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Significance, Theoretical Embeddedness,
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1 Introduction

The relevance of labor justice has various dimensions. Most obviously, the lack of labor justice is an issue for individuals suffering from alienated labor, bad working conditions, unemployment, or being working poor. Even though such cases are individual phenomena at first sight, we must not overlook their origin in social injustices or underestimate their social consequences. Differences in material rewards and social appreciation¹ that one receives for contributing to our social division of labor result from the unequal distribution and valuation of occupational tasks and affect how we relate to one another as well as to ourselves. If social conditions are such that individuals must compete for social esteem as a basis for their self-respect, social cooperation becomes difficult. As our social order is organized according to the rules of a stratified working society and employment opportunities are basically divided into simple-routine and complex work, our current division of labor resembles a troublesome status machine (Gomberg 2007).

Labor justice aims to expose the injustice of making everyone responsible for their occupational position, the related social status, and overall life chances. Instead, it advocates for a just division of labor, in which all can meaningfully contribute and no one must compete for associated intangible goods, such as development opportunities, social esteem, or self-respect.

Despite the practical significance of labor in the realm of social justice, there is a scarcity of philosophical theories that emphasize its social division. Theories of justice only in exceptional cases move beyond distributive concerns of social justice and recognize the importance of a just division of labor, in which individuals share complex and simple-routine work more equally. However, even these contributive theories do not explicitly refer to the concept of labor justice. Overall, the neglect of labor justice as the contributive side of social justice is due to the focus on the distribution of goods and the common liberal belief that what people do is a private matter (Celentano 2019; Sayer 2009; Smith 2017; Young 1990; Anderson 1999).

This thesis seeks to underscore the significance of the organization of the social division of labor and advocates for a more prominent recognition of labor justice as an essential aspect of social justice on par with its distributive dimension. This raises the question of whether major philosophical theories of social justice are adequately equipped to address immaterial and non-distributive concerns of justice and whether they can effectively emphasize the importance of

¹ Large socio-economic inequalities notoriously lead to social segregation, technocratic values, political mistrust, authoritarian reactions, and, in the worst case, social disruption (Flecker et al. 2004).

labor justice in their conceptual framework. Therefore, an attempt to evaluate Gomberg's critique of Rawls's theory of social justice is made. Gomberg accuses Rawls's *justice as fairness* of presuming limited occupational opportunities, which, in turn, would lead to an unjust division of labor that fosters a meritocratic society. To assess if Rawls's theory genuinely stands in conflict with labor justice, it will be compared against its key components previously derived from Gomberg's contributive justice. Finally, this thesis will shift its attention to the economic understanding of labor and justice and highlight implications that stem from the philosophical deliberations.

This thesis endeavors to address the following questions:

1. What would be a comprehensive notion of labor justice that unifies essential concerns of major philosophies of work?
2. Does Rawls's theory conflict with contributive labor justice? If not, how could his principles express concerns for labor justice?
3. How do economists think about labor and justice and how would they assess political interventions toward labor justice? Which implications follow from the philosophical considerations?

The thesis is structured into eight main chapters to systematically explore possible explanations. The second section examines the significance of labor justice and the causes of its neglect. The subsequent chapter (section 3) provides an overview of the distributive view of social justice with a focus on Rawls's theory of *justice as fairness*. Section 4 presents common philosophical perspectives on work and introduces Gomberg's contributive justice as a potential synthesis of these perspectives which is thus referred to for determining key aspects of labor justice. After explaining Gomberg's critique of Rawls's theory, the key components of contributive labor justice are used as a benchmark to evaluate its validity in section 5. Section 6 elucidates economic conceptions of labor and justice and applies the philosophical insights gained to a hypothetical welfare analysis of a labor justice policy. The last two chapters comprise a conclusion (section 7) summarizing the main findings and concisely addressing the research questions and an outlook (section 8) indicating implications that were not further elaborated due to the brevity of the thesis but merit further research.

2 Labor Justice – The Other Side of Social Justice

The following two subchapters aim to delineate the significance of this thesis. Among various approaches, Marxist theory is used to explain the importance of work for the individual, society, and the environment. Next, several reasons for the neglect of work as a central aspect of social justice are identified, which serve to frame the problem and reinforce the importance of this thesis.

2.1 The Significance of Labor Justice

The importance of labor justice – here primarily understood as a just division of simple and complex labor – becomes pressing when realizing that the division of labor has consequences on an individual, social, and environmental level. Our personal development as well as how we perceive ourselves, how we perceive and thus relate to one another, and how we engage in the exchange with our natural environment is, to some degree, determined by the social organization of labor. The hope is that philosophical considerations on labor justice can inform the well-functioning of the division of labor with respect to all three dimensions so that all individuals have the opportunity to develop their skills and a positive self-image, society is characterized by egalitarian relationships that enable cooperation, and our exchange mechanisms with nature proceed in a sustainable manner.

Most obviously, the lack of labor justice is a problem for individuals suffering from alienated labor, bad working conditions, unemployment, or being working poor. Less visible, however, are labor injustices resulting from an unjust division of labor, due to which some can meaningfully contribute through socially remunerated occupations characterized by complex and self-directed tasks, while others are forced into rather stigmatized simple-routine work, often meticulously directed from above and lacking opportunities for personal development (Gomberg 1995, p. 61, 2016, pp. 45–46). While every employment involves manifest chances and limits (e.g., opportunities with respect to income, promotion, etc.), social contempt or esteem for one's contributions are distributed under the surface. Gomberg (1995, p. 62) highlights that if individuals are not esteemed for contributing through their work, they will suffer from social exclusion and, in the long term, maladapt their self-perception to their low social standing. My thesis especially puts the spotlight on this less visible labor injustice, which results from an unjust division of labor and leads to social segregation along occupational status lines so that equally relevant contributions are valued unequally.

Even though an unjust division of labor has severe consequences for individuals, the phenomenon itself is social and carries social consequences. It determines how we perceive and relate to one another and thereby strengthens or weakens social cohesion.

Gomberg (2010, pp. 15–18) believes that, due to falsely assumed reasons of efficiency, our current division of labor is organized through competition for limited positions. He supposes that all forms of social segregation are attributable to limited opportunities for occupation, education, and associated life chances. “Limited opportunity is rationed through segregation” (Gomberg 2007, p. 34). Segregation usually reduces competition to rivalry within social groups and hence makes social differences less tangible and painful as individuals rarely compare themselves to others beyond their social affiliation (Gomberg 2007, p. 61). Full social mobility in a competitive society is claimed to be a myth that is neither attainable as it is assumed to threaten the stability of society nor desirable because some would always have to occupy the worst social positions (Sayer 2009, p. 7). However, this is also the reason why individuals are continuously encouraged to compete for socio-economic advantages to increase or at least maintain their chances for a good life (Gomberg 2016, p. 40).

Rationalizing injustices of social segregation commonly leads to meritocratic attitudes that, at the core, express the belief that social positions are earned or one’s own fault. Moreover, these attitudes prepare the ground for discourses along the antithesis of system maintainers and social parasites. Unemployment, for example, then is no longer understood as a deficiency of our labor market but as a personal failure. In his work, Gomberg (1995, 2007, 2010, 2016) notices that a competitive social climate and meritocratic attitudes prevent individuals from engaging as equals. This obviously makes cooperative practices more difficult and harms social cohesion.

That labor has impacts on an individual, social, and ecological level has already been highlighted by Marx and Marxist-inspired philosophers. With respect to individuals, it is assumed that labor can do great harm but can also be an essential good. Alienated labor, which is not self-directed and decoupled from the working object, may cause psychological suffering. On the contrary, self-chosen labor that involves trained abilities and constitutes a valuable social contribution is a good and, beyond that, a necessity for self-realization and human flourishing (Gomberg 2007, 2016).

The effects of labor on individuals’ well-being can be explained by Marx’s *dialectical materialism*. The prevailing mode of production – the so-called economic base, characterized by the division of labor and property relations – shapes collective ideologies that, in turn, impact individuals’ consciousness according to their position in the social relations of production

(Wolff and Leopold 2021). Collective ideologies point to the fact that the social effects of *dialectical materialism* are logically prior to those affecting individuals. The economic structure determines social relations, has a formative influence on the institutions of the superstructure, such as the political, religious, or juridical system, and ultimately shapes social consciousness (Wolff and Leopold 2021). In conclusion, the organization of production is fundamental to societal circumstances, and the labor we perform has consequences for our consciousness and well-being.

Following Marxist thoughts, philosophy should also put a strong emphasis on labor as it can be viewed as the main mediating means between humans and nature and thus has important implications for both. Clark and Foster (2010) explain Marx's concept of *social metabolism*, which describes the relationship between society and nature and indicates that humans are in an ongoing process of exchange with their natural environment. Like all organisms, humans require nutrients. They refer to natural substances in their environment, process and thereby modify them, and finally excrete the waste products back into nature. Consequently, nature must be understood as the primary material source for the reproduction of society. However, *social metabolism* does not solely designate how humans modify their natural environment by reproducing themselves through work but also describes the impact of work on human nature. With respect to the circular exchange between humans and nature in the capitalist mode of production, Marx speaks of a *metabolic rift*. The accumulation and centralization of capital, as well as the ongoing competition for economic survival, is assumed to permanently increase the demand for natural resources and resultantly exacerbate their exploitation.

A review of Marx's concept of *social metabolism* seems especially meaningful in times of climate crises. Furthermore, his reflections on labor could support a just development of our division of labor. By addressing the implications of the labor process for individual well-being, the social order, and nature, Marx provides us with extremely strong reasons to think about labor and how it could be revised in a social and ecological manner.

2.2 The Neglect of Labor Justice

Even though illustrating the importance of labor is a simple task, philosophical contributions on labor are surprisingly rare, and a common and straightforward philosophical notion of labor justice is missing. Contemporary philosophers that, by way of exception, engage with questions on work agree that labor is currently a neglected topic in political philosophy and usually not a

central aspect in theories of social justice (see, e.g., Anderson 1999; Celentano 2019; Sayer 2009; Smith 2017; Young 1990).

The neglect of labor is a consequence of the fact that problems of justice are frequently reduced to unjust distributive patterns of goods. Acknowledging the fact that goods do not fall from the sky but must be produced through individuals' efforts organized by the division of labor, theories of social justice should consider the twofold nature of social cooperation involving contribution and distribution (Celentano 2019, pp. 8–9). The Marxist slogan “from each according to his ability, to each according to his needs” (Celentano 2019, p. 9) equally expresses these two faces of social cooperation and thus comprehends social justice in its entirety. Celentano (2019, p. 8) and Sayer (2009, p. 1) argue that we currently overemphasize the importance of the second distributive side while we overlook the first and prior contributive part of social justice. As a result, the emphasis is recently put on what individuals have and neglects what they do (Celentano 2019, p. 8). How and what we work to secure our livelihoods is viewed as a private matter (Celentano 2019, p. 10), wherefore the places we occupy in our division of labor are not subject to questions of justice.

However, Smith (2017) demonstrates that work has not always been a neglected topic in political philosophy and that the organization of the division of labor has been a central subject in former theories of social justice. Plato, for example, developed principles for organizing the division of labor, which are at the very heart of his theory of justice (Smith 2017, p. 430), and some philosophers, such as Hegel or Renault, even conjectured that work could have a paradigmatic status for philosophy by organizing how we think about reality or human affairs (Smith 2017, pp. 431–432).

The question then is how we could lose the intuition that labor and its social organization are relevant to social justice and rather believe that distributing material goods according to one's needs or laboring performance would be sufficient. Young (1990) supports the thesis that the inherent logic of many prevailing concepts of justice is simply unable to engage with institutional conditions and is thus blind to conceive injustice as institutionalized domination and oppression. According to her hypothesis, social injustices with respect to the division of labor are simply invisible. Young (1990, p. 33) attributes this blindness to the endeavor to set up universal but value-neutral theories of social justice. Contrary to ancient or medieval concepts of justice that searched for the one natural and virtuous organization of society and its institutions, the main aim of modern political thought is to free individuals so they can define their own ends. As a result, the scope of justice is commonly limited to distribution.

Anderson's (2017) work on the *private government*, which describes the pervasive power of peoples' employers over their personal lives, gives practical reasons for the development of modern political thought. In the first chapter of her book, she argues that the upcoming free market and the associated economic liberties in the mid-17th century were permeated with the hope that individuals would be automatically equalized in their social standing and freed from rigid hierarchies in society, religion, family, etc., without organized interventions led by greater ideas. Moreover, Anderson claims that there were good reasons for optimism. Owing to the prevailing economic situation, the assumption was that most people would have manifold opportunities for self-employment or work in small-scale enterprises². However, the industrial revolution, in conjunction with the opinion that economic state interventions would be an abuse of power and negate the positive effects of the free market, created social circumstances that tolerated great economic inequalities and workers' domination by their private government.

Young and Anderson give plausible reasons why modern political philosophy brought forth reductionist theories of social justice that aimed to circumvent comprehensive conceptions of the good. Pluralistic free market societies seemed to guarantee the necessary degree of social cooperation while everyone could pursue their own ends. Discussions of social justice theories then were commonly limited to reasons for legitimate interventions in market-generated distributive patterns. Consequently, work today is frequently viewed as a private matter or, at the very most, as a burden everyone must bear to receive a distributive share from social cooperation. According to Celentano (2019, p. 8), the scientific abstinence from engaging with labor and the resulting silence in this respect led to the naturalization of the division of labor. Along with Young and Anderson, she agrees that the manifest logic of mere distributive accounts of justice cannot deal with the relational and processual injustices that prevail in social production.

More detailed, Young (1990) holds that addressing social justice from a purely distributive perspective is misleading for two main reasons: First, such an approach would ignore the social structure and the institutional context that mainly determine distributive patterns (1990, pp. 18–24); second, it would approach the distribution of immaterial goods with the same static logic as the distribution of material goods and thereby overlook that power, opportunities, self-respect, etc., are functions of social relations and processes (1990, pp. 24–30).

² Anderson (2017, p. 22) points out that Smith's example of the pin factory, which aims to explain the benefits of a complex division of labor, assumes a factory with only ten workers.

Applying Young's insights to the sphere of work is consistent with Celentano's thesis that we are currently blind to perpetual injustices reproduced by our institutionalized division of labor. Celentano (2020, pp. 106–107) refers to the concept of the *status circle* to describe how one's social status determines one's access to certain occupations and, in turn, one's occupational position affects one's social standing. The constant reproduction of social inequalities through our division of labor is thought of as interactional and structural. Interactional in the sense that individuals differentiate their occupational positions by interacting and thereby expressing respect for each other accordingly and structural as social cooperation is organized along a stratified division of labor.

According to Sayer (2009, pp. 9–12), the presumption of a stratified division of labor with limited occupational opportunities leads to the fact that our current society is unable to adjust possibilities for contribution to abilities that individuals possess but, on the contrary, imposes certain abilities or even inabilities so that they fit the given roles in our division of labor. Consequently, our current division of labor is not only unjust, due to segregated occupational opportunities, and unfair, due to its reproduction of social injustices, but also inefficient in utilizing people's talents.

3 Distribution – The Prevailing Approach to Social Justice

Having made clear that our division of labor is a major determinant of the creation of status inequalities and thus affects how we relate to one another, it becomes obvious why labor justice should not be neglected further in theories of social justice. We will now turn to the alleged wrongdoers who focus on distributive justice. Although Rawls's *justice as fairness* is an influential theory that is often referred to as a distributive account and receives criticism accordingly, this categorization is not uncontroversial. It will be shown that some philosophers also emphasize a relational interpretation of his theory, and in the fifth chapter, Rawls's relational concerns will be discussed in more detail. For now, it is just important to keep in mind that there are essentially two interpretations of Rawls's theory, a distributive one and a relational one. After introducing what distributive justice is about in general, the third chapter explains the core ideas and concepts of Rawls's theory.

3.1 Distributive Justice

Distributive justice is the most common approach to social justice. Distributive theories assume that specific social, political, and economic frameworks go hand in hand with distinct distributions of benefits and burdens among the members of a certain group (Lamont and Favor 2021). Their aim is to show why and to what extent some social frameworks and the associated distribution are morally better than others (Lamont and Favor 2021).

Lamont and Favor (2021) maintain that theories of distributive justice tend to comprise principles that seek to guide decisions about major adjustments to the prevailing social frameworks and explain how these principles differ along various dimensions. Different principles focus on different *objects of distribution* (from material objects, such as wealth, to immaterial objects, such as life chances) and specific *subjects of distribution* (while some address individual members of a society, others focus on particular groups of people). Moreover, the *scope of distribution* can vary from national to global to intergenerational distribution. The *moral basis of distribution*, the main idea according to which something should be distributed, is also highly important. For example, some theories advocate for absolute equality, while others claim that unequal distribution is beneficial.

John Rawls is often mentioned as a prominent representative of distributive justice. His liberal theory of *justice as fairness* (2001) suggests that a democratic society (the scope of distribution) whose citizens (the subjects of distribution) are free and equal should be organized through a *fair system of cooperation*. The goal of his theory is to pave the way for a *well-ordered society* by defining *principles of justice* that could be supported by a public consensus. These principles shall then determine citizens' rights and duties that are enforced by the fundamental institutions of society, the so-called *basic structure*, which regulate the distribution of benefits and burdens resulting from social cooperation (the objects of distribution). In general, Rawls's principles allow inequalities, but only if they benefit the least advantaged (the moral basis of distribution).

Consistent with the prevailing philosophical discourse, political debates on social justice also seem to focus on distribution. In most cases, national policy (the scope of distribution) is concerned with the distribution of monetary welfare benefits and burdens (the objects of distribution) among its citizens (the subjects of distribution). In doing so, most democratic governments follow the welfarist ideal that all citizens have a right to have their basic needs met; however, with respect to redistribution beyond a minimum subsistence level, most policies seem to pursue the idea that an unequal distribution of wealth and income promotes economic development and thus increases the overall well-being (the moral basis of distribution).

According to Lamont and Favor (2021), theories of distributive justice are in place in order to make informed political choices. A major problem, however, is that distributive theorists often operate with ideal cases to fully comprehend the functioning of their principles. As a result, political debates regularly dismiss the practical value of such theories. Therefore, it is important to understand that distributive theories do not aim to create an ideal society but rather push the overall distribution toward justice when political decisions are made. My later analysis of Gombert's critique of Rawls's theory suggests that similar problems – where the boundary between real and ideal circumstances is not adequately recognized and, consequently, the application of the principles is misunderstood – can also arise within the philosophical discourse.

3.2 Rawls's Theory of Social Justice – A Purely Distributive Account?

Rawls's *Justice as Fairness* (2001) as well as his previous work *A Theory of Justice* (1999) are attempts to establish a liberal conception of social justice. In doing so, Rawls refers to a liberal framework that already largely dominates Western institutions (Matravers and Pike 2003, p. 1). Freedom is a core value of liberalism. Accordingly, Rawls assumes that the basic task of a democratic government is to ensure *equal basic liberties* for all citizens. However, Rawls also places a strong emphasis on equal respect for individuals and pursues a so-called *liberal egalitarianism*³. He envisions a social order that is characterized by reciprocity that hence should ensure that citizens relate to each other as equals (Wenar 2021). Thus, beyond distribution, Rawls also considers social relations to be relevant to social justice.

In general, Rawls assumes that people do not deserve their innate abilities and consequent wealth (Matravers and Pike 2003, p. 3). For this reason, he seeks *a property-owning democracy* or *liberal socialism*, which approximate an equal distribution of wealth and income through a wide dispersion of ownership so that large inequalities are exceptional and need to be justified as benefiting the worst off (Gaus et al. 2018). Again referring to Rawls's concern for relational equality, Celentano (2020, p. 107) notes that status inequality is his ultimate reason why large distributive inequalities are wrong.

Rawls aims to unify the, at first sight, seemingly irreconcilable values of freedom and equality (Ege and Igersheim 2008, p. 3). Therefore, his theory provides an austere political conception

³ Weale defines *liberal egalitarianism* as a moral stance according to which “a more equal distribution of benefits is ethically preferable to a less equal distribution, unless there is a liberal reason to the contrary” (1980, p. 13). In Rawls's theory, such a liberal reason for inequality would be given if the worst off profited from it.

of social justice based on a public consensus among equals that is limited to constitutional principles in order to allow value pluralism (Gaus et al. 2018).

Overall, it is not a simple task to determine if Rawls's theory can be criticized for neglecting labor as a matter of justice and hence being blind at least to a certain form of relational and procedural injustice. The assessment may, among other things, depend upon how one classifies his theory. While some view it as a prime example of a distributive theory (Gomberg 2010, p. 20), others highlight its core relational concerns (Anderson 2010, p. 21) or suggest that it takes into account both loci of justice (Lippert-Rasmussen 2018, p. 18). An appraisal that seems to have a point is that even if one acknowledges that Rawls is concerned with relational goods, such as power, opportunities, and self-respect, he treats them as exhaustible resources (Young 1990, p. 16).

Another point on which probably all would agree, including Rawls himself, is that his stance toward normativity is reserved.⁴ He attempts to avoid a *comprehensive conception of the good*, which would jeopardize *reasonable pluralism* and thus individuals' freedom to define their own ends. Consequently, it is not surprising that Rawls avoids ascribing a universal value to work.⁵ But on the other hand, one must not forget that a main objective of his theory is to ensure *fair terms of social cooperation*, of which, given current circumstances, the division of labor is a major part.⁶ Moreover, his principle of *fair equality of opportunity* can be interpreted as *fair equality of occupational opportunity* and, as such, ought to inform the assignment of occupational positions. In addition, Rawls designates *free choice of occupation* as an important liberty that all rational individuals pursue.

In conclusion, there is no straightforward answer to the questions of whether Rawls's theory can accommodate demands for labor justice. Therefore, this thesis seeks to offer a more complex answer by proving the validity of Gomberg's criticism of Rawls's theory, which assumes that Rawls's theory would not ensure a just division of labor.

⁴ Matravers and Pike (2003, pp. 2–3) summarize how Rawls's work has been a decisive impetus for a general normative turn, due to which the distinction between political theory and political philosophy became much clearer. Contemporary political philosophy is consciously normative, generally close to ethics, and often wishes to inform public policy. However, an enormously pressing question is how to ground norms without any comprehensive moral foundations. Rawls assumes that individuals are able to assess their normative commitments from an external and reasonable position. Communitarians, such as Sandel (2003), criticize that social norms are constitutive for individual selves, cannot be externally observed, and thus necessarily always remain relative.

⁵ "What kind of work people do, and how hard they do it, is up to them to decide in light of the various incentives society offers" (Rawls 2001, p. 64).

⁶ "A scheme of cooperation is given in large part by how its public rules organize productive activity, specify the division of labor, assign various roles to those engaged in it, and so on" (Rawls 2001, p. 63).

3.2.1 Rawls's *Fundamental Ideas*

Rawls's conception of justice is based on the observation that all individuals depend on social cooperation to realize a decent human life (Wenar 2021). He thus recognizes humans as social beings who necessarily belong to a social group, within which they collectively produce the necessities of daily life and thereby reproduce their social entity. At the beginning of human history, hunter-gatherer communities, characterized by continuous personal relationships, served this purpose. Today, national societies predominate as social entities and regulate the overall social reproduction while the membership of individuals is determined by their status as citizens.

Rawls (2001, pp. 5–8) believes that a democratic society must be organized along a *fair system of cooperation* to meet the liberal ideal of *free and equal* citizens. Fair terms of social cooperation must be defined by publicly agreed-upon rules. Beyond determining the conduct of cooperation, they ensure that all who contribute accordingly receive benefits to the extent of publicly predefined standards. Rawls (2001, pp. 8–9) defines such a society organized by a public conception of justice as *well-ordered*. All its basic organizing principles are justified by an *overlapping consensus* (2001, pp. 32–38). This means that individuals agree on shared standards from their personal and possibly comprehensive worldviews, while the shared standards themselves are not comprehensive and leave room for *reasonable pluralism*. Consequently, citizens may cooperate for individual reasons and seek their personal *rational advantage* (2001, p. 6).

The publicly agreed-upon rules that shall regulate social cooperation are expressed by Rawls's *principles of justice*.

“The role of the principles of justice [...] is to specify the fair terms of social cooperation [...]. These principles specify the basic rights and duties to be assigned by the main political and social institutions, and they regulate the division of benefits arising from social cooperation and allot the burdens necessary to sustain it” (Rawls 2001, p. 10).

The main political and social institutions mentioned in the quote constitute what Rawls (2001, pp. 10–12) calls the *basic structure* and include, for example, the political constitution, the legal and economic system, and the prevailing family model. Consequently, the principles of justice shall inform the institutions of the basic structure of how to distribute benefits and burdens of social cooperation and thus guarantee its fair terms. A fairly functioning basic structure is essential as it impacts “citizens’ aims, aspirations, and character, as well as [...] their

opportunities and their ability to take advantage of them” (2001, p. 8). This is why the basic structure is the *primary subject* of Rawls’s political conception of *justice as fairness*.⁷

Rawls’s principles of justice, which are intended to ensure fair terms of social cooperation by guiding the institutions of the basic structure, are derived from his conception of citizens as free and equal as well as *reasonable and rational* (Wenar 2021). Rawls explains citizens’ equalness and freedom by referring to their two *moral powers* (2001, pp. 18–24), which, in turn, are closely related to reason and rationality (Wenar 2021). Equality is associated with the former. Reasonableness corresponds to the ability to understand and apply the principles of justice and is called a *sense of justice*. To ensure a well-functioning society, acting on publicly agreed-upon principles of justice is reasonable, even if it ultimately goes against personal interests. Freedom is identified with rationality and conveys the capacity to create, follow, or adapt a subjective conception of the good. In this respect, it may be rational to seek personal advantage to realize subjective values, even though it may not be reasonable.

According to Rawls (2001, pp. 18–24), all citizens are *equal* because they possess a sufficient degree of moral power to participate in social cooperation. Moreover, all are said to be *free* as they can pursue and revise their personal conception of the good life while their public or legal identity is permanent and independent thereof. Thus, freedom ensures that legitimate demands on social institutions are unaffected by one’s personal identity or one’s comprehensive worldview. Wenar (2021) explains that the pursuit of justice is argued to stem from individuals’ inherent interest in developing their moral powers. However, this development depends on access to scarce *primary goods*. Therefore, it is reasonable and rational to leave their distribution to the institutions of a just basic structure.

3.2.2 *Original Position* and Principles of Justice

Having clarified Rawls’s fundamental ideas, we now turn to the very heart of his theory. This section introduces his two principles of justice, elaborates on their meaning, and explains how they come about.

⁷ Rawls (2001, pp. 11–12) distinguishes three levels of justice, namely, the local, the domestic, and the global level. The basic structure ought to guarantee the so-called background justice on the domestic level. Domestic justice should then inform local justice, which is concerned with justice in concrete associations and institutions, and global justice, the so-called *law of peoples*. By setting limits but leaving room for further determination, the basic structure shall ensure consistency among the different levels of justice.

Most importantly, Rawls's principles aim to guarantee fair terms of social cooperation by delimiting legitimate differences in *life prospects* among generally free and equal citizens in a democratic society (2001, p. 40). Differences in life prospects are operationalized by the access to primary goods – social conditions and all-purpose means that free and equal citizens require to develop their moral powers – and are affected by social, natural, and fortuitous contingencies (2001, p. 55). A just basic structure, specified by his two principles, shall make room for efficient inequalities⁸ while acknowledging that citizens' life prospects are, without fault on their part, dependent on the social class of origin, associated development opportunities, innate talents, and brute luck.

To set up guiding principles for the basic structure, Rawls (2001, p. 83) refers to a thought experiment in which free and equal citizens find themselves in an *original position*. In the *original position*, the so-called *veil of ignorance* (2001, pp. 85–89) deprives all citizens of personal features and knowledge of their future social position. They know nothing about their individual characteristics (age, gender, ethnicity, socio-economic position, talents, etc.), nor do they have a comprehensive idea of their personal good. Yet, there is knowledge that all parties have in common. All are informed about general and uncontested scientific findings and are aware that while everyone will pursue individual life plans, scarcity will prevent the fulfillment of all desires. The only ground by which negotiators are then moved is their advancement of primary goods. Primary goods, as mentioned above, are required to develop and apply one's moral powers and thereby serve as all-purpose means. By granting that individuals lack and hold the same information, their power to impact the outcome of the negotiation is equalized. Consequently, the *original position* and its *veil of ignorance* guarantee fair conditions for the selection of principles of social justice under the assumption of value pluralism. Wenar (2021) concludes that “[t]he design of the original position thus models the ideas of freedom, equality, and fairness”.

The *original position* can be described as a selection device (Rawls 2001, p. 83). Rawls assumes that if citizens in their *original position* were given a list of principles of different conceptions of political justice to negotiate, they would agree on his principles of justice:

“(a) Each person has the same infeasible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all; and

⁸ Rawls (2001, p. 123) defines inequalities as efficient if all parties would profit from the departure of an initially fully equal distribution.

(b) Social 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 (the difference principle)” (Rawls 2001, pp. 42–43).

The ordering of the principles is meaningful as it expresses the priorities of their application. The realization of the first principle is prior to the implementation of the second, and within the second principle, *fair equality of opportunity* has priority over the *difference principle*. According to Rawls, the *basic rights and liberties* of the first principle are constitutional essentials, secure formal justice, and easily receive broad approval. On the contrary, agreement on the second principle is much more demanding, and it shall inform laws to regulate social and economic inequalities (2001, 43–48).

The first principle states that, with respect to basic rights and liberties,⁹ all citizens shall be treated truly equally and implies the assumption that nobody would benefit from their unequal distribution (Wenar 2021).

The second principle consists of two essential parts, is concerned with legitimate inequalities, and shall guide social and economic laws. The first part of the second principle, the *fair equality of opportunity* (Rawls 2001, pp. 43–44), is in place to ensure that all citizens with similar endowments and motivation to make use of them have equal opportunities with respect to their life prospects regardless of their inherited advantages. Hence, beyond a second restriction expressed by the *difference principle*, legitimate inequalities must be deserved and result from certain social positions available to all under *fair equality of opportunity*. To show that *fair equality of opportunity* is more demanding than *formal equality of opportunity*, which only requests that individuals’ opportunities shall not be restricted due to arbitrary personal characteristics (gender, class, religion, etc.), Rawls highlights the idea of a fair chance to actually make use of opportunities. *Fair equality of opportunity* is driven by the notion of a fair chance and thus, for example, requires compensating for the impacts of the social class of origin via state-funded, high-quality education. Under the assumption that natural endowments and

⁹ Basic rights and liberties include “political liberty (the right to vote and to hold public office) and freedom of speech and assembly; liberty of conscience and freedom of thought; freedom of the person, which includes freedom from psychological oppression and physical assault and dismemberment (integrity of the person); the right to hold personal property and freedom from arbitrary arrest and seizure as defined by the concept of the rule of law” (Rawls 1999, p. 53).

the willingness to use them are approximately equally distributed in all social classes, life prospects would then have to be roughly evenly distributed throughout society, too.

The other major part of the second principle is the *difference principle* (Rawls 2001, pp. 42–43). It is in place to arrange social and economic inequalities to the greatest advantage of the least well off. Least-advantaged individuals are associated with limited access to primary goods and, consequently, low life prospects (Rawls 2001, p. 59). Rawls (2001, pp. 58–59) identifies five sorts of primary goods:

- “(i) The basic rights and liberties [...]
- (ii) Freedom of movement and free choice of occupation against a background of diverse opportunities, which opportunities allow the pursuit of a variety of ends and give effect to decisions to revise and alter them.
- (iii) Powers and prerogatives of offices and positions of authority and responsibility.
- (iv) Income and wealth, understood as all-purpose means [...] needed to achieve a wide range of ends whatever they may be.
- (v) The social bases of self-respect, understood as those aspects of basic institutions normally essential if citizens are to have a lively sense of their worth as persons and to be able to advance their ends with self-confidence.”

Rawls’s (2001, pp. 62–63) *difference principle* aims to allocate inequalities of wealth and income in a way that maximizes the life prospects, hence the access to primary goods, of the least well off, and in doing so, it makes a compromise between equality and efficiency¹⁰. As Rawls generally assumes that the possession of our natural talents is a matter of luck while also recognizing that inequalities can be beneficial, the *difference principle* expresses a reciprocal solution that views the distribution of natural endowments as a *common asset* (2001, pp. 74–77) that can be used to everyone’s advantage. The role of inequalities then is “to attract people to positions where they are most needed from a social point of view, to cover the costs of acquiring skills and educating abilities, to encourage them to accept the burdens of particular responsibilities” (2001, p. 78). Overall, inequalities are legitimate as long as they have been acquired under fair terms and especially benefit the access to primary goods of the least advantaged.

¹⁰ In a perfectly just and efficient scheme, Rawls’s conception of justice chooses an efficient allocation that is closest to equality.

4 Philosophies of Labor

It has been shown that labor justice is a neglected issue in theories of social justice. In general, the neglect of the contributive side of justice may be due to an overemphasis on distribution. However, due to the relational concerns in the theory of *justice as fairness*, this does not seem to be the main reason in Rawls's case. Rather, the lack of explicit elaboration on a just division of labor seems to be a consequence of Rawls's liberal stance, according to which his theory aims to avoid sweeping comprehensive value judgments, such as identifying labor as a universal good. Notwithstanding the prevailing neglect of labor as an aspect of social justice, Celentano (2019, p. 10) points out that

“[t]he relative silence on the subject has come to an end in the last decade. The recently growing body of philosophical reflection on work proves that there is an increasing awareness on the key relevance of the issue. This is even more relevant in a world where work and its structures are radically changing.”

4.1 Four Common Perspectives

There is an undeniable body of literature that recognizes the significance of labor. Following Celentano's (2019, p. 12) categorization, four common perspectives and related theories of thinking about labor and its just division will be presented in the following four subsections. Their introduction is required for two reasons. First, familiarity with core discourses on labor helps to comprehend the approach to labor justice in this thesis and should strengthen the course of arguments. Second, since one aim is to provide a comprehensive notion of labor justice, a review of existing theories is necessary to identify an account that may cover relevant aspects. Moreover, since another goal is to introduce concerns for labor justice to Rawls's theory of social justice – given that this proves possible – it seems reasonable to refer to the most inclusive definition as it can potentially recognize and mitigate a great number of labor injustices.

4.1.1 Meaningful-Work Theories

Meaningful-work theories are divided into two oppositional groups. On the one hand, there are theories that emphasize the importance of work for individual self-realization, and on the other hand, one can find post-work theories that argue for a social devaluation of work and wish to shift the need for self-realization from work to leisure. These approaches commonly either react

to the concern that progressing digitalization and automatization will unavoidably leave many people without any opportunity to work or the critique that many occupations do not offer opportunities for meaningful contributions. The latter concern is supported by Graeber's (2019) popular book on *bullshit jobs*, arguing that about half of the current jobs would be perceived as meaningless and that employees in such work relations would suffer psychological harm from having to pretend that their contribution is relevant.

A representative of the meaningful-work discourse is Attfield (1984). He is under the impression that governmental efforts shall especially attempt to reach full and meaningful employment to ensure the development of self-respect, which is assumed to be a necessary precondition for human well-being. Attfield has been engaged in discussions with philosophers of the post-work approach. Jenkins and Sherman (1979) contrarily assume that work is not necessary for the development of self-esteem and that its seemingly indispensable individual and social functions are only socially constructed. Due to technological unemployment, the value of work should be critically deconstructed to pave the way for a well-functioning leisure society.

4.1.2 Democratic Theories

Dewey can be classified as a representative of democratic labor theories. In general, Dewey (2008) is concerned with a democratic transformation of our educational system toward equality and autonomy. He claims that education is divided into training the intellect of some and the manual skills of others and that this division is a heritage of the ancient Greek unequal valuation of reason and practice. While reason was seen as the highest end of human nature, practice was perceived as a vital necessity that we share with all other species. In *Democracy and Education*, he further points out that how we educate affects our division of labor and our social order. As a result of the education received, some are condemned to repetitive and unfree occupations, while others enjoy intellectual tasks characterized by autonomy. Furthermore, it is claimed that occupational positions affect our social reputations, which, to some degree, still reflect the ancient Greek distinction between free citizens and unfree slaves, artisans, and women, who are all responsible for the material maintenance of society. Dewey does not directly mention the idea of labor justice. However, it can be inferred from his theory that more democratic forms of labor could emerge if everyone had equal access to education that included cultural and utile aspects. Then, everyone would equally be able to perform intellectual and practical tasks and could thus participate in social cooperation while autonomously controlling their own work.

A large body of knowledge expressing democratic concerns for labor can be found in republican theories (see, e.g., Barry 2021; Gourevitch 2013; Pinto 2020). A just division of labor and fair working structures, from a republican point of view, are realized when everyone's freedom and autonomy in the economic sphere is guaranteed. This, in turn, is the case when workers are free from arbitrary inferences and the ideal of *non-domination* is fulfilled.

In *Labor Republicanism and the Transformation of Work*, Gourevitch (2013) argues how recent neo-republican accounts, which aim to promote the idea of republican freedom via the universal basic income, fall short as they cannot ensure *non-domination*. Gourevitch (2013, p. 593) is under the impression that only labor republicanism can truly satisfy republican freedom in the economic sphere by tackling the unequal control over productive assets, the reason for structural domination. Labor republicanism strives to overcome the so-called wage slavery through cooperative production, which is characterized by democratic control over assets and working conditions (2013, pp. 596–597). In the end, the transformation of work in this spirit shall secure individual economic freedom, simultaneously strengthen the awareness of social interdependence, and hence lead to stronger forms of solidarity (2013, p. 610).

Some recent republican theories (see, e.g., Barry 2021; Pinto 2020) aim to connect the idea of a republican transformation of work with ecological endeavors. Pinto's (2020) green republicanism goes beyond the promotion of individual freedom and additionally fosters economic developments of post-productivism. For this purpose, he demands to use economic gains in productivity to reduce working hours and equally redistribute labor and discretionary time (2020, p. 258). The increased time of leisure should then be spent on low-carbon activities, which, at the same time, serve republican ideals such as "civic participation, deliberation, and protection of freedom" (2020, p. 258). Pinto believes that such innovations potentially have the formative power to establish free and sustainable economic conditions (2020, p. 261).

Anderson's work is not easily categorized; however, it strongly refers to democratic and republican insights. Anderson (2017) developed the concept of *private government* to describe the pervasive power of most peoples' employment over their personal lives. She argues that most workers must be described as unfree as their labor activities are meticulously regulated by orders from above and even their leisure behavior could give reasons for cancellation. The degree of autonomy that one possesses is dependent on the rank one holds in the hierarchical order of firms. While the highest ranked receive no orders at all, are in charge with respect to all decisions of their labor force, and are personally free from arbitrary inference because they cannot get fired, the lowest ranked must follow exact orders, cannot decide how to execute their

work, and are permanently subject to sanctions and interventions by their employers (Anderson 2015, p. 94).

4.1.3 Theories of Recognition

Another frequently taken-up perspective of justice in the context of work is concerned with recognition (see, e.g., Smith and Deranty 2011). Theories of recognition offer a non-material perspective on justice and are the most common alternative to distributive theories of social justice (Miller 2012). Honneth and Taylor argue that economic injustices result from misrecognition, and thus distributive justice is reducible to justice of recognition. Moreover, they are in line with the assumption that being recognized by others is a necessary condition for self-realization and a human need for a good life (McQueen).

Honneth emphasizes the moral significance of work by referencing Marxist theory. However, Smith (2009) points out that his contributions in this regard are divided and, at times, contradictory. On the one hand, Smith argues that Honneth offers a critique of our current division of labor and certain forms of work. With the goal of a critical conception of work, Honneth elaborates on the differences between harmful and undistorted labor. On the other hand, he is said to suggest that the social division of labor could offer a pluralistic framework for social integration in an individualized modern society. The assumption in this context is that since everyone would have the opportunity to contribute their personal traits and talents, all should mutually recognize each other as possible contributors. This does not mean, however, that everyone's contribution should be esteemed equally. On the contrary, in the sphere of social cooperation, Honneth maintains that the degree of social esteem should rather correspond to one's achievements.

In contrast, Nancy Fraser emphasizes recognizing each other as equals in social interactions (McQueen). Her concept of *participatory parity* expresses that constitutions of social arrangements should guarantee equal social participation among peers. Another major difference to Honneth is that Fraser does not treat distributive justice as a derivative of justice as recognition. While recognition is assumed to be a matter of justice in the cultural sphere, redistribution shall enhance justice in the economic sphere, so social justice is assumed to require both (Miller 2012).

On the whole, proponents of the recognition theory understand that social justice depends, at least to a large extent, on the ways we interact and thus relate to one another. However, because

of conflicting assumptions – about the relationship between distributive justice and justice as recognition or how to allocate esteem in the economic sphere – they cannot offer a unified strategy for organizing the social division of labor in the spirit of justice. Prompted by this deficiency, we turn to accounts of contributive justice. They recognize the need for social recognition and offer proposals to satisfy it.

4.1.4 Theories of Contribution

Theories of contribution offer a comprehensive conception of labor justice. They touch on all three key dimensions of work discussed above, have a clear position on their relation to distributive justice, and provide a practical suggestion on how to achieve a more just division of labor. Nevertheless, theories of contributive justice are poorly covered and seem rather exotic in the recent liberal discourse on justice. However, concerns about contribution have been part of feminist theories, at least implicitly, ever since.¹¹ Important proponents of contributive justice include Murphy (1993), Gomberg (2007), and Sayer (2009). These theorists denounce the embedded injustice of our current division of labor by pointing out that the liberal ideal of *fair equality of opportunity*, which is an essential part of current distributive endeavors, obscures and institutionalizes the reproduction of various social injustices, especially status inequality. It is argued that social justice can only be achieved if concerns about distribution are complemented and informed by considerations of contribution. Contributive justice accounts do not aspire to value-free conceptions of social justice and assume that the opportunity to contribute meaningfully to one's society is a good and a necessity for human flourishing. Therefore, the organization of labor should provide everyone simultaneously with the opportunity to contribute meaningfully. A basic assumption is that such a universal provision of opportunities to contribute requires them to be made available on a non-

¹¹ Sayer (2009, p. 3) points out that feminist theories, as well as theories of contribution, denounce an unjust division of labor. While the first engage with the unjust division of reproductive work – including domestic, care, and emotional work – the latter focus on the division of labor within the labor market. In doing so, both are guided by the insight that distributive measures alone cannot create justice. To give an example: Equalizing the household income would not do away with the suppression of women. However, if redistribution is complemented with contributive interventions, true emancipatory potential will be set free. By equalizing the amount of time men and women spend on domestic and productive work, women can become independent and social appreciation for domestic work rises. A prime example that unites the interests of different protest movements and political projects, which have been addressed separately for a long time, is Haug's (2008) *four-in-one perspective*. It shall strengthen women's position in our society and simultaneously serve as a compass for social transformation through justly redistributing gainful employment, family and domestic work, community work, and development opportunities.

competitive basis. It is further maintained that this would only be possible if simple and complex work of our division of labor were more equally distributed.

Theories of contribution seem particularly promising with respect to labor justice for three reasons. First, by calling for the sharing of simple and complex work, they provide a practical intervention to challenge the current organization of labor and aim for a far-reaching transformation of our division of labor. Second, they have a clear stance toward distributive justice, and third, they incorporate all three of the other concerns for work mentioned above.

With respect to distributive justice, contributive theorists follow the Marxist argument to allocate material goods according to needs (see, e.g., Gomberg 2016, p. 47; Sayer 2009, p. 13). More precisely, distribution shall serve contribution (Gomberg 2007, pp. 154–155). Therefore, everyone's needs must be met so that everyone is enabled to fulfill their duty and realize their opportunity to contribute. Distributive justice, understood in this sense, is thus a necessary precondition for contributive justice and recognizes our social interdependency. Gomberg argues against making material rewards contingent on individuals' contributions because this would encourage competition for rewards, "undermine[s] the norm of contributing as a duty of justice" (2007, p. 154), and, in the long run, lead to an institutionalization of unequal opportunities to contribute¹².

At its core, contributive justice seems to share goals with theories of recognition. Close to Fraser's concept of *participatory parity*, a main reason why contributive theorists call for non-competitive opportunities to contribute is to ensure an unlimited supply of social esteem so that individuals do not have to compete for social positions and can, therefore, recognize each other as equals (Gomberg 2007, pp. 152–153). Moreover, in accordance with Honneth and Taylor, Gomberg (2016, p. 53) notices the social embeddedness of self-realization to which everyone should have access by meaningfully contributing to the social division of labor.

Connections to democratic concerns for justice are more ambivalent. Generally, complex labor is often self-directed, and routine labor is delegated; however, as Gomberg (2007, p. 77) notices, this connection must not necessarily hold. Nevertheless, it seems likely that sharing complex and simple labor would overall show a tendency toward decreasing the division of planning and execution and would thus democratize the organization of our social division of labor. One reason for this might be that sharing labor would promote raised levels of education

¹² Gomberg (2016, pp. 39–40) claims that social stability requires educating children for future positions. When opportunities are limited, parents are induced to increase and maintain competitive advantages for their children. Therefore, under conditions of limited opportunity, social segregation is already associated with early childhood.

which could, in turn, lead to an increased demand for participating in decision-making processes. Moreover, participation in social decision-making is a fundamental norm¹³ of Gomberg's contributive justice (2016, pp. 50–51).

Finally, the concern for meaningful work is also evident in the theory of contributive justice. Meaningful work is essentially the contributive opportunity that should be universally available.¹⁴ Sayer (2009, p. 6) explains that to be meaningful one's work must not only be complex – that is, it must offer diverse tasks that require trained skills – but it must also be connected to the larger project of which it is part so that it is not alienated.

4.2 Gomberg's Contributive Justice

Gomberg's (1995, 2007, 2010, 2016) critical engagement with the prevailing distributive notion of social justice is driven by the endeavor to overcome forms of social and, in particular, racial segregation. It begins with the fundamental observation that our society is hierarchically ordered (2016, pp. 34–37). Hierarchical societies inevitably contain low social positions, whose ascription is organized via the reproduction of structural inequalities. The fear of positional harms, such as discrimination, social exclusion, or social contempt, stimulates the individual struggle to secure, maintain, or raise one's social position and thereby triggers competition for educational and occupational opportunities that bear chances for a greater share of limited material wealth.

Contrary to these competitive social conditions, Gomberg's theory of contributive justice seeks to enable an egalitarian society (1995, p. 70) in which there are no *positional losers* (2016, p. 41) and citizens relate to each other as equals (2007, p. 153). Contributive justice attempts to eliminate reasons for status rivalry by fostering a social structure in which everyone can

¹³ “Each has reason to accept the fundamental norms of contributive justice: that each contribute simple labor; that each develop her abilities; that each contribute developed abilities; that each share developed abilities by teaching others; that each encourage others in doing simple labor, developing more complex abilities, and contributing these; that each has the opportunity and encouragement to participate in social decision-making about how society is to be organized” (Gomberg 2016, pp. 50–51).

¹⁴ An obvious objection to a universal provision of meaningful labor is that some have to do simple and routine work. However, if simple and complex tasks were more equally shared, at least some parts of one's work would offer complexity. Moreover, by sharing complex and simple labor, we have good reason to believe that simple tasks would be recognized as necessary parts of larger projects, socially valued, and thus less alienated and more meaningful.

simultaneously pursue their own and the social good (2007, p. 166). “Contributive justice proposes that each flourishes by advancing the flourishing of others” (2016, p. 31).¹⁵

Gomberg’s theory is particularly interesting in the context of labor justice because his proposed solution to end status rivalry and install relational equality is to expand occupational opportunities indefinitely by sharing simple and complex work (Gomberg 1995, 2007, 2010, 2016). A key claim of my thesis is that labor sharing is a way to achieve a more just division of labor.

Gomberg (1995, p. 61) defines labor as simple if the associated activities are closely supervised, repetitive, and thus do not require special training. Such work is mostly experienced as boring and unpleasant. Moreover, simple work is often dangerous due to its performance in dirty, noxious, or unsafe environments. Complex labor, on the contrary, is usually rather self-directed and involves challenging and intellectual tasks, which hence necessitate specific trained skills. Complex labor is assumed to be intrinsically enjoyable.¹⁶ Working environments of complex labor are mostly safe and comfortable.

Simple and complex labor are associated with characteristic social positions. Gomberg (1995, p. 60) defines social position as “one’s specific role, or lack of a role, in producing and reproducing the social life of a group, roughly an occupation or lack of one”. High social positions, especially related to complex labor, are prestigious, and the adequate practice of one’s role will be rewarded with social esteem (1995, p. 60). Contrarily, simple work more likely pushes individuals into low social positions with rather low prestige or even stigma (Gomberg 2016, p. 46). Resultingly, occupational positions do not solely affect material wealth but, furthermore, foster or restrict social esteem, accompanying self-esteem, and overall personal life chances. As our current division of labor is organized along a rigid separation of simple and complex work and, resultingly, high social positions are limited in numbers, there is an ongoing competition for complex labor, its material and positional goods, and, in the end, life chances (Gomberg 2007).

¹⁵ Overall, Gomberg’s concerns for a just division of labor show various parallels to Marxist ideas. Both assume that our organization of production has profound implications for the structure of society. Their main aim is to find a form of social organization that resolves the frequent contradiction between promoting one’s own and others’ good, and they believe that not alienated but purposeful labor could provide a key solution. Through labor, we maintain the necessities of life, and when being purposeful, it simultaneously is a good enabling self-realization and, in this regard, true freedom.

¹⁶ This assumption is derived from Rawls’s *Aristotelian principle*. It describes that “other things equal, human beings enjoy the exercise of their realized capacities (their innate or trained abilities), and that this enjoyment increases the more the capacity is realized, or the greater its complexity” (Rawls 1971, p. 414).

According to Gomberg, unlimiting occupational opportunity has the potential to rule out the need for competition and realize an egalitarian social order. When sharing labor, opportunities to contribute and the associated *contributive goods* (2010, p. 20) – development chances, contribution to the social good, and social esteem – are of unlimited supply and thus available non-competitively.

“Because no one’s life would be consumed by simple labor, *sharing labor* would provide everyone with *opportunity to develop complex abilities, to contribute those abilities to society, and to earn esteem for contributions* of complex labor, provided that complex labor too is shared among all who demonstrate the relevant mastery. The development and contribution of our abilities and the earning of esteem for contributions are *human goods*. A *just society* should make *available to all* the opportunity to attain these goods. A conception of *contributive justice* articulates the central *norms* that would make these goods available to all *simultaneously and non-competitively*” (Gomberg 2010, p. 19, emphasis mine).

According to Gomberg (2007, pp. 44–45), our main obstacle to social justice is, and has been, our continuous focus on limited and thus positional material goods, which is mirrored in the dominance of distributive concerns in political philosophy. As a prime example, he refers to Rawls’s theory of justice, which is of great significance in contemporary discourses of social justice. Theories of distributive justice are accused of solely focusing on what people receive, not what they contribute. However, Gomberg (2007, p. 151) views humans as active and contributive social beings whose well-being is essentially dependent on contributing to a social group with which they identify. Therefore, he claims that the ethical idea of humans as social contributors should inform our conception of justice and that concerns for contribution should even be primary to those of distribution.

Contrary to distributive approaches to social justice, which are accused of viewing labor either negatively as a burden (Gomberg 2007, p. 150) or neutrally as a subjective matter of preference (Celentano 2019, p. 10), Gomberg (2016, pp. 45–46) assumes that all labor could be a good if our current division of labor was replaced by a system of sharing complex and routine labor. Routine labor that is often not appreciated today would automatically lose its negative stigma and be recognized as a good if it was not left to those in low social positions but all shared it and thus experienced it as an indispensable contribution.

Gomberg’s contributive justice views contribution as both an opportunity and a necessity: “As a necessity, contribution is a duty” (2007, p. 152) to participate in the cooperation that sustains one’s social group. As an opportunity, contribution is a good (2007, pp. 152–153). Sharing

labor would provide contributive opportunity – or, more concretely, a meaningful occupation in our division of labor – without limit and non-competitively. All could receive social esteem for their contributions and thus develop a positive self-perception. Contributive justice then is said to be a way of installing a social structure in which individuals can treat and refer to each other truly equally.

4.3 Key Components of Labor Justice

In the following, I will identify key components of labor justice in accordance with Gomberg's contributive justice. Even though his ultimate goal is to end racism and sharing labor is merely a means to that end, there are two sound reasons for a contributive notion of labor justice. The practical reason to deduce core characteristics of labor justice from Gomberg's contributive justice is due to the endeavor of this thesis. As the aim is to evaluate if Gomberg's critique that Rawls's theory of social justice cannot ensure contributive justice holds, one will be well advised to apply Gomberg's own standards to Rawls's theory. Applying key components of a contributive notion of labor justice to Rawls's theory will allow us to test the internal validity of Gomberg's critique and to evaluate if and, eventually, to what extent Rawls's idea of social justice can consider labor justice.

A further reason in favor of a contributive notion of labor justice is concerned with its scope. As has been shown, contributive justice has implications which take notice of the other three dimensions of labor justice as well as a clear position with respect to distributive justice and thus reconciles multiple endeavors toward labor justice. Therefore, formulating labor justice in line with contributive justice seems to be a reasonable choice in terms of the breadth of its content.

Before determining key components of labor justice, I want to clarify that the resulting notion has no claim to completeness, nor should it be considered a preferable understanding of labor justice to enforce entitlements. On the contrary, the following core characteristics are provisional and operational because their selection is determined by the main undertaking of this thesis, namely, to analyze if Gomberg's critique of Rawls's theory is valid.

Even though Gomberg's theory is essentially dedicated to end social segregation and does never directly refer to the term labor justice, it does offer a conception for a just division of labor. Like Marx, Gomberg recognizes that our organization of production structures the social order and must thus be made responsible for perpetuating social injustices. By identifying the division

of labor as a main objective for creating social justice, contributive justice implicitly provides a genuine approach to labor justice. Through sharing simple and complex labor, contributive justice aims at unlimiting contributive opportunities and associated goods and hence enabling individuals to treat and refer to each other as equals.

As key components of a contributive notion of labor justice we may thus identify:

1. *A just division of labor* in which all share routine and complex labor.
2. Unlimited access to *contributive goods* through sharing complex labor. All ought to have opportunities to *develop complex abilities*, to *contribute* them to the social good, and to receive *social esteem* for their contribution.
3. *Relational equality* because through non-competitive access to contributive opportunities, all can be socially esteemed and esteem themselves.

5 The Compatibility of *Justice as Fairness* with Contributive Justice

The fifth chapter is devoted to evaluating whether and to what extent Rawls's *justice as fairness* could promote a contributive notion of labor justice. To this end, it first presents Gomberg's critique of *fair equality of opportunity (FEO)*, which suggests that Rawls's version of social justice is incompatible with contributive justice (section 5.1). According to Gomberg, *FEO* would lead to an unjust division of labor and, consequently, to an unjust social order. Section 5.2 will question the validity of Gomberg's critique by assessing whether the three key determinants of a contributive conception of labor justice, as elaborated above, can be found in Rawls's work and how they might relate to his conception of social justice. The final section of this chapter proposes an adaptation of Rawls's principles that, if my previous considerations are correct, might forestall criticisms that accuse *justice as fairness* of lacking contributive aspects of justice.

5.1 Gomberg's Criticism of *Fair Equality of Opportunity*

Gomberg (1995, 2007, 2010, 2016) criticizes Rawls's theory with a focus on his principle of *FEO*. He asserts that *FEO* necessarily relies on the idea of limited opportunities, wherefore some would always lack sufficient opportunities for social contribution, access to contributive goods and, hence, lose positionally. In conclusion, *FEO* is accused of causing injustices, due to which Rawls's theory could not be just in practice.

The following three subsections divide Gomberg's critique into three core arguments. The first claims that *FEO* implies competition for limited occupational positions and thus produces social winners and losers. The second demonstrates why competition for limited opportunities could never be fair, and the third summarizes the problem of limited and hence competitive opportunities for social cohesion.

5.1.1 The Implicit Aspect of Competition in *Fair Equality of Opportunity* and Why It Is Unjust

To comprehend why Gomberg claims that Rawls's *FEO* does not support just terms of social cooperation, we first need to reconsider that Rawls presumes a scarce material world (2001, p. 84) and, subsequently, a limited disposition of primary goods (2001, pp. 59–60). He assumes that, due to moderate scarcity, not all peoples' desires can be satisfied equally. Basic rights and liberties are in place to guarantee the sufficient functioning of citizens' moral powers, enabling them to contribute to social cooperation (2001, p. 45). For reasons of efficiency, primary goods beyond their minimal supply should be distributed according to social or occupational positions (1971, p. 546).¹⁷ This is why Gomberg (2010) claims that Rawls assumes limited opportunities to attain high-status positions with associated social and economic benefits. As all individuals would generally strive to advance their life prospects to promote their personal conception of the good, they would end up competing for favorable positions that guarantee improved access to primary goods. Viewed in this light, *FEO* does appear to echo a principle that rests on the premise of limited opportunities and is in place to regulate competition efficiently.

Gomberg (1995, 2007, 2010, 2016) aims to show why competition for limited opportunities cannot be fair and leads to unjust outcomes by indicating how *FEO* would conflict with his conception of social justice. To better understand the practical consequences of *FEO*, he imagines its application to our division of labor and elaborates on the question of whether what I will refer to here as *fair equality of occupational opportunity* would achieve contributive justice.

Generally, Gomberg (2007) believes that distributive theories of social justice are problematic due to their focus on limited material resources. Concentrating on what individuals receive would automatically lead to principles of justice that must deal with the competition for scarce

¹⁷ Gomberg does not pay attention to the fact that Rawls's second principle is in place to regulate inequalities not only in an efficient but also in an egalitarian and, overall, just manner. While the *difference principle* is a reciprocal compromise between efficiency and equality and thus treats developed talents as common assets, *FEO* shall correct mistakes of formal equality by ensuring that all have a reasonably fair chance to attain certain positions.

resources. *FEO* is judged to be problematic because it expresses an inference from material scarcity to limited opportunity.

However, according to Gomberg (1995), there are neither good reasons for assuming limited opportunities for social or occupational positions nor for rewarding them differently. He judges Rawls's belief that limited opportunities and associated inequalities may function efficiently and benefit the least advantaged to be flawed and equates it with the *functional theory of stratification*.

The *functional theory of stratification* (Gomberg 1995, pp. 63–67) is a sociological argument in favor of limited high-status positions, status-dependent rewards, and related inequalities. The basic assumption is that a complex division of labor shall attach high status and rewards only to a few positions to guarantee that talented people undergo the necessary training and contribute their skills to social prosperity. This implies that “benefits that to one degree or another are received by all, are the result of unequal rewards attached to positions. So the explanation of why we have unequal rewards is simultaneously an argument that it is good that we do” (1995, pp. 63–64).

Gomberg (1995, pp. 63–67) claims that arguments for social stratification are misguided and should be deeply questioned. For him, it is not obvious that unequal rewards are required to compensate for the costs of expensive training, for its pain, or for executing occupations that prerequisite special education.¹⁸ On the contrary, Gomberg thinks that training and complex occupations are inherently pleasurable.¹⁹ He concludes that it is puzzling why those with scarce innate talents would require rewarding inducement to train or exercise them for the benefit of all. Moreover, Gomberg asserts that the assumption of scarce innate talents is spurious and originates from meritocratic thinking. Contrary to assuming that fair competition “could discover and develop those with the greatest innate talents, thus benefitting all” (1995, p. 67), he rather expects that “[m]ost people can learn to do most jobs” (1995, p. 68).²⁰

A main problem of stratified societies is that individuals compete for prestige (Gomberg 2007, pp. 60–61), wherefore they cannot relate to each other as equals. Material inequalities resulting

¹⁸ Rawls (1971) does recognize incentivizing or compensatory purposes of efficient inequalities and thus believes that unequal rewards are legitimate if their corresponding contribution benefits all and especially the least advantaged.

¹⁹ As we already know, the same is true for Rawls. As mentioned in section 4.2, Gomberg derives his idea of the enjoyability of complex tasks from Rawls's *Aristotelian principle*.

²⁰ A similar but weaker assumption of Rawls is that the “potentialities of each individual are greater than those he can hope to realize” (Rawls 1971, p. 523).

from *fair equality of occupational opportunity* are rationalized and thus exacerbate the competition for life prospects. The so-called *rationalization principle* (Gomberg 2016, pp. 33–40) – a precondition for the stability of unjust societies – veils injustices by associating occupations with a particular level of social esteem and making everyone responsible for their choices. In the end, the well off are esteemed while the worse off are devalued. Money then is no longer solely an instrumental good but also a positional good promoting or limiting the degree of social esteem one receives. According to Gomberg, “contests for positional goods are zero-sum: one person’s gain is another’s loss” (2016, p. 38). Therefore, he concludes that as long as opportunities are limited, some will always lose, at least positionally. Holding a simple and poorly rewarded occupation will entail low status. Rationalizing individuals would deny positional losers’ noteworthy talents or valuable contributions. In addition, individuals also tend to apply the *rationalization principle* to themselves. If one holds a stigmatized profession, due to which one’s contributions are not appreciated, one is unlikely to develop a healthy self-perception. Overall, positional losers will suffer positional harms, which nobody deserves. In consequence, Gomberg concludes that a division of labor that limits occupational opportunities is unjust and that *FEO*, as a principle that presumes limited opportunities, is unable to promote social justice.

FEO is argued to violate contributive justice (Gomberg 2010, p. 9). Depicted as presuming limited opportunities, *FEO* is accused of not sufficiently providing everyone with contributive goods: Not everyone could develop their abilities, and not everyone could contribute trained skills and be esteemed for contributing them.

With reference to *fair equality of occupational opportunity*, Gomberg believes to have proven that *FEO* would not provide circumstances of social cooperation in which all could simultaneously contribute meaningfully. Contrarily, he suggests that the term *competitive equality of opportunity* (1995) would rather correspond to the circumstances that *FEO* implies. Therefore, he also rejects the idea of *truly equal opportunity*, which would hypothetically fully equalize chances, to be an improvement as long as the number of actual opportunities stays the same.

“In short the *key issue* is the *quantity of opportunity* and only secondarily whether it is equal. Practically speaking, we should be concerned to expand opportunity; only in this context does the struggle for equal opportunity make sense” (Gomberg 1995, p. 59, emphasis mine).

“The significant change would be one that would enable more people to realize their potential for meaningful, challenging, creative social labor” (Gomberg 1995, p. 69).

For this reason, Gomberg (1995, p. 60) advocates for unlimiting occupational opportunities:

“[O]nly when each individual is allowed and encouraged to develop all of her talents and then exercise them throughout her life will each person have an equal opportunity for a full and flourishing humanity.”

5.1.2 Why Competition for Opportunities Can Never Be Fair

Beyond leading to unjust outcomes, Gomberg (1995, 2007, 2010, 2016) asserts that competition for limited opportunities can never be truly fair. With reference to what has here been called *fair equality of occupational opportunity*, he explains that the contest for stratified occupational positions is inevitably unfair because, for reasons of social stability, some would always have to be socialized with low occupational aspirations.

Gomberg (2010, pp. 9–10) highlights that Rawls himself acknowledges that the motivation to acquire and contribute complex skills may partly depend on one’s social origin and that he believes that this is due to the impact of parents as role models. Children in high-status families would regularly experience how their parents’ efforts are rewarded and thus be motivated to make efforts themselves. Even if high-quality education, as a condition of *FEO*, was state funded and accessible to all, it would be more likely that children raised in high-status families would make use of it. Consequently, Gomberg argues that *FEO* could never fully level the playing field.

Rawls is also said to take notice of the fact that *truly equal opportunity*, which would require equipping all individuals with uniform socialization and education, is practically not attainable as it would violate parental freedom (Gomberg 2010, pp. 11–12). Beyond practical attainability, Gomberg (2010, pp. 9–12) questions the desirability of *truly equal opportunity*. As mentioned in the previous chapter, *truly equal opportunity* would not impact the number of positional losers but only change who ends up in stigmatized positions. In addition, *truly equal opportunity* is assumed to bring about undesired social consequences. If all children were equally well educated and socialized with high aspirations, the competition for limited opportunities would be even fiercer. Lots of children would be trained for positions they could never attain, and their discontent with our division of labor could destabilize society as a whole. For these and other

reasons, Gomberg argues that Rawls is right to reject *truly equal opportunity* within his framework.

As *truly equal opportunity* is unattainable, *FEO* cannot fully circumvent the inheritance of status. *FEO* is argued to implicitly rely on the *socialization principle* to save resources, avoid social discontent, and ensure social stability. It guarantees that children are socialized and trained for future positions by arranging that “aspirations and talents, by and large, fit the available positions” (Gomberg 2007, p. 35). “Just as some are trained for the professions, so others are trained for trades, unskilled labor, or unemployment” (Gomberg 2007, p. 36). Gomberg’s analysis implies that as long as opportunities are limited, competition for them can never be fair because some will always be less equipped for success.

5.1.3 Why Limited Opportunity Is a Problem for Society as a Whole

According to Gomberg (1995, pp. 60–62), limited opportunity is not only troublesome on an individual level but also for society as a whole. It is argued that an unavoidable result of limited opportunity is a hierarchical social order in which high-status positions can only be occupied by some. Hierarchical societies would rationalize material inequalities by bringing them into accord with the degree of social prestige one receives and hence with the intensity of self-esteem one can develop. Inequalities in social appreciation and self-esteem stipulate status rivalries, which increase jealousy, reduce the enjoyment of the accomplishments of others, and altogether harm our social relations (Gomberg 2016, pp. 37–39). Clearly, such social conditions leave no room for relational equality but overall threaten social cohesion.

Another reason why a lack of relational equality fostered by limited opportunity might harm social cohesion might be that, given a hierarchical order, social relations are likely to function as positional goods. Social exchange with people who are positionally superior may enhance one’s own social standing, whereas interactions with members of stigmatized groups may harm one’s reputation. In general, it seems counterintuitive to view and treat others as equals when individuals find themselves in circumstances where they are forced to compete for life chances and someone’s gain always implies someone else’s loss. In this case, the *rationalization principle* and the formation of meritocratic attitudes appear to be functional means of resolving cognitive dissonances. Justifying personal success with one’s merit and making others responsible for their unfortunate situation facilitates taking advantage of personal benefits without developing feelings of guilt.

With respect to collective action problems, as, for example, in the context of climate change, limited opportunity and the resulting fierce competition for life chances seems particularly problematic for two reasons. On an individual level, it consumes a lot of time and energy and thus keeps us from doing things differently. On a collective level, it damages social cohesion and prevents us from consciously coordinating cooperation toward a common goal, such as mitigating climate change.

5.2 An Evaluation: Is Gomberg's Critique Valid?

Prima facie, Gomberg's criticism that *FEO* would not ensure just conditions of social cooperation and Rawls's theory would, therefore, violate contributive justice seems plausible. *FEO* is accused of presuming limited opportunities for advantageous social positions, which, in reality, result from limited occupational opportunities in conjunction with the effects of the *rationalization principle*. Gomberg's critique could be interpreted to imply that *fair equality of occupational opportunity* would not ensure a just division of labor in practice, from which it seems legitimate to conclude that Rawls's theory could not provide circumstances for labor justice in practice. However, a closer look at Gomberg's critique and its underlying assumptions calls its validity into question. A deeper engagement with Rawls's principles, theory, and concerns for social justice raises doubts whether Rawls's theory really conflicts with contributive justice and a corresponding notion of labor justice.

What is striking when reflecting on Gomberg's criticism is its focus on *FEO*. *FEO* is presented as a principle particularly responsible for a just division of labor or, according to Gomberg, the lack of it. I do not reject the idea that putting *FEO* into practice would impact the allocation of occupational positions in our division of labor – even though one should recognize that *justice as fairness* is an ideal theory and should be treated accordingly²¹ – or that our division of labor, in turn, affects our social relations. However, I believe that Rawls would not refer to *FEO* as the sole basis for a just division of labor. On the contrary, his whole theory and, at its core, his principles are concerned with justly organizing social cooperation so that a stable society can persist on the basis of *social unity* (Rawls 1982, p. 180). As it is obvious that the division of labor is an essential part of social cooperation²² and that social unity requires relational

²¹ Due to the brevity of this thesis, there will not be a further discussion of a 'correct' application of Rawls's ideal theory. For further elaboration, see Stemplowska and Swift (2014) and Valentini (2009).

²² "A scheme of cooperation is given in large part by how its public rules organize productive activity, specify the division of labor, assign various roles to those engaged in it, and so on" (Rawls 2001, p. 63).

equality,²³ at least to a sufficient degree, it appears unreasonable to assume that Rawls would genuinely reject contributive and labor justice.

The pressing question then is how Gomberg could overlook these similarities. I suggest that testing the sufficiency of *FEO* by imagining its application to our factual division of labor detaches it from its ideal context and ignores the lexical order of Rawls's principles. An excuse on Gomberg's side is Rawls's reluctance to elaborate on the role of labor within his conception of social justice. His restraint is attributable to the general ideal of liberal theories to not limit value pluralism or, in particular, individuals' freedom²⁴ and his assumption that many considerations with respect to justice can only be made with knowledge about specific social conditions²⁵. This is the reason why Rawls's conception of social justice regularly faces the Marxist critique that it cannot engage with injustices regarding the production process. However, some philosophers (see, e.g., Hsieh 2005; Moriarty 2009) highlight that Rawls's work after *A Theory of Justice* occasionally puts a stronger emphasis on the importance of labor and its social organization.

The following sections attempt to evaluate if Rawls's idea of social justice could potentially meet or generally stands in conflict with the predefined key components of a contributive notion of labor justice that have been elaborated at the very end of the fourth chapter. If Rawls's theory showed concerns for all components in their own right, it would be implausible to argue that his theory conflicts with contributive justice and a corresponding notion of labor justice. We would rather have to conclude that, even though contributive justice might express legitimate concerns regarding our division of labor and propose valuable measures to realize labor justice, Gomberg's critique is flawed.

To test if Rawls's theory is compatible with endeavors of contributive labor justice, I begin by shedding light on how Rawls might comprehend a just division of labor. Then we will turn our attention to the three contributive goods. A just division of labor in the contributive sense would have to enable all citizens to receive opportunities for development, contribution, and social

²³ "[T]he unity of society and the allegiance of its citizens to their common institutions rest [...] on an agreement as to what is just for free and equal moral persons with different and opposing conceptions of the good" (Rawls 1982, p. 160).

²⁴ The order of Rawls's principles of justice applies the priority of liberty, from which it follows that "[w]hat kind of work people do, and how hard they do it, is up to them to decide in light of the various incentives society offers" (Rawls 2001, p. 64).

²⁵ "It suffices [...] that in the original position the general form and content of the basic rights and liberties can be outlined and the grounds of their priority understood. The further specification of those rights and liberties is left to the constitutional, legislative, and judicial stages as more information is made available, and particular social conditions can be taken into account" (Rawls 2001, p. 172).

esteem. Finally, it will be discussed if the claim that *FEO* prevents individuals from referring to each other as equals is justified.

If the following reflections indicate that Rawls does care about a just division of labor, contributive goods, and relational equality, we may highly doubt the validity of Gomberg's criticism and cautiously assume that Rawls's theory at least does not conflict with the contributive notion of labor justice.

5.2.1 Rawls's Concern for a Just Division of Labor

Overall, Rawls's considerations on labor and its social organization in his two main books – *A Theory of Justice* and *Justice as Fairness* – are meager. The following passage is by far the longest devoted to the division of labor:

“[A] well-ordered society does not do away with the division of labor in the most general sense. To be sure, the worst aspects of this division can be surmounted: 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. Each can be offered a variety of tasks so that the different elements of his nature find a suitable expression. But even when work is meaningful for all, we cannot overcome, nor should we wish to, our dependence on others. [...] It is a feature of human sociability that we are by ourselves but parts of what we might be. We must look to others to attain the excellences that we must leave aside, or lack altogether. The collective activity of society, the many associations and the public life of the largest community that regulates them, sustains our efforts and elicits our contribution. [...] The [current] division of labor is overcome not by each becoming complete in himself, but by willing and meaningful work within a just social union of social unions in which all can freely participate as they so incline” (Rawls 1999, pp. 463–464, emphasis mine).

From this quote, we can already derive that the ideal of a well-ordered society would also necessarily rely on a division of labor, although on a more just one, in which everyone willing can contribute their propensities in a meaningful way. Yet, Rawls neither elucidates characteristics of meaningful labor, nor does he offer proposals on how to realize a more just division of labor, in which no one is forced into routine occupations. In his more recent work *Justice as Fairness*, he admits that it “is also a major difficulty” that his proposed economic regime, the property-owning democracy,²⁶ “has not considered the importance of democracy in

²⁶ Note that, beyond a property-owning democracy, Rawls also acknowledges that liberal or democratic socialism would satisfy his two principles of justice (Rawls 2001, p. 138).

the workplace and in shaping the general course of the economy” (Rawls 2001, p. 178). Even though Rawls’s two major books neither deeply elaborate on the role of labor for social justice nor provide a comprehensive account of a just division of labor, the mentioned quotes suggest that he is not indifferent regarding the social organization of production.

Hsieh and Moriarty support this assumption, albeit in different ways. Hsieh (2005) indicates Rawls’s sympathies for worker-managed firms and arrives at the conclusion that *justice as fairness* could support claims of workplace republicanism²⁷. He argues that it “grounds worker participation in the governance of economic enterprise more readily than might have been held in the past” (Hsieh 2005, p. 115). In most cases, worker participation involves a wider range of tasks due to the personnel expansion of decision-making processes. Decision-making, in turn, offers a certain degree of complexity as it cannot be ordered and closely supervised from above, must take into account changing conditions to be found, evaluate possible alternatives, and thus is intellectually challenging. Therefore, I believe that workers’ participation in decision-making could blur the lines between complex and simple tasks and thereby correspond to Gomberg’s notion of sharing labor.

Moriarty (2009) emphasizes Rawls’s concerns for meaningful work and substantiates its significance with the importance of a basis for self-respect, the “perhaps [...] most important primary good” (Rawls 1971, p. 440). A close reading of Rawls suggests that a lack of self-respect hampers the development of the two moral powers (2001, p. 114) and thus threatens social stability (1971, pp. 497–499). To begin with, individuals who do not sufficiently respect themselves are less likely to respect others.²⁸ In a struggle for self-respect, individuals are set at odds with each other, and feelings of social unity are rendered impossible (1971, pp. 545–546). Developing a sense of justice based on everyone’s equal worth would not be achievable. Secondly, lacking sufficient self-respect would undermine the moral power to pursue one’s own conception of the good and to effectively make use of one’s liberty. If one misses the sense of one’s personal value, one cannot recognize the worth of carrying out one’s plan of life and, in addition, lacks confidence in the ability to realize it.

“It is clear then why self-respect is a primary good. Without it nothing may seem worth doing, or if some things have value for us, we lack the will to strive for them. [...] Therefore the parties in the original position would wish

²⁷ Workplace republicanism is especially concerned with “a basic right to protection from arbitrary inference at work” (Hsieh 2005, p. 116). See chapter 4.1.2 for further clarification.

²⁸ “One who is confident in himself is not grudging in the appreciation of others” (Rawls 1971, p. 441).

to avoid at almost any cost the social conditions that undermine self-respect” (Rawls 1971, p. 440).

Moriarty (2009, p. 1) suggests that, even though the production process does not play a crucial role in *A Theory of Justice* or *Justice as Fairness*, Rawls’s considerations in *The Law of Peoples* and *Political Liberalism* are driven by the insight that a universal basis of self-respect would require a pro-active provision of meaningful labor. In the paperback edition of the latter, Rawls maintains that social stability is, among other things, essentially dependent on the assurance that society would act “as an employer of last resort” to provide its citizens with a universal “opportunity for meaningful work” (Rawls 1996 as cited in Moriarty 2009, p. 8) if they so desired.

Moriarty (2009, pp. 12–18) extracts three conditions from Rawls’s writings that meaningful work would most likely have to meet to serve as a basis for self-respect. First, working activities would have to satisfy the *Aristotelian principle*, according to which individuals “enjoy the exercise of their realized capacities [...], and [...] enjoyment increases the more the capacity is realized, or the greater its complexity” (Rawls 1971, p. 414). Furthermore, workers would have to receive social esteem for their contributions. Finally, work would have to be a genuine part of one’s conception of the good if a sense of worth was to be obtained from it. As Rawls always is cautious about value pluralism, he acknowledges that work must not necessarily be a part of everyone’s good. This is why he would not demand that all work must actually be meaningful; however, everyone who could receive self-respect from their job should be provided with an opportunity for meaningful work. In this respect, it seems obvious to question why work should build the universal basis for an unlimited supply of self-respect. Moriarty suggests that Rawls would have argued that, overall, we cannot hope that people find self-respect in other activities; while work is “mandatory and extensive”, other activities are “optional and limited” (Moriarty 2009, p. 16).

Moriarty (2009, pp. 10–11) derives his argument in favor of the interpretation that Rawls’s theory of social justice would demand a universal provision of meaningful work in practice from the lexical order of his principles that shall especially ensure that all respect each other and themselves. In the case that severe inequalities would damage individuals’ self-respect,

Rawls would give priority to a distribution that does not maximize the economic position of the worst off but rather ensures their self-respect.²⁹

“Rawls would treat the OMW [opportunity for meaningful work] similarly. That is, he would favor a distribution in which all have the OMW, and then, consistent with that distribution, favor one in which the worst-off’s economic position is maximized” (Moriarty 2009, pp. 10–11).

From this, one could conclude that a just division of labor that secures the provision of meaningful work would probably be of higher importance to Rawls than an efficient division of labor that maximizes overall productivity, at least in cases necessary to ensure social and self-respect.

5.2.2 Rawls’s Concerns for Contributive Goods

If we consider Moriarty’s interpretation of Rawls’s notion of meaningful work correct, it appears that Rawls is not less concerned with contributive goods than Gomberg. Meaningful work is characterized by at least some degree of complexity, which necessitates development and training, and by the fact that its contributions are rewarded with social esteem. Exploring Rawls’s theory with a focus on the significance of self-respect and the *Aristotelian principle* further supports this assumption. We will see that their implications suggest that Rawls would ascribe value to complex contribution, development, and social esteem.

Rawls (1971, p. 424) refers to the *Aristotelian principle* to arrive at a universal but very general idea of the human good, which individuals are said to pursue in the course of their rational life plans. We already know, very generally put, that the *Aristotelian principle* expresses the enjoyment one derives from realizing one’s capacities by exercising complex tasks.

“Presumably *complex activities* are more enjoyable because they satisfy the desire for variety and novelty of experience, and *leave room for feats of ingenuity and invention*. They also evoke the pleasures of anticipation and surprise, and often the overall form of the activity, its structural development, is fascinating and beautiful. Moreover, *simpler activities exclude the possibility of individual style and personal expression* which complex

²⁹ Although Moriarty assumes that, in the case of severe inequality, ensuring the self-respect of the least well off takes precedence over improving their economic conditions, this is unlikely to be true in the case of severe poverty. The importance of maximizing the economic well-being of individuals suffering from poverty would probably take absolute priority since it seems reasonable to assume that a stable basis for self-respect requires, first and foremost, material conditions that allow for a dignified human life.

activities permit or even require, for how could everyone do them in the same way?” (Rawls 1971, p. 428, emphasis mine)

“Thus the *Aristotelian Principle* characterizes *human beings* as importantly moved not only by the pressure of bodily needs, but also by the *desire to do things enjoyed simply for their own sakes*, at least when the urgent and pressing wants are satisfied” (Rawls 1971, p. 431, emphasis mine).

With recourse to the *Aristotelian principle*, Rawls ascribes intrinsic value for the performing individual to the exercise of complex tasks and, furthermore, assumes that actions fostered by the *Aristotelian principle* would also benefit others and contribute to human flourishing³⁰. The same is true for Gomberg’s idea of complex contributions, wherefore both seem to have very similar concerns in this regard. Moreover, Rawls maintains that “the design of social institutions” should be guided by the insights of the *Aristotelian principle* as “otherwise human beings will find their culture and form of life dull and empty. Their vitality and zest will fail as their life becomes a tiresome routine” (Rawls 1971, p. 429). This suggests that also the division of labor, as probably the largest social institution, shall allow everyone to contribute to complex work. As we cannot get rid of all routine labor, Rawls would then have to be in favor of sharing simple and complex labor.

With respect to the value of development, Gomberg and Rawls seem to follow slightly different lines of argument; however, both arrive at the conclusion that it is a good. While for Gomberg (2010, p. 19) development is a human good in itself and intrinsically enjoyable, Rawls’s stance toward education and training is rather instrumental. In his account, the development of one’s capacities serves, in the first place, the purpose of acquiring the necessary skills for performing complex activities favored by the *Aristotelian principle*.

“If we ask why we are willing to undergo the stresses of practice and learning, the reason may be [...] that having had some success at learning things in the past, and experiencing the present enjoyments of the activity, we are led to expect even greater satisfaction once we acquire a greater repertoire of skills” (Rawls 1971, p. 428).

Moreover, Rawls’s concern for development is expressed by the principle of *FEO*. Contrary to Gomberg’s critique, Rawls argues that it would not limit opportunities or lead to a meritocratic society³¹ but rather ensure that everyone has a fair chance to attain a certain position as *FEO* is,

³⁰ Due to social dependency, members of a society profit from each other’s developed excellences. Corresponding collective activity along terms of justice advances human flourishing (Rawls 1971, p. 443).

³¹ The final evaluation will briefly elaborate on Rawls’s anticipated objection that *FEO* would run the risk of promoting technocratic values.

in addition, “underwritten by education for all” (Rawls 1971, p. 87). As a main idea of Rawls is that contingencies of birth and natural endowments are undeserved and the latter should be treated as common assets,³² the *difference principle* only allows inequalities on the basis of mutual advantages for the least well off. Therefore, it is also probable that in a well-ordered society “greater resources might be spent on the education of the less rather than the more intelligent” (Rawls 1971, p. 101).

Finally, Rawls’s theory exhibits a great commitment to the contributive good of social esteem by emphasizing the importance of a basis for self-respect, the “perhaps [...] most important primary good” (Rawls 1971, p. 440). For one part, as has already been mentioned, a sense of one’s own value and the worth of one’s personal plan of life shall be derived from the self-realizing experience of performing activities that fulfill the *Aristotelian principle*. However, as social beings, our self-respect is also dependent on being appreciated by others. Developing a sense of one’s worthiness requires “finding our person and deeds appreciated and confirmed by others who are likewise esteemed and their association enjoyed” (Rawls 1971, p. 440). According to Rawls (1971, pp. 440–446), developed excellences are most likely to benefit others and thus would be rewarded with esteem, at least from one’s *community of shared interest*³³. In Rawls’s opinion, this is sufficient to consolidate individuals’ self-respect that generally shall be equally encouraged by the principles of justice, which formalize equal basic liberties, life opportunities, and reciprocal advantage. Therefore, I assume that one may conclude that Rawls would not think of social esteem as an exhaustible good. As each has reason to respect oneself as well as others, self-respect, and in alignment social esteem as well as status, would – contrary to recent social conditions – not be bound to one’s relative economic position.³⁴

³² Beyond undeservedness, excellences and talents are to be treated as common assets because, even though most may have great potential, no one can develop all their natural endowments. As social beings, we depend on cooperating and contributing our complementary skills (Rawls 1971, p. 523).

³³ “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” (Rawls 1971, p. 441). Gombert, on the other hand, seems to believe that members of a society should value each other’s contributions equally. This is precisely why he is concerned with the division of simple and complex labor.

³⁴ Rawls (1971, p. 545) is also aware of the dilemma of status rivalry in the case of distributing esteem according to one’s relative position. One person’s gain always implies another’s loss and thus puts them at odds regarding their pursuit of self-esteem. This is the main reason why substantial inequalities that threaten self-respect would not be accepted in a well-ordered society.

5.2.3 Rawls's Concern for Relational Equality

Until now, it has been shown that Rawls does express concerns for meaningful, and thus complex, labor and contributive goods. Now, we turn to relational equality, the final key requirement for contributive labor justice. It will be illustrated why Gombert's critique that *justice as fairness* does not provide circumstances in which individuals would refer to each other as equals seems unjustified and that, on the contrary, Rawls's theory is egalitarian not only in a liberal³⁵ but especially in a relational sense.

Even though Rawls emphasizes that the addressed subject of his principles is the basic structure, their ultimate end is to ensure institutional circumstances in which individuals respect each other and themselves³⁶ and can thus refer to each other as equals.

“[I]n a society well ordered by the principles of justice as fairness, citizens are equal at the highest level and in the most fundamental respects. Equality is present at the highest level in that citizens recognize and view one another as equals” (Rawls 2001, p. 132).

The misinterpretation to ascribe solely distributive endeavors to Rawls's theory may be led back to the contested reference of his theory by *luck egalitarians*, who are mainly concerned with distributing non-relational resources to compensate for bad brute luck. Accounts of *luck egalitarianism* hence primarily discuss appropriate currencies of distribution (Stone 2022, p. 159). Above all, however, Rawls seems to be concerned with identifying the circumstances that allow a society of equal citizens, and only in the course of this does he elaborate on distributive questions. A just distribution is thus treated as an instrument rather than an end in itself.

Therefore, it is not surprising that many philosophers (see, e.g., Anderson 2010; Lippert-Rasmussen 2018; Scheffler 2003; Stone 2022) identify Rawls with *relational egalitarianism*, the second major stance in contemporary egalitarian discussions. The latter is ultimately concerned with the kind of social relations among individuals and condemns inequality as unjust if it disadvantages somebody, “when it reflects, embodies, or causes inequality of authority, status, or standing” (Anderson 2010, p. 21). Recall that the lexical order of Rawls's principles prioritizes the provision of equal liberties, which shall secure the status of citizens as

³⁵ A definition of *liberal egalitarianism* has been offered in section 3.2.

³⁶ The major importance of concerns regarding the social basis for respect in contemporary egalitarian thinking indicates the great influence of Rawls's theory of justice in this regard (Stone 2022, p. 157).

equals and their self-respect,³⁷ over increasing economic well-being (Rawls 1971, p. 542) and thus expresses the “value of persons” (1971, p. 586). In addition, Rawls’s *difference principle* only allows inequalities if they benefit the least advantaged and, in this regard, even seems to restrict inequalities that would be legitimate according to Anderson’s account³⁸.

If the ideals of *relational egalitarianism* were realized so that all had strong feelings of equality, acted accordingly, and hence trusted social cooperation to produce mutual benefits, the allocation of occupational positions by means of *FEO* would most likely not run the meritocratic risk prognosed by Gomberg. Degrading others, even if all truly were in their most suitable position, only seems natural to us in our current society because we are bad Rawlsians. We are not socialized with strong feelings of sisterhood and probably even less trust that gains from our division of labor especially advantage the least well off³⁹. As social circumstances in our non-ideal society do not guarantee equal respect, we are trained to compete for personal advantages.

5.2.4 Final Evaluation: Does Rawls’s Theory Conflict With a Contributive Notion of Labor Justice?

The last three subsections should have demonstrated that Rawls’s ideas on social justice do not stand in conflict with the before elaborated key determinants of contributive labor justice. On the contrary, taking a more detailed look at his thoughts reveals his concerns for meaningful work, contributive goods (social esteem, opportunities for development, and social contributions), and relational equality. We may thus conclude that Rawls would probably be in favor of an ideal division of labor, in which all have access to meaningful, and thus complex, work that provides sufficient⁴⁰ contributive goods for all citizens to ensure social conditions in which they can relate to each other as equals. If the extracted key components of the contributive notion of labor justice adequately correspond to Gomberg’s theory of contributive justice, then

³⁷ “And a second reason [for the priority of equal liberty] is the central place of the primary good of self-respect and the desire of human beings to express their nature in a free social union with others” (Rawls 1971, p. 543).

³⁸ Anderson (2010, p. 21) maintains that the *difference principle* expresses the relational concern of not disadvantaging individuals or disrupting their equal standing by inequalities.

³⁹ This assumption may be supported by the empirical fact that Americans believe that an ideal inequality would allow the top twenty percent to possess slightly more than thirty percent of the total national wealth. However, in reality the richest fifth owns eighty-five percent of the total wealth (Algan et al. 2014).

⁴⁰ A main difference between Rawls and Gomberg that cannot be overcome is how they treat non-material goods. While Gomberg emphasizes their universal and unlimited supply, Rawls would probably refer to their necessary sufficient supply. Beyond Young’s (1990) critique that non-material goods are just treated as exhaustible resources, one could also conclude that Rawls is just aware of the fact that different individuals would require different circumstances to feel sufficiently supplied with contributive goods.

his critique of Rawls's theory – accusing it of fostering an unfair competition for limited occupational opportunities, in connection therewith superior social positions, and ultimately an unjust hierarchical society – appears to be unjustified. On the contrary, the considerations in the last three subsections suggest that many of Gombert's and Rawls's prior objectives coincide.

Even though Rawls neither spells out his understanding of meaningful labor nor clarifies how to achieve a more just division of labor – in which at least all who perceive meaningful work as a good shall be provided with such – he generally emphasizes the inherent value of complex activities by referring to the *Aristotelian principle* and stresses that “[w]hether some adjustment for self-respect has to be made is best decided from the standpoint of the legislative stage where the parties have more information about social circumstances” (Rawls 1971, p. 546). Subsequently, if a universal provision of a basis for self-respect was required and if meaningful labor served as such, it would be likely that Rawls would expect policies to grant everyone access to meaningful work.

Furthermore, in *A Theory of Justice*, Rawls (1971, pp. 100–108) already anticipates the objection that *FEO* would lead to meritocracy by emphasizing the *difference principle's* tendency toward equality. According to Rawls, “[i]t transforms the aims of the basic structure so that the total scheme of institutions no longer emphasizes social efficiency and technocratic values” (1971, p. 101). This is because the *difference principle* expresses the notion to view natural endowments as common goods and operates in terms of reciprocity and fraternity by being routed in the shared idea that no one wishes to obtain “greater advantages unless this is to the benefit of others who are less well off” (1971, p. 105). Moreover, as the main target of enhancement is the self-respect of the least well off, social hierarchy and inequality are naturally limited.

In the light of these considerations, it appears implausible to view Rawls's theory of social justice as conflicting with contributive justice or a corresponding notion of labor justice but more likely that Gombert's critique is flawed. This thesis cautiously asserts that by reducing Rawls's concerns for contribution to *FEO* and testing it against the backdrop of our current division of labor, Gombert arrives at an invalid critique that does not systematically engage with Rawls's ideal theory.

Skeptics of Gombert's theory may claim that his criticism is a straw man argument aimed at highlighting the shortcomings of distributive theories of social justice – that are accused of focusing on limited resources over which individuals would always compete – in order to

provoke a turn to contributive accounts, which would allow for social cooperation by focusing on the unlimited and thus non-competitive supply of contributive goods.

A less far-fetched reason for the misguided critique, however, seems to be a blindness to Rawls's relational objective, which may be triggered by the identification of Rawls's theory with the distributive focus of *luck egalitarianism* or, which seems related, with current social discourses on equal opportunity. In these cases, Gomberg's critique, even though judged as deficient, might indeed express a legitimate concern. Rather than being a fruitful thought experiment, the imagined implementation of *FEO* in our current society describes questionable features of current liberal political discourses. The underlying idea of equality of opportunity as a central objective is often that if only chances of achieving certain limited positions were equal, then the resulting outcomes and inequalities would be justified as they are imagined depending solely on individuals' choices. In this respect, equalizing opportunities by, for example, providing state-funded higher education offers a simple way toward a just society; however, only at first sight. As Gomberg has pointed out, formally equal access to education would not make the competition for limited opportunities fair since our choices will always depend on our socialization. Moreover, even if the socialization effect could hypothetically be eliminated and all actually attained higher education, we would arrive at unjust and undesirable social consequences. As some would always have to lose the struggle for limited opportunities in our current division of labor, resulting inequalities would be perceived as unjust and stipulate social disruption. Given our current social circumstances, Gomberg thus rightly concludes that beyond equalizing opportunities we should especially be concerned with the quantity of opportunities that our division of labor provides.

In accordance with Gomberg's analysis, it is assumed that contributing through one's occupational role does essentially determine one's allocative share and one's relative social position and hence should be thought of as a major determinant for social (in)justice in stratified and individualized market societies. Therefore, labor justice should, at least in our current working society, constitute an inevitable part of social justice. Having shown that Rawls's theory does exhibit distributive and relational concerns for social justice and having arrived at the conclusion that his theory would not conflict with contributive labor justice, we may infer that distributive and contributive considerations do not rule out each other but rather should enrich one another.

In the last step of the final evaluation, we will turn our attention to the question of to what extent Rawls would support practical measures toward a more just division of labor. Relatedly,

Moriarty (2009, p. 9) aims at clarifying the level of Rawls's commitment to the provision of meaningful work. He suggests that there are two alternative ways of interpretation. The provision of meaningful work is to be understood either as an essential but implicit element of Rawls's theory or as a policy that some well-ordered society should select on a subsequent legislative stage. Moriarty proposes that the second option is more likely. His intuition probably stems from Rawls's common procedure to delay decisions regarding social and economic laws and policies to a point in time when more specific information about society and its institutions is available. On the other hand, and in favor of the first interpretation, Moriarty indicates that, in *The Law of Peoples*, Rawls mentions that providing citizens with meaningful work is a requirement for all liberal conceptions of justice. While in this case a just society would always have to ensure universal access to meaningful work, the other suggests that a provision of meaningful work is mandatory when necessary. Thinking in Rawls's terms, such a necessity would probably occur if social circumstances were not able ensure individuals' self-respect, did not guarantee that citizens view each other as equals, and thus threatened the stability of social cooperation.

Whatever Rawls's commitment to meaningful work is, we can independently conclude that, at least in all relevant circumstances, he would be in support of a more just division of labor. If Gombert's meritocratic narrative of our current society – in which individuals must compete for social esteem by means of limited occupational opportunities and thus cannot relate to each other as equals – is an adequate description of the prevailing social circumstances, then the conclusion that Rawls would call for a more just division of labor seems justified.

Finally, contrary to Gombert's representation, sharing labor – as a measure to increase occupational opportunities – and *FEO* – as a principle to regulate the assignment of existing occupational opportunities – do not appear to be mutually exclusive. If in an ideal division of labor, the sharing of complex and simple tasks was a measure to fulfill the purpose of guaranteeing everyone accesses to meaningful work while maintaining specialization for mutual benefits, there would be no reason why meaningful occupations should not be allocated by means of *FEO*.

5.3 How Rawls's Principles Could Make Their Concern for a Just Division of Labor More Explicit

Overall, it appears that Gombert's flawed criticism of Rawls's theory could have been avoided if his principles were more explicit regarding the importance of self-respect. Therefore, an

alternative formulation of his principles will be suggested. Of course, one cannot expect that two principles convey a whole theory in a nutshell. However, if Rawls truly gave priority to the provision of meaningful work, at least in necessary cases, over increasing productive efficiency for the benefit of the least well off, this should be obvious in his principles.

Therefore, I propose that the principles should evidently reveal their concern for *sufficient equality of contributive opportunity*. While sufficiency is meant to indicate that contributive opportunities must guarantee everyone a basis for self-respect, equality demands that all citizens non-competitively have access to such opportunities. Thus, the quantity of contributive opportunities must comply with its demand. An easy way to reformulate Rawls's principles in such a manner could be to introduce *sufficient equality of contributive opportunity* as a third part in the second principle prior to *FEO* and the *difference principle*. This would ensure that – when necessary with regard to self-respect – *FEO* and the *difference principle* only come into play when *sufficient equality of contributive opportunity* is satisfied. As a result, *sufficient equality of contributive opportunity* would make explicit that *FEO* never runs the risk of producing unjust positional harms. Rawls's revised principles could then read as follows:

“(a) Each person has the same infeasible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all;

(b) Social and economic inequalities are to satisfy [three] conditions”: *First, they are not allowed to undermine an equal basis for self-respect, wherefore a sufficient equality of contributive opportunity must be provided when necessary*; “[second], they are to be attached to offices and positions open to all under conditions of fair equality of opportunity; and [third], they are to be to the greatest benefit of the least-advantaged members of society (the difference principle)” (Rawls 2001, pp. 42–43).

A governmental provision of meaningful labor or a policy regulating the sharing of complex and simple labor might then each be a suitable measure to ensure *sufficient equality of contributive opportunity* and arrive at a more just division of labor.

6 How Economists Think About Labor and Justice

Emanating from the assumption that we have a moral obligation to ensure labor justice in a working society, important questions remain: Does labor justice stand in conflict with other important values? If yes, what could compromises look like? What implications and consequences would the implementation of labor justice entail for social welfare? And how

could sharing complex and simple labor be put into practice most efficiently? Economics can contribute to answering those questions and thereby making a well-informed choice for or against labor justice.

However, elaborating the economic stance on labor justice is not a simple task, as prevailing economic theories have little potential to recognize the contributive side of justice for two main reasons. In general, mainstream economic approaches are hesitant to engage with value-laden concepts due to the prevalent belief that positive and normative scientific endeavors should be separated (van Staveren 2007, pp. 1–3). Economists who venture into the normative realm attempt to avoid subjective judgments and conclusions without general validity by sticking to widely accepted evaluative criteria such as Pareto efficiency. The reluctance to go beyond value-neutral concepts limits justice talk in economics to material inequalities. Hence, justice considerations are disconnected from questions of labor. This is the second reason why economics does not approach labor justice, which is already implied by the first. Mainstream approaches leave the division of labor to the dynamics of the labor market, which is assumed to match individuals and job positions against the background of efficiency.

In order to comprehend economics' limitations to promote labor justice, I aim to elucidate how the division of labor and justice are embedded in economic theory in the following sections. Selected main functionalities of the labor market and common characteristics of welfare economics will be presented. Thereby, it will be recognizable that, even though economics cannot provide arguments in favor of labor justice on its own behalf, it enables us to make a better-informed or – in economists' jargon – a more rational decision for or against labor justice by suggesting answers to the above-mentioned questions.

6.1 Social Division of Labor – A Matter of the Labor Market

Throughout the history of economic ideas, the division of labor has been a mainly positively evaluated phenomenon (Sun 2005, p. 21). Since the ancient Greek philosophers, occupational specialization is associated with the notion of increasing returns (2005, p. 5). The most popular economist elaborating on this connection is Adam Smith. He was the first to recognize that the division of labor is not only dependent on the market extent but also plays a crucial role in determining it (2005, p. 14). Hence, specialization would not only increase efficiency but, in the long run, promote economic growth and thus development.

Even though Smith's contributions on the division of labor are indispensable, his work lacks a clear distinction between the social division of labor and the division of labor within enterprises. Sun (2005, pp. 19–20) explains how Marx did elaborate on differences and connections between them and that he assumed that while the social division of labor was the first to occur and triggered the development of the second, it was the division of labor in manufacturing that, in turn, promoted the further differentiation of the social division of labor. Moreover, Marx highlighted that they would not only differ in degree but also in kind due to their coordination mechanisms and ultimate ends. The social division of labor arose and develops unintentionally; it underlies no authority in harmonizing reciprocal interests. On the other hand, the division of labor in manufacturing is centrally organized to maximize profits, and workers are subject to the power of their employers.

The distinction between the coordination of labor forces through decentralized mechanisms or by authorities within firms has also been highlighted by Coase (Sun 2005, p. 20). Whether coordination is exercised within firms or by the price system is, since Coase's article on *The Nature of the Firm* (1937), assumed to be a question of transaction costs (costs incurred when using the price mechanism). Since contracting out and solely relying on the market may involve costs beyond the actual market price – e.g., search, bargaining, information costs, etc. – hiring workers and organizing production within the firm can be cheaper.

Hence, depending on transaction costs, the division of labor may be mediated within firms or by the market. In the second case, the social division of labor is part of what Hayek calls the *spontaneous order* (Sun 2005, pp. 22–25). The concept of spontaneous order describes how the uncoordinated behavior of individuals leads to beneficial social institutions, practices, or rules. In the case of the social division of labor, it indicates its coordination via the self-regulating nature of the market that processes all relevant information through its price system.

The standard economic labor market model illustrates how the aggregate decisions of firms, unions, and governments determine wages, profits, and the rate of unemployment. For the base of the model, considering the aggregate behavior of firms is sufficient. Contrary to the product market, where firms are modeled as price takers, they act as price setters in the labor market, making decisions about the height of wages and how many people to employ. To maximize profits, these considerations must be in accordance with the conduct of all other companies (Algan et al. 2014).

In principle, a classic labor market model consists of a wage- and a price-setting curve, which depict the aggregate results of the wage- and price-setting processes of all firms in the economy.

The wage-setting curve reflects the wage that is necessary to motivate workers to sell their labor, which is why wage is related to the level of unemployment. The price-setting curve indicates the real wage when firms select their profit-maximizing price. It depicts the ratio of profit to wage (in a simplified model with no further production costs) for the price per unit. By superimposing the wage- on the price-setting curve, the labor market equilibrium can be localized at their point of intersection. It is a Nash equilibrium, as all participating firms have optimized their decisions – regarding wages, prices, output, and employment – in line with the conduct of all other firms (Algan et al. 2014).

If the labor market is in an equilibrium state, the equilibrium wage is on the wage-setting curve. Hence, it is sufficiently high to motivate workers – who could not further improve their situation – at the least possible employers’ costs. The aggregate employment is at its highest possible level. However, a certain rate of unemployment is assumed to be an inevitable part of every equilibrium situation, as otherwise, employees would not experience the cost of job loss and thus could not be motivated to provide work effort. Therefore, job seekers affected by equilibrium unemployment would not have any chance of getting one even if they sold their work-force below the equilibrium wage (Algan et al. 2014).

A key function of the labor market is to match individuals and vacancies. Different models for search and matching processes exist; however, what they have in common is their definition of an efficient labor market that should achieve productive matches between individuals’ supply and firms’ demand for certain skills at minimal searching costs for both parties. The Beveridge curve provides a tool to evaluate the matching efficiency of the labor market by comparing unemployment and vacancy rates over time (National Skills Commission 2021).

6.2 Justice – Hesitant Approaches in Welfare Economics

Giving some insights into welfare economics in the context of labor justice seems important for two reasons. First, it is the most prominent economic realm for justice considerations. By revealing welfarist notions of justice, one can comprehend economics’ limitations to recognize the need for contributive justice. Secondly, as policy recommendations can be, and often are, evaluated by welfare economics’ considerations, we should take into account possible welfare consequences of sharing complex and simple labor. This will be done in the subsequent section.

In essence, “[w]elfare economics is that branch of economics which concerns itself with the principles by which alternative economic arrangements may be ranked in terms of social

welfare” (Mishan 2022). Due to differing epistemological and methodological assumptions, welfare economics is a diverse field with manifold approaches. However, by not moving beyond concerns of distributive justice and relying heavily on utilitarian heritage as well as on efficiency criteria, mainstream welfare accounts share some major characteristics.

First and foremost, mainstream welfare economics usually does not move beyond considerations of distribution. Pigou, who laid the definitional foundation for the field, assumed that an increase in economic welfare would usually increase social welfare and maintained that the burden of proof against an economic-welfare-increasing policy would be on the side of those claiming a decrease in social welfare (McCain 2019, p. 32). In addition, he believed that individuals’ economic welfare could be operationalized by “the measuring rod of money” (McCain 2019, p. 31) and associated overall economic welfare with the national dividend and its distribution. Hence, in practice, welfare is often equated with wealth or income, even though Pigou admits that interventions in favor of economic welfare could potentially decrease overall social welfare.

Pigou also expressed concerns about distributive justice by assuming that redistribution from the rich to the poor would increase total welfare as long as it would not decrease the national dividend (McCain 2019, p. 32). Since Marshall and Wicksell, monetary redistribution is regularly understood as a measure to improve income distribution so that perfect competition can actually maximize production (Samuelson 1947, pp. 206–207). Claims about improvement, Robbins (1945, p. 137) argues, were mistakenly derived from the utilitarian idea of *diminishing marginal utility*, which economists took to express the common view that less-advantaged people would derive more utility from additional income than the economically better situated would lose.

As has been illustrated with reference to only a few examples, it overall applies that economists’ contributions on welfare usually do not go beyond material concerns for individuals’ well-being and that distributional questions, to some extent, are treated in line with the core economic problem of maximization. Depending on each specific welfare economic approach, the goal is to maximize social utility, preference satisfaction, the national dividend, etc.

This second common feature of welfare economics discloses a tight connection between welfare and utilitarianism. “It is important”, says Bonner (1995, p. 6), “to recognize that economists have always fallen back on utilitarian terminology and assumptions to help justify their policy conclusions. Concepts like diminishing marginal utility and aggregate utility seem indispensable [to welfare economics].” Pigou, the first major economist explicitly engaging

with welfare economic considerations, might have changed some wording – e.g., referring to welfare instead of utility – yet core ideas of aggregating individuals’ welfare to arrive at the total welfare or increasing welfare by some redistribution from the rich to the poor remained (Bonner 1995, p. 7). Thus Bentham’s moral theory of utilitarianism, which prescribes actions that maximize overall happiness or utility within a certain society, is the origin of all welfarist reflections (Baujard 2013, p. 2). However, we must still pay attention to significant amendments adopted by economists over time.

A classical utilitarian social welfare function assumes cardinal utilities and their interpersonal comparability and sets the social optimum to the point where the sum of individuals’ utilities is greatest. In this view, only the total and not the distribution of utilities matters. By introducing the idea of *diminishing marginal utility*, utilitarian welfare calculations paved the way for discussions of equal resource allocations (Bonner 1995, p. 13). In the course of time, the objective of happiness or pleasure has been replaced by a thinner concept, namely, the satisfaction of revealed preferences⁴¹ (Bonner 1995, p. 9), and different forms of utilitarian welfare functions have been developed. They all have in common that they yield a transitive order of economic states that are either better, worse, or equally good. The Rawlsian version of a utilitarian social welfare function introduces the *maximin principle* by focusing on maximizing the utility of the worst-off individual. However, as even recognized by some economists, this is not an appropriate model of Rawls’s theory, which is much more concerned with a minimal and just distribution of primary goods than with welfare.

Another gradual amendment of welfare economics, connected to the former, was the identification of the *summum bonum* with efficiency. Even though Hausmann and McPherson (2009, p. 19) argue that some accounts of welfare economics have turned their back on utilitarianism due to concerns regarding the interpersonal comparisons of welfare levels, Bonner argues that also “Paretian judgements for improvement [...] presume some notion of overall economic welfare” (Bonner 1995, p. 7) and thus carry utilitarian heritage by relying on the idea that there is a social good reducible to individuals’ good.

Together, these two changes illustrate a positivist shift from old to new welfare economics. It has especially been nudged by Robbins’ critique⁴² of the interpersonal comparisons of

⁴¹ In accordance with the representation theorem, complete and transitive preferences can still be associated with a utility function (Board 2009, p. 3) and thus do not exceed the utilitarian framework.

⁴² Robbins (1945) argued that there are no scientific facts supporting the procedure of comparing individuals’ experiences and was in favor of strictly separating ethical theories, such as utilitarianism, from the purely positive science of economics.

individuals' utilities, and it induced economists to focus on consumers' ordinal preferences as the appropriate basis for deriving collective social preferences (Aguenane 2019, p. 8). However, Arrow's *impossibility theorem* has shown that:

“It is impossible to deduce, in a coherent manner devoid of any value judgment, a rational collective preference from individual ordinal preferences” (Aguenane 2019, p. 9).

Judging allocations as Pareto-inferior or Pareto-optimal and, in cases of unanimity, setting up Pareto quasi-orderings (Weymark 2016, p. 2) is all that economists can legitimately do when solely relying on individuals' ordinal preferences.

Samuelson did not want to settle for being unable to determine a unique social optimum. He believed that “[i]t is a legitimate exercise of economic analysis to examine the consequences of various value judgments” (1947, p. 220) and, with recourse to Bergson, developed a social welfare function that relies on the uncontroversial optimization of production and exchange conditions. Only in a final step did he introduce a “Pareto-inclusive ethical belief on social welfare” (Suzumura 1999, p. 204). By assigning weights to individuals' ordinal preferences, the social welfare function shall achieve a complete transitive order of social states and a unique optimum.

„But, in practice, as of mid-century, no specification for a social welfare function had been proposed other than the summation of cardinal utilities, which Samuelson and Bergson reject“ (McCain 2019, p. 80)

Economic welfare considerations that strive for objective evaluations and avoid value-laden judgment as well as cardinal utilities thus are restricted to evaluating distributive allocations by referring to the quasi-uncontested concept of Pareto efficiency. Pareto improvements are associated with overall welfare increases, as some individuals or at least one person is made better off without having made anyone worse off. Situations in which no one can be made better off without making anybody worse off are Pareto-efficient and assumed to be a necessary (but insufficient) condition for maximizing social welfare.

The pure reliance on efficiency conditions brings about major difficulties. First, such welfare evaluations are not very helpful in practice. Most policies cannot achieve Pareto improvements but are rather directed at enhancing the well-being of some individuals at the cost of welfare

losses for others (Baujard 2013, pp. 5–6).⁴³ As a result, mainstream welfare economics seems ill-equipped to make proposals for promoting justice, let alone contributive justice with its focus on intangibles.

Moreover, Pareto efficiency is also not always easily reconcilable with liberal values that play a crucial part in currently prevailing notions of social justice. Sen’s theorem of the impossibility of a *Paretian liberal* (1970) revealed that the Pareto criterion is not, as assumed, safeguarding individual freedom but, on the contrary, may conflict with liberal values when emanating from the condition of unrestricted domain⁴⁴ (Arrow’s first condition for collective rationality). To demonstrate how the Pareto criterion causes illiberal outcomes, Sen (1970, p. 155) refers to the example of two people (the Prude and the Lude) having preferences about who should read the novel *Lady Chatterley’s Lover* and aims at deriving their social choice. As depicted in the following table, there are three alternatives: Either Prude reads the book (x), or Lude reads the book (y), or none of them reads it (z). Prude would generally prefer that no one reads the novel, but in the case that someone had to, he would prefer himself reading it. Lude, on the other hand, would derive pleasure from Prude reading *Lady Chatterley’s Lover* but would prefer himself reading the book over no one reading it.

	x	y	z	Preference orderings
Prude	✓	✗	✗	$z > x > y$
Lude	✗	✓	✗	$x > y > z$

Table 1. Choice sets and individuals’ preference orderings.

Deriving a social choice by applying the Pareto principle would yield $x > y$. However, if we hold (minimal⁴⁵) liberal values, it seems odd to force Prude to read the book if he preferred not reading it ($z > x > y$). Equally odd, however, would be not having anyone read the book if Lude would prefer himself reading the book ($x > y > z$). Applying the liberal criterion on top of the

⁴³ The Kaldor-Hicks compensation principle extends the Pareto principle to hypothetical cases in which individuals who would benefit from some policy could potentially compensate others’ welfare losses and judges such states to be Pareto-superior (McCain 2019, p. 65). The compensation test may thus indicate if some defined social state A is better than another B, yet it can never rule out that there are other alternatives C that might be even better (McCain 2019, p. 80). Determining a universal social optimum always depends on making normative judgments.

⁴⁴ Unrestricted domain is an Arrowian condition for collective rationality, which demands that “[e]very logically possible set of individual orderings is included in the domain of the collective choice rule” (Sen 1970, p. 153).

⁴⁵ Sen’s example assumes minimal liberalism requiring that there are at least two persons whose decisions over at least one pair of alternatives are each decisive for the social choice. As minimal liberalism is even less demanding than liberalism (postulating that everyone can make a decisive decision over at least one pair of alternatives), his proof also holds for the latter.

Pareto principle would then yield a cyclic social preference ordering, namely, $z \succ x \succ y \succ z$. The example shows that the Pareto criterion would arrive at a solution inconsistent with (minimal) liberal values.

“What is the moral? [...] If someone takes the Pareto principle seriously, as economists seem to do, then he has to face problems of consistency in cherishing liberal values, even very mild ones” (Sen 1970, p. 157).

Overall, Sen (1970) highlights that “a society or an economy can be [Pareto-efficient] and still be perfectly disgusting” (Atkinson 2009, p. 797).

6.3 How Economists Would Assess Political Interventions Toward Labor Justice

From the last two sections, it should now be evident that there is no particular economic notion or model of labor justice. Economists address the two topics separately and in different ways. While the division of labor and matching processes of individuals and vacancies are at the core of the functioning of the labor market, signaling information through its price system, considerations on justice are concerned with distribution and, due to value-ladenness, only hesitantly approach concepts beyond Pareto efficiency, “generally regarded as value-neutral concept” (van Staveren 2007, p. 1).

However, efficiency is a connecting objective that labor and welfare economics have in common. An ideal labor market with a well-functioning price mechanism is assumed to match individuals and vacancies against the background of productive efficiency. Maximizing production, of which labor is an important input, is, in turn, a condition for achieving Pareto-efficient distributions, which are considered necessary (but not sufficient) for maximizing social welfare. Transforming our division of labor in the spirit of justice will resultingly have implications for efficiency and welfare. In general, any labor market regulation that interferes with labor market mechanisms is assumed to have welfare consequences, ideally beneficial in cases of market failure (Kaufman 2008, p. 23).

6.3.1 A Neoclassical Perspective

In what follows, I present and evaluate a hypothetical case of a labor justice policy that would regulate our social division of labor in such a way that complex and simple tasks would be more evenly distributed from a welfare-economic perspective. I will illustrate possible changes that

might occur if such a labor justice policy was implemented by referring to a Samuelson-Bergson social welfare function.

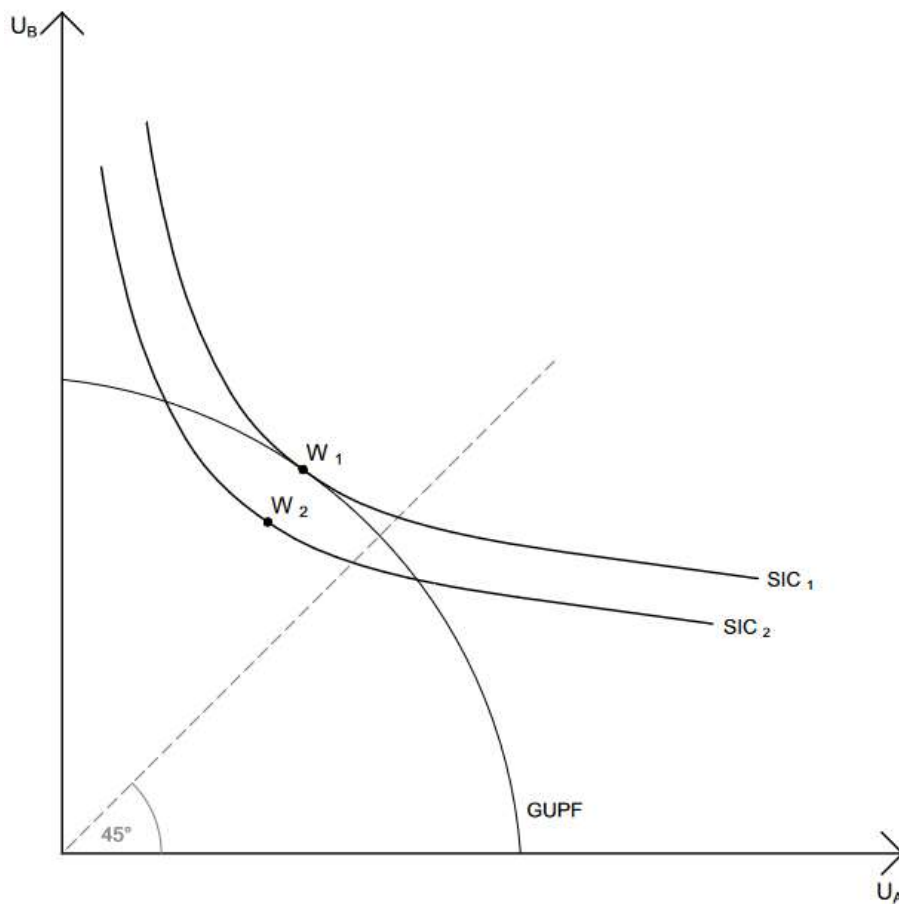


Figure 1. Welfare loss as a result of the introduction of a policy regulating the social division of labor.

Figure 1 shows a classical Samuelson-Bergson social welfare function in a two-person scenario. Social welfare is maximized (W_1) where the social indifference curve (SIC_1) is tangent with the grand utility possibility frontier (GUPF), indicating all Pareto-efficient distributions for a maximized production.

Introducing a labor justice policy that enforces a just division of labor by demanding that all occupations involve complex and simple tasks would be thought of as limiting the freedom of contract between workers and employers. Orthodox economic theory assumes that voluntary contracts are generally welfare enhancing since they would only be concluded if all parties involved agreed on their terms. Posner (1984) believes that “[t]his [...] proposition provides a powerful argument against restrictive market regulations since on *prima facie* grounds they appear to block welfare-augmenting trade” (Kaufman 2008, p. 12).

Moreover, given ideal market conditions, which are assumed to lead to an “*efficient allocation and full utilization of labor*” (Kaufman 2008, p. 9), distributing complex and simple labor more

evenly would be imagined to disrupt the coordination and allocation mechanisms of the labor market. As they are assumed to signal which jobs are required by means of the price system, provide incentivizing circumstances of competition between workers, and match individuals' skills and occupations' requirements most efficiently, the labor justice intervention would be expected to lead to efficiency losses. As shown in the graph above, the new equilibrium (W_2) then shifts below the grand utility possibility frontier on a lower social indifference curve (SIC_2), indicating a welfare loss due to the introduced policy.⁴⁶

The labor justice-welfare trade-off depicted in the graph above, in general, mirrors the often-discussed classical justice or equality-efficiency trade-off (see Okun 2015) and suggests that mainstream economists would be skeptical of a labor justice policy due to its accompanied welfare losses. A Pareto-efficient and thus potentially welfare-maximizing equilibrium, from a mainstream point of view, might thus require some labor injustice when defined as a division between simple-routine and complex work. An argument in favor of this might be as follows: Well-educated and specialized workers shall not waste their time on routine work that does not fully exploit their productive powers. Therefore, workers executing simple-routine tasks would be needed, and an economical use of resources would require that they be withdrawn from costly education and training.

If, however, as this thesis has put forward, labor justice is an inevitable condition for social stability when specifying Rawls's conception of *justice as fairness* for our current working society, then Rawls provides an argument in favor of labor justice even though judged as welfare decreasing. As Gomberg's insights suggest viewing labor justice as the very core of social justice, given current social conditions, and as Rawls's theory prohibits trading justice for efficiency, our society might be overall better off venturing efficiency losses for a just division of labor.

⁴⁶ In the long run, and beyond the neoclassical framework, it might occur that sharing labor makes up for at least some efficiency losses and – assuming interpersonal comparison – decreases inequalities. As, ideally, all would do some complex labor after the policy has been introduced, everyone's contribution would require some education and training and would be productive accordingly. In this case, large income inequalities do not only seem unjustified but probably also diminish as an assumption is that "one's income reflects one's marginal productivity" (Josifidis and Supić 2018, p. 320). Moreover, if all were esteemed for their contributions and thus enabled to relate to each other as equals, money could lose its value as a positional good and become simply instrumental, rendering wealth accumulation, status consumption, and hence the pursuit of extremely high incomes irrelevant to individuals' welfare. Graphically, these adaptations regarding equality, efficiency, productivity, and social values would have to be modeled by a totally different welfare function, with a new grand utility possibility frontier, differently sloped social indifference curves, and a new equilibrium, closer to the 45-degree line of absolute equality.

This assumption is also supported by Atkinson (2009, pp. 797–800), who criticizes Paretian welfare economics for basing social welfare on individual welfare. Atkinson is under the impression that there might be situations in which Pareto improvements might worsen overall social arrangements and that there are manifold objectives that should be considered when making social decisions. In line with this thesis, he, for example, suggests that market employment could be an important “objective in its own right” (2009, p. 632) when viewing it as a merit good necessary to avoid social exclusion.

6.3.2 Rawls’s Objection: Priority of Justice over Efficiency

The priority of justice over efficiency and the sum of social and economic advantages in Rawls’s theory is made explicit by his second priority rule (Rawls 1971, pp. 302–303) and is, generally, laid down in the lexical priority of his principles⁴⁷. Together with the first priority rule, determining the priority of liberty, the order of the principles of justice shall ensure society’s stability⁴⁸. Stability requires a “public sense of justice” (Rawls 1971, p. 498), which, in turn, is dependent on each having a sense of one’s own worth (1971, p. 501) that, in essence, is based on equal liberty⁴⁹. Consequently, citizens must be equipped with the two moral powers – a sense of justice and the capacity to follow one’s personal good – which are, in turn, dependent on their self-respect. Only individuals who respect themselves can develop and embrace their conception of the good, hence seize their liberty, and solely individuals who value themselves can value others and develop a sense of justice.

In practice, many economists erroneously resort to Rawls’s theory as an always applicable solution to the justice-efficiency trade-off. This may be because Rawls states that his *difference principle*, to which economists mainly and most exclusively refer, is compatible with efficiency and “that a perfectly just scheme is also efficient” (1971, p. 80). However, he also puts very clearly that:

“[I]f the basic structure is unjust, these principles [the principles of justice] will authorize changes that may lower the expectations of some of those better off; and therefore the democratic conception is not consistent with the

⁴⁷ “For this priority implies that the persons in the original position have no desire to try for greater gains at the expense of the equal liberties. The minimum assured by the two principles in lexical order is not one that the parties wish to jeopardize for the sake of greater economic and social advantages” (Rawls 1971, p. 156).

⁴⁸ “The lexical order is, so to speak, the inherent long-run equilibrium of a just system” (Rawls 1971, p. 248).

⁴⁹ “[E]qual political liberty is not solely a means. These freedoms strengthen men’s sense of their own worth, enlarge their intellectual and moral sensibilities, and lay the basis for a sense of duty and obligation upon which the stability of just institutions depends” (Rawls 1971, p. 234).

principle of efficiency if this principle is taken to mean that only changes which improve everyone's prospects are allowed" (Rawls 1971, p. 79).

Therefore, efficiency and the *difference principle* are only compatible given fully just circumstances. The priority of justice in all other circumstances seems to be overlooked by most economists who convert Rawls's *difference principle* to economic welfare models.

Rawls referred to the following graph to depict the priority of justice over efficiency.

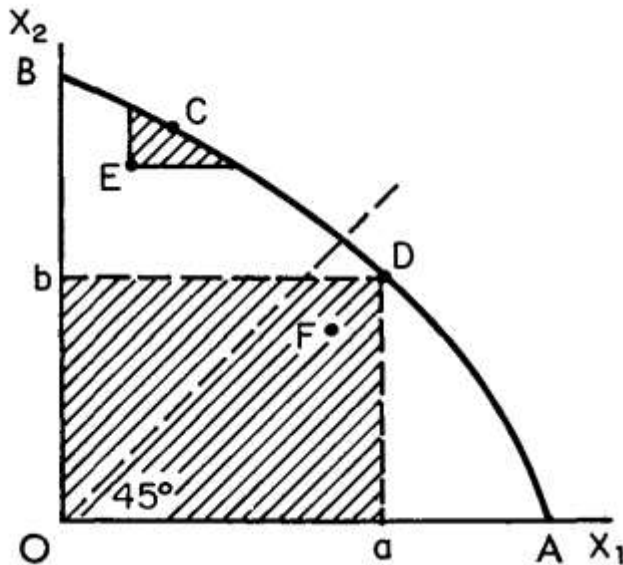


Figure 2. Priority of justice over efficiency by Rawls, John (1971): *A Theory of Justice*, p. 69: Harvard University Press.

X_1 and X_2 represent two people among which a certain stock of commodities shall be distributed. The line between point A – where X_1 would have all goods – and point B – where X_2 would have everything – designates all Pareto-efficient distributions. The 45-degree line depicts all equal distributions. Distributions below AB are judged as Pareto-inferior. However, according to Rawls's priority of justice, "one may even decide that an interior point such as F is to be preferred to C which is an efficient point" (1971, p. 69).

Rawls's concept of self-respect could offer a helpful device to decide when a trade-off of efficiency for labor justice should be enforced. A country's economic performance that threatens individuals' dignity due to material poverty would also nullify their self-respect; thus the country might be well-advised to put a focus on economic welfare and distributive justice⁵⁰ to begin with. However, if a country's prosperity provides everyone with a materially dignified

⁵⁰ Let us, for simplicity, ignore the trade-off between efficiency and distributive justice.

life, people's self-respect is rather endangered by what they do than by what they do not have, and an emphasis on labor justice prior to economic welfare might make society better off.⁵¹

6.3.3 A Reconciliation of Justice and Efficiency?

It has been shown that prioritizing labor justice over efficiency, and thus economic welfare, may be legitimate in certain circumstances and is likely to be supported by Rawls. Further arguments for labor justice can be drawn from some heterodox economic approaches, which neglect or relativize the mainstream economic idea of an efficiency-justice trade-off. Kitson et al. (2000), for example, argue that, in reality, economic institutions are dominated by power relations, wherefore increasing social justice does not imply efficiency costs but, on the contrary, is a productive factor. To them, the organization of work is a key determinant for enhancing labor market equality and, in consequence, social justice.

“[R]elationships in the labour market are permeated by inequalities of bargaining power, structural barriers to mobility and by institutional discrimination, which together lead to the systematic undervaluation of the labour of disadvantaged groups” (Kitson et al. 2000, p. 632).

Non-competing groups are a result of the segmented labor market and rule out innovative competition as a factor of efficiency. However, efficiency can be raised by fostering more cooperative forms of production. Encouraging workers to participate in organizing and managing production mobilizes their “commitment, skills and knowledge” (Kitson et al. 2000, p. 638).

Likewise, proponents of predistribution would question that labor market interferences in most circumstances entail welfare losses because individuals' labor relations are initially characterized by unequal levels of bargaining power. Policies of predistribution aim to “create an economy [...] in which the status, standing and self-respect of each is protected” (O'Neill 2019, p. 89), are theoretically embedded in *social egalitarianism* that seeks to go beyond distributive concerns and also emphasize the importance of relationships for social justice. In doing so, predistribution designates policies that recognize the need for a more egalitarian economy to achieve a just society that is not vulnerable to the destabilizing tendencies of

⁵¹ Gomberg (2007, p. 88) stresses a similar argument: “If people are in danger of dying or suffering malnutrition from insufficient calories, efficiency in producing food is very important. Once productive efficiency reaches a level where needs are met, it may be less important than fulfilling work.”

meritocracy. To this end, sharing complex and simple labor could be an appropriate predistributive policy.

Overall, some heterodox economic approaches especially emphasize that labor market regulations are necessary to balance unequal power relations. However, since we would neither wish to give up the decentralized coordination of our social division of labor, which harmonizes individuals' behavior while sustaining their freedom, and replace it with a centrally organized division of labor that always runs the risk of paternalism nor abandon specialization, the question of how to enhance the justice of our social division of labor most reasonably arises.

A possible compromise between sustaining the productive effects of a free labor market and its corresponding specialization and making our social division of labor more just can be envisaged when reconsidering the mentioned Marxist distinction between the social division of labor and the division of labor within manufacturing. Marx indicated that the latter, which can today be understood as the division of labor within economic enterprises, differs in that its organization is planned centrally and intentionally. As contemporary research (see, e.g., Neumark 2018) points to different forms of labor market discrimination causing employment and wage differentials and as Gomberg (1995, 2007, 2010, 2016) suggests that occupational positions mirror the ongoing rivalry for status in our meritocratic society, positions within firms are not necessarily assigned due to best fits but also result from power relations. If that is the case, the division of labor is neither just nor efficient. If non-discrimination within firms was accompanied by sharing complex and simple labor more evenly, the corresponding transformation of occupations available in the social division of labor would increase labor justice and efficiency simultaneously. While the functioning of the labor market would not be negatively impacted⁵² and general specialization would be maintained, many occupational positions might offer some degree of complexity. In such a scenario, more people could develop complex abilities, meaningfully contribute to social cooperation, and receive esteem for it. The chance that individuals relate to each other as equals would increase, and contributive labor justice would be enhanced. Moreover, as fewer workers, and ideally none, would be occupied

⁵² When thinking of the separation between complex and simple labor as a market failure due to discrimination, sharing labor more equally, at least to some degree, might even have a positive impact on the functioning of labor market mechanisms. In this case, competition among workers that was initially disturbed by dual or segmented labor markets would be enhanced. As the assumption of segmented labor markets due to discrimination generally is beyond the scope of neoclassical theory – assuming maximizing behavior of employers – I will not further elaborate on the idea of understanding the separation between complex and simple labor in the context of the segmented labor market theory. For further inspiration, see Taubman and Wachter (1986).

with purely simple-routine labor and more could develop some of their potential, productive efficiency might even be raised, at least in the long run.

Of course, a voluntary abandonment of in-firm discrimination cannot be enforced and might not necessarily imply that all can contribute complex work as the most efficient division of labor may still be based on a division of simple and complex tasks since the high productivity of the latter requires expensive education and training and should, therefore, be used efficiently. In this case, we as a society are asked to make a trade-off and decide between the right levels of efficiency and justice. It may be helpful to imagine that we are standing behind the *veil of ignorance* and need to agree on a constitution of our division of labor that is as just and efficient as possible or, as Rawls and Gombert might say: as just as possible and as efficient as necessary.

7 Conclusion

This thesis emphasized the significance of contribution for social justice and elaborated on Rawls's concerns for labor justice. The essential takeaway is that the social division of labor has consequences for social justice. There is a connection between how we organize our social division of labor and how we relate to one another as well as to ourselves. What we do thus has a major impact on who we become. An unjust division of labor in which some get to do complex, socially remunerated, and self-realizing work while many are forced into simple-routine labor with little opportunity for personal development, low social esteem, or even stigmatization fails to provide just circumstances in which individuals can respect themselves and refer to each other as equals. Much more, they find themselves in a fierce competition for life chances and are encouraged to permanently struggle for advantages to protect themselves and their offspring from unjust positional harms.

For these reasons, theories of justice should acknowledge that social justice has a distributive and a contributive side. Justly distributing material goods is insufficient. We must equally think about how to organize terms of social cooperation in a just manner.

The following offers a summary of the major findings of this thesis by providing concise answers to the three research questions.

7.1 Question 1: What would be a comprehensive notion of labor justice that unifies essential concerns of major philosophies of work?

Gomberg's theory of contributive justice offers an initial approach to a comprehensive notion of labor justice. Even though his main concern is to end social segregation and sharing labor is a means to this end, contributive justice is able to unify concerns for meaningful work, social recognition, and democratic decision-making. Just like meaningful work, a valuable contribution must offer potential for self-realization by showing a certain degree of complexity. The concern for social recognition is covered by the contributive good of social esteem, which should be limitless and accessible to everyone simultaneously. Democratic decision-making is a fundamental norm of Gomberg's contributive justice and would most likely be promoted as a side effect of sharing simple and complex labor.

A comprehensive notion of labor justice has been set up by deriving its key components from Gomberg's contributive justice. Labor justice, as defined in this thesis, requires *a just division of labor* in which all share complex and simple tasks, unlimited access to *contributive goods* – in particular, opportunities to *develop complex abilities*, to *contribute* them to the social good, and to receive *social esteem* for their contribution – and *relational equality*.

7.2 Question 2: Does Rawls's theory conflict with contributive labor justice? If not, how could his principles express concerns for labor justice?

Contrary to the initial intuition – based on Gomberg's critique of *FEO* – that Rawls's theory of justice would render labor justice impossible, the focused analysis of his theory has shown that *justice as fairness* could be interpreted as to demand labor justice as a major part of social justice given current circumstances of our working society. The analytical comparison of Rawls's work against the elaborated key components of labor justice, derived from Gomberg's contributive justice, has shown that Rawls does express concerns for a just division of labor, contributive goods, and relational equality. Especially Rawls's emphasis on self-respect – a major aspect regarding the coherence of his theory – highlights the significance of labor justice in working societies.

Consequently, Gomberg's criticism is judged invalid. Misunderstandings might have been avoided if Rawls's concerns for self-respect were evident from his principles of justice. Introducing *sufficient equality of contributive opportunity* as a third part of the second principle that is prior to *FEO* would make explicit that *FEO* does not run the risk of producing positional

injustices and could guarantee that, if necessary, everyone non-competitively has access to contributive opportunities sufficient to provide a basis for self-respect.

7.3 Question 3: How do economists think about labor and justice and how would they assess political interventions toward labor justice? Which implications follow from the philosophical considerations?

Economists approach matters of labor and justice separately. While the organization of labor, at its core, is left to the mechanisms of the free labor market, concerns for justice are most likely approached by welfare economic considerations. However, it has been shown that mainstream economics often is reluctant to refer to value-laden concepts and rarely moves beyond efficiency criteria. Given ideal market conditions, neoclassical theory would judge a policy regulating the social division of labor as welfare decreasing, as it would be imagined as a severe interference with market coordination and allocation mechanisms, thus reducing efficiency. However, more heterodox economic voices emphasize that markets are characterized by unequal power relations, wherefore interventions toward justice can be productive factors increasing efficiency.

A possible compromise between justice and efficiency can also be detected by turning to discriminatory tendencies within firms that are allocating complex and simple tasks accordingly. If reducing in-firm discrimination also increased sharing labor, the social division of labor could become more just and efficient simultaneously. However, as the assignment of complex and simple labor within firms is hardly enforceable, a trade-off between justice and efficiency might have to be made.

Regardless of de- or increasing efficiency, philosophical inferences of this thesis suggest that there may be social circumstances in which the promotion of labor justice should be prior to concerns for efficiency. Gomberg's insights advocate labor justice to constitute the core of social justice, given the circumstances of our current meritocratic society. And if, as this thesis has put forward, labor justice is an inevitable condition when specifying Rawls's conception of *justice as fairness* for our current working society, then Rawls's priority of justice over efficiency provides an argument in favor of labor justice even if judged as welfare decreasing.

7.4 Research Limitations

Regarding the limitations of this thesis, it is important to keep in mind that the key components of labor justice identified are provisional and have no claim to completeness. Their specification has, to a large part, been motivated by the endeavor to test the validity of Gomberg's critique of Rawls's theory. Similarly, the practice of labor justice, defined here in accordance with Gomberg's idea of sharing complex and simple labor, may represent an oversimplification insufficient to ensure labor justice in reality. Further theoretical and practical research on the conception, definition, and particular features of labor justice is necessary. Interdisciplinary approaches could prove particularly fruitful. Political philosophy should aim at theories of social justice that recognize the distributive and the contributive side of justice equally. Insights from psychological studies that identify the requirements for the development and stable maintenance of self-respect and sociological analyses of the differences between social circumstances that stipulate either social competition or cooperation can be drawn upon. Finally, as this thesis has already pointed out, economic considerations on efficiency are necessary to put labor justice into practice most reasonably and fully aware of possible welfare consequences.

Another limitation pertains to the reformulation of Rawls's principles aimed at establishing a universal foundation for self-respect through the introduction of *sufficient equality of contributive opportunity*. While the proposed adjustment appears effective in ensuring labor justice within the context of present social circumstances, it lacks generality, a crucial aspect for Rawls. Although unlikely, it is conceivable that societies may not assign any value to social contribution, wherefore it would not offer a basis for self-respect. Therefore, it would be preferable to formulate transformed principles of justice that make their concern for self-respect explicit while also maintaining general validity.

Finally, despite the elaborated common concerns for contribution through labor, Rawls's and Gomberg's approaches to social respect or esteem differ in some ways that might entail greater consequences. Gomberg emphasizes the importance of universal and unlimited contributive opportunities, whereas Rawls – in coherence with his liberal and parsimonious conception of justice assuming moderate scarcity – would be more likely to demand sufficient opportunities for contribution. A related difference between them is that Gomberg believes that one's contributions should be valued by society, while Rawls considers appreciation from a community of shared interests sufficient to ensure a basis for self-respect and social stability.

These differences may be of greater importance than indicated by this thesis and thus deserve further attention.

8 Outlook

Throughout the writing of this thesis, two social challenges, namely, technological change and climate crises, struck me as particularly interesting problem areas to which labor justice might contribute improvements. The following two sections provide a very brief glimpse into these connections, which I believe are worthy of further consideration.

8.1 Labor Justice and Technological Change

Ongoing technological change might render the need for labor justice more urgent. Technological developments have a major impact on labor market variables and, subsequently, the social division of labor. When investigating technology-driven labor market trends, one comes across two worrisome analyses. While the first takes up the Keynesian hypothesis of technological unemployment,⁵³ the second argues that technological change increases job polarization⁵⁴. In consequence, our working society, which attaches great importance to labor market performance, possibly finds itself in a downward spiral in which fewer and fewer individuals have opportunities to meaningfully contribute within the labor market context. This situation would not solely be precarious but unjust at its core.

When addressing technological unemployment, the unconditional basic income (UBI) is often presented as a “catch-all solution” (Le Nguyen 2021, p. 1). At first glance, the UBI may appear to primarily focus on distributive aspects of social justice while neglecting the contributive side. However, this perception may only be partially true. O’Neill (2019, pp. 80–81), for example, argued that the UBI could also impact predistributive dimensions of justice by reducing individuals’ dependence on labor market participation and thereby increasing their bargaining power, hence leading to greater equality in labor relations.

⁵³ Frey and Osborne (2013) conducted a study prognosing that 47 percent of US employment is at risk of being substituted by automatization and computerization within the next one or two decades.

⁵⁴ The concept of *routine-biased technological change (RBTC)* does acknowledge the chance that dulling and routine manual tasks are replaced. However, it also recognizes a shift from middle-income manufacturing to low-income service occupations and thus a worsening job polarization (see, e.g., Autor and Dorn 2013; Goos et al. 2014).

If and to what extent the UBI could enhance labor justice is a question not touched upon in this thesis. Positive synergies of mixing approaches, such as sharing labor and the UBI, are imaginable. What, though, is obvious is that implementing the UBI without accompanying policy adaptations to ensure sufficient and meaningful opportunities for labor market participation would require the development of strong post-work values among the members of the society in question to uphold self-respect and social stability in the long run. Given the current set of values, the likelihood of such a change of attitudes seems rather small.

8.2 Labor Justice and Climate Crises

Finally, I would like to emphasize that there could be much to gain from further research regarding the potential of labor justice to support the mitigation of climate crises. An intuition that a just division of labor may display positive effects in this regard has accompanied my whole writing process. However, this idea has only been briefly indicated by introducing the Marxist labor-nature relationship, green labor republicanism, and Haug's *four-in-one perspective* (2008) – only mentioned in a footnote. The latter aims at a socio-ecological transformation toward emancipation, justice, and sustainability by demanding a just redistribution of all work necessary for the maintenance of our society.

It has been shown that labor justice would reduce the competition for status and life chances because individuals would no longer be set at odds with each other as everyone would have sufficient opportunities to meaningfully contribute and attain contributive goods. This would vanish the need for status consumption, responsible for a not negligible amount of CO₂ emissions (see, e.g., Pybus et al. 2022). In addition, sharing routine labor, which often involves tasks of maintenance, would raise awareness to treat our material surrounding responsibly. On the other hand, as individuals could regard each other as equals and develop feelings of social unity, cooperative practices seem more likely. Agreeing on common goals, such as reducing CO₂ emissions, and collectively acting toward them, would then probably be attainable more easily.

Sharing labor and providing everyone with meaningful and complex tasks could potentially lead to a reduction of working hours, especially in light of technological unemployment. It is well-established that reduced working hours can have positive effects on health and productivity. Moreover, recent findings also suggest that working time reductions can contribute to mitigating climate change. Sufficiency-oriented approaches to ecological

transformation, as highlighted by Bader et al. (2020, p. 5), emphasize that time prosperity, achieved through reduced working hours, could support decoupling welfare from economic growth. This is supported by various studies that demonstrate how reduced working hours can lead to a decreased substance flow of economic activities, resource-friendly consumption patterns due to more equal incomes, and increased engagement in resource-friendly activities (Bader et al. 2020). Further evidence for the last aspect comes from an economic study that analyzed the connection between time use patterns and carbon footprints in Austria. Smetschka et al. (2019, p. 10) arrive at the conclusion that time squeeze is associated with resource-intensive practices, such as driving by car or consuming wrapped fast food.

Overall, labor justice, characterized by decreased competitive pressure and potentially increased time prosperity, could offer the time and energy necessary to explore alternative ways of doing things differently and especially in a more sustainable and climate-friendly way.

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Appendix A: Abstract

Labor justice is a neglected issue in theories of social justice, which usually focus on distributive concerns. However, how individuals contribute to the social division of labor affects their social status and access to contributive goods. As a result, the social division of labor can be held responsible for individuals' life chances and how they relate to each other and should, therefore, be recognized as a determinant of social justice. This master's thesis argues that social justice has a distributive and a contributive side and examines whether Rawls's theory of *justice as fairness* could express concerns for labor justice. To this end, the validity of Gomberg's critique – arguing that Rawls's conception of social justice would limit contributive opportunities – is tested by comparing Rawls's theory against the key components of labor justice derived from Gomberg's contributive justice. The analysis reveals that Gomberg and Rawls, in fact, share similar concerns, leading to the conclusion that Gomberg's critique is unfounded and that Rawls's theory indeed acknowledges the contributive side of social justice. Finally, the thesis evaluates the consequences of a hypothetical implementation of a labor justice policy, such as distributing complex and simple labor more equally, from a welfare-economic perspective. Despite potential welfare losses, it is stated that Rawls could offer an argument in favor of enforcing a labor justice policy.

Appendix B: Zusammenfassung

Arbeitsgerechtigkeit ist ein vernachlässigtes Thema in Theorien sozialer Gerechtigkeit, die sich im Allgemeinen auf Verteilungsfragen konzentrieren. Die Art und Weise, wie Individuen zur gesellschaftlichen Arbeitsteilung beitragen, beeinflusst jedoch ihren sozialen Status und ihren Zugang zu Beitragsgütern. Folglich kann die gesellschaftliche Arbeitsteilung für individuelle Lebenschancen und Beziehungen zwischen den Individuen verantwortlich gemacht werden und sollte daher als Determinante sozialer Gerechtigkeit anerkannt werden. Diese Masterarbeit argumentiert, dass soziale Gerechtigkeit eine verteilende und eine beitragende Seite hat, und untersucht, ob Rawls Theorie der *Gerechtigkeit als Fairness* Bedenken hinsichtlich der Arbeitsgerechtigkeit zum Ausdruck bringen kann. Dabei wird die Gültigkeit von Gombergs Kritik – nämlich dass Rawls Konzeption der sozialen Gerechtigkeit Beitragsmöglichkeiten einschränkt – mithilfe eines Vergleichs von Rawls Theorie mit den wesentlichen Komponenten der Arbeitsgerechtigkeit, die aus Gombergs Konzept der Beitragsgerechtigkeit abgeleitet wurden, untersucht. Die Analyse zeigt, dass Gomberg und Rawls eigentlich ähnliche Bedenken haben, was zu der Schlussfolgerung führt, dass Gombergs Kritik unbegründet ist und Rawls Theorie sehr wohl die beitragende Seite der sozialen Gerechtigkeit anerkennt. Abschließend werden die Folgen einer hypothetischen Umsetzung einer politischen Maßnahme im Sinne der Arbeitsgerechtigkeit, wie zum Beispiel einer gleichmäßigeren Verteilung von komplexer und einfacher Arbeit, aus einer wohlfahrtsökonomischen Perspektive bewertet. Trotz möglicher Wohlfahrtsverluste könnte Rawls ein Argument für die Umsetzung einer Politik der Arbeitsgerechtigkeit liefern.