

A Philosophical Essay on THE RIGHT TO LIVELIHOOD

by

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THE RIGHT TO LIVELIHOOD

MAN AND ENTITIES

Man first doubted the integrity of God's Word and transgressed His commandment at the Garden of Eden and whereupon that woeful moment, Man became pitted against, amongst others three primary principal entities, which entities and man possessing and exerting respective life-forms, rights, entitlements and livelihoods, in an unseen war of dominance which hath raged unabatedly heretofore, presently and shalt so continue till his earthly course comes to an end.

Now to give meaning, explanation and definition to the foregoing, let me take you in retrospect through the corridors of epochs to the story of creation.

STORY OF CREATION

THUS SAITH THE LORD GOD:

In the book of Genesis chapter one reading verses twenty four to twenty nine:

..... And GOD gave MAN, power, authority and DOMINION over

- The birds of the AIR
- The animals of the EARTH
- The fish of the DEEP.

An introspective interpretation of scriptures could take you yonder than what meets the eye; the scriptures in many instances had been in wont

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towards symbolic interpretation, that is, its literal meaning tantamount to a symbolic connotation.

Wherefore, it is all symbolic, for example when God spoke and addressed the serpent in the Garden of Eden it appeared in the natural 2 that God had only cursed a natural corporeal reptile called snake. But in reality, God had actually cursed an incorporeal being called Satan. Therefore, in this particular verse we see GOD giving MAN power, authority and DOMINION over 3 spiritual elements;

- The heavenly elements of stars, planets, the heavenly powers of principalities and spiritual kingdoms and spiritual powers and spiritual beings
- Over the earthly situation and earthly circumstances which affect your life'S DESTINIES and over all animals
- Over the entire powers of the underworld Hell and over all demons and devils and over all evil/satanic passions, desires and evil influences and afflictions.

In the Beginning: God first stood in the emptiness of space and saw nothing but emptiness. Then He spoke and the stars, sun moon, the earth and all the galaxies came into being Then He spoke and all the mountains, rivers, valleys, trees, flowers, animals and all creeping things came into being Then He spoke and all the creatures of the seas came into being.

Rumours in heaven: Rumours shot through the heaven amongst the angels that the LORD GOD was about to create a Master Piece but they didn't know who or what it was. The Angels were curious and the LORD GOD simply did not tell all of His angels who or what He was about to create. This MasterPiece would be given power and dominion over them.

Rumours on earth: All the animals were curious by now as to what the LORD GOD was up to! How would the MasterPiece look like? This MasterPiece would be given power and dominion over them.

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Rumours in Hell: All the demons including the leader Satan were now dying of curiosity as to who and what the MasterPiece is. This MasterPiece would be given power and dominion over them.

The Creation of the MasterPiece: And the Lord God came down to earth to create the MasterPiece. The Lord God folded up his sleeves, stretched 3 forth his hands, got down and then began working out with the mud and clay forming a figure with his bare hands. All the animals envied and the angels remarked saying "Look here when He made the heavens and the earth His hands did no work but only His mouth spoke, now what's so special about this MasterPiece that He has to use His raw Hands!" And the Lord God got down and formed and then stood up and looked at the figure and then squad down and worked and then stood up and checked and then jumped in excitement and then circled around and around and then going down again to perfect the figure. Again and again He would use a magnifying glass to ensure that the eyes are okay, the ears are okay going into great details while the angels banged their heads against the walls enviously crying out "Why, why, why! He didn't go into this sort of great details when creating heavens!" Then came the momentous hour, time for the Lord God to blow the breath of Life into His MasterPiece and to place His very own image into this MasterPiece. And the Lord God blew and lo and behold the MasterPiece became ALIVE!

The Lord God's joy knew no bounds and the Lord God began jumping up & down, dancing in excitement. The entire creation rejoiced to see this marvel and the Lord God began to dance around and around this MasterPiece proclaiming, "This is Man, this is Man, the Master of the Universe." The Lord God became so engrossed with Man, playing with him in the Garden Of Abundance. This new found relationship between the Lord God and Man was not like that between a deity and a devotee but was rather like that of 2 best friends!

The Lord God gives Man a Life-Partner.

After enjoying Man's presence and companion, the Lord God noticed that despite of the abundance around him and despite the companionship of the Lord God, Man still felt lonely and the Lord God at first didn't understand why. One day the Lord God told Man frankly, "I'm finding a life-partner for you. Just wait here, turn your back to Me, lean on the tree, close your eyes and for goodness sake do not open your eyes until I tell you to do so. I'm giving you a surprise shortly!"

And the Lord God left to find the right life-partner for Man who would be able to fill the vacuum of loneliness in him. Walking down the path, the Lord God sees a tiger, "This must be the one!" "Surely this tiger would be a good life-partner for Man!" At once the Lord God pounces on the tiger, throwing the shocked tiger onto the nearby stream waters, washing it with the fineness shampoo found in the Garden, dressing its hair. The tiger asked, "what are you doing to me?" And the Lord God replied, "I've selected you to be Adam's life-partner!" The Tiger felt proud & excited! Now the Lord God brings the tiger to Man and says "Adam! Open your eyes now! Behold your life-partner!" And Man slaps his forehead in utter disappointment seeing this Tiger. The Tiger leaves utterly brokenhearted.

Next the Lord God catches an Ape, after dressing and make-ups, brings it to Man, "what about this, I'm sure this would be a suitable helpmeet!" Only this time Man totally faints and drops on the ground! And the Ape unable to take the jilt from man almost committed suicide! And the Lord God leaves the Garden back to heaven to isolate Himself to think and to imagine and to plan His next move in finding a Life-partner for Man. An idea strikes the Lord God! Now the Lord God comes down and walks up to Man with a grin. Man remarks, "Oh No, what is He up to!" The Lord raises His Hand over him and down goes Man falling onto the ground. Now the Lord God removes a rip from Man's side. And the Lord God uses His raw hands to work with the mud and clay forming a strange figure. He checks and inspects the eyes, ears,

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limbs and etc to ensure it's all perfect. He then blows the breath of life and up stands the MOST Beautiful Creature in the entire universe – WOMAN! Now the Lord God brings her to Man! One look and Man says, "This is it!" And Man's loneliness vanishes forever!

The Lord God did not create woman from his neck bone neither from his foot bone save his rib bone. Wherefore woman was not ordain to dominate man, neither was man permitted to tread upon woman but both man and woman were created coequals with man given the driver's seat.

And forthwith the Lord God introduces Man & Woman to

- 1.the entire powers, elements and the natural laws of the heavens, "Behold your masters"
2. the entire, animals and entities of this world, "Behold your masters"
3. the entire underworld, "Behold your masters."

And the Lord God blessed both Man & Woman placing them in the Garden of Abundance giving them the command not to eat the fruit from the tree of the knowledge of good & evil saying that the day they eat it they would surely die.

THE PREEMINENCE OF MAN

Wherefore was Man created and ordained to take preeminence over all entities of that of heavens, of that of earth and of that of the lower worlds and whereupon his rights, entitlements and livelihood to likewise take such preeminence and dominance. Whereupon his fall, man became overwhelmed in slavery to various domineering entities which hath since ruled and held him in macabre bondages.

The man who was created to rule over the entity of stars is now ruled by stars possessing astrological life or so to say by men who have subjected themselves to be controlled by this entity or even to be ruled and controlled by the entity of animals possessing of zodiac life or so to say by men who have subjected themselves to be controlled by this entity of animal.

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The man who was created to dominate and rule over earthly entities is now ruled by political, economic and business entities.

Can an entity have life? Can an entity have rights and livelihood? Yea, and I will shortly have a discourse on this in the succeeding paragraphs.

Let us take a creature for example, a cani, does it have life? The answer would be in the affirmative, because a cani has an animal life. Let us take another example of the heavenly entity of the Law of Gravity. It too has a peculiar life-form called gravitational life.

So does entities of organizations, incorporated companies and many other chattels and utilities.

I said at the start, 'THUS SAITH THE LORD GOD AND NOT SAID'. Because, that portion of Written Word portraying man's mastership at creation is still valid today and its validity is meant to continue till eternity ends. Man's inalienable and inherent right to his livelihood & liberty lay divinely hidden in this portion of Written Word. Though in Man's present fallen state, he had become fettered and bound as slave to be downtrodden by all the elements around, **there remaineth yet a RESIDUE OF GREATNESS, a divine ordained value and worth in human value & importance still recognized by the very same Lord God who had first raised him from the dust of the earth.**

Saith I A RESIDUE OF GREATNESS IN HIM.

Knowest thou not wherein lieth this residue of greatness in him? Is it not within the inner realms of his mind and spirit? Yea!

Let me now elucidate this twain: There lieth in him and in every homo sapiens at the surface of his inner being a conscious state of mind to appraise and filter off incoming suggestions via distillate of REASON, whereof sieving off what is unreasonable or illogical and admitting within only the essence of only what is reasonable and logical. Next, plunging deeper down to the bottomless depths of his inner being there lieth yet another state of mind, in a state of subconsciousness, metaphysical and mysterious which no man knoweth its dimensions or boundaries nor hath any man measured its

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powers, which doth not sieve nor distillate suggestions coming to it but would act and perform on any messages conveyed to it, both reasonable and unreasonable, logical and illogical.

For example man did not create flying objects of aero planes, helicopters and space crafts in defiance of natural laws of gravity by way of his conscious state of mind but rather by his subconscious state of mind wherein lieth seeds of preeminence.

Wherefore, it is in his subconsciousness lay his residue of greatness, creativity, wisdom and supernatural abilities to analyze, judge, invent, create, discover and obtain solutions, etc as so ordained and purposed by his Maker. And every man, rich or poor, educated or uneducated, white or black, good or evil of all kindred, caste or creed or howsoever made or brought out doth possess this inherent gift of subconsciousness within him which qualifies him as Masterpiece and wherefore his rights, entitlements, **livelihood** and sovereignty to take preeminence over all entities and all things else.

The right to or the sovereignty of man's livelihood, the seeds whereof were sown and germinated in bygone ages of great philosophical thinkers like Thomas Hobbes, John Locke, Jefferson and like manner men, has today yielded fruits of sundry rules, practices, legislatures, statutes and myriad common law norms covering employment contracts and practices today. Hobbes (1588 – 1679) in his immortal Leviathan (1651) argues that Man is at war with everyone else as solitary, poor, nasty, brutish and short, where manifest inner insecurity within him drives him to enter into a social contract with the state to fulfill his inner instinct for self-preservation of his harmonious livelihood in consideration of giving leeway to his personal liberty.

Now, leaving Hobbes' shabby crude hut to drop by John Locke's cozy home for a cup of evening tea, we discover his postulations, refined and thus more palatable than the former, in the form of a 'pactum unionis', which social

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contract I would wherefore designate an interpretation and a connotation meant · To guard and secure the natural rights of Man and interalia his right to livelihood,

- Which right to livelihood, the right to discharge his labour for any productive endeavour
- The foregoing proprietary right of livelihood and labour is to be protected and given effect by the State or Government and whereupon the validity of such a State or Government would cease and come to naught when it fails to protect the said proprietary rights.

While Hobbes tilted the leverage against the fundamental rights and liberties of Man in deference to 'inalienable rights and sovereignty' of the State, thereby reducing Man to be a mere chattel in servitude for the State, it was John Locke who rightly balances the leverage reducing the State as only servant guardian of Man's fundamental rights.

Huntington Cairns, another thinker, conceptualizes the utility of law as a means to maintain order and conversely to avoid disorder; thereby giving leverage to Man's inherent ability to maintain law and order in a disorderly world filled with racial prejudices, unfair labour practices, injustices, employment instabilities and a host other evils. But what could be a more disorderly state of affair than a society where the livelihoods of its populace are tossed about perpetually by boisterous waves of dominating unemployment and employment instability and buffeted by winds of dominating unfair labour practices and highhanded economic exploitation by business entities.

The very same Lord God in his incarnate form as He walked by the shores of Galilee articulated that the Sabbath was made for man and not otherwise. Wherefore, in a nutshell, laws, rules, states, Governments, business and economic entities are made for Man and not otherwise.

In Man's original state in the Garden, he was placed as the Master; the Lord God's central theme was Man and that Man was and is and will always take

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preeminence over everything else, over everyone else over that of laws, rules, ideas, concepts, economic, business and political entities and states and governments whereby these are but to facilitate, smoothen up and pave a way to root and germinate his livelihood and stability.

Natural law proponents seek to fetter and subjugate man to the powers of natural elements, thereby placing man in servitude of natural law elements. The positivists postulate that manmade idols of rules, procedures, bylaws, laws, economic, business and political entities and its welfare and wellbeing as central theme taking preeminence over man or placing these on equal footing with Man, when Man and Man alone and Man's livelihood should rightfully take preeminence over all these.

An entity like an incorporate company, though it comprises a group of men managing and maneuvering the said entity towards desired economic and business goals, it does not possess intrinsic values and worth as intended at the Garden and thus it shall remain distinct and separate from the Masterpiece.

Hence entities should never take preeminence or be placed in equal footings with the lowest of man.

Why I say so:

In using Hobbes' own phraseology from his introductory discourse of the Leviathan and expanding and paraphrasing it thus, doth not an entity like a car has an artificial life of its own within it, thus causing it to move from one place to another vide an ingenious movement of pistons, shafts, oil & fuel flows and a host such well coordinated movements, actions and functions of uncountable parts of metals venting up artificial life of exhaust fumes, adrenal thrills of speed and noise. Can this entity despite its pomp and pageantry of artificial life take preeminence or be placed in equal footing with the lowest of man the Masterpiece? In simulating the foregoing paragraph, the rational conclusion so derived would wherefore yield like manner axioms for animal life, economic and business entities like

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incorporate companies, political entities like ruling governments, philosophical entities like natural laws, Austin's positive laws, Hart's rule of recognition, ecclesiastical entities like cultures, dogmas, creeds, castes, religions and a host of other secondary or artificial life form, for these do possess their own worth, value, entitlement, right and prerogatives, albeit it is and should be secondary, not meant to take preeminence nor to be set in equal footing and to be in subordinate to the Masterpiece's.

Wherefore, hath not Hobbes erred in erecting a monumental idol of a tyrannical leviathan which being a political entity, but accorded a value, worth, entitlement, right and dominating powers to take preeminence over that of the Masterpiece's in cardinal breach of what being rightful, thus usurping man's fundamental liberty, intrinsic worth and value? And do we not behold Hobbes' specter of Leviathans in our modern world today, committing the very same cardinal breaches in myriad forms and by sundry means?

One of these leviathans would be the concept of 'employment-at-will' wielded by business entities in the United States, where save and except for a few exceptions on technical grounds, terminate an employee for any reason whatsoever or for no reason whatsoever. Which doctrine had its roots from Horrace Gray Wood's 1877 treatise, thereby giving birth to a legal dogma in USA sanctioning a discharge of employment for no reason or in other word, placing a business entity's rights and livelihood in equal footing and / or that of taking preeminence over that of Man's.

Another one of these would be Austin's leviathan where he postulates a political entity of a Sovereign as RumblingJuggernaut of Commands against which Man's fundamental rights and liberties are crushed in deference, since he discards the bridge between law and morality and the ensuing human values, cultures, ethics, entitlements and rights. Doth he not place and accord this leviathan above than the master piece. Now leaving the foregoing legal dogmas, which bulwark had suffered many a inroad rammed by

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legislatures and common law, let the reader appraise the succeeding chapters on employment dismissals in respect of legal dogmas in the Malaysia context.

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