



MORAL AND SUBSTANTIVE CORRELATION BETWEEN MAN AND LABOUR

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Abstract

A person perceived as a single, holistic entity is essentially a unity of spirit, matter and energy. This trinity is the cornerstone of the moral and substantive correlation between man and labour. As a moral category that embodies the unity of spirit, matter and energy, a person as a whole is also the basic precept for conceptualising work as a moral category. Labour has been largely perceived either as a sociological or legal category, but it is also the subject matter of statutory legislation. However, it has also become a tautology, because the issue of work as a moral value inextricably linked to an individual still remains unexplained and unprotected by law. A person is the basic constituent of labour relations; an individual shapes the nature of his/her work activities, but is equally shaped by the work itself, which is vividly illustrated by the idiomatic expression on one's 'professional deformation' under the 'pressure' of the daily workload. Thus, the impact is two-directional. Their interaction also entails the concepts of dignity at work and dignified work because the disclosure of this correlation leads to the disclosure of the moral, social and legal value of dignity. However, the concept of a person as a whole (personhood) is much broader than the concept of dignity, which may be attributed to an individual, but there is no true understanding of a person without dignity, nor vice versa. Yet, the depiction is not complete without examining its correlation with the concept of labour.

Key words: person/personhood, labour, morality, correlation, interaction.

МОРАЛНО РЕЛАЦИЈСКИ ОДНОС: ОСОБА – РАД

Апстракт

Особа је заправо спој духа, материје и енергије, те се у том споју или тој моралној релацији и налази основа релације особа – рад. Као категорија која спаја дух, материју и енергију особа је основа на којој се може зачети и рад као морална категорија. Рад се схватао или као социолошка или као правна категорија, која је

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у потоњим временима постала и законска категорија. Међутим, она је тиме само задобила таутолошки карактер јер је питање остварења рада као нечега што је нераскидиво везано за особу као моралну вредност остало необјашњено и не-заштићено. Особа је основ рада, она обликује рад али и рад обликује особу, што се на сликовит начин може видети код 'деформације' карактера особе до које долази под 'притиском' свакодневне делатности на раду. Дакле, овај утицај је двосмеран. У овој релацији крије се и појам достојанства на раду као и појам достојанственог рада, јер само откривање ове релације води ка откривању моралне, друштвене и правне вредности достојанства. Међутим, особа је много шири појам од појма достојанства који на крају краси оно што желимо назвати особом, јер нема правог схватања особе без достојанства, нити достојанства без особе. И када томе додамо појам рада добијамо комплетну слику.

Кључне речи: особа, рад, морал, релација, однос.

INTRODUCTION

The concept of a person as a single, holistic entity coincides with different conceptions of reality, including religious and all other conceptions. Concurrently, the historical development of human thought about man has generated philosophical theories that do not perceive a person (personhood) as a stand-alone concept based on its own premises. In these theories, man is not associated with particles of separate monads which are interconnected into a functional and indivisible whole (entity). This functionality is often embellished by the concept of work/labour.

According to the conception of man as a trinity of spirit, matter and energy, a person has stepped out of the moral sphere and 'embarked' on the labour sphere. Man's spirit has enabled man to rise above the matter, but the matter has contributed to man's self-actualisation. Spirit, matter and energy have found their expression in man's work. According to Radomir Lukić, this trinity enables the absolute equality of elements, which can be best observed in one's work.

The concept of work should help a person emerge from egoistic motives, transcend oneself, and open up to the concept of 'others.' Then, the unity of spirit, matter and energy becomes indissoluble, and is embodied in the matter created through work. As a result of social progress, this creative process necessarily entails respect for personal dignity at work, which ultimately means that work has been legally recognised as a value-based asset. However, even before being formally recognised by law, this category existed as the basic moral category of human labour, which included the full moral concept of a person as a whole. Yet, both then and now, the reality often denies this moral requirement that a person should achieve full self-actualisation in the process of work, and that work complements man's earthly image by drawing a person out of pure transcendence. Thus, the relationship between man and labour also entails the concept of freedom as a value. Labour relations clearly raise the question of the value of freedom,

which is a controversial issue because no person wants his/her freedom to be limited but, at the same time, wants to limit the freedom of others. This problem is especially reflected in labour relations.

Labour implies developed economic, legal, and political prerequisites which are closely related to the concept of a free person. The relationship between man and labour is both a prerequisite for and the ultimate result of having a free person. It may be observed in natural law which does not deny but guarantees this correlation, which ultimately means that human labour finds its transcendental grounds in natural law.

THE PERSON AS A MORAL CATEGORY

In philosophy and other fields of knowledge, efforts to explain the real-world phenomena have returned to attempts to explain the concept of a person as a holistic human being. No one seems to have denied the exceptional position of the human being in the entire universe. Yet, it is important not only to establish a person as a subject of law in formal regulations (which have the imperative power and a monopoly of physical force through the operation of the state) but also to determine man's ontological and axiological nature, regardless of the "expressive abilities that a person attains in the process of reaching maturity" (Valjan, 2004, p. 63).

In order to be recognised by the legislation, a person must first try to define himself/herself. It is fairly uncommon in the contemporary world because today, more than ever before, a person "does not know who he/she is, and indeed does not care to know" (Valjan, 2004, p. 64). This dangerous state of mind entails a loss of identity, which is clearly recognised by lawmakers who often disregard or demonstrate lack of care for an individual. Thus, instead of making an individual the focal point of legal regulations, legislators push an individual aside or into the background. It ultimately results in a deviation from the course that perceives man as a dignified person worthy of attention.

Man's existence is actually a path between values and reality. In reality, one's need for self-actualisation drives a moral person to live outside the confines of determinism. Thus, a person shifts from the state of being (existence) into the stage of self-actualisation (agency), which is particularly reflected in the domain of work. Thus, our topic has expanded to the *magna questio* of Aurelius Augustine.

This stance was also accepted by Radomir Lukić in his holistic depiction of the real world (including man as a constituent element) as a trine (three-in-one). It is a world that does not destroy its constituent parts. Lukić defined the real world and man's place in the world as follows: "Every particle of matter is simultaneously a particle of spirit and a particle of energy" (Lukić, 1992, p. 71). Thus, observed in the real-world context, a person is an embodiment of spirit, matter and energy, without the pre-

dominance of any single element. Lukić perceived a person as a trinity, a force that can resist nothingness. This is clearly reflected in the field of work, where a person is perceived as a moral and value-based category, which excludes the possibility of having slave labour.

From the perspective of Lukić's understanding of the world, we may conclude that a person has both pure power (spirit) and condensed power (matter), as well as the driving power (energy). Now, we may correlate the concept of a person with other concepts, such as the concept of work. The driving power of work occurs when these elements are united in a person. Energy is reflected in one's actual work but it does not exist without spirit and matter. It means that the energy exerted in performing some work can reshape the reality. If one's mindset is based on axiological constructs, the performed work cannot generate any negative consequences.

In defining a person as a moral category, some authors used the concepts of "greatness and dignity," which entail the "ethical dimension of a person" (Vidal, 2001, p. 161) that precludes the negative consequences. This is an axiological way of taking a person beyond the sphere of mere formal-law observation. Hegel noted that personality (*Persönlichkeit*) begins "not only with general awareness about oneself as a specific (concrete) self but also with awareness about oneself as a completely abstract self, in which all concrete limitations and validity are negated and worthless" (Hegel, 1989, p. 82). Thus, it follows that: "A person is an authority in free will" which shall be respected; no person wants his/her will to be limited but one must also accept that "personality (*Persönlichkeit*) entails general legal capacity" and that this abstract concept is the foundation of abstract law which formally prescribes: "be a person and respect others as persons" (Hegel, 1989, pp. 82-84).

Lawmakers must be fully aware of this moral and legal dimension of personhood, which in this particular case refers to the labour law legislator. The relationship between one's morality and work is the measure of the validity of the legal order. Thus, a person becomes an absolute rather than a relative value category of the legal order, and the focal point of legal regulation. This simply has to be accepted because "the absolute value of a person is a common stance of civil ethics and religious morality" (Vidal, 2001, p. 167). Such a position of a person is identified in Kant's stance that the recognition of the "unconditional, incomparable value" of a person is a prerequisite for recognising and respecting one's dignity (Kant, 1981, p. 84). Thus, everything has a price in "the realm of purpose," the external world where things are considered in terms of practical goals and functionality. In "the realm of price," everything may be traded, but a person with inherent dignity cannot be traded or replaced, even by another person, because each person is viewed as a moral value rather than an instrumental one (Kant, 1981, p. 82). It further raises the issue of respect for another person and leads to the conclusion that we have to treat another person as

we treat ourselves. In Kant's opinion, the answer is simple: "It is our duty to do good to other people in line with our abilities" (Kant, 1999, p. 187). For this reason, more than ever before, the concept of *dignitas* should relate to all persons because, without human dignity, there is no faith in human rights. Yet, due to human weaknesses and flaws, the entire legal order is far away from observing the person as a moral category. Thus, it is necessary to accept that, if "agreements without a sword" are just words on paper (Hobbes, 1991, p.176), the same is true of regulations which do not recognise a person as a unique moral category.

We simply have to agree with Ardent who proposed the term *vita activa*, designating "three fundamental human activities: labor, work, and action" (Arendt, 1998, p. 7). It is evident that these fundamental activities are related to every aspect of human life, but are particularly relevant in the field of labour. We may revisit the question of the Self, by saying *questio mihi factum sum* (Arendt, 1998, p. 10). The correlation between a person's morality and work is no 'secret' because we simply and unequivocally have to accept the position that "the human condition of labor is life itself" (Arendt, 1998, p. 7). If we connect Lukić's idea of man as energy with work, we will get the slogan "labor power" (Arendt, 1998, p. 99). Given that man's nature and composition are inseparable from nature itself, it is clear that this relationship can be defined as "metabolism between man and nature" (Arendt, 1998, p. 103). In this context, it is necessary to insist on the person as a moral category rather than a formal-law category in which man's ontological and axiological nature is lost or disappears under the 'striking fist' of law that does not observe man as an axiological category.

Thus, if man is viewed only as a formal-law category and not as a moral category, slave labour would become quite acceptable simply because human slavery is 'recorded' in legal regulations. In such a case, slavery is accepted as *Omnis vita servitium est* (Arendt, 1998, p. 119). Thus, would it be correct to say that man is a value in itself which also guarantees the actualisation of other values in reality? If so, the requirement to accept a person as a moral category is a test for any legal order that pleads for longevity. Such a legal order must ensure *eudaimōn* (Arendt, 1998, p. 193).

Recognising the need to perceive a whole person as a moral category precludes the emergence of a process which may result in "moral degeneracy" (Pope Leo XIII, 1908, 208). This degradation of ethical and moral standards inevitably entails a disregard of a person as a moral category, which ultimately renders the purpose of human labour meaningless. Thus, the recognition of a person as a moral category is the only way to ensure respect for human dignity and to accept that "labor is not a thing to be ashamed of" (Pope Leo XIII, 1908, 219). The acceptance of a person as a moral category would further entail the universal acceptance of the charity motto: "It is more blessed to give than to receive" (Pope Leo XIII, 1908, 222). It enables a relationship between a person and work at a level that

exceeds pure profit-making; it refers not only to a person's financial standing (which is undeniably an important factor) but also to the holistic concept of a human being as the cornerstone of the work process.

The moral category is higher in rank than the economic category; thus, the call to accept a person as a moral category is a higher demand with a broader scope. It further leads to the conclusion that a person as a moral category is not an impersonal factor without form and substance; in effect, it is the first ontological element of work. Thus, the ontological nature of work also includes a person as a moral category or, to be more precise, the ontological nature of a person contains the category of work. Taking into account the social dimension of human labour, the recognition of a person as a moral category is even more important because it is a "level playing field" for recognising and protecting another person and his/her dignity.

Thus, instead of filing general requests with law-making authorities to recognise a person as a moral category at the transcendental level, contemporary legislators may better understand the need for regulating this matter if the problem is illustrated with reference to a specific labour law issue: the need to achieve and maintain the moral integrity of the worker as a person. It means that at no time can the worker be subjected to any form of degrading treatment that jeopardises one's humanity, dignity, and human rights. In this regard, the concept of humanity and its perception by different actors is still an unresolved issue. Although the forms of human labour are constantly changing, it may be difficult to change the perception about a person as a value which cannot be traded. That image must remain unwavering, in spite of the imminent threat of the disappearance of a person as a moral category whose dignity has to be observed.

Such developments may be precluded by ensuring that the morality issue is given a well-deserved place on the socio-economic scale of values, which always ranks below the moral scale. In that regard, we may raise the following question: if man as a moral category is not the true and only protagonist of work, who is? All other conceptions provide inadequate and short-lived answers that merely disguise pure economic interests of exploiting man to the point of the disappearance of a person as a holistic entity. We shall not draw wrong conclusions or forget that man's work transforms the reality primarily to satisfy one's material needs but, in that process, man must also pursue answers to one's deeper inner needs that exceed material interests. This implies that man as a moral category opposes the mechanistic and economic interpretations of human beings, where man is treated as a means to an end rather than as an end in itself. Man is not a product of work; on the contrary, work is a product of man's consciousness and conscience. The work of a moral person entails consciousness and conscience, not only pure physical activity which may be insufficiently thought through. Only in this way can work become a value, which does

not imply value as an economic category but value as an axiological category. This is the only possible response to the legal uncertainty and instability that affects all legal orders in the domain of labour as a productive activity and in the domain of labour-related legislation. It also means that labour law may yield new forms of human solidarity which may subsequently affect other aspects of human life, such as the right to happiness.

The consideration of a person as a moral category brings us to the right to happiness. Naturally, “every person is full of value content, significant and unique” (Harmann, 2003, p.18). Thus, we return to the idea that a person as a moral category is a microcosm of labour relations. Whether a person will attain happiness through work depends on the internal rather than the external experience of happiness. Hermann noted that happiness will not depend “on the tangible goods of life” but rather on “the internal assumption, preparedness, the person oneself, one’s capacity for happiness” (Harmann, 2003, p. 100). Therefore, the motives for happiness must be found in one’s inner world, which is the reason for constantly revisiting the concept of a person as a moral category. The misconception of man’s position in the work process may lead to abandoning “man’s distinctive nature and position in the cosmic order” (Harmann, 2003, p. 203).

Labour also entail the issue of personal freedom of each participant in the working process. Therefore, the question arises whether personal freedom may be exercised and, if so, how. Is it possible nowadays to request “a gateway to freedom” in that process? (Zsifkovits, 1996, p. 106). Work may entail both freedom and happiness. Yet, Russell noted that work may be “the cause of happiness or unhappiness,” and that its ultimate impact is “uncertain” (Russell, 2020, p. 154). In order to consider himself happy, man needs to work because it is still less unpleasant than inactivity and because it is “desirable for combating boredom” (Russell, 2020, p.155). In a moral person, work is part of “the motive for activity” (Russell, 2020, p. 156), which has to be developed from early childhood. Axiology highlights the value of creativity which is embodied in the working process, and the work-related state of excitement as opposed to the “state of aimlessness” (Russell, 2020, p. 157). One part of human personality, which cannot be connected with morality, is certainly inclined to inactivity, idleness or destruction. In that regard, Russell noted: “I cannot deny that in the work of destruction, just as in the work of construction, there may be joy” but ultimately “it is less profoundly satisfying...” (Russell, 2020, p. 158).

Human beings seem to be constantly surrounded by social issues that exert pressure on the individual and the community. As noted by Arendt: *La République? La Monarchie? Je ne connais que le question sociale* (Arendt, 1988, p. 50). What ultimately drives man’s action? In most cases, the driving force are social issues that set both individuals and social group in motion. At the onset of the French Revolution, King Louis XVI

asked: "*C'est une révolte?*" The response was: "*Non, Sire, c'est une révolution*" (Arendt, 1988, p. 41).

At this point, we need to revisit the tripartite concept of a person (spirit, body, and soul). Valjan argued that "the soul is united with the body substantially rather than accidentally," and "this fact has great ethical importance for the unity of life in man" (Valjan, 2004, p. 71). Thus, man is clearly the unity of spirit, matter and energy, because "the existential act which is enabled by the human body is the same existential act that embodies the soul" (Valjan, 2004, p. 72).

Hence, we may not disregard that each person has equal rights and deserves equal attention. It further implies that the equality of moral persons is a prerequisite for the development of a legal order, in spite of the presence of possible inequalities. These inequalities appear or persist even after the revolutionary periods, when new classes are created, as illustrated in Milovan Đilas's book "The New Class". Therefore, although moral persons are equal, in positive morality and positive law we encounter significant differences which enable some individuals to "enjoy privileges" (Rousseau, 1978, p. 29). Will there be a time when we will be able to say that all moral persons are equal? Quite the reverse, and despite the efforts to make all moral persons equal, "the hidden desire to profit at another's expense" (Rousseau, 1978, p. 58) will be the root of inequality of those who shall be considered equal. Human history bears witness that such inequalities generated terrible violations of person's rights. Referring to the Holocaust horrors, Segev noted: "They were on Earth but, in reality, they were on another planet; time there was different from the time here on Earth; the inhabitants of that planet had no names; they had no one there, nor did they look like others; they neither lived nor died in accordance with the laws of this world. Their names were numbers..." (Segev, 2000, p. 3).

Even in modern times, it seems quite possible to disregard moral and ethical standards and embark on the path of crimes against moral persons, in the form of slave labour and servitude. Such occurrences are not unexpected: the vicious circles of disregarding humanity will keep repeating, which will lead to the obliteration of morality. People will remain just a black letter on paper of various declarations and conventions which will not be actually applied. Man seems to prefer having possessions and being rich, at least like the businessman that the Little Prince met on his journey (Exupéry, 2015, p. 62).

As contrasted with the approach taken by the man who wants to own the stars, there is a more interesting approach related to the issue of resolving poverty, both economic poverty and poverty of the spirit. Oscar Wilde considered that "the proper aim is to try and reconstruct society on such a basis that poverty will be impossible" but that "altruistic virtues have really prevented the carrying out this aim" (Wild, 1999, p. 248). Thus, when we observe a person from a moral perspective, the ever-present egoism will

disappear and we will not have the impression that we live exclusively for the sake of another person but for the sake of community where I am also someone else. It would lead to a situation where “each member of the society will share in the general prosperity and happiness of the society” (Wild, 1999, p. 248).

In Europe, this engendered a new word: *bonheur* (Arendt, 1988, 248); at the time of the bourgeoisie revolution, it designated human happiness, which developed within the concept of public happiness. Such efforts stand in stark contrast to the Wannsee Conference,¹ which was perceived by its participants as “a cozy social gathering” (Arendt, 2022, p. 111) but, in effect, produced one of the greatest horrors of this world. Arendt’s description of the situation that led to mass deportations, slave labour and mass murders is an unfortunate example of denial of one’s morality, which is illustrated by a witness account on the transformation in Eichmann’s personality in 1939 when he assumed executive powers: “So terrible was the change. Here I met a man who comported himself as a master of life and death” (Arendt, 2022, pp. 61-63).

The changed perception of a person who denied the humanity of other people is a direct result of the person’s denial of morality. In the domain of labour relations, it implies the denial of humanity of workers who perform any type of work. Thus, the loss of one’s moral dimension necessarily generates a distorted image of labour, deprived of dignity and unworthy of man. Therefore, work can be both a source of happiness and economic well-being, but the kind of work that implies the loss of one’s moral character and dignity is only a source of unhappiness and exploitation. Nowadays, it primarily refers to forced slavery and servitude because such work can no longer be designated as slave labour.²

The work performed by a moral person is neither torture nor punishment; it can be a source of happiness, income and a means for combating poverty. On the other hand, if personal morality is negated, work becomes a source of unhappiness and total spiritual and economic poverty. The work which is governed by moral and ethical standards is aimed at value-based transformation of the world rather than the acquisition of wealth. Thus, the visible world is ‘subjected’ to values that stand above the reality, for which reason work can be associated with creation. It is difficult to designate work as creation if the moral aspect of a person is negated.

¹ The Wannsee Conference was a high-level meeting of leading Nazi officials on the implementation of “the Final Solution of the Jewish Question”, held in Wannsee, a suburb of Berlin, in 1942.

² Notably, in the Jewish tradition, Sabbath is a day of rest and religious ceremonies which marks the freedom from slavery for ancient Israelites and commands rest for all people, including slaves.

CONCLUSION

In conclusion, we return to Hegel and his definition of an individual as “a private person having specific interests for one’s own purposes” (Hegel, 1989, p. 322). Totalitarian regimes have denied and continue to deny this idea. If the realm of moral purposes has been attained, it is possible to perceive a person as a moral category that accepts that “poverty” and “any kind of necessity that every individual is already subjected to in its natural environment” call for “*individual support*”; Hegel concludes that this is “the place where morality finds plenty of work after all general preparations” (Hegel, 1989, p. 361).

If interpersonal relations rest on moral rather than formal-law grounds, work as a process that completes man is linked to the satisfaction of multiple needs, which is based on mutual dependence and connections among people. Thus, the work of an individual has become “simpler through the division of labour” (Hegel, 1989, p. 330). In this way, natural egoism and “*subjective selfishness*” are extinguished in favour of satisfying the needs of others (Hegel, 1989, p. 330). If the community regards and treats a moral person as something sublime, the unique identity and distinctive characteristics of such a person will not be extinguished by working with and for others. According to Hegel, such a person comprises a universal free spirit which can “abstract from everything” alongside with a “more specific” historically-situated self (“so old, so high in this space”); thus, a person is both universal and particular entity, which is both “high and the lowest” and “infinite and ultimately finite.” Hence, only a sublime person can “endure this contradiction” (Hegel, 1989, pp. 83-84) rather than escape or deny it.

This is the secret of the freedom and free will of an individual, whose will is both free and limited at the same time. Thus, contradictions are extinguished in a person, but only if he/she perceives another person as a sublime person; otherwise, we witness the scene where a person is or believes to be ‘the master of life and death.’ This assumption that another person is not a sublime person may also generate quite peculiar legal solutions, such as the one that “the property of Jews belongs to the state” (Radbruch, 1980, p.281). The profuse human history bears witness of multiple examples illustrating the denial of the sublime nature of other human beings, which ultimately gives rise to “legal injustice” (*Gesetzliches Unrecht*) (Radbruch, 1980, p. 290). Consequently, such legal solutions enter the domain of labour law, negatively affecting the position of workers who are most unlikely to be perceived as sublime human beings.

Returning to Hegel’s understanding of work as a process of mutual interaction and social integration, where individuals are shaped by their participation in a larger system, we can accept the ontological human relations framework and recognise that man shall acquire “a sense of global

citizenship”³ so that “a Jew shall not care only for a Jew and an American only for an American” (Broh, 1994, p. 35). It is the only way to avoid the collapse of humanity and stop the relentless persecution of others who are not considered to be sublime. In the domain of labour relations, it means that such a person may be subjected to unfavourable working conditions and environment, marginalised, neglected or simply forgotten merely on the basis of someone’s arbitrary decision. Therefore, the realm of values is the bedrock for reviving the perception of a human being as a sublime person and recognising the sublime nature of other human beings both in the domain of morality and in the domain of labour.

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³ The concept of global citizenship entails the feeling of belonging to the global community, shared humanity and the interconnectedness of all people.

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МОРАЛНО РЕЛАЦИЈСКИ ОДНОС: ОСОБА – РАД

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Резиме

Узвишеност особе као моралне категорије 'спасиће' заједницу од егоистичких настојања која се посебно могу испољити у домену рада. Прихватање чињенице да је онај други исти ја може довести заиста до тога да се рад не схвати само као категорија која 'оптерећује' појединца. Особа је много више од онога што је формално-правно 'забележено' у прописима са императивном садржином. Тако се домен рада мења под утицајем узвишеног моралног бића какав је човек. Тај се однос ипак није увек подразумевао, те нам је историја понудила и злочиначке сцене, од негирања особе, преко масовних транспорта све до масовних убистава. Тако се прешао негативни пут, од вредности особе до невредности, што је потом обухватило и домен рада. Тада је рад постао оно што он није или не желимо да буде, постао је робовање оних који нису доживљени као особе, те самим тим нису доживљени ни као једнаки. Слобода таквих људи потпуно је 'зауостављена' слободом других који су своју слободу схватили као неограничену. Таква неограничена слобода, која негира постојање другог извор је злочина који се рефлектују и у безусловним условима рада који опет са своје стране од негације другог као особе воде до његовог нестанка под 'чекићем' тешког и нехуманог рада. Из тог разлога неопходно је учинити могућом релацију особа – рад. На овај начин особа и рад постају једно у вредносном смислу и та се вредност потом преноси у стварност.