

# Rawls on Meaningful Work and Freedom

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**Abstract:** In this article, I criticize Rawls's well-ordered society for failing to secure a right to meaningful work. I critically discuss five technical Rawlsian ideas: self-respect, social union, the difference principle, the powers and prerogatives of office, and fair equality of opportunity. I then claim that radical restructuring of the workplace conflicts with Rawls's individualistic understanding of freedom. Briefly drawing on Hegel, an under-recognized historical influence on Rawls, I then correct Rawls by arguing for a conception of freedom that is internally related to broader solidaristic values associated with meaningful work.

**Keywords:** Rawls; Hegel; meaningful work; freedom; solidarity

## 1. Introduction: The Status of Meaningful Work in Rawls's System

John Rawls's two principles of justice mandate equal liberty for all and inequality in material and institutional resources only so long as it is necessary to improve the condition of the least advantaged.<sup>1</sup> The implementation of these principles would have wide-ranging egalitarian effects with respect to the distribution of income, wealth, and access to familiar liberal freedoms. But what, if anything, do the principles have to say about *the way* a society produces that which is to be distributed? More specifically, can Rawlsian justice mitigate what since Adam Smith has been recognized as the often stultifying and hierarchical nature of work under a highly stratified division of labor?<sup>2</sup> Issues concerning the injustices of working life are prevalent in contemporary political discussion.<sup>3</sup> If Rawlsian theory

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<sup>1</sup>John Rawls, *A Theory of Justice*, original ed. (hereafter "TJ") (Cambridge, Mass.: Harvard University Press, 1971), p. 302, and *Justice as Fairness: A Restatement*, ed. Erin Kelly (hereafter "JF") (Cambridge, Mass.: Harvard University Press, 2001), p. 42.

<sup>2</sup>See Smith's famous remarks on the failure of work under the modern division of labor to exercise workers' "understanding" and "invention." Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* [1776], ed. Edwin Cannan (Chicago: University of Chicago Press, 1977), p. 302.

<sup>3</sup>E.g.: Russell Muirhead, *Just Work* (Cambridge, Mass.: Harvard University Press, 2007); Richard Sennett, *The Craftsman* (New Haven: Yale University Press, 2009); Matthew Crawford, *Shopclass as Soulcraft: An Inquiry into the Value of Work* (New

fails to secure justice in the workplace, then liberal egalitarians are faced with the question of how better to theorize this urgent political demand. In this paper I argue that Rawlsian theory is not up to the task.

Throughout his career, Rawls was confident that his vision of a well-ordered society justifies meaningful work for all. According to *A Theory of Justice*, in a well-ordered society “no one need be servilely dependent on others and made to choose between monotonous and routine occupations which are deadening to human thought and sensibility” (*TJ*, 529). This is particularly important since “what men want is meaningful work in free association with others” (*TJ*, 290). In *Justice as Fairness*, Rawls develops the idea of a socioeconomic form he calls Property-Owning Democracy (POD), which he claims overcomes “the narrowing and demeaning features of the division [of labor]” (*JF*, 177). His endorsement of this basic idea survives the transition from *TJ* to *Political Liberalism*. In fact, in the latter text he criticizes *TJ* for not going far enough to address “claims of democracy in the firm and the workplace.”<sup>4</sup> Finally, in his late *The Law of Peoples*, Rawls returns to the idea that a well-ordered society must provide “the opportunity for meaningful work and occupation.”<sup>5</sup>

Nevertheless, Rawls’s arguments for the two principles of justice do not directly enjoin a well-ordered society to institute laws that protect its citizens from unfulfilling jobs. Rather, he merely expresses the hope that such protection will result as a consequence of just institutions. Commentators have not always agreed with Rawls’s optimistic assessment. Some see these remarks as ungrounded, mere wishful thinking. For example, Sibyl Schwarzenbach concludes that when Rawls “enumerates examples of social unions ... the work relation, and any mention of the firm or productive relation, is conspicuously absent.”<sup>6</sup> According to Gerald Doppelt, “Rawlsian theory does not recognize any problems of social injustice arising from the unequal positions characteristic of a capitalist economy, other than whether they admit of equality of opportunity and maximize the income of the worst-off.”<sup>7</sup> For Doppelt, Rawls’s remarks

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York: Penguin Books, 2010); and the essays in *Work and Dignity*, a special issue of *The Hedgehog Review* (vol. 14, no. 3, Fall 2012).

<sup>4</sup>John Rawls, *Political Liberalism*, expanded ed. (hereafter “*PL*”) (New York: Columbia University Press, 2005), p. xxviii. For a discussion of *PL* on meaningful work, see Jeffrey Moriarty, “Rawls, Self-Respect, and the Opportunity for Meaningful Work,” *Social Theory and Practice* 35 (2009): 441-59.

<sup>5</sup>John Rawls, *The Law of Peoples* (Cambridge, Mass.: Harvard University Press, 1999), p. 50.

<sup>6</sup>Sibyl A. Schwarzenbach, “Rawls, Hegel, and Communitarianism,” *Political Theory* 19 (1991): 539-71, p. 561. It is worth noting that Schwarzenbach makes this point in the context of defending Rawls against communitarians.

<sup>7</sup>Gerald Doppelt, “Rawls’ System of Justice: A Critique from the Left,” *Noûs* 15 (1981): 259-307, p. 266. See also Barry Clark and Herbert Gintis, “Rawlsian Justice and

on mitigating the excesses of the division of labor “never find their way into the substance of his theory of justice.”<sup>8</sup> Others interrogating liberal political philosophy more generally have suggested that the widespread prevalence of mundane or monotonous jobs is “of little concern to contemporary social and political philosophers,” and that this tradition ought to “learn from [its] communitarian critics” by “reviving the old idea of workplace democracy.”<sup>9</sup>

In the years after *TJ*, Rawls’s revisions to his theory highlighted its opposition to contemporary capitalism. In response to the charge that *TJ* was essentially a defense of the welfare state, Rawls developed the idea of POD, in which capital and productive assets are equitably distributed throughout society though still privately owned.<sup>10</sup> Rawls argues that POD, unlike the welfare state, entails broad measures aimed at discouraging the increasing accumulation of wealth by a political and economic elite. He mentions in passing that worker-managed firms may be necessary to realize these measures (*JF*, 176; see also *TJ*, 280). Moreover, in the same years, Rawls better articulated his view that the difference principle (DP) governs the choice of modes of production, which includes *how* production is carried out, rather than simply the allocation of goods produced under a given capitalist mode of production (e.g., *JF*, 50, 63).

Based in part on these changes, as well as on a shifting political climate in which Rawlsian theory began to seem anything but conservative, recent commentators have been more sympathetic to Rawls’s self-assessment on the status of meaningful work within his theory.<sup>11</sup> For ex-

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Economic Systems,” *Philosophy & Public Affairs* 7 (1978): 302-25, pp. 312-13.

<sup>8</sup>Doppelt, “Rawls’ System of Justice,” p. 276.

<sup>9</sup>Adina Schwartz, “Meaningful Work,” *Ethics* 92 (1982): 634-46, p. 635; and Amy Gutmann, “Communitarian Critics of Liberalism,” *Philosophy & Public Affairs* 14 (1985): 308-22, p. 321. For similarly broad indictments of the tradition, see Iris Marion Young, *Justice and the Politics of Difference* (Princeton: Princeton University Press, 2011), pp. 192-225, and Axel Honneth, “Labor and Recognition” in *The I in We: Studies in a Theory of Recognition* (Cambridge: Polity Press, 2012), pp. 56-75. In a nuanced treatment of Rawls’s relation to Marxism, Rodney Peffer concedes that workplace democracy is inadequately theorized in *TJ*. Rodney Peffer, *Marxism, Morality, and Social Justice* (Princeton: Princeton University Press, 1990), p. 396.

<sup>10</sup>John Rawls, *A Theory of Justice*, revised ed. (Cambridge, Mass.: Harvard University Press, 1999), p. xiv. (References in the text to “*TJ*” are to the original edition. References to the revised edition will be given as “*TJ Revised*.”)

<sup>11</sup>On the role of the political climate in the reception of Rawls’s theory, see Simone Chambers, “Justice or Legitimacy, Barricades or Public Reason? The Politics of Property-Owning Democracy,” in Martin O’Neill and Thad Williamson (eds.), *Property-Owning Democracy: Rawls and Beyond* (Oxford: Wiley Blackwell, 2012), pp. 17-32, and Martin O’Neill and Thad Williamson, “Beyond the Welfare State,” *Boston Review*, 24 October 2012; <http://www.bostonreview.net/us/beyond-welfare-state> (accessed 13 October 2014).

ample, Samuel Freeman argues that once we appreciate that DP distributes not just income and wealth but also “powers and prerogatives of office,” it is clear that POD “relies on all citizens ... having at least some share of economic rights and powers in their workplace (such as co-determination rights, or in the case of the least advantaged ... rights to alter their daily tasks to reduce monotony, move around freely in the workplace, take periodic breaks, etc.)”<sup>12</sup> Following Freeman’s lead, others have focused on the concept of self-respect and various other features of POD to show that Rawlsian philosophy can accommodate and might even necessitate egalitarian transformation in institutions of work.<sup>13</sup>

In order to show why I defend a more pessimistic assessment of the status of meaningful work in Rawls, I consider five specific concepts from Rawls’s complex architectonic—(1) The primary good of self-respect and its relation to (2) social union, and (3) DP and its relation to two primary goods: (4) powers and prerogatives of office (PPO) and (5) fair equality of opportunity (FEO). With respect to grounding the ideal of meaningful work, I suggest that: securing self-respect (such as Rawls understands it) is neither necessary nor sufficient; DP’s distribution of PPO is necessary but not sufficient in that it collapses into FEO; and Rawls’s conception of social union in fact militates against it.

Turning from critique to diagnosis, I offer a novel reason for why

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<sup>12</sup>Samuel Freeman, “Rawls on Distributive Justice,” unpublished ms. I thank the author for permission to cite from this work. See also Samuel Freeman, *Rawls* (New York: Routledge, 2007), pp. 133-34, and “Consequentialism, Publicity, Stability, and Property-Owning Democracy” in *Justice and the Social Contract* (Oxford: Oxford University Press, 2007), chap. 3, pp. 102-9. The relation between PPO and workplace democracy is explored by Samuel Arnold, “The Difference Principle at Work,” *Journal of Political Philosophy* 20 (2012): 94-118. For an early positive assessment of Rawls’s theory for justifying worker control, see T.M. Scanlon, “Rawls’ Theory of Justice,” in Norman Daniels (ed.), *Reading Rawls* (Stanford: Stanford University Press, 1989), chap. 8, p. 204.

<sup>13</sup>On self-respect, see Moriarty, “Rawls, Self-Respect, and the Opportunity for Meaningful Work.” On POD, see Martin O’Neill, “Liberty, Equality, and Property-Owning Democracy,” *Journal of Social Philosophy* 40 (2009): 379-96; as well as Nien-hê Hsieh, “Justice in Production,” *Journal of Political Philosophy* 16 (2008): 72-100, “Justice at Work: Arguing for Property Owning Democracy,” *Journal of Social Philosophy* 40 (2009): 397-411, and “Work, Ownership, and Productive Enfranchisement,” in O’Neill and Williamson (eds.), *Property-Owning Democracy*, pp. 149-62. Hsieh argues that property-owning democracy may not directly lead to meaningful work, since POD is “concerned with a person’s status as an owner of capital, and not as a worker” (“Justice at Work,” pp. 401-2). But he suggests that it will have the indirect result of a more egalitarian distribution of meaningful work, insofar as each worker’s possession of a stock of capital will make her less likely to accept employment that is demeaning. Joshua Cohen also argues that workplace democracy could be indirectly achieved within a Rawlsian paradigm by fixing the terms on which capital is rented to firms. Joshua Cohen, “The Economic Basis of Deliberative Democracy,” *Social Philosophy & Policy* 6, no. 2 (1989): 25-50, p. 40.

Rawls cannot adequately ground a right to meaningful work, one that has not been sufficiently appreciated even by those critical of Rawls's treatment of this issue. My claim is that Rawls's philosophy suffers from an overly individualistic conception of freedom or autonomy, the result of which is that the level of state intervention required to secure meaningful work is not only not necessary to achieve freedom, but might even threaten it.<sup>14</sup> Finally, I briefly turn to Hegel's social conception of freedom, on which individuals can be free only if others affirm their goals or projects. I urge Rawlsians interested in meaningful work to adopt this conception. Before proceeding, however, we must at least provisionally define the concept of meaningful work, as well as address a potential methodological objection.

## 2. Meaningful Work, Perfectionism, and Pluralism

Since Rawls does not define meaningful work, we cannot be sure exactly what he thinks renders a job "deadening to human thought and sensibility." Moreover, it might appear that no such definition is possible, since what is "meaningful" is essentially subjective.<sup>15</sup> In moving beyond Rawls's scanty remarks on this theme, and in trying to secure a relatively objective, at least partly measurable index of meaningful work, I define the concept as follows: (A) Meaningful work employs a variety of tasks or routines, drawing on an array of skills and capacities at least some of which require insight, intelligence, and ingenuity. It is aimed at ends or products that promote conditions under which other agents can similarly display intelligence, thought, and skill through their work. Call this aspect of meaningful work *self-realization*. (B) Meaningful work demands

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<sup>14</sup>By contrast, although Schwarzenbach is critical of Rawls on work, she disagrees with my assessment of Rawls's conception of freedom, which she argues is thoroughly intersubjective ("Rawls, Hegel, and Communitarianism," p. 554). Doppelt agrees with my diagnosis that what explains Rawls's relegation of meaningful work to the periphery of his project is an overly individualistic understanding of freedom ("Rawls' System of Justice," pp. 286-90). Moreover, as a positive emendation to Rawls, he suggests the inclusion of liberties much like the ones I outline in the conclusion to this paper. However, the central difference between us is that Doppelt argues that Rawls's Kantian conception of freedom as the freedom to choose *could* be harnessed to generate a well-ordered society in which self-respect through labor is pivotal, whereas I argue (sections 5-6) that this ideal of labor is blocked by any conception of freedom that ignores how my ends are taken up and recognized by others.

<sup>15</sup>See here Arnold, "The Difference Principle at Work," p. 116, and Richard Arneson, "Meaningful Work and Market Socialism," *Ethics* 93 (1987): 517-45. By contrast, on the depoliticizing effects of declaring meaningful work to be an essentially subjective category, see Russell Muirhead, "Meaningful Work and Politics," *The Hedgehog Review* 14, no. 3 (2012): 21-29, p. 22.

that the worker's tasks are not restricted to those that express a subordinate role. Further, it does not require attitudes of subservience or inferiority. Call this *workplace egalitarianism*. (C) Meaningful work affords each worker a share of collective decision-making power in the ongoing organization and operations of the firm.<sup>16</sup> Tasks must be divided in a manner that abolishes or at least seriously mitigates the distinction between "those who decide and those who execute others' decisions."<sup>17</sup> Accordingly, information, expertise, and know-how must be disseminated so that all workers possess the requisite capacities and concrete opportunities for shaping a workplace's general policies.<sup>18</sup> Call this *workplace democracy*.<sup>19</sup>

Workplace egalitarianism can be seen as an extension of the Rawlsian value of equal respect between citizens to the domain of the workplace. But workplace democracy—and even more, self-realization—pushes the terms of Rawlsian justice beyond its customary limits.<sup>20</sup> For reasons of space, I focus mostly on self-realization. Implementing self-realization requires "balanced job complexes," whereby each position within the division of labor would, in the words of Roberto Unger, allow for "a complex of tasks unique in its details but nonetheless comparable to every other person's regarding its quality of life and empowerment effects."<sup>21</sup>

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<sup>16</sup>Should decision-making power be absolutely equal, proportional to each worker's role in the firm, proportional to the degree to which each is affected by any particular decision, or governed by a principle like DP, mandating unequal distribution of decision-making power only so long as it is necessary to improve the position of the least skilled? I cannot address this complicated question of institutional design here.

<sup>17</sup>Schwarz, "Meaningful Work," pp. 641-42.

<sup>18</sup>Schwarz notes that securing (1) might not lead to (3). An individual worker's tasks can be made more varied and complex even though she still simply executes actions specified by others ("Meaningful Work," p. 641). Furthermore, given that some kinds of work will always be monotonous, (3) might need to be more actively promoted in cases in which (1) is difficult to achieve. Perhaps it is in conditions of mundane work that it is most important for workers to have a say in the overall organization of the firm, thereby exercising the capacity for judgment foreclosed during the working day. For similar proposals, see: Hsieh, "Justice at Work," p. 408; Michael Walzer, *Spheres of Justice* (New York: Basic Books, 1984), pp. 177-83; and Jan Elster, "Self-Realization in Work and Politics: The Marxist Conception of the Good Life," *Social Philosophy & Policy* 3, no. 2 (1986): 97-126, pp. 122-24.

<sup>19</sup>For a conception of workplace reform that demands more radical transformation of currently existing institutions than workplace egalitarianism but less than workplace democracy, see Nien-hê Hsieh, "Rawlsian Justice and Workplace Republicanism," *Social Theory and Practice* 31 (2005): 115-42.

<sup>20</sup>Under workplace democracy, workers may choose to forgo their self-realization in exchange for greater income. However, empirical studies show that after a certain material minimum has been met, workers tend to value stimulating work more than increased income. See James Murphy, *The Moral Economy of Labor: Aristotelian Themes in Economic Theory* (New Haven: Yale University Press, 1993), pp. 2-5.

<sup>21</sup>Robert Unger, *False Necessity: Anti-Necessitarian Social Theory in the Service of*

Securing such an ideal would demand measures within each firm to rotate unpleasant or mundane but necessary tasks in order to foster the time needed for each worker to develop the higher-order skills necessary for more demanding and challenging tasks.<sup>22</sup> The tasks that comprise any given job description must unite conceptualization and action.<sup>23</sup> Though Rawls does not discuss such institutional proposals in any detail, he briefly alludes to balanced job complexes when he suggests that in a well-ordered society “each can be offered a variety of tasks so that the different elements of his nature find a suitable expression” (*TJ*, 529).

Treating the ideal of meaningful work through the lens of balanced job complexes allows me to respond to an important criticism. Since meaningful work seems to imply a perfectionistic view according to which the chief human good is realized through labor, it ought not to justify legal interventions into the workplace. On this view, Rawls’s—or indeed any liberal’s—reticence to embrace the ideal is simply an application of a general principle of avoiding robust conceptions of the human good in discussing the basis and reach of the state’s coercive power.<sup>24</sup>

Admittedly, many discussions of meaningful work involve perfectionist commitments about the ultimate ends of life.<sup>25</sup> But examining Rawls’s theory is helpful because it provides a nonperfectionistic vocabulary with which to formulate this aspiration.<sup>26</sup> To put it in technical terms, from within a Rawlsian framework meaningful work will be construed as a “primary good,” that is, a good that any rational individual seeks no matter her specific goals, plans, and projects, if and only if meaningful work is necessary to express citizens’ political nature as de-

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*Radical Democracy* (Cambridge: Cambridge University Press, 1987), p. 76. For the term “balanced job complexes,” see Michael Albert, *Parecon: Life After Capitalism* (New York: Verso, 2003). For other treatments of this basic idea, see Young, *Justice and the Politics of Difference*, pp. 192-225, and Honneth, “Labor and Recognition.”

<sup>22</sup>Elster objects that job rotation prohibits the time needed for overcoming the initial learning curve inherent in all positions complex enough to allow for genuine self-realization. Job rotation thus fails to “exploit the economies of scale of self-realization” (“Self-Realization in Work and Politics,” p. 113). He favors instead education aimed at general or adaptable skills that “can be harnessed to widely different tasks,” allowing for positions in which the same skill is perfected through its repeated exercise (pp. 101, 115). Elster’s argument against job rotation points to a potential tension between the value of individual self-realization and job rotation that needs to be explored further.

<sup>23</sup>Arnold, “The Difference Principle at Work,” p. 102.

<sup>24</sup>For the characterization of political liberalism as “avoiding” questions of the good, see John Rawls, “The Idea of Public Reason Revisited,” *The University of Chicago Law Review* 64 (1997): 765-807, p. 800.

<sup>25</sup>Elster, “Self-Realization in Work and Politics.”

<sup>26</sup>Here I agree with Arnold on the relevance of Rawls for a nonperfectionist account of meaningful work (“The Difference Principle at Work,” pp. 94-95).

defined in terms of each citizen's two moral powers: the capacity for a sense of justice and the capacity to form and revise a conception of the good.<sup>27</sup> In plainer English, meaningful work will only be an important good for society to secure if it would be rational for citizens described only very minimally as free, moral agents to choose such a good, absent knowledge of their broader convictions about the good life.<sup>28</sup>

Conversely, if it turns out that we have good reasons to value an ideal of meaningful work, and yet we find that from within Rawls's system we cannot generate such an ideal without importing perfectionist commitments, then we might need to move Rawlsian theory in such a direction without presupposing the truth of perfectionism at the outset. This is roughly the strategy my argument takes in the final sections of this paper, when I turn to Rawls's conception of freedom. But it should be noted that any perfectionism in the view I defend has only to do with the conception of freedom needed for political society and not specifically with the role of work in the good life.

Thankfully, for the purposes of this paper I can mostly leave these issues aside. Institutionally speaking, an at least provisionally non-perfectionistic conception of balanced job complexes implies that a well-ordered society need only ensure that sufficiently complex and self-realizing jobs are available to all workers. It cannot demand that individuals choose such jobs, nor need it actively encourage individuals to view their jobs as the most salient aspect of their lives.<sup>29</sup>

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<sup>27</sup>For one of many statements of the two moral powers, see *JF*, p. 88. For a conception of primary goods as a purely political specification of citizens' "needs" as opposed to their "final ends," see *ibid.*, p. 141.

<sup>28</sup>Some perfectionistic defenses of meaningful work misunderstand political liberalism. For example, Ruth Yeoman suggests that the only alternative to grounding meaningful work on a demanding conception of ultimate human ends is to construe it as a mere taste or preference. But this misses the possibility that it might be justified as an enabling capacity for the two moral powers of citizens. See Ruth Yeoman, "Conceptualising Meaningful Work as a Fundamental Human Need," *Journal of Business Ethics* 125 (2014): 235-51.

<sup>29</sup>Restricting the discussion to balanced job complexes also allows me to bypass the Marxist objection that work aimed at producing commodities for a market cannot be meaningful, since under these conditions workers in their productive activity have no direct relation to the good of others. E.g., Karl Marx, *Excerpts from James Mill's Elements of Political Economy*, in *Karl Marx: Selected Writings*, ed. David McLellan (Oxford: Oxford University Press, 2010), p. 132. I grant that an ideal of meaningful work this demanding cannot be found in Rawls. In this paper I am more interested in how one might move toward an ideal of meaningful work from within a market-based system, one that encourages greater democratization of ownership of productive assets but does not eschew the commodity-form. For discussions of a more demanding Marxist ideal of production in light of Rawls, see Daniel Brudney, "Community and Completion," in Andrews Reath, Barbara Herman, and Christine M. Korsgaard (eds.), *Reclaiming the History of*

To make this point clearer, consider a liberal society in which citizens have diverse conceptions of the good. Surely in such a society some citizens will not take their work lives to provide a significant source of meaning. For example, imagine a philosopher who decides that she will have more time to spend actually pursuing her true passion of philosophy if she works as a night clerk at a convenience store rather than if she accepts an academic appointment and has to shoulder the burden of teaching and administrative duties.<sup>30</sup> Suppose further that under a socioeconomic scheme of balanced job complexes, her job at the convenience store involves more opportunity for insight and discretion than such a position currently affords. For instance, since workers rotate between managerial and menial tasks, she has some say in determining what items will be ordered and how they will be displayed. Her customers know this, and so tend to treat her with more respect than they otherwise would. On a perfectionist account of the highest ends, surely this job will look to be less self-realizing than a life of academic philosophy. But given a Rawlsian commitment to a pluralism of the good, this evaluative judgment can play no role in state policy. In ensuring balanced job complexes, the state has done all that it must do for the worker and, in turn, she has done all that she must do for the state.

Yet, by contrast, imagine a society in which *no* citizen finds the workplace to be a realm in which her value and worth is acknowledged. For *all* citizens, meaningful exercises of skill and attachment to others are only found in extracurricular associations or through hobbies. This looks unsatisfactory, not only in its own right as a political ideal, but also for technical Rawlsian reasons having to do with stability, that is, with the likelihood that a well-ordered society will give rise to rational attitudes of support among those subject to its principles. Given that what individuals do for most of the day is work, it is hard to imagine that a socioeconomic form in which all or even the vast majority of citizens spend the workday only longing for leisure will generate the requisite supporting attitudes. In sum, meaningful work might be a nonperfectionist value necessary to secure stability. As such, I take my argument in what follows to be an internal critique of Rawls's theory rather than an external perfectionist challenge. To this end, I now turn to an examination of five fundamental Rawlsian concepts.

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*Ethics: Essays for John Rawls* (Cambridge: Cambridge University Press, 1997), pp. 388-415, and "The Young Marx and the Middle-Aged Rawls," in Jon Mandle and David Reidy (eds.), *A Companion to Rawls* (Oxford: Blackwell, 2014), pp. 450-72.

<sup>30</sup>I thank Anthony Laden for this example.

### 3. Self-Respect and Social Union: Economic vs. Associational Life

Rawls himself occasionally suggests that the importance his theory places on self-respect justifies an ideal of meaningful work (e.g., *PL*, lvii; *LP*, 50). To evaluate this claim, we must first understand self-respect's status as a "primary good." In Rawls's system, one assesses how agents will fare within a scheme of justice, and delineates citizens' fundamental needs with respect to justice, in terms of an index of "primary goods" (e.g., *TJ*, 92; *PL*, 188). In *TJ*, the exact list of primary goods is largely determined by armchair psychology concerning what any rational agent is likely to want (e.g., *TJ*, 92). Later, these goods are more clearly cast as formal goods requisite for exercises of agency, where agency is described in terms of the two moral powers, which are, once again: our capacity to (a) conform or constrain our ends in light of a sense of justice and (b) form, pursue, and revise a conception of the good.<sup>31</sup>

However exactly primary goods are characterized, Rawls argues that parties in the original position will seek to maximize not only the primary goods of liberty and social opportunity (mainly governed by wealth), but also the conditions necessary to secure their own self-respect. In fact, Rawls characterizes self-respect as "perhaps the most important primary good" (*TJ*, 440). As Rawls's work progresses, self-respect plays an increasingly prominent role in establishing the choice of DP over various utilitarian proposals for wealth redistribution (e.g., *JF*, 130), as well as in grounding the priority of liberty over DP (*PL*, 318-19; see also *TJ*, 545-46).<sup>32</sup>

On Rawls's definition, self-respect is a psychological attitude with two components: first, a sense that my own plans and projects are worthwhile, and second, confidence in my own ability to act so as to fulfill these plans and projects (*TJ*, 440). Rawls argues that a necessary precondition for this attitude is that a certain set of social and institutional arrangements obtain. Self-respect is expressed as a relational property of being esteemed and valued by other agents (*ibid.*). Clearly, what is relevant from the perspective of justice are not the attitudes themselves,

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<sup>31</sup>E.g., *JF*, pp. xvi, 58-60; *PL*, 187, 307-8; *TJ Revised*, p. xiii. This shift in the status of primary goods can be traced to John Rawls, "Kantian Constructivism in Moral Theory," in *Collected Papers*, ed. Samuel Freeman (Cambridge, Mass.: Harvard University Press, 1999), pp. 303-58, at p. 314. See also "Social Unity and Primary Goods," in *ibid.*, pp. 359-87, esp. pp. 359-74.

<sup>32</sup>On self-respect and DP, see Joshua Cohen, "Democratic Equality," *Ethics* 99 (1989): 736-44. On self-respect and the priority of liberty, see: Henry Shue, "Liberty and Self-Respect," *Ethics* 85 (1975): 195-203; Norman Daniels, "Equal Liberty and Unequal Worth of Liberty," in *Reading Rawls*, chap. 11, p. 275; as well as Cohen, "Democratic Equality," pp. 737-38.

which are subjective and so not within the jurisdiction of the state, but the social and institutional conditions necessary for fostering *rational* attitudes of self-respect. This is why after *TJ* Rawls prefers to speak of the “social bases” of self-respect, rather than self-respect itself, as a primary good (*JF*, 60).<sup>33</sup>

Understood in terms of its social bases, the primary good of self-respect might appear to provide a promising normative basis for Rawls’s remarks on overcoming the “worst aspects of the division of labor.” The argument might go as follows: without transformation in relations of work, workers in menial jobs will not feel that what they do is worthwhile. Moreover, it will be unlikely that individuals working in more fulfilling jobs will appreciate the contributions made to society by those in menial roles. If principles of justice are to be arrived at from behind a “veil of ignorance,” agents will reason without knowledge of their current position in the division of labor. But in that case they will aim at bringing about work conditions in which no one would be subject to loss of self-respect on the job. This form of reasoning looks persuasive, but can self-respect as Rawls understands it generate such an argument?<sup>34</sup> In order to answer this question I first need to delve more deeply into the intersubjective structure of Rawlsian self-respect. This will allow us to see both the potential and limitations of the concept.

Although masked in the register of descriptive psychology, Rawls’s account of self-respect takes the form of a speculative philosophical anthropology. It is a naturalized descendant of Rousseau on *amour-propre* and Hegel on recognition.<sup>35</sup> Rawls’s claim is that an essential condition of being an agent at all, that is, of actually carrying through on one’s plans, is that one confers value on what one does. As Rawls puts it, “without [self-respect] nothing may seem worth doing” (*TJ*, 440; *PL*, 318). In turn, to confer value on what one does is to judge oneself a competent valuer, which is simply another way to put what it means to respect oneself. But the condition for this self-assessment is that one

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<sup>33</sup>See also John Rawls, “A Kantian Conception of Equality,” in *Collected Papers*, pp. 254-66, at p. 260. In *TJ*, the “social bases” of self-respect are mentioned only once (p. 546).

<sup>34</sup>For a cautiously positive assessment of the relevance of self-respect as Rawls understands it to meaningful work, see Moriarty, “Rawls, Self-Respect, and the Opportunity for Meaningful Work.” For a more negative assessment, see Doppelt, “Rawls’ System of Justice.” Though Nir Eyal does not discuss meaningful work, he argues that Rawls’s conception of self-respect leads to socialistic measures, and he then criticizes the theory on these grounds. Nir Eyal, “‘Perhaps the Most Important Primary Good’: Self-Respect and Rawls’s Principles of Justice,” *Politics, Philosophy & Economics* 4 (2005): 195-219.

<sup>35</sup>Moriarty misses this more speculative dimension of the concept of self-respect, instead treating it in almost purely psychological terms. As a result, his claims about the relation between self-respect and meaningful work rest on tenuous appeals to empirical evidence.

exists in a community of reciprocal valuers, where we find “our person and deeds appreciated and confirmed by others who are likewise esteemed and their association enjoyed” (*TJ*, 440; *PL*, 318). In short, I can only value myself if others whom I value in turn value me.

Ultimately, Rawls’s discussion of what looks to be an individual capacity, the capacity to respect myself, ends up as a defense of the constitutive nature of community for human self-consciousness and agency. Moreover, the conception of community at issue extends beyond respect understood in a narrowly Kantian sense as an appreciation of the formal equality shared by all. Rather, securing the social bases of self-respect requires more robust forms of solidarity. It requires commitment to a shared form of life to which all contribute in their concrete particularity. Rawls writes:

[T]he conditions for persons respecting themselves and one another would seem to require that their common plans be both rational and complementary: they call upon their educated endowments and arouse in each a sense of mastery, and *they fit together into one scheme of activity that all can appreciate and enjoy.* (*TJ*, 441; emphasis added)

In communities of self-respect, each individual stands out not in terms of what they share with all others, equal moral agency, but in terms of the specific contributions each makes to a collective project. So self-respect as Rawls treats it is much closer to self-esteem.<sup>36</sup> Over and above the formal recognition implied by equal rights and rule of law, individuals require for their self-respect a common “scheme of activity” that enables their plans and projects to be seen as part of a larger whole, that is, to be “both rational and complementary.”

Were this Rawls’s final word on self-respect it would provide a promising avenue from which to ground a right to meaningful work. This conception of self-respect is a salutary departure from more traditionally liberal accounts, on which the conditions for self-respect depend less on whether one’s actual exercises of agency connect with those of others in a way felt to be meaningful by all parties, and more on fostering attitudes concerning equal worthiness no matter what one’s social role.<sup>37</sup> Ruled out, for example, is a conception of self-respect on which since a garbage collector and a brain surgeon are equal citizens (or members of the moral kingdom of ends), it doesn’t matter that the quality of their working lives

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<sup>36</sup>David Sachs, “How to Distinguish Self-Respect from Self-Esteem,” *Philosophy & Public Affairs* 10 (1981): 346–60; and Stephen Darwall, “Two Kinds of Respect,” *Ethics* 88 (1977): 36–49. Rawls acknowledges the distinction between self-respect and self-esteem in “A Kantian Conception of Equality,” p. 260, but does not make much of it. He moves between the two in *TJ*, p. 546.

<sup>37</sup>C.f. Doppelt, “Rawls’ System of Justice,” p. 278.

varies so drastically.

But just after offering a robust conception of self-respect qua self-esteem, Rawls quickly attenuates the state's role in securing this primary good. He writes:

It normally suffices that for each person there is some association (one or more) to which he belongs and within which the activities that are rational for him are publicly affirmed by others ... [W]hat is necessary is that there should be for each person *at least one community of shared interests to which he belongs and where he finds his endeavors confirmed by his associates.* (*TJ*, 441-42; emphasis added)

For Rawls, the state merely secures the background or “framework” conditions for self-respect.<sup>38</sup> It does this by assuring that “in public life citizens respect one another's ends” (*TJ*, 442; see also 544; *PL*, 319), which in effect means that citizens respect each other's right to set their own ends and so to be self-determining agents. Self-respect qua self-esteem is only actually instantiated in concrete forms of shared practice or associational life outside of the state's proper jurisdictional domain.<sup>39</sup> It is as if Rawls thinks that since the garbage collector and brain surgeon might join a bowling league in which each values the contributions of the other as a bowler, the drastic inequalities in their working lives do not affect their relative self-respect.

Given that in his discussion of the good of self-respect Rawls himself espouses a form of liberalism that incorporates the need for recognition and meaningful community, why does he attenuate his account of recognition so that it occurs in largely private spheres of social union, and not in state-regulated forms of work? We will return to this question in the diagnostic section of this paper. For now, let me consider a potential Rawlsian rejoinder to my treatment of self-respect.

Although Rawls's view is that individuals will find the conditions requisite for self-respect in substate spheres of social union, there is undoubtedly also a thoroughly public, political aspect of the idea of social union itself. Rawls conceives of a well-ordered society as “a social union of social unions” (*TJ*, 527). In brief, such a conception describes a political community that is both structured by principles of justice and valued for its own sake by its citizens. Moreover, citizens see the state as a way

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<sup>38</sup>On the state as setting “framework conditions” for self-respect, see Cohen, “Democratic Equality,” p. 737.

<sup>39</sup>Rather than accuse Rawls of conflating self-respect with self-esteem (e.g., Eyal, “‘Perhaps the Most Important Primary Good’,” pp. 201-6), it is more accurate to say that Rawlsian self-respect divides into two distinct concepts: formal relations of respect, which are expressed in and through the state, and substantive, specific relations of esteem, which are secured or protected by the state but which take shape in the associations of civil society. See here Doppelt, “Rawls' System of Justice,” p. 274.

of ordering or connecting social pursuits. The state enables a form of partnership that enriches each member, bringing each to self-development through cooperation with others. Perhaps this more state-based dimension of social union generates its companion form of self-respect, according to which I can only properly respect myself insofar as I understand my specific activities within a substate association as somehow connected up with the state as a whole? In turn, perhaps this more capacious concept of self-respect normatively justifies meaningful work for all?

Unfortunately, however, once again Rawls's particular understanding of a "social union of social unions" militates against the claim that his vision of a well-ordered society necessitates meaningful work.<sup>40</sup> Consider the following:

What binds a society's efforts into one social union is the mutual recognition and acceptance of the principles of justice; it is this general affirmation which extends the ties of identification over the whole community and permits the Aristotelian Principle to have its wider effect. Individual and group accomplishments are no longer seen as just so many separate personal goods. (*TJ*, 571-72)

The Aristotelian Principle is a psychological generalization stating that individuals prefer activities that draw on a greater range of their skills and abilities to those that draw on less (*TJ*, 426). This passage appears to be claiming that a just society connects individuals in such a way that individual occasions for self-realization combine to produce a form of collective realization that is greater than the sum of its parts. Rawls gives the familiar example of an orchestra, in which the skill of any one performer (e.g., the cellist) enriches the musical output and so perhaps even the skill of every other musician (e.g., the first violin, the bass, and so on) (*TJ*, 524).

Let us suppose for the sake of argument that Rawls intends the idea of a social union of social unions to refer not only to political institutions, but also to institutions of production. In this case, labor itself will be a collective product, just like the symphony is the product of the entire orchestra. But consider what will happen if labor is viewed as a thoroughly collective product. In that case, each individual's working life will be less important to her conception of her own well-being than her stance on whether or not labor as a whole is meaningful for society. The more the janitor views her menial labor as joined in a cooperative project with the work of the manager, the more she will come to accept that her labor, no matter how menial, acquires a greater meaning. In fact, this is just how

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<sup>40</sup>Cf. Doppelt, "Rawls' System of Justice," p. 275. Doppelt argues that with the concept of social union, Rawls almost recognizes the need for a more egalitarian distribution of labor.

management theorist Peter Drucker describes the normative principles behind the routine and mechanized labor of Fordist mass production. Drucker writes: “the assembly line is a symbol for a new principle of social organization, a new relationship between men [*sic*] who work together in a common task, if not for a common purpose.”<sup>41</sup> Securing an ideal of meaningful work for each individual thus necessitates that she temper her enthusiasm for the shared cooperative nature of the production process and focus at least partially on whether her working life is individually fulfilling.

The limitations of the Rawlsian concepts of self-respect and social union for grounding an ideal of meaningful work come to the fore in the passage where Rawls expresses the hope that a well-ordered society will overcome “monotonous and routine occupations which are deadening to human thought and sensibility” (*TJ*, 529). He explains that the “worst aspects of the division of labor” will be surmounted when workers have “meaningful work within a just social union of social unions in which all can freely participate as they so incline” (529). But if a social union of social unions leads us to view our labor as a collective product, then the monotonous and routine occupation of one person may be misconstrued as self-realizing because of the way in which it completes or makes possible another’s more obviously self-realizing occupation.

In this section I have argued for three major claims. First, self-respect is neither necessary nor sufficient to secure a right to meaningful work. It is not necessary because a Rawlsian well-ordered society delivers on self-respect just so long as it creates conditions under which each individual can find at least some community or voluntary association in which her contributions are valued. Rawlsian self-respect affords no necessary priority to the work relation.<sup>42</sup> Second, it follows that self-respect is not sufficient to ground an ideal of meaningful work. Self-respect will only directly pertain to work if one brings in other concepts that justify the special relevance of work to the institutional fabric of the state. Third, the concept of a social union of social unions leads each worker away

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<sup>41</sup>Peter Drucker, *Men, Ideas, and Politics* (Cambridge, Mass.: Harvard Business Review Press, 2010), p. 157.

<sup>42</sup>Schwarzenbach, “Rawls, Hegel, and Communitarianism,” p. 561. Moriarty argues that *PL* remedies *TJ*’s relative lack of attention to work. He cites remarks from *PL* such as the following: “the lack of ... the opportunity for meaningful work and occupation is destructive ... of citizens’ self-respect” (*PL*, p. lix) (Moriarty, “Rawls, Self-Respect, and the Opportunity for Meaningful Work,” p. 441). I do not deny that such claims appear in *PL*. However, the basic philosophical underpinnings of the concept of self-respect have not been altered from *TJ*. In fact, in *PL* any discussion of associational life and its connection to self-respect drops out. Instead, self-respect is directly tied to the equal protections of the state (e.g., *PL*, p. 203).

from the thought that the state owes each individual meaningful work. In the next section I consider another set of concepts that might be thought to more adequately justify such an ideal: the difference principle and its relation to the primary goods of the powers and prerogatives of office and fair equality of opportunity.

#### 4. The Difference Principle and the Distribution of Workplace Authority

Rawls's DP holds that "[s]ocial and economic inequalities are to satisfy two conditions: first, they are to be attached to offices and positions open to all under conditions of fair equality of opportunity; and second, they are to be to the greatest benefit of the least-advantaged members of society" (*JF*, 42-43).<sup>43</sup> The basic idea behind DP is that the only thing that could justify departures from strict equality of income or wealth is if a particular inequality is the only way to benefit the worst-off group.

In brief, his argument for this claim is as follows: if we engage in the moral exercise of imagining ourselves as stripped of any of our distinguishing features, we will appreciate that our particular skills, talents, and so on are due only to our good luck and so stem from unmerited social privilege. In turn, such privilege implicitly depends upon the unrewarded and often unnoticed contributions of the less privileged or talented members of society (e.g., *TJ*, 74-75; *JF*, 56-57, 73-74). But in that case, the only thing that could warrant the greater station in life that usually results from greater achievement is if this station contributes to the social whole by benefiting those who are worst off with respect to any given distribution of advantage.

Although I ultimately agree with Schwarzenbach, Doppelt, and others that DP cannot secure a right to meaningful work, many of their criticisms do not appreciate just how far Rawlsian philosophy can move toward this ideal. As I have indicated in section 1, it is a mistake to think that DP pertains only to the distribution of key natural and social goods and not to the way in which such goods are produced. In *JF*, Rawls clearly states that the goal of DP is to maintain "a fair, efficient, and productive system of social cooperation" (50). DP thus governs the choice of systems of cooperation, which Rawls argues "organize productive activity, *specify the division of labor*, [and] assign various roles to those engaged in it" (*JF*, 63; emphasis added).

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<sup>43</sup>Technically speaking, only the second clause expresses DP, while the first expresses an equal opportunity principle. But for our purposes here we can treat them as a unit. I will disambiguate them below.

Nevertheless, in this section I conclude that while DP could have indirect effects with respect to transformations in work that are more far-reaching than those appreciated by Rawls's critics, its implementation still cannot bring about direct transformations such as mandatory job rotation or balanced job complexes. To this end, I first consider a familiar objection concerning DP's restriction to the basic structure of society. I then turn to an analysis of one particular primary good distributed by DP: "the powers and prerogatives of office" (PPO). PPO seems to pertain to equalizing authority within the division of labor, but I argue that it in fact reduces to a principle of fair equality of opportunity (FEO).

#### *4.a. The basic structure objection*

Although Rawls suggests that DP governs modes of production, which appears therefore to entail that it concerns *how* workers work, the principle does not allow for direct interference in the structure of firms.<sup>44</sup> To see this, consider the domain to which the principles of justice apply. Rawls writes:

[T]he primary subject of justice is the basic structure of society, or more exactly, the way in which the major social institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation. By major institutions I understand the political constitution and the principal economic and social arrangements. (*TJ*, 7)

Though this passage clearly locates the economy within the purview of justice, it is important to understand the level at which it does so. The justice of the basic structure does not directly pertain to governance over the internal organization of substate associations, except insofar as such governance is necessary to ensure that an association respects the basic rights and liberties of its members.<sup>45</sup> So with respect to the firm, the state might directly intervene if a firm's policies place workers at risk of injury. Other than that, it can merely incentivize firms through indirect structures of tax and transfer to express those ideals required for the development of citizens' two moral powers. From the perspective of the firm, the reach of the state involves no "more continuous or regular interference"

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<sup>44</sup>My argument in this subsection is influenced by G.A. Cohen's well-known objection to Rawls's restriction of justice to the basic structure of society. See G.A. Cohen, "Where the Action Is: On the Site of Distributive Justice," *Philosophy & Public Affairs* 26 (1997): 3-30. For parallel discussions of the relation between the basic structure and the family, see Susan Moller Okin, *Justice, Gender, and the Family* (New York: Basic Books, 1991), and Martha C. Nussbaum, *Women and Human Development: The Capabilities Approach* (Cambridge: Cambridge University Press, 2001), pp. 270-83.

<sup>45</sup>Rawls, "The Idea of Public Reason Revisited," pp. 788-89; see also *JF*, p. 11, and *PL*, p. 283.

than “familiar forms of taxation” (*JF*, 51).

Not only is direct intervention ruled out, it is profoundly unclear whether Rawls is even interested in *indirect* intervention in the firm. For instance, Rawls is vague on the question of whether or not institutions of work fall within the basic structure. His various accounts of the basic structure include many of the associations of “daily life,” for example, churches, universities, scientific societies, and so on, but not, remarkably, places of work (*PL*, 14; see also 301). Elsewhere, he suggests that the basic structure regulates transactions governing inheritance, property acquisition, and educational opportunities, but not, once again, relations between workers and managers or owners of capital (*JF*, 53).

Neither Rawls’s restriction of justice to the basic structure, nor his neglect of the basic structure’s relation to the workplace, provide definitive objections to the viability of using DP to generate balanced job complexes.<sup>46</sup> A Rawlsian state might penalize firms through taxation for not allowing workers sufficient discretion over their daily tasks, and it might incentivize worker-run firms by providing tax breaks and low-interest loans.<sup>47</sup> Nevertheless, it is difficult to see how such measures could reach into the internal structure of each firm so as to ensure that workers actually move between tasks with different levels of complexity, authority, and responsibility.<sup>48</sup> Realizing these measures would not require complete state intervention into the economy such as one finds in state socialism, but it would require forms of state supervision and surveillance that far outreach anything that could be achieved through transformations in tax code.

#### ***4.b. Powers and prerogatives of office, and fair equality of opportunity***

Recent defenses of Rawls on meaningful work focus on the relatively underdiscussed primary good of “powers and prerogatives of offices and positions of authority and responsibility” (e.g., *JF*, 58). Rawls never ex-

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<sup>46</sup>I thank Daniel Brudney for discussion on this issue.

<sup>47</sup>A well-ordered society’s penalization of non-worker-managed firms might be modeled on the current Occupational Health and Safety Administration, which can issue fines for regulatory violations concerning worker safety. Similarly, a well-ordered society’s encouragement of worker management might be modeled on the federal assistance currently given by the Small Business Administration to women- or minority-owned businesses.

<sup>48</sup>If the worry is that government bureaucracy is in no position to understand particular industries and so to intervene effectively, at the very least it could empower workplace democracy with the special mandate that workers attend to issues of self-realization. For worries about large-scale government intervention in the workplace, see Arnold, “The Difference Principle at Work,” p. 116, and Murphy, *The Moral Economy of Labor*, p. 228.

PLICITLY defines PPO, but as the term indicates, PPO involves how authority is parceled out vis-à-vis positions or roles within a differentiated institutional structure. Samuel Arnold argues that if DP ranges over the distribution of authority, it “forbids excessively inegalitarian distributions of complex work.”<sup>49</sup> Similarly, Freeman concludes that because it concerns PPO, DP rules out economic inequalities that raise the position of the worst off if these inequalities also have the effect of reducing “the quality of working conditions and bargaining power of unskilled workers or their opportunities for advancement within and outside the firm.”<sup>50</sup>

I disagree with these authors. From the fact that PPO clearly has something to do with the distribution of authority, it does not necessarily follow that it concerns meaningful work.<sup>51</sup> Rawls explains that PPO is a primary good because it “give[s] scope to various self-governing and social capacities of the self” (*PL*, 308).<sup>52</sup> But as we have seen in section 2, the recognition of the self’s social capacities falls within the purview of the primary good of self-respect, which I have argued makes no necessary reference to work relations. And the idea of “self-governing” capacities need have nothing to do with actual positions of governance, either within a state agency or economic firm. “Self-governance” suggests familiar features of rational agency, such as ordering one’s desires or overcoming weakness of will. Whether or not one can achieve this end has only a tenuous, highly contestable connection to one’s job position in the social hierarchy, as Arnold is forced to concede.<sup>53</sup>

Moreover, it is unclear under which principle of justice PPO falls. Recall that throughout his career, Rawls identifies five essential classes of primary goods: (1) basic rights and liberties, (2) freedom of movement and free choice of occupation against a background of diverse opportunities, (3) powers and prerogatives of offices and authority, (4) income and

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<sup>49</sup>Arnold, “The Difference Principle at Work,” p. 95.

<sup>50</sup>Freeman, *Rawls*, p. 135.

<sup>51</sup>Not only is PPO underdescribed, but what little Rawls says about it is inconsistent. In a footnote to “Fairness to Goodness,” Rawls explains that he understands the “powers” in PPO as capacities bestowed by institutions on private persons for facilitating their aims and creating rights and entitlements that must be followed on pain of coercive sanction. He adds: “That political and economic power is a primary good I never meant to say; if at certain points the text will bear this interpretation, it needs to be corrected” (“Fairness to Goodness,” in *Collected Papers*, pp. 267-85, p. 273 n. 8). However in “Social Unity and Primary Goods,” published seven years later, he adds to his description of PPO that they apply “particularly ... in the main political and economic institutions,” a clause which to my knowledge drops out of subsequent discussions (“Social Unity and Primary Goods,” p. 362).

<sup>52</sup>See also Rawls, “Kantian Constructivism in Moral Theory,” p. 313.

<sup>53</sup>Arnold, “The Difference Principle at Work,” pp. 98-99.

wealth, and (5) the social bases of self-respect.<sup>54</sup> Recall also that the primary goods that fall under the first principle of justice are distributed equally, while any primary goods falling under the second principle are differentially distributed so as to raise the position of the worst off. It is clear that (1) is governed by the first principle of justice. It is also clear that (4) is governed by DP and (2) by the first part of DP, the principle of FEO.

What about (5) self-respect? Self-respect is a complex primary good, aspects of which are governed by both principles of justice. This is because, as we have seen, Rawlsian self-respect refers both to self-respect and self-esteem. The self-respect that comes from being treated as an equal moral subject falls under the first principle, whereas the self-esteem that stems from having one's capacities valued in a specific institutional arena falls under the second, which is why access to institutions that provide this form of recognition might be distributed so as to favor the least advantaged.<sup>55</sup> But under what principle does (3) PPO fall? Arnold argues that it falls under DP, but I see little evidence for this claim.<sup>56</sup> Were PPO to fall under DP, Rawls's view would be that one could depart from a baseline of absolute equality in authority of job tasks within a workplace if such a departure raised the overall position of the worst off. But Rawls never advocates baseline equality in authority.

It makes the most sense of Rawls's overall architectonic to think that PPO is a way of further specifying (2), both of which fall under FEO. The idea is that one of the reasons a well-ordered society ought to care about equalizing opportunity, besides considerations of liberty and equal moral standing, is that coveted jobs have an importantly self-realizing aspect. The connection between PPO and FEO simply shows that one reason we ought to value fair equality of opportunity is that self-realizing jobs are a good that should not be reserved for the privileged.

FEO certainly requires more of the state than ensuring meritocratic measures, such as equal consideration of college applications from both poor and rich students. At its most robust, it requires that anyone with the same talent and ambition have identical prospects for competitive jobs. Moreover, it demands measures to equalize talent and motivation far before competition for jobs begins (*TJ*, 73), and requires differential distribution of those resources needed to enable fair competition for the least

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<sup>54</sup>For the basic idea of such a list, see Rawls, *TJ*, p. 62; for the list I have summarized here, see *JF*, pp. 58-59; *PL*, pp. 308-9; "Kantian Constructivism in Moral Theory," p. 313; "Social Unity and Primary Goods," p. 362.

<sup>55</sup>On the differential distribution of the social bases of self-respect, see Moriarty, "Rawls, Self-Respect, and the Opportunity for Meaningful Work," pp. 445-46.

<sup>56</sup>Arnold, "The Difference Principle at Work," p. 104.

advantaged (*TJ*, 100-101; *JF*, 43-44). But ultimately it still concerns equalizing access to meaningful jobs rather than to the reconstruction of jobs so that all have both more and less meaningful components.

Consider the following passage from the revised edition of *TJ*:

The second principle applies ... to the distribution of income and wealth and to the design of organizations that make use of differences in authority and responsibility. While the distribution of wealth and income need not be equal, it must be to everyone's advantage, and at the same time, *positions of authority and responsibility must be accessible to all*. One applies the second principle by holding positions open, and then, subject to this constraint, arranges social and economic inequalities so that everyone benefits. (*TJ Revised*, 53; emphasis added)

Freeman and Arnold pick up on Rawls's claim that DP covers more than income and wealth and extends to institutional design. As a natural extension of this thought, they hold that DP mandates that a workplace structures its hierarchies of tasks in accord with concern for the least-skilled worker. But in fact what it means for DP to pertain to "the design of organizations that make use of differences in authority and responsibility" is that, as Rawls explicitly says here, "positions of authority and responsibility must be accessible to all." Everything therefore hangs on what it means to be "accessible to all." Freeman and Arnold read this in a very robust sense, as though "accessible to all" means that workers must actually experience various positions of authority. On a weaker reading, to be "accessible to all" simply means that everyone has meaningful access to compete for such positions. I take this weaker reading to be favored by Rawls's description of the implementation of DP as requiring "holding positions open."

PPO is of course necessary for securing meaningful work. Workers must have the opportunity to compete on equal footing for self-realizing jobs. But it is not sufficient, since FEO does not mandate that each worker actually take up both more and less self-realizing tasks.

Before diagnosing the failures of Rawlsian theory with respect to meaningful work, I want to discuss one final attempt to accommodate this ideal from within a Rawlsian framework. Even if considerations of work do not play a role in the determination of the basic principles of justice, perhaps they can be addressed at the legislative phase of a well-ordered society.<sup>57</sup> Rawls is clear that at this stage, any application of DP needs to take into account controversial social and economic theories (*TJ*, 199). Presumably the view that an unregulated division of labor tends to thwart self-realization would be a prime example of such a theo-

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<sup>57</sup>Both T.M. Scanlon and David Sussman posed this objection to earlier versions of my argument.

ry. My response to this objection is simple.<sup>58</sup> If meaningful work is a legislative matter, then whether or not a well-ordered society secures meaningful work is contingent. But in section 2, I gave reasons for thinking that a well-ordered society without meaningful work cannot be stable. So if one holds that the link is necessary, then normative grounding of meaningful work cannot be derived from the vicissitudes of the legislative process.

### 5. Diagnosis: Rawls's Conception of Freedom

As we have seen, Rawls hopes that a well-ordered society structured by the two principles of justice secures meaningful work for all. But Rawls's technical apparatus cannot account for this ideal. What are the reasons for Rawls's failure? In this section, I argue that the culprit is an overly individualistic and fundamentally negative conception of freedom, which sits uneasily with his defense of the values of robust associational life and various forms of solidaristic attachment, including those expressed through meaningful work. Though this diagnostic section is intended in the spirit of immanent critique, at this point in the argument I am open to the possibility that accommodating an ideal of meaningful work might require perfectionistic modifications in Rawls's theory.

Any full treatment of Rawls on freedom would need to distinguish between a family of interrelated concepts: freedom, rational autonomy, full autonomy, liberty, and the specific liberties. Thankfully, however, I need not undertake this task here, since the point I wish to make applies to all of these concepts. The claim that Rawlsian freedom is overly individualistic may seem surprising. After all, Rawls's discussion of liberty has little to do with Lockean liberalism, on which liberties are antecedently given powers that individuals bring to political association. Rather, much like Rousseau before him, Rawls's view is that the liberties are constituted in and by such an association. More specifically, Rawls argues that the value of the liberties stems from the necessary role they play in enabling social cooperation on terms of equal respect (e.g., *PL*, 299-304, 337). This means that even though Rawls's list of basic liberties resembles the familiar ideals of modern liberalism (e.g., freedom of association, conscience, speech, and so on), some concept of community or reciprocity plays a foundational role in Rawls's vindication of their priority.

Nevertheless, the way Rawlsian freedom relates an individual to the

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<sup>58</sup>Here I draw on Moriarty, "Rawls, Self-Respect, and the Opportunity for Meaningful Work," p. 447.

social whole is still merely regulatory or boundary-setting. Consider, for example, Rawls's view that to be "fully autonomous" is to advance one's own good in ways consistent with the good of others, and so with generally agreed-upon principles of justice (*PL*, 306). What this account leaves out is any sense in which genuine autonomy entails rational appreciation of the substantive aspects in which the other's good is part of my own. In other words, Rawls's understanding of freedom allows for the possibility that a free individual merely constrains her conception of the good so as not to thwart the capacity of other agents to pursue their own conceptions, and is, in turn, the recipient of similar constraint by others.

Or consider the hallmarks of what Rawls calls "political freedom." Political freedom is defined by the moral capacity to: (1) have a conception of the good, (2) make claims on political institutions to respect one's right to have such a conception, and (3) take responsibility to adjust one's ends in light of a shared conception of justice (e.g., *PL*, 29-35). On Rawls's treatment, (1)-(3) all turn out to be essentially negative. The power to have a conception of the good turns out to be the power to distance oneself from any conception one currently holds; it is the capacity to choose otherwise or to revise an end rather than to embrace it. Similarly, the power to make claims on institutions turns out to be my right to be recognized as an agent with this capacity for self-distancing. And responsibility turns out not, as one might expect, to be an act of identifying with one's ends, that is, of making them one's own and justifying them to others, but rather of "restricting" one's desires in light of reasons that apply to all (*PL*, 34; "Kantian Constructivism," 330-31).

Rawls attempts to circumvent the pitfalls of a purely formal conception of liberty by distinguishing between "liberty" and the "worth" or "fair value" of liberties (*TJ*, 204; *PL*, 324-31). His idea is that while a person's liberties are unaffected by her level of material wealth, lack of means entails that those liberties cannot be meaningfully exercised. The poor man and the rich man both have the same freedom of speech, but the poor man has little opportunity to exercise this freedom, and thus it has less "worth" for him (*TJ*, 204; *PL*, 326). Rawls makes explicit that a well-ordered society must differentially distribute primary goods so as to maximize the capacity of the least advantaged to enjoy the basic liberties (*PL*, 326). This distinction has laudable real-world effects (e.g., drastic campaign finance reform). But philosophically it merely reinforces our problem, for it still notionally separates "liberty" from the way its exercises are taken up by others. Rawls's conception of freedom leaves open the possibility that one can be free even if the choices one makes and the goals one pursues are socially illegible. I still have the freedom of speech, even if there is nobody there to hear it.

At this point, consider again a situation of meaningful work in which the implementation of balanced job complexes ensures that my work exercises my essential capacities. I view my laboring activity as part of my good because I experience it as challenging and stimulating. Because my work fulfills me, I am more likely to think of myself as part of a shared project pursued by other workers afforded equal status as self-realizing agents. Our conceptions of the good are interlaced, and each member of the firm meaningfully recognizes the other.

By contrast, on Rawls's conception of freedom, any such right to meaningful recognition can only appear as a formal demand that does not pertain to any specific form of associational life. And its content is only that others recognize my right to pursue my conception of the good, whatever it may be. Although Rawls certainly thinks that it would be desirable if the activities I pursue to achieve my conception of the good are taken up and extended by others, whether or not this is the case seems to make no difference to the question of whether I am free.

Rawls's official statements on meaningful work, self-respect, and social union clearly evince the desire that a well-ordered society express a demanding form of relationality in which individuals have genuinely shared ends. But given his understanding of freedom, the value of such shared ends is external to the core principle of a liberal state's legitimacy: each person's freedom to choose. So even in Rawls's least individualistic-sounding passages on liberty, when, for instance, he connects the value of liberty to the value of "social union" (e.g., *TJ*, 543; *PL*, 320-22), he must describe the latter as an additional good that we might attain after the former is relatively secure. There are two independent components here—autonomy and community—which are left unreconciled.

When Rawls discusses freedom he cites the work of Gerald MacCallum and Felix Oppenheim, both of whom understand freedom as absence of constraint, which means that my relation to other agents is fundamentally one of noninterference. Oppenheim explicitly argues that any notion of social freedom, or freedom as a property of a set of agents with interlaced ends, must be analytically decomposed into individual dyadic relations between individuals and other individuals or groups. Freedom concerns what any agent is allowed to do or prohibited from doing by any other agent or group.<sup>59</sup> Oppenheim's view is that the only empirically respectable notion of freedom is one in which "I am free to do something provided nobody either prevents me from doing it or makes it punishable for me to do it, and provided nobody makes it either necessary or manda-

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<sup>59</sup>Felix Oppenheim, *Dimensions of Freedom* (New York: St. Martin's Press, 1961), pp. 11, 113. See also Gerald MacCallum, "Negative and Positive Freedom," *The Philosophical Review* 76 (1967): 312-34. Rawls cites these authors in *TJ*, p. 202.

tory for me to do so.”<sup>60</sup> If this notion of freedom is applied to political philosophy, all I need to be free are avenues of opportunity and patterns of noninterference, as opposed to state intervention aimed at creating conditions under which individuals can view their work and other joint activities as “rational and complementary” (*TJ*, 441).

### 6. Hegel’s Social Conception of Freedom: A Rejoinder to Rawls

We have seen that Rawls understands freedom as an agent’s capacity to choose an end, rather than as a property of a set of relations in which others recognize an agent by taking up her ends as complementary to their own. Such a conception of freedom falls prey to Hegelian critique. This is surprising, since in many respects Rawls’s philosophy is deeply Hegelian. Although this is not the place to delve into this important topic, suffice it to note the following similarities:

- (1) Both Rawls and Hegel think that a central task of political philosophy is to *reconcile* individuals to modern social institutions, or at least to the potential for freedom latent within those institutions.
- (2) Like Hegel, Rawls’s methodology for achieving reconciliation is to reject a Kantian, a priori and ahistorical understanding of philosophy in favor of a conception of philosophy as an unfolding or development of the concepts immanent within modern liberal societies (e.g., *PL*, 339; “Kantian Constructivism,” 306). For both thinkers, the primary goal is to help such societies reach greater self-understanding.
- (3) Rawls’s conception of the basic structure of society as the subject of justice is similar to Hegel’s conception of “ethical life” as encompassing the market, family, and state.
- (4) For both Rawls and Hegel, justice demands not only the regulation of external conduct, but also the formation of ethical dispositions.
- (5) Both see a well-ordered liberal society as extending beyond the protection of basic rights and fostering “social union.”<sup>61</sup>

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<sup>60</sup>Oppenheim, *Dimensions of Freedom*, p. 118.

<sup>61</sup>For discussions of the Hegelian elements of Rawls’s thought, see: Schwarzenbach, “Rawls, Hegel, and Communitarianism”; Stephen Houlgate, “Hegel, Rawls, and the Rational State,” in *Beyond Liberalism and Communitarianism: Studies in Hegel’s Philosophy of Right* (Albany: State University of New York Press, 2001), pp. 249-73; Joshua Cohen, “A More Democratic Liberalism” (Review of John Rawls, *Political Liberalism*), *Michigan Law Review* 92 (1994): 1503-46, esp. pp. 1507-9; Benjamin McKean, “Exploring the Outer Limit of Freedom: The Hegelian Elements in Rawls’s Egalitarian Liberalism” (unpublished ms., Ohio State University); Anthony Laden, *Reasonably Radical: Deliberative Liberalism and the Politics of Identity* (Ithaca: Cornell, University Press, 2001); esp. pp. 70-72, 207; Frederick Neuhouser, *Foundations of Hegel’s Social Theory*:

Yet despite all that Rawls draws from Hegel, Hegel would challenge Rawls's conception of freedom on two interrelated grounds. First, Rawls's conception of freedom is "arbitrary" and "contingent."<sup>62</sup> Second, Rawls's conception of freedom is not sufficiently social, and so floats free of solidaristic values. Let me take each in turn.

Explaining the idea of freedom's arbitrariness, Hegel writes:

If we stop our enquiry at arbitrariness, at the human being's ability to will this or that, this does indeed constitute his freedom; but if we bear firmly in mind that the content of what he wills is a given one, it follows that he is determined by it and is in this very respect no longer free.<sup>63</sup>

In this passage Hegel clearly has Kant in mind as his target, but the point also applies to Rawls. From a Hegelian perspective, Rawls conceives of freedom as a mere ability to choose otherwise, to say, "not this ... not that" (as Hegel puts it, "to will this or that"). The effect of this conception is that the ends an agent actually has are arbitrary. That the individual finds herself pursuing a particular set of goals, plans, or projects is not the substance of her freedom. Genuine freedom, on the mistaken construal, consists in a network of capacities all of which are conceptually prior to the actual carrying-through of one's ends. They are the capacity to (1) have chosen such ends from a deliberative perspective, (2) cast these ends off and take up another set of basic motivations, and (3) abstract from a conception of the good in order to conduct oneself in light of norms that apply to all. Hegel's critique of such a conception of freedom is that it construes my desires or inclinations as simply given to me, and so not as a product of freedom itself. But this charge takes us directly to the second claim, that Rawls has an insufficiently social conception of freedom. If freedom is located solely in the act of choice, then whether or not others take up my projects is not essential to whether or not I am free.

By contrast, Hegel's fundamental insight is to see the realm of freedom as a property of the will's concrete effects in the social world, not as an internal quality of self-relation that lies before these effects. If freedom is not located in the capacity to choose otherwise, but in how one's action is actually executed or made manifest, then freedom cannot be disentangled from how it is received by others. From the fact that free-

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*Actualizing Freedom* (Cambridge, Mass.: Harvard University Press, 2000), pp. 269-70; Michael Hardimon, *Hegel's Social Philosophy: The Project of Reconciliation* (Cambridge: Cambridge University Press, 1994); and Arthur Ripstein, "Critical Notice: G.A. Cohen, *Rescuing Justice and Equality*," *Canadian Journal of Philosophy* 40 (2010): 669-99, pp. 680-83.

<sup>62</sup>G.W.F. Hegel, *Elements of the Philosophy of Right* [1820], ed. Allen Wood, trans. H.B. Nisbet (Cambridge: Cambridge University Press, 1991), §15.

<sup>63</sup>*Ibid.*

dom is present in any action with a social context, it follows that for every domain of life—including laboring activity—one can ask, what would it mean to participate in this domain *freely*? On a Hegelian understanding, this question is not reducible to either of the following questions: What would it mean to give up this activity and take up something else? Am I shaping my participation by norms that do not prohibit others from pursuing their own good? In short, from a Hegelian perspective, something like solidarity (understood as the possibility of meaningful social connection) is a necessary moment in the unfolding of freedom.

Hegel directly relates this abstract conception of freedom to the need for a meaningful relation to one's work. In Hegel's discussion of "corporations," that is, trade organizations or unions, he argues that in order to actualize the freedom of its members, the state must foster the conditions under which each individual can understand himself as meaningfully contributing to a larger whole. Through membership in a corporation, "it is ... recognized that [the individual] belongs to a whole which is itself a member of society in general, and that he has an interest in, and endeavors to promote, the less selfish end of the whole."<sup>64</sup> Lacking a sense of connection to others is not just damaging for self-respect. It also entails that one is not free.

Unlike Rawls, Hegel does not leave us with a gulf between the freedom of the individual and her connectedness to the social whole. Hegel's philosophy of freedom reveals that the only way for an individual not to be dominated by others, and so to be free, is to be recognized by them as making a meaningful contribution to the whole of which both are a part. This places the demand for community at the very origin of my striving to be an individual. In sum, Hegel does not attempt to connect individuality and community as two externally related values, but instead lays bare fact that the first term depends upon the second. Contra Rawls, social union and autonomy are one and the same.

## 7. Conclusion: A Revised Rawls on Meaningful Work

How would Rawlsian theory treat the ideal of meaningful work if one replaced its conception of freedom with Hegel's? A suitably revised Rawlsian theory would place meaningful work within the purview of the first principle of justice, except now the liberties to be fostered and protected must encompass a set of domains in which individuals form genuine connection to others, such as work. The state will intervene in these domains not only to ensure the protection of basic rights, but also

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<sup>64</sup>Ibid., §253.

to create opportunities for self-realization through solidarity.<sup>65</sup>

Outside of the literature on Rawls, recent egalitarian philosophy has bemoaned the lack of attention to issues of work. Alex Gourevitch writes: “we no longer really ask what it would mean to make work free.”<sup>66</sup> And Elizabeth Anderson notes that “the potential for extending democracy to the workplace” is an open question for “egalitarian political and economic organization.”<sup>67</sup> What I have shown is that liberal egalitarians concerned with meaningful work should usher Rawlsian political philosophy into a more resolutely Hegelian stage.<sup>68</sup>

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<sup>65</sup>For the outlines of such a project, though one critical of Rawls, see Axel Honneth, *Freedom's Right: The Social Foundations of Democratic Life*, trans. Joseph Ganahl (New York: Columbia University Press, 2014).

<sup>66</sup>Alex Gourevitch, “Labor and Republican Liberty,” *Constellations* 18 (2011): 431-54, p. 444.

<sup>67</sup>Elizabeth Anderson, “Equality,” in David Estlund (ed.), *The Oxford Handbook of Political Philosophy* (Oxford: Oxford University Press, 2012), chap. 2, p. 52.

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