government bodies and the third sector will help build self-sufficient and sustainable communities across the country.

. . . .

Third-sector service and advocacy groups are lightning rods for rechanneling the growing frustration of large numbers of unemployed people. Their efforts to both kindle the spirit of democratic participation and forge a renewed sense of community will, to a large extent, determine the success of the independent sector as a transformative agent for the post-market era. . . .

. . . .

We are entering a new age of global markets and automated production. The road to a near-workerless economy is within sight. Whether that road leads to a safe haven or a terrible abyss will depend on how well civilization prepares for the post-market era that will follow on the heels of the Third Industrial Revolution. The end of work could spell a death sentence for civilization as we have come to know it. The end of work could also signal the beginning of a great social transformation, a rebirth of the human spirit. The future lies in our hands.

\textit{Id.} at 239, 242, 273-74, 287, 292-93.
\textit{575.} See generally \textit{Id.}
\textit{576.} See \textit{id.} at 8.
\textit{577.} \textit{Id.}
\textit{578.} See \textit{id.}
incorporated meaningful work into the dignity of the identity of the person, are being radically reformulated.\footnote{579}{By, for example, Professors Aronowitz and DiFazio: 
[The "meaning" (in the survival, psychological, and cultural senses) of the work—occupations and professions—as forms of life is in crisis. If the tendencies of the economy and the culture point to the conclusion that work is no longer significant in the formation of the self, one of the crucial questions of our time is what, if anything, can replace it. When layers of qualified—to say nothing of mass—labor are made redundant, obsolete, irrelevant, what, after five centuries during which work remained a, perhaps the, Western cultural ideal, can we mean by the "self"? Have we reached a large historical watershed, a climacteric that will be as devastating as natural climacterics of the past that destroyed whole species?

To raise the question of the partial eclipse and decentering of paid work is to ask crucial questions concerning the purpose of education, the character of economic and social distribution, and, perhaps more profoundly, what it means to be human.


Work is a "fundamental dimension of human existence."\footnote{580}{David L. Gregory, Catholic Labor Theory and the Transformation of Work, 45 Wash. \& Lee L. Rev. 119, 130 (1988).} How work remains may be influenced in some measure by Dorothy Day's lessons for the transformation of work. If her lessons are lost or dismissed as completely irrelevant, and if workers fail to find new ways of social organization, the future may be grim indeed.