

## "Welfare Rights" Versus Real Welfare

Human rights are a much-talked-about subject, especially now that the Universal Declaration of Human Rights has just turned forty. While there are probably not very many people who would reject human rights as such, it should be obvious that it is in no way agreed just what we mean by human rights nor what rights all humans should be granted. The Libertarian Alliance have agreed on four main principles and they can be found on the back of this magazine. Others have made a lot of points, the Universal Declaration of Human Rights makes about a hundred. Some of these, such as the right to social security or compulsory 'free' education, are obviously in direct opposition to libertarianism, others, such as the right to life, freedom and personal security or the right to work (Art. 23) will find our support. However, Art. 23 does not only speak of the right to work, it speaks of:

1. the right to work
2. the right to free choice of occupation
3. the right to appropriate working conditions
4. the right to protection against unemployment
5. the right to equal pay for equal work
6. the right to appropriate pay
7. the right to form and/or join professional organisations.

While 1, 2 and 7 are rights that a libertarian supports, all the rest are so-called "welfare-rights" and these are held to be untenable by libertarians. When seen as a libertarian right, the right to work simply means that nobody should be able to forbid you to work. It does not mean that anyone has an obligation to employ you.

### Interpretations

Cynically, the United States is a country that grants this right to its residents, but rather than letting you in and not allowing you to work, they won't let you in at all. (Even then the United States does not grant this right

completely, for young people up to a certain age are not allowed to work.)

What of the 'welfare rights' then? A good example of how some of these are interpreted is the Japanese Constitution which says:

Art. 25: "All people shall have the right to maintain the minimum standards of wholesome and cultured living

Art. 27. 'All people shall have the right and the obligation to work. 2. Standards for wages, hours, rest and other working conditions shall be fixed by law.'

Art. 28: 'The right of workers to organize and to bargain and act collectively is guaranteed.' (Quoted from: Walter F. Murphy, Joseph Tanenhaus: *Comparative Constitutional Law Cases and Commentaries*, St Martin's Press, Inc., New York, pp 714, 715)

This is Japan, a country commonly considered less socialist than many others.

### 'Welfare Rights' Undermine Real Welfare

Do such rights guarantee anything? They do indeed! They guarantee that there will be no freedom of contract. There will be no free negotiation of wages. There will be no free choice of working hours; and all dictatorial measures that the government allows, the unions and professional associations will impose. This will guarantee that people who are not qualified enough or simply not productive enough either to merit the imposed minimum wage, or to earn enough money in the maximum working hours, will not be given a chance and will remain unemployed. Others will be forced to feed them. It will also mean that jobs will become more scarce because companies will not be able to offer all the employment they could offer were there no minimum wages. It will absolutely, safely, and certainly guarantee that there will be no right to work.

**Free Life**