

THE EVOLUTION OF WORK THROUGH LIBERALS' IDEAS BEFORE THE INVENTION OF THE RIGHT TO WORK IN FRANCE

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ABSTRACT

This article focuses on the philosophical evolution of the concept of work in France between the end of the 18th and the beginning of the 19th centuries. It aims to explain that our current conception of work, far from universal, is a recent construction shaped by liberalism. This late evolution, coupled with the absence of the interference of state in private matters, led to an unregulated working market and sparked the need for a new right.

Keywords: work, right to work, liberalism, the industrial revolution, pauperism.

INTRODUCTION

In 1839, Louis Blanc, a French socialist leader, was the first to come up with the expression “the right to work” in his book *The Organisation of Labour* (Blanc 1839). He described it as a right for every worker to live a decent life due to their work. This implied the right to access employment, ideally, the one they had been trained for, and to work in fair conditions. In his mind, the organisation of labour, through the development of national workshops, was to become the solution to mass unemployment and poverty in France. During the Revolution of February 1848, the French workers used his idea, demanding: “the work organisation, the right to work in one hour!” (Jarrige 2018). A decree of the same month finally stated: “The government commits to guarantee some work to every citizen” (Blanc 1848).

The Universal Declaration of Human Rights currently enunciates a similar definition. Article 23 states that “Everyone has the right to work, to free choice of employment, to just and to favourable conditions of work and protection against unemployment” (UN Department of Public Information 1948).

Today, the right to work and, most importantly, the idea of work itself are presented as universal. However, this belief can be questioned. The French sociologist Dominique Méda establishes that there is no single and universal definition of “work” because this term has been shaped by centuries of use. She states that today, one instinctively knows what it implies: effort, the satisfaction of needs, production, transformation, social representation, exchanges, or compensation. In short, work is a vast umbrella term (Méda 2021). However, this perception is relatively recent and could not be found in this form for an extended period.

In Ancient Greece, labour was associated with servitude. While Roman society did not diverge much from this view, Christianity brought the first evolution to the perception of work by separating it from slavery. However, this concept remained confined to a negative meaning, as Christians believe that work is a sentence from God.

French society of the Middle Ages was organised through a feudal model. According to Robert Castel, a French sociologist, it was a “primary sociability” with a rigid social structure based on multiple interdependencies. Although everyone had a place assigned at birth, which meant people had no social mobility option, it allowed societies to assist vulnerable people (Castel 1999). By extension, it also meant that people had access to work since they were meant to pursue their ancestral trade or duty.

As working was either an order or an obligation, it was never seen as a right. This led to its relatively late appearance in the philosophy of law, even compared to the other human rights listed by the French Revolution. 1789 brought the concepts of freedom. 1793 added the concepts of social guarantee, the right to existence and the means to preserve it. Nevertheless, it took another fifty years for Louis Blanc to invent the right to work, and ten more years and another revolution to make it a reality in France. Yet, with a notion believed to be as universal, as inherently human as work, it seems surprising that the idea of a right to work does not exist in early reflections about natural rights.

This article will establish that the idea of a right to work could not have occurred sooner than during the 19th century in France. It was, in fact, the result of the liberation of work during the French Revolution and its absence of regulation under the 19th-century liberal society. Liberalism, as a doctrine, laid the foundations of individuality and freedom for the people who needed to participate in its market. The French Revolution got rid of the old society and built a new worldwide model, using liberalism

as an economic and political system. With its universal aim, France was thought to be a beacon of freedom to the world. However, freedom comes at a price, whose extent the liberals had not measured, and their political model did not yield satisfactory answers. This led to the invention of the right to work.

THE TRANSFORMATION OF THE CONCEPT OF WORK BY LIBERALISM

While liberalism was not the first intellectual current to create a relationship between work and wealth, the others were embedded in the old social structure. In France, Jean-Baptiste Colbert believed that “prosperity always emanates from work” (Colbert 1861). Still, this approach was far from creating an evolution of the concept. Colbertism, which derived from mercantilism, greatly profited from the perception of work as an obligation. Thus, the interdependency between workers and the State remained. People worked because they had an obligation to work, and, in return, the social structure of the monarchy provided them with work and assistance when needed.

The Scottish Enlightenment and Adam Smith brought a brand-new perception of work through the concept of a free market. In his book *The Wealth of Nations*, Smith rallied the idea that work created wealth, as he believed that work is the capacity to create wealth *ex nihilo*. His perspective changed in the sense that, contrary to the mercantilists’ belief, work was important by itself. In fact, he established it as the measurement of the value of a product on the market (Smith 1776). Since work created wealth, consequently, the amount of work put into a product became the market value of said product.

Since liberalism believed that a free market is the best way to bring wealth to a country, it was natural for it to conclude that only free work could bring actual value to the products exchanged on the market. Otherwise, biases could occur. From this perspective, some economists, including the French physiocrats who had inspired Smith themselves, advocated for freedom of work: “The utility of industry resides essentially in freedom, and without this freedom, not only would this utility disappear, but then it would degenerate into monopolies and create disorders of which the ruin of State would be a necessary effect” (Le Mercier de La Rivière 1767).

The idea of individuality and private property was also crucial in the concept of free work, as the market needed investments from people. To stoke the market, they needed to be able to work freely to gain private property. Still, in France, work was constricted by this idea of obligation and multiple rules enforced by corporations. In this aspect, Turgot, as Controller-General

of finances, was a pioneer of liberalism in his law to dismantle corporations: “What the State owes to each of its members is the destruction of the obstacles that would interfere with their industry” (Turgot 1776).

The idea of free work did not mean that people were free not to work. However, while the necessity of working originated from society in prior regimes, liberalism established that it came from human nature itself. In a sense, this perception was still aligned with the Christian conception of work, and some ecclesiastics adopted it. For example, Charles Leclerc de Montlinot stated that “God, by giving needs to men, [made] the work resources a necessity” (Leclerc de Montlinot 1770). This faculty to match, at least partially, with pre-existing conceptions of work allowed the idea of liberalism to grow significantly, helped by the Age of Enlightenment.

Still, while the concept of freedom had spread widely amongst many intellectuals, it was inherently incompatible with the social structure of the monarchy. Even if Turgot had made a bold statement with his law, the corporations led a strong resistance that prevented the development of liberalism as a political system and the law was undone. To be applied, liberalism needed a real upheaval in society that would change the very foundation of the State. That is precisely what the French Revolution did in 1789 and during the following years.

THE BIRTH OF FREEDOM OF WORK DURING THE FRENCH REVOLUTION

The Constituents were, for the most part, inspired by liberalism, both in economy and politics. In the Declaration of Human and Civil Rights, they established private property as a human right. Thus, it became necessary to give every citizen the opportunity to work. This is why liberty to work was proclaimed in France.

Since the law was no longer the foundation of a work relationship, the contract took its place. These contracts were meant to connect two kinds of people: employers and workers. Even though private property had been established, most people in France did not have any and, therefore, did not have the means to produce anything. Those people became workers and began to sell their workforce instead of their production. Salaried work gradually became the primary type of work in France. Although it has existed before in an embryonic form, during the Middle Ages, it was only able to develop fully under the liberal society, since a contract can only be formed by free people. This transformation began with the French Revolution and was not completed until the middle of the 19th century, but it was what liberals believed in. Furthermore, this was what they actively pursued in their politics: to simplify access to work.

Nevertheless, this evolution was very far from opening the path to a right to work. In fact, the Constituents were firmly against this idea. On the one hand, there were the poor who were unable to work because they were too young, too old, or physically impaired. Those people, to whom the Constituents added the widowed mothers, had access to a form of assistance. In fact, with regard to them, the Committee for the Elimination of Begging stated: “Since every man has the right to subsistence, society must provide for each of its members who could lack it, and [providing] this assistance [...] is the strict and indispensable duty of every man who is not himself in poverty” (Assemblée nationale constituante, Comité de mendicité 1790). On the other hand, there were the healthy indigents who lived in high poverty but were technically able to work. To those, the Revolution showed no mercy. In fact, it believed that “the government owes nothing to those who do not serve it. The poor only have the right to general compassion” (Assemblée nationale législative. Comité des secours publics 1792).

To understand this disregard for the healthy poor, it is necessary to see that, to the liberals, once the obstacles to free work were lifted, there was no valid reason for a worker not to find any work. The same Committee, which advocated for a universal right to assistance, was also a firm believer in the idea that jobless individuals were lazy people who did not care to look for a job (Assemblée nationale constituante, Comité de mendicité 1790). Then, allowing those people to benefit from the assistance of the state would have been an interference in the free market, which would have been detrimental to it. Concerning this aspect, the deputy Boyer-Fonfrède urged the Convention to remain cautious: “You would make society miserable and poor; you would kill the industry and work if you ensured subsistence to those who have nothing but can work” (Convention nationale 1793).

In the end, the French Revolution was conflicted between its will to help people access decent living conditions and its fear of an interventionist policy that could bring them back to the absolute monarchy. This can explain both why, while the Comity for the extinction of begging was extensively advocating for it, the right to assistance was never added to the Declaration of Human Rights of 1789¹ and why the Constituents never created any law to ensure adequate access to work to people.

THE CONSEQUENCES OF LIBERAL POLICIES DURING THE 19TH CENTURY

At the outset, it is important to make it clear that many liberals had already perceived the difficulties that liberal policies could cause in working relationships long before they appeared. For example, Edmund Burke stated,

“Labour is [...] an article of trade. [...] The impossibility of the subsistence of a man who carries his labour to a market is totally beside the question in this way of viewing it. The only question is, what is it worth to the buyer?” (Burke 1800) indicating the inherent inequality existing in the unregulated working relationships. As a whole, liberalism was not blind to the consequences of an unregulated market of work.

Nonetheless, the Constituents, in their new political context, had faith in economic growth. The French Revolution had achieved its goal of creating free work, and, to many of them, it was all that was needed. They were confident that benefits would be reinvested in the workforce and that social growth would follow².

However, everything did not ensue as they thought. The Industrial Revolution significantly transformed society at the beginning of the 19th century. Although the country became wealthier, the population's wealth did not follow in every layer of society. On this irony, Tocqueville shared his thoughts: “The countries that appear to be the most miserable are the ones which, in reality, have the least amount of indigent people, whereas the nations which you admire the most for their opulence, part of their people are forced to fall back on others' charity to live” (Tocqueville 1835).

Multiple factors can explain this reality. The first one is that general health conditions improved. Demographic growth followed this improvement, absorbing part of the new benefits with population augmentation. Workers also began to leave the countryside with the hope of finding new jobs in the city, which was not equipped to welcome them. This led to an overpopulation of workers in many parts of the country. The second factor is that, contrary to the liberals' beliefs, profits did not correct the inherent inequality between workers and employers. As jobs became rarer to find and workers became poorer and hungrier, they began to accept the lowest pay. They started to work in any field possible, exacerbating the competition between more and more workers. This meant that employers did not have to raise their salaries and could still benefit significantly from the cheapest workforce possible.

Those starving workers and their families clustered in the lowest part of industrial cities gave birth to a new type of poverty: pauperism. This specific type of misery was frightening for the intellectuals as it was said to affect the very human nature of those people, reducing them, sometimes, to poor creatures (Chevalier 1891). A famous report from that period, the “Rapport Villermé”, was deeply concerned about this situation and tried to draw the attention of the French Government to this issue (Villermé 1840).

Still, to the liberals, there was no discussion of intervening in giving them work, as private property is a human right. Victor Considérant, commenting on the situation, ironized: “Society tells the proletarians: find some

work if you can, and if you cannot, starve to death while respecting others' private property" (Considérant 1848). In attempts to find an answer to this growing social issue, the liberals believed in the stimulation of private charity. In a sense, they were calling back the old "economy of salvation" that existed during the Middle Ages, when the rich people could assuage their conscience by giving some money to the poor (Castel 1999). While acknowledging that this would bring back a form of economic and social dependency, tempering with the very notion of freedom, they maintained that this would be acceptable if it was not implemented in the law (Duchâtel 1829).

Against this reality, some new ways of thinking began to spread. One of them, socialism, would be the core of the concept of the right to work. Fourier and his heirs were the first to call for a new organisation of work. They came to a double observation. First, they believed that France did not produce enough and that this was the reason why profits were absorbed by demographic growth. Second, they stated that wealth was inadequately distributed, leading to jobless workers not having any tools to produce anything in the hope of saving themselves from misery (Pompery 1882). Regarding those issues, they thought that a new organisation of work would be the key. This meant bringing back the right for workers to create associations to defend their interests, which had become illegal during the French Revolution, and involving the State in the creation of an organisation thought for the benefit of workers.

CONCLUSIONS

Ultimately, the socialists formed their conception of work on a conclusion: while liberalism brought a well-deserved freedom of work to its people, its politics were not sufficiently protective to ensure the preservation of said freedom. As Louis Blanc stated in his book, workers who were fighting for their own lives through miserable jobs were not free. They were, in fact, enslaved by their own needs (Blanc 1839). The idea of bringing back some form of social dependency was unacceptable to him, even if only as a matter of dignity. As the first socialists stated, he believed the answer lay in the organisation of work. If work was money, if money was needed to sustain one's basic needs, then, as life is the most sacred of all human rights, work had to become a means to protect workers' lives, not jeopardise them. This is how, in 1839, Louis Blanc invented the much-needed expression "right to work".

While 1848 led to the recognition of the right to work in France, it was only partially applied compared to Louis Blanc's idea. The national workshops, sabotaged by their designers, were a resounding failure. Those

who were against the idea of a right to work, primarily liberals, used them as an example of why it could not be applied literally.

Currently, even though the right to work has been recognised both constitutionally, in the 1946 and 1958 French constitutions, and internationally, by the Universal Declaration of Human Rights and numerous treaties, it is still debated regularly. As for today, the French Government considers that the right to work “does not imply an obligation of results, meaning an absolute obligation to give every unemployed person a job” but more of an obligation of means: “Public authorities must execute a policy allowing everyone to obtain a job” (Existe-t-il un droit au travail ? | vie-publique.fr, 2021).

However, with the 21st-century economic and ecological issues, it seems that the idea of access to work in a world of extreme capitalism and consumerism might no longer be the main subject. The dilemma could now be whether we should continue to work and produce at all and, consequently, whether work should be the primary way to sustain oneself or not.

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- ¹ The right to assistance is contained in the 21st article of the Declaration of Human Rights, which appeared in France's first republican constitution in 1793. However, this constitution was never applied.
- ² For an extended description of the perceptions of work and unemployment in classical and neo-classical liberalism, see “Libéralisme et droit au travail: Réflexions sur les relations entre philosophie sociale et théorie économique” by Jean Larribau.

KONCEPTA PAR DARBU ATTĪSTĪBA LIBERĀĻU IDEJĀS PIRMS FRANCIJĀ IZGUDROTAS TIESĪBAS UZ DARBU

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ANOTĀCIJA

Šis raksts pievēršas darba jēdziena filozofiskajai attīstībai Francijā laika posmā no 18. gadsimta beigām līdz 19. gadsimta sākumam. Tā mērķis ir izskaidrot, ka mūsu pašreizējā darba koncepcija, kas ir tālu no universālas, ir nesena konstrukcija, ko veidojis liberālisms. Šī vēlinā attīstība kopā ar valsts neiejaukšanos privātajās lietās izraisīja neregulētu darba tirgu un radīja nepieciešamību pēc jaunām tiesībām.

Atslēgvārdi: darbs, tiesības uz darbu, liberālisms, industriālā revolūcija, nabadzība.

Kopsavilkums

Šajā rakstā ir aplūkota termina “darbs” vēsturiskā attīstība, sākot no brīža, kad liberālās idejas lika tam zaudēt savu nicinošo nozīmi. Tas arī pēta Francijas sociālās struktūras pārmaiņas, lai parādītu, ka Lui Blanka terminu “tiesības uz darbu” radīja gan darba jēdziena pozitīva pārveide, gan Francijas sabiedrības ievērojamo pārmaiņu veicinātais nabadzīgo cilvēku trauslums.

Antīkajos laikos un viduslaikos darbs bija pienākums. Tas bija saistīts ar verdzību, vai to radīja monarhijas sociālā hierarhija. Liberālisms ieviesa jaunu un pozitīvu ideju par darbu, jo tas kļuva par veidu, kā piekļūt privātīpašumam. Tomēr, lai pastāvētu politikā, šai brīvībai joprojām bija nepieciešama būtiska sabiedrības pārveide, ko radīja Franču revolūcija.

Deputāti pieņēma liberālisma idejas un panāca darba brīvību. Tomēr, baidoties no absolūtās monarhijas atgriešanās, viņi atteicās iesaistīties jaunajās darba attiecībās. Uzskatot, ka jebkura palīdzība darbiniekiem nogalinās brīvo tirgu, viņi ļāva šim tirgum regulēt sevi.

Kad strādnieki kļuva brīvāki darba meklējumos, viņu iespējas vājināja vecās sociālās struktūras dekonstrukcija, radot izolētības apstākļus. Kad industriālā revolūcija sasniedza šos trauslos cilvēkus, tā izraisīja masveida bezdarbu, postu un badu. Tomēr liberāļi atteicās ļaut ierakstīt likumā jebkāda veida privātu atbildību. Stājoties pretī, viņuprāt, milzīgajai netaisnībai, sociālisti sāka aicināt uz jaunu darba organizāciju. Viņu vidū Lui Blanks gatavojās izdomāt tiesības uz darbu.