

Sacrificing liberty for realizing the difference principle

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Abstract. John Rawls famously prioritized the protection of liberty rights over realizing an economy which is better for the worst off. But his arguments have been disputed. I present a somewhat alternative approach.

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Probably the most famous component of John Rawls's philosophical system is his difference principle. It recommends an economy which is best for the worst off, or at least that is the simple version, which will do here. If the worst one can get in economy A is higher than the worst one can get in economy B, then one should prefer A over B and try to realize A, assuming no other options. But this recommendation is qualified by Rawls. One cannot sacrifice certain rights for the pursuit of economic gains, notably liberty rights, such as freedom of speech, of movement, and the right to a fair trial, at least if a minimal level of affluence has been achieved. But Rawls's argument for the priority of liberty has been disputed (e.g. Hart 1973). I wish to present an alternative position, but not to recommend it yet.

According to this position, one can temporarily reduce liberty rights and introduce a heavier work schedule. And then one returns them later. Before the reduction if someone could produce 2 units of something in 2 hours, for example, now they can produce 2 units in one hour. That is the benefit of the temporary reduction. And the result of being able to do that is economic gains for the worst off group. What do you think of that? It's a bit scary, isn't it? But if you emphasize improving the lot of the worst off so much, why not? I suspect most people do not

learn to work at the pace they do without an earlier period of heavy work.

References

Hart, H.L.A. 1973. Rawls on Liberty and its Priority. *The University of Chicago Law Review* 40: 534-555.

Rawls, J. 1999 (revised edition). *A Theory of Justice*. Cambridge, Massachusetts: Belknap Press.