

“Nine Libertarian Heresies”— A Response to Daniel K. Finn

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Daniel K. Finn’s article is a profound piece that makes arguments that are long overdue. Being one libertarian Catholic whom he critiques (I would not call myself a neoconservative), I recognize that not all his criticisms are meant for me. Further, I find myself in complete agreement with some of his points. He is correct in his view that many Catholic thinkers on the right have “unacknowledged libertarian presumptions in their work” that are not always in congruence with Catholic teaching.

That being said, however, there are nonlibertarian Catholic thinkers who have unacknowledged socialist principles in their work that are not always in congruence with Catholic social teaching either. Furthermore, I would argue that some of Finn’s own thoughts fall into that category. This reply attempts to develop a coherent Catholic position on these nine heresies, revealing where libertarianism and Catholicism are in accord and in discord.

Heresy #1: *Different understandings of freedom*. The Catholic definition of freedom is not the same as the libertarian one. To the Church, freedom is having the ability to do what you should.¹ To a libertarian, freedom is having the right to do what you want, provided it does not harm someone else. Both agree that you need freedom to flourish. A non-Catholic libertarian thinks that having the right to do what you want enables you to flourish; a Catholic thinks that having the ability to do what you should enables you to flourish.

The difference is due to different understandings of the word *you* in the paragraph above: The Catholic “human person” is not the same as the libertarian/Austrian “individual.”

The individual gets to completely define himself and what is right and wrong for him.² This is why a libertarian defines freedom as having the right to do what you want. What one *wants* to do is what is important because it is, by definition (to a libertarian), what makes him flourish. If one chooses something, it must be right for him because he chose it. This, of course, denies the reality of errors, or sin, as applicable to oneself.

The human person is defined by his essence and his relationships. Therefore it is his essence and relationships that define what actions are right and wrong for him, and consequently, what he should do to flourish. In other words, he is not only made by God—who has predefined what is good and bad for him by what is in accord and what is in discord with his nature, respectively—but is born into a particular reality of time and place and is affected by the real events of life as he lives, and it is those relationships and events that (1) place bounds on the realm of his possible choices and (2) place obligations on what it is that he should do in order to flourish. This is why a Catholic focuses on the importance of *discovering* what one should do because doing what one should enables him to flourish. Choosing otherwise would be a mistake or a sin.

This difference in ontology lies at the root of all differences between Catholicism and libertarianism. For example, you are your father's child. You did not decide this, but it is a part of who you are and you cannot change it even if you wanted to. This relationship places certain obligations on what you must do in order to flourish. For another example, a woman may not have wanted to get pregnant when she chose to engage in sex, but she can neither change the fact that she is pregnant nor the moral obligations that come with that state. An *individual* may think it acceptable to have an abortion, but a *human person* most certainly cannot.

An added complication is that there is serious disagreement amongst libertarians as to what constitutes harm to another. Some libertarians want to define harm as only physical harm (theft, bodily injury, or fraud that leads to loss of wealth or bodily injury). Other libertarians recognize that contract/covenant violations constitute harm as well (adultery). Some few recognize psychological harm—such as verbal abuse, loud music, or publicly displayed pornography (and hence believe in nuisance laws and restrictions on pornography).

A Catholic would say that a social order that denies someone the ability to do what they should is harming them. Thus a Catholic could reply to the libertarian within the libertarian's own framework and say that as long as the rights structure—the laws, rules, rights, and regulations of society—enables everyone to have the ability to do what they should (which a Catholic would define to include at least the minimum of meeting their basic needs—physical, social, and spiritual), then a Catholic could also agree to allowing people the right to do

what they want within that rights structure, that is, using a Catholic definition of harm. In other words, if a libertarian is willing to accept a Catholic definition of harm (as this libertarian Catholic does) and agrees to the rights and social order derived from harm as so defined, then there would be no conflict between the Catholic and the libertarian in terms of the social order they agree to live within.

Granted, few libertarians would agree to that definition of harm. Therefore this is where I part ways with those libertarians and where I believe their definition of freedom runs against the Catholic faith. It all stems from their understanding of harm that is rooted in the concept of the individual as opposed to a human person.³

At the same time, not every Catholic would accept leaving the laws to only those that ensure the ability to do what one should. Some want laws that deny people the right to do what they want (e.g., laws banning the consumption of narcotics) even though this has nothing to do with enabling everyone with the ability to do what they should. That would put those Catholic thinkers in an irreconcilable conflict with a libertarian even if they have agreed to the definition of harm to another.

There are Catholics, myself included, who do not think it wise to ban such behavior even while we agree that it is immoral. The distinction is that laws should ensure that people have the *ability* to do what they should; they should not *force* people to do what they should.⁴ Having the ability to do what one should does not mean that people will always choose to do so.

Even if we agree that a legal system should not make self-harm against the law, we still must answer this question: What social order enables people to do what they should? For example, a man should work to meet the needs of his family. If he cannot find a job at a wage sufficient to meet their needs within the given social order, then there is something wrong with the current social order—at least with respect to that man. Something about that order needs to change because it is harming that family. All Catholics should agree on that. This libertarian Catholic agrees with that.

However, here is where Catholics differ. Some then jump to the conclusion that *government* should either (1) impose a minimum wage high enough for this poor man to meet the needs of his family, or (2) tax the income of others and provide this poor man with a subsidy (welfare). Those conclusions are not deductively derived from the fault at hand. They are socialist and violate Catholic social thought.

A Catholic methodology of doing political economy would insist that no laws provide anyone with any incentive to do evil. To be more specific, God is good, true, beauty, and one. Hence, it is self-evident that any tax on goodness, truth, beauty, or unity is *ipso facto* contrary to the will of God because it is a

tax on God. As Catholics, we must hold firm to this principle in our attempt at discovering what the laws of our society should be, that is, what laws are just.

Consequently, as Catholics we must conclude that an income tax is immoral. We are called to be cocreators with God. We are called to work. Because work is good, a tax on work is a tax on goodness. It is a tax on our attempt at being like God, which is what we were made to do—it is what we should do. Such a tax lessens our ability to do what we should. It reduces our freedom, as Catholics define that term. If we take our religion seriously, we must conclude that an income tax is immoral—no matter how uneasy that makes us feel.

Finn is correct in saying that laws can encourage virtue even if they cannot impose it. Finn argues that some neoconservative libertarian Catholics argue “against the use of government to legislate certain kinds of morality.” However, it is not against the nature of God to tax or regulate things that are bad, ugly, untrue, or disunifying. A tax on sin provides a disincentive against sinning, and increases the likelihood that people will do what they should. A sales tax on cigarettes or junk food would not be in contradiction to the principles of a just social order. Even an outright ban on something sinful is not against God’s nature (after all he banned a number of things in the Ten Commandments). Even libertarians agree to a ban on theft and, therefore, that laws can encourage virtuous behavior even if not virtue itself.

It is against God’s nature to impose an income tax to support such bans, such as paying for DEA troops to enforce a ban against narcotics. Therefore a Catholic should not conclude that a government cannot legislate morality; but if it does, it must tread carefully on how it seeks to obtain the funds to enforce such legislation. Perhaps the best way to reduce drug use is for every father to impose a ban within his jurisdiction—his family. Libertarians could agree to that too.

Heresies #2 and #4: *Justice is commutative justice. Justice is a virtue of individuals, never a characteristic of systems.* By definition, from a libertarian perspective, the social order is just with respect to person P if it does not prevent P from doing X, nor punish P for having done X, as long as X does no harm to another. Furthermore, the social order may be just with respect to P’s doing X but not P’s doing Y. Further, the social order may be just to a greater or lesser degree to different people depending on what they want to do and what the social order is preventing from being done (or punishing for having been done). Using this definition of social justice, it is clear that the order itself—the rights, rules, regulations, and institutions that make up that order—can be judged to be just or unjust with respect to a person. It can also be done from a libertarian perspective. Therefore no libertarian in his right mind could deny the existence of social justice in this sense. Finally, we take the summation of those judgments over all people

in society to arrive at an aggregation of the degree to which the social order as a whole is just. At this level, some libertarians may object to such aggregating. However, it is equivalent to making a statement about the GDP per capita; that, too, is an aggregation. As a generality, these terms can still have meaning.

A Catholic would define social justice differently. By definition, from a Catholic perspective, the social order is just with respect to person P if P is able to meet his basic needs and those of his family within that rights structure. Of course, as we mentioned above, nothing prevents a libertarian from accepting a Catholic definition of harm. In that case, these two definitions could become one.

The critical point to understand here is that *social justice is a judgment of the rights structure and a judgment from the perspective of a particular person*. A rigorous definition of terms should eliminate any supposed heresy on the meanings of social justice and distributive justice.

By definition, distributive justice exists for person P if the social order is just with respect to P. Both Catholics and libertarians can agree to this definition. Of course, because they disagree on what constitutes harm, they disagree on what rights structure guarantees distributive justice. (At least they agree on the existence of the concept.)

A Catholic understanding of justice⁵ begins with human needs and the ability to do what one should as the root and develops the just property order—the just rights structure⁶—from a determination of what rights structure best enables humans to meet their needs and flourish. Property is not an absolute to Catholics: The current ownership structure is not automatically assumed to be just. Private property is legitimate because it is essential in enabling people to meet their needs and flourish, that is, to do what they should. Catholics *derive* the just property order from this understanding of human nature and what it takes to flourish.

Non-Catholic libertarians do not begin with human flourishing. These libertarians take property to be an absolute and assume that the current ownership structure is just, that is, who owns what at this very moment—except, of course, they say that taxes and regulations are not. Thus libertarians also conclude that the just rights structure is derived from what does no harm and can say that the current rights structure is unjust because it is harming person P with its taxes and regulations. Therefore libertarians of all stripes *do* believe in a concept of justice for systems even if they do not explicitly say so.

Finn himself confuses distributive justice with *redistribution* when he seeks to raise taxes to insure the minimum support for people. Distributive justice has everything to do with the initial distribution of goods, but if the initial distribution is just, it is then immoral (from both a Catholic and a libertarian perspective) to continue to have a system of redistribution, provided, of course, that justice can

be maintained. Therefore it can be. From a Catholic perspective, distributive justice, properly defined, requires that the ownership structure of the fruits of God's creation be such that each family has the ability to meet its needs. At a minimum, every family should have stewardship over a piece of land, and there should be no property tax on this "promised land."⁷ This promised land cannot be sold in order to prevent one's children from being impoverished.⁸ Modify the current system to get to that end,⁹ ban usury,¹⁰ convert the penal system to a justice system,¹¹ and add a few other changes to the legal system that are outside the scope of this article, and we would have a just social order that is also stable; that is, a wide distribution of wealth sufficient for virtually everyone to be able to meet their needs within that order that could be maintained from generation to generation. Everyone would have a place to live. All they would have to do is work a little to be able to pay for food. Because they have use rights over land, they can grow it themselves if no one offers them a job. No redistribution would be necessary.¹² The entire welfare state could be disassembled; income, profit, capital gains, inheritance, and property taxes¹³ can all be abolished;¹⁴ power could be decentralized in accord with subsidiarity; and the government that remains would be sufficiently small to please most libertarians.

Although Finn and most liberal Catholics properly understand that moral ownership is derived from justice, they think that a system of redistribution does not itself have to comply with the same rules of justice. They see the government as a metainstitution that is not itself judged by the same standards. However, it must be. Only God is "beyond" in this sense. Consequently, they need to be able to justify the injustice of redistributive taxes.

With respect to just wages and just prices, libertarians take a pragmatic approach. They ignore these issues because they correctly perceive that a minimum wage will not accomplish what its advocates desire, and they argue that no one has a solution.¹⁵

Heresy #3: *Methodological individualism: There is no such thing as society.* Finn's critique is purely semantic and irrelevant. All he is saying is that incentives matter—even incentives that are imposed by existing institutions created by people who died long ago. No Austrian economist or libertarian disagrees with this. They are simply saying that individuals choose, not groups. When Hayek says, "There is no such thing as society; only individuals act," he in no way meant to say that laws or regulations do not influence people's actions. Of course they do.

Abstract aggregations such as "America" do not act; President Obama may declare war on Libya and send Mr. X and Mr. Y to bomb Libya. However, America is not bombing Libya except symbolically speaking. This is important

for moral culpability. I am not culpable as an American if America engages in an unjust war. Only the particular Americans who made choices toward that end are morally culpable. We create words for aggregations because it would take too long to speak or write using exact micro precision. However, in the creation of those words we do not create entities that act.

Heresy #5: *Property is a natural right giving the owner complete control over the thing owned.* By definition, property is just a bundle of rights. To say that when you buy X (say, a tennis racket) that you have acquired the right to swing it anywhere and everywhere is obviously contrary to the nature of reality. Even a libertarian would agree that you do not have the right to swing it at someone's face. Therefore a libertarian is just disagreeing about what right was in the bundle that he purchased. Again, this gets back to the understanding of what constitutes harm.

As Finn pointed out, I have said, "In a free market people are permitted to buy, sell, own, exchange, and consume anything to which they have a rightful claim," to which Finn says Santelli "would seem to imply here that it is illegitimate for government to block particular exchanges, such as insider trading or the sale of cocaine or votes on election day." He does not seem to understand *rightful claim*. If it is against the moral law to engage in insider trading then one does not have a rightful claim to sell stock with insider information. One may own the stock and ultimately have the right to sell it, but the right to sell it under condition X (with insider info) is not the same as the right to sell it under condition Y (without insider information). Insider trading rules, although currently written by government, can just as easily be written by the companies themselves as part of all management contracts. No libertarian worthy of being called by that name would deny that such a contract could be made and enforced.

Heresy #6: *The market is natural and morally neutral.* We can again avoid confusion by rigorously defining terms. A free-market exchange is any exchange where the *price* is freely negotiated between buyer and seller *and* where both buyer and seller can voluntarily opt out of the exchange. Only if both parties voluntarily engage in the exchange is it a free-market exchange where the definition of "voluntary" means that if P does not do X (the exchange), he still has an alternative way of meeting his needs. Otherwise, choosing X is not voluntary for P even if P is still free from coercion of all others—including government. When using that definition, it becomes clear that a free-market exchange is morally neutral.

However, the framework within which market exchanges take place—that is, the rights structure—is not morally neutral. That rights structure is what places bounds on what can be bought and sold on the market, what is banned, and what incurs a sales tax. It is that rights structure that we can judge as being good

(because humans flourish within it) or bad (because they do not.) For example, it should be illegal to sell oneself into slavery. We want to make such a transaction off limits to the free market because, as Catholics, we know that no one in his or her right mind would freely sell himself for herself into slavery; such a person must be stuck in a very bad situation to even consider doing it.

Heresies #7 and #8: *Our policy choice today is between free markets and central planning. Governments intervene in markets, which is a bad thing.* Finn is right that this dichotomy between free markets and central planning is a fallacy. Libertarians agree with Finn that our policy choices are about what rights people should have and what rights they should not have. However, non-Catholic libertarians define harm differently from Catholics. Consequently, their banned set is different. Some libertarians (the anarcho-capitalists) insist that the banning itself be done through market exchanges.

There are two ways in which a libertarian can claim that governments are intervening in markets. First, if the legislative branch of government is changing the rights structure at will and with no grounding in what is just,¹⁶ then the government is arbitrarily changing the boundaries of the market. It is banning what should not be banned, taxing what should not be taxed, or regulating what should not be regulated. It is intervening in the market. No Catholic should dispute the existence of this possibility. It is only when the legislature's laws are rooted in justice that they create proper bounds on the realm of market activity. In such cases, it is not intervention. Again, because libertarians define harm differently, they would see different laws as intervening.¹⁷

Second, the anarcho-capitalists define the market as both the exchanges and the rights structure within which the exchanges take place because they believe that the rights structure itself should be developed through contracts and not by a legislative branch of government. To them, the just social order is developed through market exchanges where people agree to limit their own behavior in exchange for other people limiting theirs. To the anarcho-capitalists, all government action is intervention in markets because there should only be markets and no government.

Nevertheless, this leaves the Catholic and the anarcho-capitalist in agreement: the current social order is unjust, and we ask the same question: How can we make it just?

There are only three ways to deal with people who do not have the ability to meet their own needs: (1) create a government with a welfare state, (2) spend a lot of money on private protection and enforcement to keep these people down, or (3) seek to bind the realm of exchanges so that justice (as a Catholic defines it) can exist for all and be maintained without the need for a welfare state or a

concentration of power in a centralized government. The paradox is this: one must give up the freedom to create whatever social order one thinks one wants in exchange for a social order that is just (as a Catholic defines justice) in order to maintain the vast majority of freedoms that one needs to flourish. When a libertarian understands this, he will recognize that the only way to obtain a *stable* social order with a limited government is if the social order is structured based on a Catholic understanding of harm that begins with human nature and human needs.

Furthermore, the explicit rights structure would always be incomplete and can never cover all aspects of all relationships.¹⁸ Consequently, one person's actions often conflict with those of another, and it is the purpose of the judicial system to settle these disputes. How they settle them is what defines the legal rights structure. To a Catholic, for the legal rights structure to be a morally just rights structure, judges need to settle these disputes with an eye to what meets human needs and best enables people to flourish. To a libertarian, the judge should favor the actor unless the other can prove harm. In a dispute between someone wanting to blast music at 3:00 a.m. and their neighbors' desire to sleep, a Catholic judge would rule in favor of the neighbors because it better enables people to flourish. A non-Catholic libertarian judge would rule in favor of the music blaster, leaving the neighbor with the option of paying him to not do it. Prevailing culture, as well as human nature itself, has norms that govern proper behavior. Libertarians who do not start with the human person but with an individual, do not accept this.

Heresy #9: Government failures are evidence against reliance on governments, but market failures do not count as evidence against reliance on markets. To understand this point clearly, we need to define terms again. Government failures are caused by disorderly incentives imbedded in the laws made by government, and market failures are caused by disorderly incentives in the rules made by any other entity, such as a business or a contract between persons. Note how we are not defining a market failure as a failure in the exchange process; we are redefining "market" to include the system of rules that are organically built through contracts and by businesses. Otherwise, the concept of a market failure would be meaningless. The issue here is one of incentives.

Libertarians argue that government-run education does not provide a proper incentive for schools to teach. The schools are funded through forced taxation, and no matter how bad they are they still receive the same funds. If schools competed for funds—either through a voucher system or through direct payment by parents or some combo in between—they would have the incentive to structure teacher pay to incentivize the teachers to improve how they teach. They would also have the incentive to alter what they teach to conform to the preferences of the parents. Every Catholic should agree with this. Furthermore, a libertarian

would argue against government taxation funding of education. Catholics agree. Why should Catholics be taxed for a public school and then pay a second time to put their children in a Catholic school?

Finn argues that atmospheric pollution and economic recessions are market failures. Atmospheric pollution exists because governments were pressured by big businesses to stop the courts from issuing injunctions against it back in the nineteenth century.¹⁹ In effect, the government granted businesses a free right to pollute a certain amount without compensating breathers for the bad air they were forced to breathe. Governments failed to enforce justice in the rights structure; this was not a market failure.

Economic recessions—business cycles—are credit cycles. Austrians are right in saying that they are seriously exacerbated by a government's manipulating interest rates down, thereby increasing the amount of credit and the size of the bubble. Hence, when it bursts, it causes a far worse recession than what would have existed without government intervention. It is a failure in the system of rules made by government that business cycles occur.

That being said, however, Finn is correct in saying that market failures occur too. I agree with Finn in his critique of some neoconservatives who think that Enron and other corporate corruption is just the work of immoral individuals. The rules that big businesses operate within—rules that those businesses themselves made—allow CEOs to earn huge sums of money from short-term options packages rather than have their pay vested over their lifetime, even after they have left the company. A longer-term payout would lead managers to focus on the long term and not the quick buck. The board of directors of any company can easily alter compensation schemes to meet this standard. This is a market failure.

Finn is also right that businesses that seek to maximize profits are the core cause of a consumerist society through their marketing and advertising.²⁰ Nevertheless, any particular business is powerless to make changes to the system of rules to alter this. Altering the rights structure such that businesses are not solely focused on profit maximization can only be done through the curtailment of competition; in other words, converting the entire capitalist system to something different by building an alternative rights structure—one within which humans can more easily flourish. (Socialism is not the only alternative.) Finn is correct in saying markets encourage whatever virtues or vices lead to maximizing profits.²¹

Incentives matter, whether they come from the rights structure established by government or from the internal rules of a particular business or from the cultural influence of the media or from the moral approval of one's family.

Summary

The fundamental difference between a libertarian and a Catholic stems from their different understandings about human nature—the difference between an individual and a human person. Because of this, they may disagree on what constitutes harm and thus disagree on which rights structure is just. Proper definitions of terms eliminate other apparent heresies. Only individuals act, but institutions influence their behavior; the market is morally neutral, but the rights structure that defines its legal bounds is not; whether they be made by government or through the market, laws and rules that contain perverse incentives always fail and are not a part of the just social order no matter how justice is defined; and all legitimate laws are a part of a just rights structure and policy decisions are simply debates about what rights people should have. Disagreements about what rights structure is just stem from disagreements about what leads to human flourishing. If we agree on what constitutes harm and what leads to human flourishing, then we can reach an agreement on what the just social order is and work together to achieve it.

Notes

1. For example, see the homily given by John Paul II in Baltimore (October 8, 1995).
2. This is what is known as radical subjectivism. It is also known as “eating the fruit of the tree of the knowledge of good and evil”; determining for yourself what is good and bad for you. This is original sin, from which all other sins flow (see Genesis 3).
3. A libertarian who begins with an individual and not a human person will never agree with a Catholic on what constitutes harm to another, let alone believing that one can harm oneself. A Catholic would say that if you hurt my son you are hurting me, because I am partly defined by my relationships. My love for my son is a part of who I am. Human persons are all related through the love they have for each other. Individuals are not. Hurting the son of an individual does not hurt the individual. However, humans are not that way. A libertarian would say that if someone stole your TV they did harm to you by stealing your property. However, some libertarians would say that kidnapping your son is not doing harm to you because he is not your property. It harms your son but not you. This is self-evidently false.
4. Catholic tradition recognizes that there is a difference between what is immoral and what should be illegal.

Controversy

5. *Justice* is to give each what they are due, where one is due the ability to do what he should, which consists in at least the ability to meet his needs and the needs of his family: physical, social, and spiritual.
6. The only things that there are to distribute are rights. Property is just a bundle of rights.
7. See Leviticus 25 for details.
8. See Leviticus 25 again. How to achieve a just distribution of rights beginning with the status quo is beyond the scope of this article to address. It would require a one-time redistribution. Nevertheless, the perverse incentives associated with ongoing redistributions of income would not exist under the case of a one-time massive redistribution of wealth followed by the complete abolition of the redistribution of income. It is this latter scenario that I am arguing is the only one consistent with Catholic social thought no matter how radical or politically unfeasible it may seem.
9. The author hopes to describe how to accomplish this in a future article.
10. Usury insures the ever-increasing concentration of wealth. See my talk given on May 4, 2011, at the Catholic Finance Association's *Debate on the Morality of Public Debt*, which can be viewed at http://cathfin.com/events/index.php?option=com_content&view=article&id=5&Itemid=9. Justice requires a wide distribution of wealth, but it is not egalitarian. Justice is rooted in human needs. If one person owns half the world yet everyone else has the ability to meet their needs with the other half, then it is not an injustice for him to own half.
11. Justice, by definition, restores to the victim what was rightfully his. Or, if that is impossible, it seeks monetary compensation from the criminal to at least make some recompense for harm.
12. Incidentally, although many interpret papal encyclicals as favoring redistribution, the Holy Spirit has guided them in such a manner that they all can be more clearly understood as supporting a just distribution of property but not a continual redistribution.
13. No property tax on people's promised land. Not all land would be promised land. A Georgist tax on other property would not be contrary to the nature of God.
14. Sales taxes and tariffs were purposely left off that list. Fundamentally, it is not immoral to tax sales, although I would argue that a rent (or insurance fee) is more efficient. The role of government is to provide peace. Only where there is peace can exchanges take place. Therefore the government is playing a role in affecting exchanges by keeping the peace where the goods are being exchanged. This is its justification in taxing sales or in charging a rent or insurance fee against theft of property. Back in the middle ages, towns often taxed merchants who came to their town markets to

exchange goods. These taxes were used to police against those goods being stolen. It is only fair that governments are paid for their services. There are two logical ways to pay them: (1) a tax on the transactions that they are facilitating by providing peace, that is, a sales tax, or (2) a rent (or insurance fee) on the property within which these transactions are taking place. A rent would be simpler, accounting-wise, than a sales tax. Although it is not proportional to the revenue, it is proportional to the size of the land that needs to be protected, and so it is proportional to the amount of policing power and the cost that the government is incurring. Retailers with particularly valuable commodities should pay a higher insurance fee (or rent) to insure their protection because it would cost more to do so.

15. It is outside the scope of this article to provide a solution to this problem, that is, to present a social order within which all wages and prices will always be just. Such an order can exist, however, and it does not entail any laws with any perverse incentives. The author has been working on this issue for quite some time and hopes to present this solution in the future.
16. To a libertarian, a libertarian definition of justice; to a Catholic, a Catholic definition of justice. Nevertheless, both can agree to the concept of government intervention in the market as being a bad thing.
17. Even among Catholics there is disagreement about what rights people should have—such as whether an old person has a claim on the income of others either through social security or Medicare. End-of-life decisions are not unanimously agreed to by Catholics; some argue the sick are only entitled to food and water; others think they are entitled to bankrupt society to keep them alive; and many fall somewhere in between. What constitutes justice? What is necessary for humans to flourish? There is room for Catholics to disagree, but I would probably argue that the range of disagreement that conforms with Catholic social thought is narrower than what Finn thinks.
18. This is the concept of “bounded rationality” in the economics literature.
19. United States courts first did issue injunctions but then government regulations came about granting businesses the right to pollute a certain amount without having to pay for it.
20. See Amintore Fanfani, *Capitalism, Protestantism, and Catholicism* (1934; repr., Norfolk, VA: IHS Press, 2003).
21. Fanfani explained this well.