

# Making the Goods in Work Accessible and the Paternalism Objection

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**Abstract:** Work can enable people to get consumption items, develop capacities, socialize, contribute to society, achieve recognition, give direction to their lives, gain knowledge, and foster their self-esteem and self-respect. This paper outlines a normative argument for policies supporting workers' access to these goods and refines it by responding to the objection that the policies would involve wrongful paternalism. The policies are acceptable if they are part of a moral scheme oriented by principles of social justice, violate no basic liberties, offer strong overall support for self-determination, and do not involve disrespect for people, even if true judgments about their limitations are expressed.

**Keywords:** Work; Well-being; Social Justice; Paternalism; Self-determination.

## 1. Introduction

The philosophy of work is a burgeoning field.<sup>1</sup> This paper engages a strand of it that explores how to support the well-being of workers.<sup>2</sup> Working activities can allow us to produce or purchase objects for consumption. In addition, they can offer occasions to develop our personal capacities and skills, socialize with others, contribute to our society, give direction to our lives, gain knowledge, and foster our self-esteem and self-respect. These are indeed very important goods, but actual conditions of work in our contemporary capitalist societies fail to offer us as much access to them as is desirable and feasible. It thus seems plausible to demand that those conditions be transformed so that we can achieve more well-being with work.

Such demand for policies to make the goods in work accessible faces serious normative objections, however. For example, some philosophers worry that governmental policies based on considerations of well-being (including so-called “perfectionist” policies) would rely on narrow conceptions of well-being, fail to deal appropriately with the fact that people have different views about the good, and unfairly advantage some individuals at the expense of others. Although I will briefly discuss these worries, my focus in this paper will be the Paternalism Objection. This is the concern that policies seeking to further well-being at work would infantilize workers, imposing on them forms of economic activity without proper regard for whether they themselves want them or could achieve them on their own.

There is an extensive philosophical literature about paternalism, and a growing one on the goods in work, but there has been little discussion of their relation. This paper aims to fill that gap. Doing so is worthwhile because articulating and responding to the Paternalism Objection helps us identify important considerations about well-being, freedom, and justice and deploy them to build a stronger account of the content and justification of the policies under examination. To accomplish the task, the paper proceeds as follows. It first outlines an argument for the implementation of the relevant policies that relies on the premises that social justice requires that everyone have access to the conditions of their well-being and that the goods in work constitute an important dimension of well-being. This argument is refined and improved as the paper proceeds, and as the Paternalism Objection is discussed. The objection says that policies promoting access to the goods in work should not be implemented because such implementation would involve paternalism, and paternalism is wrong. The paper considers two central approaches to the definition of paternalism. In one, paternalism involves

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<sup>1</sup> For surveys see Cholbi (2022), Furendal et al (2024), Rose (2024).

<sup>2</sup> Other important strands explore how to eliminate or reduce workers' domination or exploitation (González-Ricoy 2022; Vrousalis 2023). I engage them in Gilabert (2023: chs. 5-7).

behavior geared to benefitting others that restricts their choices without their consent. In the other, the behavior benefitting others expresses a negative judgment about their ability to obtain the relevant benefits on their own. In both cases, I explore the view that the wrongness of paternalism turns on its conflict with a value of self-determination according to which people (including workers) should be able to run their own lives. My response to the objection includes three points. First, there could be policies promoting the goods in work that are not paternalistic. Second, some policies could involve relatively mild forms of paternalism that are presumptively or pro tanto morally problematic but not all things considered wrong. Either way, the Paternalism Objection is not sound. Third, I recognize, however, that the objection should motivate proposers of policies making the goods in work accessible to shape them so that they are appropriately responsive to self-determination, and as I refine the initial argument for the policies I will explore some ways in which this can be done. The upshot is that we can reasonably advocate for transformations of conditions of work that make it more likely that working people are able to enjoy the goods that working activities can offer. The relevant policies need not be unduly paternalistic. In fact, some policies would not only be compatible with respect for the self-determination of workers but enhance it.

A final prefatory remark. Although this paper will discuss examples of policies supporting well-being at work, it will not offer a detailed institutional blueprint. The main, philosophical objective is more abstract and preliminary. It is to articulate the general contours and normative structure of a policy agenda and to defend it against the Paternalism Objection which, if successful, would halt the process of developing more specific institutional proposals in its tracks.

## **2. Making the goods in work accessible: an initial argument**

An initial argument for policies making the goods in work accessible goes as follows:

1. We should organize our social life so that everyone has access to the conditions of their well-being.
2. The goods in work constitute an important dimension of well-being.

*Therefore*, 3. We should organize our social life so that everyone has access to the goods in work.

The argument is quite rudimentary, and we will refine it as the paper proceeds. Some clarifications are in order at the outset, however. The idea of the first premise is that we have moral reason to shape our social institutions and practices so that they facilitate people's pursuit of their well-being. Now, the focus here is on people's access to well-being, not well-being itself. An individual's access to goods pertaining to their well-being is their effective power to engage them. People lack this access, for example, when they don't have necessary personal capacities, there are no relevant opportunities, or when the costs of engaging the goods are excessive. The premise asks that everyone's effective power in this sense be supported.<sup>3</sup> Notice that supportive policies are assumed to be typically indirect: they involve taking feasible steps that help people achieve well-being rather than directly making them better off.<sup>4</sup> To do something akin to handing out "well-being cheques" might be infeasible, but also undesirable by failing to recognize people's agency and responsibility for their pursuits. Thus the focus of required action is the generation of material and social conditions that are necessary for, or strongly contribute to, people's pursuit of their well-being.

Two further clarifications about the first premise. First, although I will assume that well-being should be understood in an objectivist way, most of the arguments in this paper can be accepted by

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<sup>3</sup> Important developments of this view are Sen's (2009) "capability approach," Cohen's (2011) ideal of "equal access to advantages," and Raz's (1986) view of freedom as involving an adequate range of valuable options.

<sup>4</sup> Raz (1994: 8-10).

someone holding a subjectivist view.<sup>5</sup> When the difference between objectivist and subjectivist conceptions is relevant, I will engage it. Second, the distributive function regarding access to the conditions of well-being can have different forms. In this paper I focus on egalitarian distributions calling for equal access, but other approaches—such as sufficientarianism or prioritarianism—are also plausible and will similarly have to face worries about paternalism.

Turning to the second premise, I note that I understand work in a broad sense, as an intentional activity to generate good or services that can meet desires or needs. Although the paper will largely center on activities that are now usually called “jobs,” this definition does not exclude forms of work (such as care work in the home or in the community) that are not typically coded as jobs.<sup>6</sup>

The second premise talks about goods in work. What are these? Although not meant to be exhaustive, the following list captures the main candidates for what makes for good work:<sup>7</sup>

G1: *Consumption goods*: Getting items that meet one’s needs or desires, which can be obtained either by producing them directly or by receiving an income enabling their purchase.

G2: *Personal development*: Unfolding one’s talents and skills; achievement.

G3: *Supportive relationships*: Creating social bonds with other people in shared activities that involve care or mutual concern.

G4: *Social contribution*: Benefiting others by producing goods that satisfy their needs or desires.

G5: *Social recognition*: Gaining appreciation by others regarding what one does and brings about.

G6: *Direction*: Being able to make decisions about how to shape aspects of one’s environment and about how to live one’s life.

G7: *Knowledge*: gaining understanding of the world and of oneself in it.

G8: *Self-esteem and self-respect*: Sustaining a positive sense of one’s own worth.

To illustrate these goods, think about a relatively successful jazz musician. She gets a decent income from her band’s shows, her teaching at a music school, and the selling of her records. Writing and playing music is hard but offers many opportunities to unfold her musical talents in complex ways, and there are always new pieces of music she can create or perform. Her interactions with the other members in her band require mutual responsiveness and care. Their relationship is rich and rewarding as they create, record, and deliver their music. When they perform together, they combine their talents to generate beautiful soundscapes in which they shine together as well as individually. Jazz music is not consumed by a massive public, but her shows do have an audience. The students in the school

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<sup>5</sup> Subjectivist conceptions of well-being state that something is intrinsically good for you if and only if, and because, you have favorable attitudes towards it (e.g. you desire or value it). Objectivists hold that some things can be intrinsically good for you even if you do not have favorable attitudes toward them. Lin (2022: 4, 8).

<sup>6</sup> Rose (2024: 285-6) points out that there is no generally agreed upon definition of work and that that the appropriateness of particular definitions depends in part on the theoretical purposes of their deployment in a context of discussion. Cholbi (2022: sect.1) surveys several definitions and notes the significance of using a broad definition that allows for diverse specific types. I offer the broad definition I state here in Gilabert (2019: ch.9; 2023: 40, 236). I think that using it prevents dismissal of important substantive questions (e.g. whether work can be organized in different modes of production such as in a socialist structure, whether it might be harmful besides beneficial, and whether it includes domestic and reproductive tasks besides standard forms of “employment”).

<sup>7</sup> There is a significant recent philosophical literature on the items in this list. All recognize the significance of G1, so explorations have focused on G2-G8. Gheaus and Herzog (2016) state versions of G2-G5. Brownlee (2016) explores G3. Schwartz (1982), Elster (1986: 49-56), Coutrot (2018) emphasize G6. Gomberg (2007: ch.6), Hsieh (2008), Gilabert (2016), and Althorpe (2022) discuss G8. Brixel’s (2024) list includes versions of G2, G3, and G6. Like Brixel, I use “good work” to refer to work in which the goods are accessible. I do not use the common label “meaningful work,” which is often construed (e.g. by Arneson 1987: 522; Van der Deijl 2024) in a narrower way that excludes social contribution. See however Cholbi (2022: sect. 2.1) for discussion of “meaningfulness” as a dimension of well-being at work that doesn’t necessarily exclude social contribution. G4 is central in accounts of well-being at work inspired by Marx (e.g. in Kandiyali 2020; Gilabert 2023: chs. 3, 6). Empirical studies on workers’ preferences show that they value many items in the list (see surveys in Gheaus and Herzog (2016) and Méda (2023: 31-42, 100-1, 104) and references therein.

improve their musical skills thanks to her lessons. And when people listen to her tunes, they feel pleasure and perhaps use them to accompany and boost their reflections and reveries. These positive uptakes from others are also instances of appreciation that give her recognition. She is devoting herself to activities she loves, and although there are of course many constraints, she has a sense of autonomy in crafting her compositions, her performances in public, and the lessons she teaches. Her work gives her occasions to learn about music, about young people's ambitions and challenges, and much more. Overall—and to a significant extent due to the circumstances just described—she has a positive sense of herself as a worthy artist and a good person. This self-esteem and self-respect in turn gives her confidence and optimism, propelling her forward with her work.

Although they are analytically distinct, in practice the goods in the list interact. For example, a greater sense of direction can be gained both at work and beyond it thanks to the resources, skills, and social status obtained through it. Gains in self-esteem can be based on seeing oneself, and/or on being seen by others, as a competent and responsible participant in productive activities yielding the other goods in this list. Notice also that the items are presented as goods *in* work rather than as goods *of* work. The latter formulation is common, but I propose the former because it does not give the impression that the goods are only achievable in working practices. Whether and to what extent they are is a substantive issue that deserves explicit discussion. The list is construed here as part of a multidimensional perspective—one that recognizes that there is a diversity of goods, that each comes in degrees, and that they could also be engaged outside of work. Finally, we should acknowledge that the extent to which a form of work is good also depends on the absence of potential *bads* in work. The *bads* can be deficiencies with respect to the goods in work. Thus, gruelling tasks stunt workers' skills development, and toxic competition undermines supportive relationships among colleagues. But some *bads* can track independent considerations, such as insufficient discretionary time.<sup>8</sup> I assume that decent conditions excluding egregious *bads* are important for work to be good.<sup>9</sup>

G1-G8 are only potential goods in work. Whether they are actualized depends, to a significant extent, on how work is organized. The conclusion of the initial argument thus calls for policies that help make work good. There could be a variety of such policies. Some could be quite informal, arising from individual choices. Thus, workers might seek jobs in which the goods are more available, and managers of firms might create HR departments, offer staff training, and involve workers in consultations about how production is carried out. But there could also be more formal, governmental policies that introduce legally binding rules. Some of these could focus on preventing egregious incidents of *bads* in work, such as physical injuries resulting from use of unsafe machinery, psychological harms from sexual harassment, and the loss of personal and communal activities outside of work when standard full-time working hours are too long. Some of those measures would surely disable obstacles to the enjoyment of the goods in work as well. But more directly, governments could enhance access to the goods by, for example, setting minimum wages and requiring firms to offer training schemes or by funding external educational programs to help workers gain new skills at different points in their careers. They could also enhance workers' access to direction and their ability to successfully demand the other goods through labor law protecting unionization drives, collective bargaining, and strikes. Going further, governments could foster co-determination regimes and give subsidies and tax incentives to worker cooperatives and solidary economy firms. I will focus on these governmental policies and say more about them in sections 3-4.

Does the argument establish the conclusion? Not quite. The conclusion partly depends on the background circumstances. For example, if people could easily access enough of them outside of work, it would not be so important to introduce policies fostering G1-G8 at work. But in our contemporary

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<sup>8</sup> Gheaus and Herzog (2016), Rose (2024).

<sup>9</sup> Brixel (2024: 267-8).

economies, most adult individuals must spend a great deal of their waking hours at work to avoid severe economic penury and social shame. It is not realistic to expect that they will get enough of G1-G8 outside of work. So, introducing policies furthering access to the goods in work seems appropriate.<sup>10</sup> The case for the policies must, however, be carefully made to determine whether they are all things considered justified. For example, their normative assessment must be comparative to determine whether they are not worse than alternative policies that are feasible. It must be individuals-centered to ascertain whether the policies are actually beneficial for each individual person rather than only increase the score of some aggregate measurement. It must be impartial, enacting equal concern for the good of all the people affected. And it must be holistic to track the diversity of goods involved and to consider the relation between the policies and various significant moral considerations such as responsibility, fairness, and individuals' self-determination. Confronting normative challenges must surely be part of this exercise. This includes (inter alia) the Paternalism Objection, which is the focus of this paper.

### 3. The Paternalism Objection

A common objection to policies promoting well-being at work is the Paternalism Objection. In a nutshell, it goes as follows:

1. The implementation of policies promoting access to the goods in work would involve paternalism.
2. Paternalism is wrong.

*Therefore*, 3. Policies promoting access to the goods in work should not be implemented.

An influential example of this objection occurs when Arneson (1987: 544) states that “[w]elfarism ... condemns the right to meaningful work construed as a license for society to impose on people goods they themselves do not value (and would not value even after reflective deliberation).” This complaint could apply also if an objectivist approach to well-being is assumed. We could worry about a “paternalist state [that] restricts some individual’s liberty against their will for their own good,” “restricting their liberty so that they are enabled to obtain more meaningful work and less of other benefits that work might supply” (Arneson 2009: 147).<sup>11</sup> More generally, Quong (2020: 74) raises the question of why state action would be necessary at all for people to achieve a good life for themselves. He claims that any answer that tasks the state with policies that go beyond the background provision of certain liberties and fair shares of resources would be paternalistic and wrong. Although Quong does not explicitly explore this possibility, the worry might very well apply to state action promoting access to the goods in work.

My aim is to respond to the Paternalism Objection in its starkest form—as a defeater of the argument floated in section 2. But there could be weaker versions of it. For example, its second premise might be construed as saying that paternalism is presumptively, or pro tanto wrong, and consequently that the conclusion holds presumptively or pro tanto. This leaves open the possibility that either premise 2 or the conclusion do not hold all things considered, and that the objection does not defeat the argument in section 2. But before exploring these possibilities, we must step back to clarify the idea of paternalism itself, and the thought that it is (at least presumptively) wrong.

#### 3.1. Defining paternalism (two strands)

Here is a relatively ecumenical definition of paternalism:

In their behavior  $X$ , an agent  $A$  treats another agent  $B$  paternalistically—with respect to some issues  $I$  and in circumstances  $C$ —if and only if (a)  $A$  does  $X$  in order to benefit  $B$  and (b)  $X$  involves certain

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<sup>10</sup> Gheaus and Herzog (2016: 79-81); Gilabert (2016: 183-5; 2019: 248-51).

<sup>11</sup> Arneson (2009) abandons the view (held in Arneson 1987) that such paternalist policies are all things considered wrong.

restrictions on *B*'s choices without the consent of *B* or (c) *X* expresses a negative judgment regarding *B*'s ability to effectively pursue the relevant benefits on their own, in the absence of *A*'s intervention or some similar intervention by others.<sup>12</sup>

I present this schematic definition as an inclusive disjunction to capture a diversity of views of paternalism. There are, in particular, two strands. The first, and most common, is the *interference without consent strand*. It focuses on conditions (a) and (b). For example, Dworkin (2020) defines paternalism as “the interference of a state or an individual with another person, against their will, and defended or motivated by a claim that the person interfered with will be better off or protected from harm.” Here (b) is captured by the first two clauses in Dworkin’s definition, and (a) by the third. Dworkin (2020: sect. 2) offers a fuller definition disaggregating and characterizing further the factors in (b). Importantly, that fuller definition talks about paternalistic behavior as proceeding “without the consent” of *B*. This condition is “to be read as distinct from acting against the consent of the agent,” as “[t]he agent may neither consent nor not consent”—they “may, for example, be unaware of what is being done to” them.

There is, second, a *negative judgment strand*, which focuses on conditions (a) and (c). An important version of it is offered by Quong (2020: 80).<sup>13</sup> Quong notes that the negative judgment in (c) concerns the paternalized’s abilities to effectively pursue their own good. He focuses on prudential abilities regarding practical reasoning, willpower, and emotional management, but excludes physical ability and information. Thus, it is paternalistic to withhold bad news from someone because we think they cannot handle them with enough self-control, but not, as in Mill’s famous example, to stop someone from crossing a bridge that is about to collapse when they do not know that.

I will discuss the two strands separately later in the paper. This is necessary because they are not equivalent. To be sure, some cases will likely be classified as paternalism under both strands, such as when a doctor performs a life-saving treatment on a competent patient who expressly refuses it, or when a government mandates car drivers to wear seatbelts for their own security. But the negative judgment strand may diagnose paternalism when the interference without consent strand does not. Thus, although sometimes paternalizers express a negative judgment about the paternalized through acts that reduce the latter’s choices (as when someone hides a bowl of candy from their partner to prevent them from overindulging<sup>14</sup>), there can be cases in which the paternalizers express negative judgments when they do not reduce the paternalized’s choices but instead merely fail to expand them (as when someone refuses a friend’s request for a loan because they think the latter will use the money imprudently), and cases in which the paternalizers actually expand the paternalized’s choices (as when an agent offers another a monetary reward as an incentive for the latter to do something that benefits them, thinking that they are too weak-willed to do it otherwise).<sup>15</sup>

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<sup>12</sup> By including reference to *A*'s aims in (a) and the judgments expressed in (c), the definition assumes that the motive or rationale for behavior is a significant aspect of paternalism. (Here I agree with Schiffrin 2000.) Like Quong (2020), and unlike Dworkin (2020), I include variable *I* to identify the range of paternalist behavior. I add reference to *C*, which is relevant for normative discussions.

<sup>13</sup> On Quong’s (2020: 80) definition, paternalism refers to any act where (1) “Agent *A* attempts to improve the welfare, good, happiness, needs, interests or values of agent *B* with regard to a particular decision or situation that *B* faces”; and (2) “*A*’s act is motivated by a *negative judgment* about *B*’s ability (assuming *B* has the relevant information) to make the right decision or manage the particular situation in a way that will effectively advance *B*’s welfare, good, happiness, needs, interests, or values.”

Schiffrin (2000: 219-220) characterizes paternalism as behavior that expresses insufficient respect for competent adults as autonomous agents. This account is close to the negative judgment strand but is different because it states a moralized definiens. It is also unusually broad in that it does not include (a) (see *Ibid*: 215-9). I retain (a) and address the important concern about respecting autonomy when discussing what is wrong with paternalism.

<sup>14</sup> Enoch (2016: 44).

<sup>15</sup> Quong (2020: 73-80).

### 3.2. What's wrong with paternalism?

The definition of paternalism proposed makes contact with relevant normative discussions. Conditions (b) or (c) are indeed at play when people think that paternalism is problematic. But the definition is not itself evaluative or moralized. No normative terms are present in the definiens. I think it is best to address normative issues about the desirability or permissibility of paternalistic behavior separately.<sup>16</sup> So what makes the second premise of the Paternalism Objection true, if it is? What, if anything, is wrong with paternalism?

A natural way to explain why paternalism is at least presumptively wrong is to note that it collides with proper appreciation of the value of *self-determination* (or autonomy, broadly understood), i.e. the idea that people should be able to run their own lives.<sup>17</sup> Self-determination can be construed as a moral ideal, or as a right. It can correlate with negative reasons to not block or destroy, and with positive reasons to protect or further, the ability of people to run their own lives. If it is a right, these reasons have the more stringent nature of duties.

On the interpretation proposed here, the Paternalism Objection relies on the idea of self-determination. The complaint that a paternalist policy is morally problematic is grounded in the fact that it fails to honor the self-determination of the paternalized. More specifically, it holds that when they are competent adults, people should be allowed to live on their own terms (so long as they do not violate the rights of others) or that their moral status as agents capable to run their own lives should be respected. Turning to the two strands of definition of paternalism, a policy can be said to be *unduly paternalistic* when the restrictions on the choices of the paternalized cut into the realm of freedom they are entitled to enjoy or/and when interventions based on the negative judgments expressed in it are disrespectful to the paternalized. There could be other reasons at play such that the policy is permissible all things considered in the circumstances, but it is at least presumptively wrong and perhaps even pro tanto wrong. So the onus of the argument is on the proposer of the policy, and the bar of justification must be high.

Why is the idea of self-determination compelling? A plausible explanation draws on considerations of well-being. We can say, first, that self-determination is an intrinsic prudential good. It is, for example, one of the elements of well-being in some objective list theories (Hooker 2015). On this view, a life is directly improved by the presence of self-determination in it. It can also be improved by the presence of pleasure, friendship, and other objective goods, but even then, a process expanding someone's engagement of those other goods will be even better if the agent whose life is improved plays a self-determining role in it.<sup>18</sup> The point can also be made within a subjectivist account of the good, as people often want self-determination for its own sake. Second, self-determination can be an instrumental prudential good. It can, for example, be epistemically or motivationally significant, in that its presence would facilitate people's knowledge of what is good for them or the likelihood that they will obtain it.<sup>19</sup>

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<sup>16</sup> Here I agree with Dworkin (2020) and Groll (2012: 710-1). To avoid confusion, "benefits" in the definition can be understood to refer to what the relevant agents take to be benefits, leaving the issue of whether they actually are benefits to separate normative determination.

<sup>17</sup> In general, agents are self-determining when, and to the extent that, they can or do voluntarily shape their lives. (The references to "can" and "do" track the distinction between self-determination as a possibility and as its actualization.) The degree of agents' self-determination is a function of the extent to which they can or do choose what to do, reflectively endorse the motives of their choices, and get results as intended. (Gilabert 2023: 274-5; Elster 1986: 49-50).

<sup>18</sup> Sen's (2009: 215-7) idea of a "comprehensive outcome" helps capture this idea. See also Cullity (2018:178-9) on how a right to self-determination underlying objections to paternalism can be given a determinative justification on grounds of both concern for well-being and respect for persons' self-expression.

<sup>19</sup> As Quong (2020: 96-7) notes, these Millian claims are defeasible. But, as Dahl (1989: ch.7) argues, they still help support a presumption in favor of self-determination.

The foregoing points can be invoked to defend self-determination as a right by noting that self-determination is constitutively and/or instrumentally relevant for well-being and by adding the plausible premise that people should be supported in accessing the conditions of their well-being. A more direct, deontological defense is possible as well. It is also plausible, and compatible with the previous one. It says that self-determination ought to be respected because it engages capacities that lie at the basis of people's moral status or dignity. We cannot consistently affirm the latter and undermine the former. Consider, for example, the Rawlsian conception of persons' moral status as free and equal based on their capacities for forming, revising, and pursuing conceptions of the good and conceptions of justice. Since persons' self-determination involves the unfolding of these capacities, respecting it would be an appropriate response to their moral status.<sup>20</sup> This approach can also be linked to an account of well-being that views the development and exercise of the relevant capacities as constitutive of and/or contributory to their holders' attainment of what is prudentially good for them. The normative principle that people should be supported in accessing the conditions of their well-being can then be generated within this approach at least insofar as well-being includes the unfolding of the relevant capacities.<sup>21</sup>

Interestingly, versions of these points can be marshalled to defend governmental policies giving financial incentives for the creation of firms in which workers have a democratic say on their administration (Landemore 2020). Granting workers a say on how they produce would enact respect for their dignity as autonomous agents. It would also unleash their collective intelligence and motivation to be productive. Furthermore, it would help them reduce income inequality. In cooperatives like Mondragón, the remuneration scale from the lowest to highest paid workers is 1 to 6, whereas the gap between the median worker and a CEO in capitalist firms in the US was, in 2017, 1 to 281. Notice that this policy supports not only workers' access to direction, but also, indirectly, their pursuit of the other items in the list G1-G8. This exhibits the great importance of the good of direction for workers' well-being.

How can we understand the structure of the limits on paternalism imposed by the idea of self-determination? An important pattern, elucidated by Groll (2012), captures how it could work as a negative right. The core idea is that you have a (at least presumptive) veto right with respect to whether others may act to increase your well-being. When another agent deliberates on whether to do something that affects you, the right implies that, quite independently of whether the act benefits you, the agent should not do it if such an act is not authorized by you. So, the agent's deliberation about how to treat you is constrained by a prior consideration that does not explicitly refer to your well-being. To clarify this point, Groll (2012: 706-11) introduces a helpful distinction between two ways in which your will may be decisive for another agent's deliberation. Your will is treated as "substantially" decisive by the agent when they defer to it because they think that doing so is the best way to cater for your well-being. By contrast, the agent treats your will as "structurally" decisive when they take you to have the authority to determine whether you may be treated in certain ways quite independently of whether your well-being is thereby increased. Substantial reasons are concerned with your good, while structural ones concern your rights. Groll holds that structural decisiveness is key to our view of paternalism as presumptively impermissible. What we worry about is cases in which some agents do not treat the will of others as structurally decisive when they act to benefit them.<sup>22</sup>

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<sup>20</sup> See Quong (2020: 101-2); also Parry (2017: 376). We can use this approach to identify the important additional point that self-determination is partly constitutive of persons' self-respect and self-esteem (see Quong 2020: 103).

<sup>21</sup> Gilabert (2022; 2023: sect. 2.2.1).

<sup>22</sup> Groll (2012: 715). Similarly, Parry (2017: 362) states a "Power of Prudential Exclusion" according to which "individuals have a normative power to control whether others may act to promote their good... [O]thers ... may not justify their actions by appeal to reasons grounded in my good if I validly refuse to be benefited." Groll (2012: 718) also considers cases in which the paternalizer "does not treat the will of another, whose will is intact, as structurally decisive in determining what

This account is illuminating. To make it more useful for our exploration, I suggest that its treatment of the significance of well-being be expanded.<sup>23</sup> Recall that our discussion of self-determination allowed for the possibility that fostering well-being is at least part of what makes it normatively appealing. If this is correct, then we should appreciate that when others comply with a justified deontic constraint to treat our will as structurally decisive, they might, indirectly although not directly, cater for our well-being after all.<sup>24</sup>

More generally, a full normative discussion of the idea of self-determination may have to draw on considerations of well-being because they can affect the range and weight of the specific rights and duties flowing from it. Thus, for example, it is important to notice that self-determination can have different instances that apply to different issues and circumstances. The normative force of self-determination in blocking paternalistic treatment may vary accordingly. Some instances of it might be more important than others because they are more impactful regarding the well-being of the persons involved. Second, some positive duties to support the self-determination of others regarding some issues may be more weighty than certain negative duties against depressing their (or other persons') self-determination concerning different issues. In cases of conflict the former might take precedence. And this may be so, again, because of the extent to which the well-being of the persons involved is impacted by the fulfillment of these duties. Finally, self-determination might generate moderate rather than absolute deontic constraints, so that for certain issues and circumstances, if a threshold of beneficial effects is passed, self-determination can be permissibly limited.<sup>25</sup> We will return to these structural points (and render them more concrete) in section 4.

### 3.3. Proposals of policies supporting access to the goods in work must confront the Paternalism Objection

Many policies purporting to support well-being would indeed be problematic. Examples are forcing women to dress in certain ways, prohibiting some forms of consensual sex, and requiring people to engage (or not) in religious practices. But others, such as the establishment of publicly funded mental health services, public broadcasting agencies with high quality and informative programming, and subsidies for artistic activities, may not be wrong.<sup>26</sup>

What about policies supporting access to the goods in work (PGW)? It will help our discussion to lay out some possible cases. In the brief sketch that follows, I rely and expand on Brixel's (2024) impressively systematic survey, which identifies and assesses six strategies (all of which assume as background a market economy broadly understood). Since the policies generate various forms of empowerment of workers, their description already provides resources for a response to the worry of paternalism. But, as I will explain, further elaboration of them and additional policies are needed.

- PGW1: *Unregulated market*. In the first strategy, the state institutes a laissez-faire market

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to do, in part because she believes the other person is likely to fail to exercise a capacity for sound judgment in the situation in hand" (Groll 2012: 718). This allows the account to capture instances of paternalism along the second definitional strand.

<sup>23</sup> A further addition, to engage the full sweep of the two definitional strands, could be that the account envisions not only cases in which the paternalized expressly refuses others' benefitting acts, but also cases in which they are not consulted at all.

<sup>24</sup> Groll (2012: 701n.20) recognizes this possibility but does not explore its structural significance. The point is that the requirement that an agent *A* treat another *B* in a way that grants *B* a veto right on whether *A* benefits *B* can be justified by the fact that, *in general*, people would be better off if they regularly complied with a constraint of this form than if they didn't. This point can obviously be made within rule consequentialism. But it could be made within a contractualist approach as well if, as is plausible, an important generic reason individuals could reasonably cite in favor of a principle that includes the veto right is that they would likely achieve more well-being if it were generally followed than if it were not. I do not deny, however, that self-determination could also be an independent generic reason.

<sup>25</sup> On moderate vs. absolute deontic constraints, see Kagan (1998:78-84).

<sup>26</sup> On the last two examples, see Tahzib (2022: ch. 6). For problematic examples, see Quong (2020: 89).

economy in which workers make choices about where to work. If workers want certain goods in work, firms will likely offer jobs including them where profitable. Some workers may even take those jobs when the salary is lower than in other jobs where the goods are less present. If they prefer higher salaries with less of the other goods, they can choose the latter. Workers make their own trade-offs.<sup>27</sup>

The main problem with PGW1 is that it does not mitigate socioeconomic inequality and the disparity in bargaining power between workers and employers. Realistic scenarios will feature great concentration of wealth and of human and social capital, with the consequence that most workers—who cannot rely on sizeable savings and do not have exceptional skills in high demand—will find it very hard to effectively bargain for and access good work. The remaining strategies impose severe constraints on markets to make the goods in work more securely available. With PGW2-PGW3 the state acts in a relatively top-down fashion, while PGW4-PGW6 introduce more bottom-up mechanisms.<sup>28</sup>

- PGW2: *Egalitarian measures*. A social safety net (such as generous unemployment benefits) and redistributive policies facilitating access to basic socioeconomic goods (such as food, housing, education, and health care) are introduced, strengthening workers' bargaining power by making it less costly to exit a job. Although an improvement with respect to PGW1, this strategy is insufficient. Workers' access to the goods in work remains fragile because labor markets display endemic imperfections regarding knowledge of alternatives and transition costs in switching jobs (such as loss of job-specific skills and personal and communal ties).<sup>29</sup>
- PGW3: *State regulations*. The government intervenes more directly within firms to secure certain outcomes the market systematically fails to generate on its own. For example, it enhances access to G1-G2 by setting standards on minimum pay and requiring schemes for workers' skills training. It prevents certain bads and enables access to G3 by imposing regulations against sexual harassment. This strategy works especially well when there are clearly measurable thresholds of goods or bads to monitor.<sup>30</sup> State regulation is less successful, however, when it comes to addressing aspects of good work that are vague, context-sensitive, or temporally unstable. Furthermore, since it does not dissolve the conflict of interests between employers and workers, the reach and stability of this strategy will be fragile due to continuous pressures from the former.
- PGW4: *Collective bargaining*. Workers gain legal rights to form unions and negotiate collectively the terms on which they work. When workers negotiate collectively rather than individually their bargaining power vis-à-vis their employers is increased and they are more likely to secure the goods in work. This strategy adds "voice" options to the "exit" options generated by PGW2. (PGW5-PGW6 go even further in this direction.) It also helps mitigate problems of PGW3, as engaging workers closer to the matters under regulation mobilizes their specific knowledge and increases their motivation to perform. But the strategy has limitations. Workers' influence, unlike that of owners and managers, remains indirect. Their main bargaining chip, strike action, is costly for them (as well as for employers and customers).

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<sup>27</sup> Nozick (1974: 248-9).

<sup>28</sup> PGW1 already involves state regulation through the legal scaffolding of capitalist firms, markets, and contracts. See Anderson (2015).

<sup>29</sup> On the other hand, there is the possibility that transition costs are significantly reduced as the social safety net is strengthened. As a referee pointed out, if it includes something like a Universal Basic Income, for example, PGW2 could reduce the pressure on workers needing to move, give them time to retrain, open up avenues for social ties outside of work, and so on.

<sup>30</sup> An important example here is the standards of decent labor promoted by the International Labor Organization (Méda 2023: 99).

Furthermore, since the class conflict between workers and employers remains, business associations will likely continue to effectively exert pressure on the government to weaken or retract implementations of the strategy.

- PGW5: *Workplace democracy*. This, more radical strategy gives workers or their representatives (and not a different class of shareholders and managers) decision-making power over their workplaces, including the design of their jobs. It offers a direct instantiation of the good of direction (G6). It also facilitates access to other goods because when workers are engaged as agents who control their activities, they are more motivated to perform them and gain and mobilize knowledge about their nature and consequences. Despite these benefits, the strategy has limitations arising from the dynamics of a competitive market economy. Since worker-run firms will compete, there will be pressure to make them more productive. When there are trade-offs between productivity and good work, often the firms that choose the former will win and those choosing the latter will be wiped out. Some forms of deskilling routinization and division of labor might, for example, be quite effective in saving time and lowering costs, allowing firms to produce more and sell products at lower prices. A race to the bottom would likely ensue, undermining access to the good of personal development (G2).<sup>31</sup>
- PGW6: *Syndicalist economic democracy*. To solve the collective action problems involved in the race to the bottom risked by PGW5, this strategy adds mechanisms through which workers exercise supra-firm decision-making (for example via representative bodies operating at sectoral or even national levels). Worries about the context-insensitivity of the scheme could be mitigated by reserving the decisions of supra-firm bodies to issues that cannot be resolved at the firm level. Other worries are that the interests of consumers would not be sufficiently considered, and that objectionable socioeconomic inequality might arise between workers in different syndicates. They might be mitigated by giving voice to consumers in the syndicates and by deploying further distributive measures of the kind involved in PGW2. A harder problem is that it might be unrealistic for syndicalist economic democracy to flourish in one country when it operates in a context of global economic competition. Supra-national institutions might have to be developed to address this worry.

I agree with Brixel that although each component in the package PGW2-PGW6 is plausible, none would secure widespread availability of good work on its own. Some combination would be optimal. I wish to make three additions to Brixel's valuable discussion. First, the characterization of the items in the package can be expanded. PGW2 could be developed further to increase workers' capability to move to new jobs. For example, publicly funded programs in universities and other tertiary educational institutions could retrain workers displaced by new technologies. PGW3 could also be expanded to limit the precarity of many workers' situation (such as in the gig economy). The government could, for example, require that firms grant workers more predictability regarding when and how long they will work. This would help them access adequate income (G1), coordinate their social cooperation (G3), and schedule their time investments in and outside work (G6).

The second addition, which will be quite important for the ensuing discussion, is that we should embed the package into a larger framework that also includes a category of policies supporting basic liberties. Thus, the formal political process should feature greater, and more equal, effective chances for people to shape governmental decisions. To block the colonization of politics by economic elites, we could impose strictures on campaign finance and revolving doors between business positions and

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<sup>31</sup> It could be argued that since firms would be run by workers who would be primarily concerned with profit-per-worker rather than total profit for the firm, the tendency to generate deskilling would be limited. Brixel (2024: 276-8) discusses Schweickart's (2011) important model of economic democracy featuring this view, but argues that strong competitive pressures incentivizing deskilling would remain.

governmental jobs, and multiply fora for exercises of deliberative democracy. We could also enshrine in the larger package a set of robust civil liberties protecting people from pressures to work in ways that undermine their freedom of conscience, physical and bodily integrity, and so on.

The third addition concerns the need to discuss the worry of paternalism (which Brixel does not address). The policies envisioned are vulnerable to it. The worry arises when PGW2-PGW3 are recommended in opposition to PGW1. What if some workers prefer to compete in an unregulated market economy? What if they don't want to be compelled to pay taxes to fund public provision of a social safety net and prefer to purchase the benefits in the private sector? The worry also arises with respect to PGW4-PGW6. What if some people want to work in firms that do not feature collective bargaining, or are not run democratically, because they prefer to make decisions individually rather than through collective bodies? What if they prefer to work in an economy featuring PGW5 but not PGW6 so that they can earn more and consume more even if that involves having less access to the intrinsic goods in work? In all these cases, there could be a clash between the preferences of individual workers and the implementation of policies geared to giving them access to good work. When governments implement the policies, they might also seem to send the message that people cannot be trusted in their own pursuit for well-being at work. So further development of the account of PGW2-PGW6 to directly confront the Paternalism Objection is needed. The remainder of this paper takes steps in this direction.

#### **4. Reply to the objection**

I now proceed to respond to the complaint that policies promoting access to the goods in work should be ruled out because they clash with self-determination. I will tackle the Paternalism Objection along the two strands of definition of paternalism.

##### **4.1. The first strand**

Construed along the first strand of definition of paternalism, the Paternalism Objection says that the policies making the goods in work accessible must be avoided because their implementation cuts, without their consent, into liberties that people are entitled to enjoy.

(1) A first response to the objection is that at least some of the policies envisioned in the last section are geared to creating rather than restricting options. They do not instantiate condition (b) of the definition of paternalism, and so they are not affected by the first premise of the Paternalism Objection. Recall that the policies envisioned are not, strictly speaking, policies of promotion of well-being at work. They aim, instead, at generating the material and social conditions of access to well-being at work. Their point is to empower people to work in ways that are good for them if they choose to do so. As a result, the policies avoid an authoritarian approach that would involve a coercive paternalism in frontal conflict with self-determination. They do not force people to work only in ways that are deemed optimal in delivering the goods in work. There is a difference between policies in which *A* coerces *B* into certain states (such as instances of good work) and policies in which *A* helps create options for *B* to be in those states. The PGW envisioned are of the latter kind. They recognize people's liberty to decide whether they work, and to choose to work in different ways. Interestingly, the policies avoid the authoritarian approach without relapsing into a laissez-faire approach. That other extreme approach (i.e., PGW1) is also problematic because it would not, realistically, empower many people to access the goods in work.

Notice that this response refines the initial argument for the policies by highlighting the goal of creating certain options. But it also needs to be explicit about the permissibility of other options. For example, if the whole economy is framed under PGW5, it is not clear that individuals have the real choice of working in firms that are not framed by this particular format of governance. It is true that in democratically governed workplaces workers are free to organize their firms as they see fit. They

can make them more hierarchical (appointing managers, for example) if they don't want to be too involved in collective decision-making. But this specific shaping must itself be selected through collective democratic procedures, which some individual workers might prefer to avoid. To further reduce the tension between individual and collective freedom, the economy could allow the presence of firms that are not organized in terms of workplace democracy at all. So long as it would not unravel the overall scheme that offers democratically run firms as real options, such flexibility might be desirable.<sup>32</sup> I am assuming here that the syndicalist arrangement of PGW6 would then not necessarily include all firms. But, again, if too many firms are kept out of it and are not sufficiently regulated by other policies, then the overall scheme might be at risk of unravelling.

Another difficulty with the first response requires further development of the justification of the policies. The worry is that they would still feature impositions that raise the spectre of paternalism. Creating the options involved in PGW5 is costly, and governments would be requiring that everyone help fund them (for example through taxation), even if they do not want to take up the options themselves.<sup>33</sup> This point also applies to the funding needed for the distributive measures in PGW2 and the regulations in PGW3 (which would, furthermore, impose restrictions on behavior within firms).

(2) So, the worry now is that the implementation of the policies does cut into individuals' liberties, such as their liberty not to help fund forms of work they don't want to do. This calls for an additional line of response to the Paternalism Objection. I submit that although implementing the policies might limit some liberties, the limitation can be justified if the liberties affected are not basic liberties and is backed by weighty considerations of social justice. Let me explain.

The envisioned PGW do not coerce individuals in ways that are prohibited by a correct principle of justice requiring protection of basic liberties. Basic liberties are those stated in liberal theories such as Rawls's. They include, for example, physical and psychological integrity, freedom of conscience, freedom of association, freedom of thought, and political liberty (Rawls 1999: 53). Implementing these liberties is a crucial part of what respect for persons' moral status demands, supporting their capacities to form, revise, and apply their conceptions of the good and justice (Rawls 2001: 45). The policies discussed here do not block people's enjoyment of any of these liberties. Some of the measures in PGW3 (such as the prohibition of sexual harassment) in fact protect some basic liberties from violation at the workplace. The other policies aim to generate real options for individuals to engage in some activities (letting them choose whether they do so in the end). In generating these options, the government might compel members of society to help fund the effort. In doing so, the government would limit their liberty not to contribute to the generation of the options. But this would not be a limitation of a basic liberty. It is true, however, that the limitation of this non-basic liberty requires a justification.

A justification is available, however, if the policies are overall necessary or appropriate for implementing weightier demands of social justice that are relevant in the circumstances, such as the generation of fair opportunities for certain kinds of work which would not be widely available otherwise. For example, when enacting PGW5, it might be reasonable to give public subsidies to cooperatives to reduce their tendency to fail during the early stages of their establishment.

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<sup>32</sup> To use terminology from Arneson (1987), the right to good work as envisioned here is "weak" rather than "strong." It requires that workers have real options for it rather than that every job features it. For a strong version focused on the good of direction, see Schwartz (1982: 635, 644). Some proposals are not fully determinative on this issue. For example, Gheaus and Herzog (2016: 80, 82) envision constraints on every "particular job" but also, more weakly, the demand that workers "whose conceptions of the good life include (some of) [...the goods in work...] should *all* have at least sufficient opportunities to realize them." A plausible way to reduce the indeterminacy is to demand strong sweeping constraints to secure a basic threshold blocking egregious bads, and then support the existence of real options to achieve the goods beyond that threshold.

<sup>33</sup> Arneson (1987).

The policies supporting access to the goods in work benefit individuals. But they do so within an overall scheme geared to facilitating that they treat each other as they have a moral obligation to. The core point here is that the limitation of non-basic liberties imposed by the implementation of PGW can be justified once we see it as an appropriate part of a scheme of social justice. Everyone in society has a natural duty to do their fair share in generating and sustaining social practices and institutions that enable each to access feasible material and social conditions of their well-being. If PGW are indeed part of the implementation of a scheme including these practices and institutions, then when people are asked to do their part to sustain them, they are not only asked to help create options that is good for them to have, but also to fulfill duties that correspond to the right of others to have them. This might involve limitation of some economic liberties they would enjoy in an alternative social system in which they don't have to comply with these requirements, but such loss seems on balance reasonable as support for people's pursuit of well-being in typical or realistic circumstances in which they must work to make a living and avoid social shame, and cannot access enough of the goods G1-G8 outside of work. As a result, the policies are not all things considered to be rejected, even if they might be mildly paternalistic in asking people to support opportunities for work that is good for them to have even if they do not currently want them for themselves.

It might be insisted that the requirement to establish and maintain a scheme of effective opportunities for good work itself curtails the freedom that people enjoy in a capitalist economy. But our normative assessment of the policies should not simply assume such an economy as our privileged baseline. That would be question-begging.<sup>34</sup> And laissez-faire capitalism is comparatively worse for workers (who would have meager access to the goods in work and face domination and exploitation by their employers) than a reasonable package that includes versions of PGW2-6 together with the standard liberal protection of basic liberties. More deeply, recall that the idea of self-determination has different possible instances, and that some might be more morally important than others. We could imagine a variety of social systems offering internally coherent sets of instances of self-determination that are not compatible with each other. To select one of these systems, we must ascertain what instances are more morally significant. And to do this, we must engage the balancing considerations listed at the end of section 3.2. In this exercise, some instances insulating individuals from having to contribute (for example by paying taxes) to a scheme of social justice that supports everyone's access to well-being at work do not seem particularly weighty.

(3) To complete the argument for the conclusion that the moderate limitations of self-determination in the envisioned scheme of social justice are reasonable, we should make it sure that it offers an appropriate overall implementation of the idea of self-determination itself. This challenge can be met if self-determination is strongly catered for in three, clearly important ways.

First, the scheme enshrines basic liberties in the form of weighty civil rights. The PGW may not violate people's physical and psychological integrity, their freedom of conscience, and so on. Importantly, and as pointed out above, people also have freedom of occupational choice, which can be boosted by allowing a variety of workplaces displaying different structures of decision-making in them. Furthermore, policies in the category PGW3 state specific protections of these liberties in the workplace.

Second, the scheme also protects basic political liberties. PGW are the output of a democratic process. People subject to them can hold governments accountable by voting their members out of office, form parties to compete in elections to implement new policies, join associations in civil society

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<sup>34</sup> Anderson (2015). Furthermore, some attitudes aligned with the status quo might reflect adaptive preferences responding to limited options and result from socialization into a hyper-individualist culture. See Wright (2016: 433-4). An alternative, not discussed here, is to adopt a right-wing libertarian view of "economic liberties" that (unlike Rawls 1999: 54) takes capitalist forms of property and contracts as basic liberties. For critical assessment, see Freeman (2001).

and arenas of free public deliberation to discuss alternative visions, protest when their rights are not respected, and so on. As pointed out in section 3.3, it is important to add this political dimension of justice to the proposal of PGW, so that people can influence the institutions with final authority in society. In their role as free and equal citizens, they can set boundaries on how they may operate in their role as workers and revise them over time (including when they join society as immigrants or new generations).

Finally, the scheme offers in its PGW the specification of, and support for, an important domain for self-determination, viz. working practices. The policies facilitate the creation of options that expand the effective positive freedom of people to work in ways that are good for them. It is surely important that people can cultivate their well-being as they spend so much time in their lives working. In addition, since policies PGW4-6 boost workers' decision-making power (and their access to the good of direction), they support workers' ability to articulate their own specific interpretation of the goods in work, and their preferred overall balancing of, or trade-offs between them. These policies also expand workers' *negative* liberties against interference by bosses who, in an unregulated capitalist environment, could block them (through credible threats of demotion, reassignment, or dismissal) from accessing some of the goods if they wanted, for example, to diversify their activities to develop their skills and knowledge, cooperate with their co-workers in more caring ways, or create products that are more useful for the public. PGW3 can also reduce the relative powerlessness of workers in the gig economy. Objectors to regulation sometimes complain that it would involve a paternalistic restriction on workers' option to be "be their own bosses." But in fact, many subcontracted workers are intensely vulnerable to unilateral decisions by the companies (such as Uber) that effectively subordinate them through their control of the algorithms that allocate tasks and remunerations, while circumventing labour law strictures to avoid paying for benefits and protections against accidents and other work hazards.<sup>35</sup>

The dimensions of this scheme of social justice interact. Thus, the robust civil and political liberties in the first and second dimensions constrain the policies in the third and prevent their implementation from taking an oppressive or authoritarian form. The freedoms internal to the third dimension itself, in turn, increase the robustness of the basic liberties, both by increasing their "fair value"—the effective means and occasions for their exercise—and by shaping productive activities, a crucial aspect of social life, in ways that are coherent with the broader ideal of cooperation among free and equal citizens.<sup>36</sup>

So, even if it imposes some limits on self-determination (as any feasible social system will), the overall scheme seems all things considered justified. The limits are moderate, and the scheme offers an appealing form of solidaristic empowerment. Individuals are given real opportunities to pursue well-being at work within a framework that also implements important requirements of self-determination in the form of civil liberties, political liberties, and decision-making power within working activities. In addition to contributing to the well-being of workers, the societal support for these forms of self-determination is directly morally significant as instances of respect for their autonomous agency in a crucial arena of their lives.

To conclude, the Paternalism Objection fails because although the policies envisioned could involve some restrictions that are presumptively, and even pro tanto, problematic, they would be all things considered permissible. The limitations affect non-basic liberties and help create important options in ways that are reasonable. The policies offer self-determination-qualified support for well-being. Workers are freer with them than in their absence.

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<sup>35</sup> Hickson (2024); Celentano (2025).

<sup>36</sup> See Hsieh (2008) for arguments identifying linkages between enhancing freedom and equality at the workplace and sustaining democratic institutions in the broader political system. For arguments emphasizing how collective union activities, and their legal protection, increase workers' freedom and the quality of the broader democracy, see O'Neill and White (2018).

## 4.2. The second strand

Quong (2020) engages the second strand of definition of paternalism. Paternalism is at least presumptively wrong, on Quong's account, because in expressing a negative judgment about sane adults' abilities to pursue their own good it enacts disrespect for their moral status. More specifically, government's paternalistic policies flout the basic liberal commitment to viewing people as free and equal persons and citizens. People are respected when they are recognized as having this status and are treated accordingly. They have the status in virtue of having the capacities for forming, revising, and pursuing conceptions of justice and of what is good for them. Paternalistic treatment of competent adult individuals is disrespectful by failing to recognize the prudential capacities that are part of the basis of their moral status.<sup>37</sup>

Quong's discussion proceeds in the context of a critique of so-called "perfectionist" views in political philosophy—which hold that states can legitimately implement policies aimed at promoting people's engagement of certain objective goods in their lives. Quong acknowledges that liberal perfectionists can, unlike illiberal ones, escape the Paternalism Objection formulated along the first strand. They are committed to a value of autonomy, and instead of calling for the state to coerce people into engaging perfectionist goods, they "claim that the state should generally restrict itself to the non-coercive actions that encourage, enable, or facilitate citizens' efforts towards achieving perfectionist goods" (Ibid.: 84). But Quong thinks that liberal perfectionists are vulnerable to the Paternalism Objection formulated along the negative judgment strand. They cannot answer the question "Why is state action required?" without appealing to negative judgments (Ibid: 74, 86). Why can't people fulfill their interests on their own, provided they enjoy the liberties and resources granted by liberal (non-perfectionist) policies? When perfectionists call for the state to implement additional policies meant to support people's well-being, they must assume that some people's ability to identify or pursue their own good is deficient. So, perfectionism involves paternalism. But if people have the moral status of free and equal persons, it is not clear how it could be justified that the state do more than what non-perfectionist liberals propose. The additional policies would express a judgment that some citizens are unable to understand or effectively pursue their good.

This worry about the paternalism of perfectionist policies is very much animated by the value of self-determination and, in particular, by the second rationale for it mentioned in section 3.2. It is worth exploring the force of the worry when applied to the policies supporting access to the goods in work as envisioned in this paper. Quong (2020) does not explicitly direct his concerns to policies promoting well-being at work. But this line of attack could however be built. This would be a fresh extension of Quong's arguments, not Quong's own stated views. But I think that articulating and assessing such extended arguments is worthwhile because Quong has offered a novel and appealing articulation of the second strand in the definition of paternalism and illuminated how paternalism understood in this way can be normatively problematic. In what follows, I will make five points to defend the claim that PGW are not justifiably ruled by the application of the concerns outlined.

(1) First, the implementation of PGW need not always involve negative judgments about individuals' personal abilities. Often the judgments expressed in the policies can be instead about the feasibility of individuals succeeding on their own without social and political support. Thus, it could be that some of the obstacles to accessing the goods in work are primarily a function of the material and social circumstances in which individuals act in the economy. For example, accessing the goods might be

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<sup>37</sup> Quong's discussion of paternalism can be understood in two ways: as saying that we are not justified in holding certain negative judgments about others and as saying that we are not justified in acting on those judgments. For assessment of the former possibility, see Enoch (2016). I focus here on the latter, which is at play when Quong (2020: 101, 105) worries that paternalistic interventions are "demeaning," "denigrating," or "disrespectful".

quite difficult because of lack of resources, power disparities, unintended market failures, or assurance problems typical of collective action. Even maximally prudent individuals will likely fail to create and maintain options for good work in these conditions. The PGW precisely seek to counter their influence. They increase workers' access to productive assets, limit inequalities in bargaining power, and enhance their ability to act together. People could reasonably accept that a state pursue such policies ensuring that certain valuable options are effectively available to all when it would be very hard, if not impossible, to secure them on their own. They need not thereby make any sweeping judgment about the inferior moral status of some individuals affected by their implementation.

(2) It might be countered that negative judgments are still at play, as the view that the policies should be implemented assumes (at least in some cases) that people will not always do their part in collective action efforts, will not refrain from using their superior bargaining power in unfair ways, or will fail to plan for the long-term. When the government intervenes through PGW, it sends the signal that people are not to be trusted and should be steered by some external agency.

In response, notice that there is a difference between negative judgments about people's capacities and negative judgments about the likelihood that people will use them, or succeed in achieving what they seek when they use them. Clause (c) of the judgmental definition of paternalism focuses on the former. But the defense of PGW explored here focuses on the latter. It is not assumed that it is *impossible* for people to make certain choices or get what is good for them. Instead, it is held that in certain circumstances it is *significantly difficult* for people to do so (or *significantly unlikely* that they will). So clause (c) is not instantiated and PGW are not paternalistic on this definition.

But imagine that (c) is interpreted differently, or revised, so that the negative judgments focus on deficiencies in people's *disposition* to pursue and achieve their own good due to certain psychological limitations such as proneness to myopia, weakness of will, excessive self-centeredness, or errors in statistical reasoning. If this revised understanding of paternalism is used, then the PGW could indeed instantiate clause (c). But then it could also be the case that the PGW do not involve a *problematic* form of paternalism because policies invoking those limitations are not disrespectful. The negative judgment about people's dispositions might reflect an accurate, realistic assessment. Some limitations are after all quite common, and can be expected to be shared by most if not all adult individuals in a range of significant situations. When relying on judgments about these facts, a defender of the application of PGW to the relevant contexts (such as instances of PGW2-3 scheduling savings for retirement) need not assume a demeaning or infantilizing attitude towards adult persons.<sup>38</sup> Such policies could be justified in a way that does not flout the commitment to the equal moral status of all those who have the moral powers of forming, revising and pursuing conceptions of the right and the good. People with these powers can recognize that they have blind spots and are fallible when pursuing justice and their well-being.<sup>39</sup>

The typical situation could thus be one in which we can agree to put in place policies that help any of us deal with challenges we can all see we have trouble handling appropriately. The challenges might however be, in certain cases, specific to some individuals. Paternalistic policies would, in those cases, assume negative comparative judgments. The burden of justification on them is higher, but not impossible to shoulder. Some individuals might struggle with particular difficulties more than others (such as propensities to addiction and other psychological problems which are either permanent or temporary).<sup>40</sup>

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<sup>38</sup> For this type of response to paternalism worries, see Tahzib (2022: 280-93).

<sup>39</sup> This point is also made by Wall (2017: sect. 3.5).

<sup>40</sup> Quong (2020: 102-3) acknowledges Rawls's (1999: 218-20) suggestion that reasoning within the original position allows for some limited forms of paternalism responding to common limitations in human psychology. I think the suggestion deserves more attention. Paternalism towards a subset of adults could, on the other hand, concern people with deep cognitive impairments. Quong (2020: 86) recognizes this possibility but puts it aside, as his discussion focuses on typical

We can add, more generally, that noticing imperfections in people's ability to achieve what is good for them may in fact help us to respond to their moral status more appropriately and fully. By accurately ascertaining what we are like and what challenges we face to achieve well-being, we can more effectively enact the moral concern that we owe each other.<sup>41</sup>

(3) We can now address another important issue raised by Quong, which concerns authority. Some might try to justify the authority of the state to implement perfectionist policies by invoking the idea that if an agent *A* would be better than another *B* at determining what *B* should do to benefit themselves, then *B* should accept and follow *A*'s directives rather than decide on their own. Quong argues that this idea is problematic. Even if *B* would have good reason to do what *A* says, this does not imply that *A* has the authority to decide for *B* how *B* is to act. Even if I am better than you at handling financial issues, I do not have the right to determine your budgetary decisions for you (assuming you are not asking me to do it). Things are different, however, when what *A* would be doing is assist *B* not regarding how *B* could benefit themselves but regarding how *B* could comply with their moral duties. On Quong's "duty-based" account (roughly), an agent *A* has legitimate authority over another agent *B* if *B* would likely do better at fulfilling their duties of justice if they accepted and followed *A*'s directives than if they determined how to act on their own (Quong 2020: 128). In an interpersonal setting, if *A* and *B* face an emergency situation in which they have to aid a person dying on the street, and *A* has medical knowledge which *B* lacks, it seems reasonable to say that they should proceed in a way that grants *A* some decision-making power over what *B* does. Something similar happens, at the macro-societal level, with the state. Everyone in a society has a natural duty of justice to support and comply with social arrangements that enable each to do what justice demands, and help create them when they do not exist. A reasonably well-functioning liberal state that helps solve collective action problems and settle disputes, for example, could allow individuals to do what justice demands much better than if there were no state at all, or if the state were not a liberal one. So citizens should support and further its presence. Now, the worry about perfectionism is that it does not succeed at explaining why a liberal state would have the moral authority to implement perfectionist policies. Even if individuals are justified in choosing to do what this state says they should do because the policies foster their flourishing, it is not clear that the state indeed has the legitimate authority to direct them to act in these ways.

It seems to me, however, that the foregoing considerations about feasibility and the view that egalitarian justice includes duties to help further the presence of fair and effective opportunities for every person to pursue their well-being could support the view that the liberal state can legitimately implement some policies supporting people's pursuit of their well-being. The argument can be stated as follows:

1. Social justice requires that everyone have access to the conditions of their well-being.
2. We face serious feasibility problems in the generation of these conditions (such as regarding distribution of needed resources, assurance in the face of free riding, tendencies to bias and other cognitive difficulties, etc.).
3. Action by the state could help address these problems (for example by orienting distribution of

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adults. Still, it is worth exploring policies that support people facing temporary situations of deep impairment due to mental illness or distress.

<sup>41</sup> Quong (2020: sect. 3.3) has interesting remarks about insufficient rationality, weakness of will, free-riding, and prohibitive costs and market power. But they do not suffice, I think, to show that "perfectionist" state action addressing them *must* involve judgments that affront people's moral status as free and equal citizens. Quong is especially sensitive to the last set of considerations, and allows that in nonideal contexts ameliorative state action may be needed, but claims that in ideal contexts in which resources are distributed fairly no such action is needed. However, it seems to me that it could also be part of (Rawlsian) ideal theory, given relatively general facts of human psychology and social organization, that social action through the state to secure certain options would be appropriate.

resources to empower individuals to access certain important goods, mandating that each do their part in sustaining a social scheme that generates these conditions, etc.).

*Therefore, 4.* In some cases, we would be more likely to fulfill our duties of justice to contribute to everyone's access to the conditions of their well-being if we accepted and followed certain state policies geared to facilitating their generation than we would if we proceeded on our own.

*Therefore, 5.* In such cases (and assuming that the duty-based account of legitimacy is correct), the implementation of these policies can be legitimate.

If the characterization of the target of our natural duties of justice includes considerations about access to the material and social conditions of well-being at work, the range of legitimate authority of the state can include PGW as well. Production is necessary for any society. Arguably, and as discussed in 4.1, we all have a natural duty to establish and maintain institutions that secure effective and equal opportunities for all to engage in productive activities in ways that are good for them. We face serious feasibility hurdles in securing these opportunities on our own. Even if we tried, we might be unlikely to succeed due to insufficient resources; we might desist from doing our part in sustaining a social scheme furthering opportunities for good work without assurance that others will do theirs rather than free ride on our efforts; we might be prone to myopia and other psychological limitations; and so on. A state can help mitigate these problems through the implementation of PGW. Since we would be more likely to fulfill our duties by following these policies than we would if we proceeded on our own, their implementation by the state can be legitimate.<sup>42</sup>

(4) When PGW are implemented by a well-functioning democratic state, there is a sense in which they are not paternalistic because individual workers are not looked down at and steered by some independent agent beyond their control. Their relationship with this state does not operate in a heteronomous “you/me” pattern, but in a self-determining “we/me” one. There is still, of course, a potential gap between the “we” of the democratic citizenry as a whole and the “I” of individual citizens who are, perhaps, in a minority and do not agree with the majority supporting the policies. But if the democratic system works well, there are as we noted in 4.1 robust basic liberties that mitigate the risks created by this gap. Everyone retains their civil liberties to make their own individual choices about how to live and their political liberties to influence and hold the government accountable. When—as with the package envisioned in this paper—the PGW include not only top-down governmental rules but also bottom-up democratic mechanisms at the workplace, the gap is reduced further.

Interestingly, there is a contrast with putatively beneficial policies introduced by managers in standard capitalist firms. Think about an “employee of the month” portrait hanging over the corridor of a warehouse in which workers toil for little pay and in rather bleak conditions, or about the appointment of “chief happiness officers” introducing “wellness programs” for employees experiencing burnout. These clearly do have the “you/me” form and could rightly be experienced by workers as paternalistic, even when they are not, as they may often be, insidious ways to instigate allegiance in workers who are otherwise subject to gruelling and dispiriting schedules of activity.

(5) Further assessment of Quong's worries would require an examination of the prospects of an approach to social justice that includes so-called “perfectionist” considerations, and in particular the objection that policies aimed at fostering well-being flout the requirement that the state be neutral with respect to particular or controversial conceptions of the good. I acknowledge the importance of this objection, but a proper engagement with it would require another paper. Here I simply state my view that support regarding access to well-being in working activities is an appropriate target of policies of social justice, especially when it is framed by considerations about self-determination and relies on

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<sup>42</sup> Recall from section 4.1 that the package of social justice envisioned includes civil and political liberties shielding individuals from overreach by governmental officials. Notice also that it is not assumed that government officials are superior reasoners.

statements about goods (such as those in G1-G8) which are quite general and specifiable in a variety of ways.<sup>43</sup> Quong (2020: sect. 4.3) considers the possibility of a perfectionist view of the metric of justice but doubts that it would add anything important that cannot be captured by a non-perfectionist liberal egalitarian conception that requires a fair distribution of resources and liberties. It seems to me, however, that supporting access to the goods in work adds a vital dimension to the metric of egalitarian justice. Justice may not be indifferent to how people fare as they spend half of their waking hours working. Requirements of social justice cannot be articulated without a metric of the good. Controversy about the good exists, of course. But there is also controversy about the right. All leading conceptions of the right, including liberal ones, are actually disputed by some people. If we use substantive ideas (such as freedom and equality) to navigate disagreement about the right and to determine what accounts of it are reasonable, we can also do so to handle ideas of the good deployed for political purposes. The best we can do is formulate views about well-being relevant for public policy that meet substantive moral constraints (such as the importance of self-determination and impartiality or fairness) that we find compelling in reflective equilibrium and submit them to democratic debate and authorization.

Perhaps surprisingly, the PGW envisioned in this paper largely converge with what Parr (2024) calls the “empowerment model.” That model says that we should, within limits, equalize bargaining power so that workers can shape the conditions under which they work, unless some inequalities would be mutually beneficial, in which case governmental measures should protect workers against the disadvantages they might face due to their lower bargaining power. PGW 2-6, within a broader package of civil and political rights, precisely boost workers’ power to decide how they work, and state limits and protections insuring them against harms that uses of unequal power might generate. Now, Parr presents his model as an “anti-perfectionist” alternative to approaches that justify regulations on the domain of work by the goal of promoting access to the goods in it. But the model does not really eschew reliance on judgments about well-being. It mobilizes a specific (and philosophically controversial) conception of it as the satisfaction of preferences. That conception is marshalled to determine what inequalities are beneficial. And an idealized version of it is offered to identify what protections are due when inequalities are allowed.<sup>44</sup> Even the very idea that workers should be empowered cannot be fully defended without explaining why work is so important to people that inequalities of bargaining power with respect to it should be reduced and various protections and benefits as they engage in it should be introduced by governmental action. Prudential interests (concerning, of course, direction, but also the others in the list G1-G8) surely play a role in this task, together with framing moral ideas about self-determination and fairness.

## 5 Conclusion

Although this paper did not aim at establishing that, all things considered, we should implement policies promoting access to the goods in work, it did defend that claim against the Paternalism Objection. I argued that the policies should not be ruled out as unduly paternalistic if they have the

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<sup>43</sup> For similar views, see Caney (1996: 277-9); Cohen (2008: 106-9, 201-2); Arneson (2009: 150-1); Gheaus and Herzog (2016: 72, 79-83); Yeoman (2014).

<sup>44</sup> “[I]n fixing the kind and level of protection that individuals receive, governments should mimic the insurance choices that individuals would make if fairly situated, rather than what they might now prefer. Since individuals in the real world aren’t fairly situated, we must therefore reason as if individuals were placed behind a thin *veil of ignorance* that strips them of information about their personal circumstances but not their attitudes, including their sensitivity to opportunity costs” (Parr 2024: 413). Even if we hold an objectivist view of prudential value, Parr’s hypothetical test could be embraced as a useful heuristic. The preferences elicited by the test could be invoked as epistemic evidence as we try to discover what is good for people. Even if it is not true that something is good for someone because they want it, the fact that they would after properly framed deliberation might warrant the belief that it is.

following features: (i) they are part of a moral scheme oriented by principles of social justice; (ii) they do not block basic liberties, but only restrict non-basic liberties (if at all); (iii) they protect basic and other important liberties and overall support people's self-determination; and (iv) they do not involve disrespect for people, even if true judgments about their limitations are expressed.

The arguments in this paper are focused on contemporary societies with a market economy, and the policies envisioned aim to transform them in desirable and feasible ways. It is important to acknowledge that work is somewhat special. Since the important goods G1-G8 are hard to obtain to a sufficient extent outside of work, and since people are typically pushed to work on pain of grave economic penury or social shame, it is appropriate to shape working conditions so that they offer people high levels of effective access to these goods. It might be objected, however, that circumstances can be changed more profoundly so that people no longer have to work. For example, a high Universal Basic Income (which would be a form of PGW2), together with increased use of automation, might enable people to effectively choose whether they work, and to undertake only work they find rewarding while also pursuing well-being outside of work. In this setup people would access G1 without needing to work, and they could achieve G2-G8 in or outside of work as they please. This scenario would avoid a "workist" ideology that takes work to be the dominant arena for the pursuit of well-being.<sup>45</sup>

As pointed out in section 2, I do not claim that work is the only important medium for the achievement of the goods G1-G8. So no "workist" ideology is assumed. My guess is that for the foreseeable future, work (as formal employment or in other productive and reproductive activities) will remain a crucial dimension of social life. Doing without it is likely infeasible and even undesirable. It will thus continue to be imperative to promote access to work that delivers the relevant goods. There is, furthermore, no need to choose between calling for less work and calling for better work. We can reasonably aim at both.

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<sup>45</sup> For a critique of "workism," see Bousquet (2023). On the centrality of work, see Deranty (2022) and Gourevitch (2024).

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