

Free Time and Economic Class

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ABSTRACT

In her book, *Free Time*, Julie Rose argues that all citizens must be understood to have a claim to a fair share of free time. In the first part of this essay, I outline Rose's theory of free time and explain why her discussion should be regarded as an important advance on existing thinking about the requirements of liberal egalitarian justice. In the second part of the essay, I argue that reflection on Rose's conception of free time will force liberal egalitarians to confront some potentially troubling philosophical questions. These questions can be brought out by asking, first, how much free time people from different economic classes in fact have according to Rose's conception, and, second, how much free time people belonging to different economic classes should have according to this conception. Reflecting on these questions, I argue that the idea that all citizens have a claim to a fair share of free time does not support giving seemingly harried yet already wealthy professionals the benefit of more flexible work schedules, generous caregiver leave, or more humane overtime rules. The reason is that such people must be judged to already have their fair shares of free time. This fact is an indication of a significant economic class divide, which liberal egalitarians must now somehow take into account.

Keywords: free time; leisure; work; distributive justice; freedom; affluence; class

1. INTRODUCTION

Many people today complain about being overworked. According to Julie Rose, the harried professionals, working parents, and others who make this complaint may well have a point. In her new book, *Free Time*, Rose argues that, in a liberal society, citizens have a claim to more than merely the standard package of formal opportunities and liberal rights. In addition, every adult citizen should be understood to have a claim to a fair share of free time. Moreover, to ensure that everyone gets his or her fair share, it is not enough to attend to the distribution of income and wealth. After all, even a generous

wage subsidy will do a “time poor” single parent little good if she will be fired summarily for refusing overtime work. Similarly, a disabled person might be able to earn plenty of money working thirty-five hour weeks, yet his special needs may take up the rest of his waking hours unless he is able to find reliable in-home help. Accordingly, to ensure that each and every person gets a fair share of discretionary “hours for what we will,” the state must attend to the distribution of free time as well.

More precisely, if everyone’s fair share of free time is, say, eight hours per day, then, according to Rose, public policy must ensure the following four things (Rose 2016: 135). First, it must ensure that each person can actually meet his basic needs in sixteen hours per day. Second, it must make it so that each person can choose to spend no more than sixteen hours per day doing the things objectively required to meet his basic needs. Third, it must ensure that each person is normally able to meet his basic needs in no more than sixteen hours per day while working in the occupation of his choice. Finally, public policy must ensure that some of the free time that each person has each week is not merely uninterrupted but also shared with a substantial number of others. Otherwise, argues Rose, the freedom of association and cognate basic liberties of citizenship will threaten to become substantially less valuable to citizens or, at the limit, will be rendered worthless.

In defense of these claims, Rose puts forward a new conception of free time as a distinct object of distributive justice. In the first part of this essay, I will outline Rose’s theory of free time and explain why her discussion constitutes a major advance on existing thinking. In the second part of the essay, I will argue that reflection on Rose’s conception will force liberal egalitarians to confront some potentially explosive philosophical questions. These questions can be brought out by asking, first, how much free time people from different economic classes in fact have according to Rose’s conception, and, second, how much free time people belonging to different economic classes should have according to this conception. I will argue that asking these two questions will swiftly open up a Pandora’s Box in the liberal theory of social justice. What is at stake, at bottom, is how liberal philosophers, and other people committed to freedom and equality, should think about the persistence of class in modern society. It is a credit to Rose’s book that its pioneering discussion of free time will help to return this important matter to the foreground.

2. ROSE’S THEORY OF FREE TIME

The central claim of Rose’s book is that people have a claim to a fair share of free time. The reason, at bottom, is that people need free time in order to make meaningful use of their formal liberties and opportunities. For

example, if you have to work five days a week from morning till night as well as on weekends just to pay the rent and avoid eviction, then many of the most important liberties of citizenship will for this reason be rendered worthless to you. Forced to be at work at all hours on pain of losing your job, falling behind on the rent, and getting kicked out by your landlord, you will have little use for the freedom to engage in protest and peaceful assembly, to join a political or social organization, or to make other uses of the freedoms of speech, conscience, and association. More generally, in order to make effective use of the numerous legal freedoms you have as a citizen to pursue your personal projects whether alone or with others, you need not just the money but also the time away from work that is required to make some meaningful headway on your goals. It is no use signing up for a course in Spanish, for example, if there is simply no way you will be able to free up the time to attend the nightly classes and do the homework. The same goes for all of your other personal projects, from trivial to all-important, just as long you cannot advance these projects while you find yourself stuck at work. Yet surely, argues Rose, if it is of central importance to give everyone a range of formal rights and freedoms, then it must be centrally important that everyone be afforded the time to make some meaningful use of these freedoms as well. Accordingly, we ought to recognize that, as a matter of liberal justice, people have a claim to a fair share of free time.

While the basic point may be straightforward, Rose argues persuasively that its significance for how we should think about distributive justice has been widely overlooked. The reason is that political theorists and economists alike have tended to conceive of free time as the inverse of the hours that people choose to spend in paid work. Owing in part to the grip of this standard view, it has been widely assumed that there is no need for the state to attend to the distribution of free time in order to secure distributive justice. Instead, the state's proper role is said to be to maintain a system of fair wages, using familiar mechanisms such as taxes and transfers. Then, if a person wants more free time than he currently has, he can always choose to work fewer hours and earn less.

The problem with this reasoning, argues Rose, is that the all-purpose resources of free time and income are not perfectly substitutable. This is true for at least three different reasons. The first is that labor markets are generally imperfect. At the prevailing hourly wage rates, many people would prefer to work fewer hours for a proportionately smaller take-home income. However, for various economic and non-economic reasons, most employers refuse to hire people part-time, and they routinely threaten to fire employees who do not show up for the full "nine-to-five." As a result,

a substantial number of people find themselves in a condition that economists call over-employed, that is to say, willing to give up some proportional amount of their income for additional free time yet unable to do so without losing most or all of their labor incomes altogether.

Second, there are some things that a person must do, such as being hooked up for hours to a dialysis machine, that require her presence and are therefore bound to consume her free time, regardless of whether she is provided with more income. In general, activities that are necessary to satisfy our basic biological needs – such as eating, sleeping, and exercising – are like this, and the minimum amount of time that must be spent on these activities in order to stay alive and healthy varies from person to person. Therefore, even when everyone has identical access to the exact same income, it will not normally be true that everyone is in a position to enjoy the same or even an adequate amount of free time, nor that giving people with unusually time-consuming bodily needs more *money* will always solve the problem. Sometimes, in order to have a minute to herself, what a person needs above all is someone's help – and yet there is no guarantee that the requisite form of assistance will always be for hire.

Finally, there is an even more basic reason why, from the point of view of most able adult citizens, income and free time are not perfectly substitutable. Namely, in societies like ours, the average person will eventually be allowed to go hungry and homeless unless she works for money, and therefore spending some of her waking hours earning a minimum income – at least enough to pay for the essentials – is something that the average person normally *has* to do, on pain of serious deprivation. Therefore, it is not true that for any level of income and any level of free time, a person can always straightforwardly increase her free time by quitting her job and earning less income. On the contrary, if she quits her reasonably well-paid job today, she may have to work even longer at some other, crummier job tomorrow.

Moreover, because people differ dramatically in their qualifications and hourly earning potential, the time that different people must spend earning a minimally adequate income will likewise dramatically differ. Consequently, they will have different amounts of time left over to spend with their children, educate themselves, run for public office, and so on. Accordingly, as long as people are not required to enjoy identical earning potentials on *other* grounds of distributive justice, different people are bound to have access to different amounts of free time, and a question will arise as to whether social institutions have really provided each person with his or her fair share.

In her book, Rose argues that to appreciate these and other points, we

need to stop conceiving of free time as the chosen inverse of paid labor time. Instead, the free time that a person has on any given day is better understood as twenty-four hours minus the number of hours she must spend doing whatever is necessary to meet her basic needs, on pain of failing to satisfy her basic needs. In other words, the core of the politically relevant notion of free time is opposition to an idea of compulsion or necessity. A person's free time is whatever time she is not compelled to spend doing things to meet her bodily, financial, and other basic needs, or the basic needs of her dependents – and hence time that is available for other purposes. According to Rose, it is free time in this distinct sense, of “time for what we will,” that should be recognized and treated as a distinct object of distributive justice. For without adequate free time in this sense, our formal liberties would end up being largely worthless to us.

Now, Rose suggests that reflection on her conception of free time provides a justification for extending familiar types of labor market and working-time regulation (Rose 2016: 135-45). For example, a generous minimum wage law can help to ensure that no one needs to work multiple jobs for a combined sixty hours a week simply to make the most basic ends meet. To the extent that a generous minimum wage law has this effect, it can be understood as a central means not only of giving the least well-paid workers more income and wealth, but also of giving each such worker (more of) his fair share of free time. Similarly, overtime regulations that prohibit employers from firing employees who refuse to work back-to-back shifts can be understood as a means of ensuring that each person is able to work no more than a set number of hours per day or per week, while still retaining access to an income sufficient to meet his basic needs, and thereby freeing him to take up other pursuits. Hence overtime regulations, too, look to be a tool that is normally essential to ensure that everyone will have access to his or her fair share of free time. In addition, Rose suggests that laws requiring companies to provide caregiver leave and flexible work schedules will normally be required to ensure that people with parental and other caregiving duties will be able to enjoy their fair share of free time as well. Finally, Rose argues that there may even be a case for requiring most businesses to shut down on Sundays. Otherwise, people whose employers require them to work on weekends are likely to lack a substantial amount of free time that is shared with, and can thus be coordinated and enjoyed with, a substantial number of others, including friends, neighbors, co-religionists and other possible associates.

It turns out, however, that none of these general laws and regulations are recommended by reflection on Rose's conception of free time. Instead, humane overtime regulations, mandatory caregiver leave, flexible work

schedules, and Sunday closing laws are plausibly necessary to give the least well-paid workers their fair shares of free time. However, such rules are far from necessary to liberate the seemingly harried affluent professionals who complain more than others about their impossible work hours. On the contrary, just in case some of the least well-paid workers today can be said to lack their fair shares of free time as well as their fair shares of income, this condition will normally imply that many affluent professionals should be constrained to work longer rather than shorter hours. In short, if we take seriously Rose's idea of free time as a distinct object of distributive justice, then providing seemingly harried affluent professionals with the benefit of more humane overtime regulations, flexible work schedules, caregiver leave, and Sunday closing laws will turn out to be at cross-purposes with securing a just distribution of free time, and therefore with distributive justice more broadly.

3. WEALTHY PEOPLE ALREADY HAVE THEIR FAIR SHARES OF FREE TIME

According to Rose, how much free time a person has depends on how long she must personally work to have the benefit of an income that is sufficient to pay for the essentials. On this conception, then, a person's free time evidently depends not only on the extent of her income-producing and salable wealth, but also on her maximum earning potential from labor, as well as on which of her ongoing expenses are to be regarded as essential or nonnegotiable. Imagine, then, a "house-rich" but "cash-poor" interior designer, who was once and might still be a well-paid corporate lawyer, with a large mortgage on an expensive house that is only half-way paid off, working long hours to save for residential college tuition for her three young sons. If it is not essential to have multiple guest bedrooms, work in a particular creative occupation, or spend half a million dollars on three times four years of residential college tuition, then the seemingly harried, single-parent interior designer will count as already having more than her fair share of free time. After all, she can ask her children to go to the local community college, sell the oversized house and multiple non-entry level cars, and perhaps even quit working altogether in her forties and live indefinitely off her savings, albeit on a much more modest consumption schedule than she and her children have enjoyed thus far. Alternatively, if she really does prefer to spend more than her accumulated wealth sustainably allows, she can return to earning much more per hour by practicing corporate law. From the point of view of the vast majority of workers today, these fallback options are nothing if not enviable.

Presumably, then, we should not say that the interior designer and her children would be deprived of the essentials just in case she gave up working fifty hour weeks in her existing niche occupation.

However, if we admit this much concerning what she does and does not have to do to maintain a basic level of functioning for herself and for her children, then entire classes of seemingly overworked professionals will turn out not to need any new overtime regulations, parental leave policies, or flexible work schedules in order to enjoy their fair shares of free time.¹ After all, it will often be possible for college-educated and affluent professionals to transition to a noticeably less time-consuming role or occupation, sell some of their real and financial assets, reduce their expenses, or commit to some combination of these courses of action, without ever seriously risking the non-satisfaction of their basic needs or the basic needs of their dependents. Indeed, to the extent that they already possess substantial housing and financial wealth, by cutting out some of their non-essential expenses and “down-sizing” to a modest rental apartment in a less prime location, they may well never have to work for money again.

Now, it seems reasonable to say that anyone in this enviable situation already has her fair share of free time. Where millions of others must work forty or more hours a week just to pay the rent and buy their clothing and food, a person with a fancy house in good repair and, say, an additional half a million dollars to her name does not have to work anywhere near the number of hours that she actually works, and, in truth, in order to enjoy a modest but steady income from accumulated property, she may no longer have to work at all. Presumably, then, it is not the case that public policy should enable such a person to maintain her existing class position at even less cost in time to herself, or what comes to the same thing, enable her to take even more time off from what would otherwise be tax-revenue generating employment at the public’s expense.

Certainly, this is not what Rose’s theory of free time would seem to recommend. After all, for Rose the free time that any given affluent professional has is not to be understood as the inverse of the time that she *actually* spends working a paid job. Instead, the free time that a person has is the inverse of the time that she strictly *has* to work in order to meet her basic bodily and financial needs. So, if an already rich person without any

1 There may of course be other reasons (for example, reasons of economic efficiency or political strategy) to include affluent professionals in a generally applicable working-time policy. However, if what I have said about the interior designer is correct so far, then a general policy will not be necessary to give affluent professionals their *fair shares* of free time. This is one of the main points that I will go on to elaborate in the text.

unusual bodily needs could choose to live comfortably off her existing wealth, yet chooses to spend all of her waking hours getting even richer through lucrative paid work, then the enormous amount of time that she spends at the office for this purpose should not be thought to “detract from [her] free time, for it is still available to devote to any other end” (Rose 2016: 42). On the contrary, it is precisely because she already has so much more wealth than other people that she must be understood to have far more free time as well:

“To see this distinction, consider two individuals who spend all of their time engaged in the same types of activities for the same amounts of time: each spends twelve hours per day working for pay, eight hours sleeping, one hour eating, and so forth. The first is a wealthy heiress who could easily support herself with her investment income, though she actually chooses to spend a significant portion of her time working as a model. She is not contractually bound to work such long hours; every morning she receives a call from her agent asking if she would like to work that day and for how many hours, and she suffers no penalty if she chooses not to work. The second is a day laborer with no personal wealth who can command only low wages and so must work long hours to earn enough money just to get by. She is also not legally committed to working a certain number of hours: each day she is hired by a different person on an hourly basis for her day’s work.

Though both the heiress and the day laborer engage in the same number of hours of paid work, it is implausible to contend that both thereby have the same amount of free time. They both can choose, strictly speaking, whether or not to work on a given day, but the heiress’s paid work is discretionary in a way that the day laborer’s is not: the day laborer must work in order to attain a basic level of functioning, while the heiress need not... Even though the heiress does happen to spend her time engaged in paid work, the time she devotes to paid work is still available to her to pursue other ends if she so chooses. If, one day, she wishes to go to the beach instead of working, she possesses the free time to do so...” (Rose 2016: 42-43).

The reason that the heiress must be judged to have an unequalled amount of free time – even if she chooses to work sixty hour weeks and is therefore not “leisured” in *that* sense – is that the heiress but not the average worker is always “free not to devote her time to work,” because she is free to quit working without risking homelessness or the non-satisfaction of any other basic need. In other words, precisely because she owns an extraordinary amount of wealth – enough to live comfortably even without

having to work – she must for this reason be judged to have an extraordinary amount of free time as well. In Rose’s theory, this conclusion is simply a consequence of the way that free time has been defined.

However, in this regard, the wealthy heiress who chooses to work long hours as a fashion model is just like any other affluent professional who has come into the possession of class-altering financial assets. Just like the wealthy heiress, the former corporate lawyer with a net worth of a million dollars is free to devote far less than fifty hours a week to paid work as an interior designer, without ever seriously risking having to sleep rough or facing material deprivation of any comparable kind. Indeed, the truth is that, like the heiress, the former corporate lawyer is already free to stop doing paid work altogether. For she already has enough wealth to maintain a comfortable life even if she quits her job and spends all of her weekdays at the beach instead.

However, if this is correct, then neither overtime regulations nor any sort of flexible working-time policy will be required to ensure that professionals who have managed to accumulate a liberating amount of wealth will be able to enjoy their fair shares of free time. For the very fact that they have accumulated enough wealth to live comfortably even without working entails that they already *also* enjoy an unparalleled amount of free time. Why, then, should affluent professionals be thought to have a claim in fairness to be provided with even more? Neither of the answers that a liberal egalitarian might give seem plausible in this context.

On the one hand, it will be implausible to say that wealthy professionals currently lack an *adequate* amount of free time. For, unlike the vast majority of workers, who really do have to work five days a week just to make ends meet, professionals who have a house and, say, half a million dollars in retirement accounts are already free to spend the entirety of their weekdays doing pretty much whatever they like. Like the heiress, most of them simply choose to use their free time to continue working and accumulating more wealth.

On the other hand, it would be even more implausible to say that affluent professionals lack their fair shares of free time because, while they each enjoy a fully adequate amount, they systematically have *less* of it than other workers have. For, as we have already seen above, this description is in fact the opposite of the truth. Precisely because they have been allowed to accumulate much more wealth, affluent professionals must be understood

to enjoy a much larger share of free time than almost anyone else.² Accordingly, it is hard to see why any new laws would be required to give affluent professionals their *fair share* of free time.

4. A UNIVERSAL FLEXIBLE WORK POLICY WOULD BE STRONGLY REGRESSIVE

I take it that for some readers this will not be a welcome result. Suppose, then, that in determining how long a given affluent professional must work to satisfy her basic needs, we deliberately disregard the types of facts outlined above. For example, suppose we say, with Rose (2016: 90-92), that each person is entitled to a fair share of free time *in the occupation of her choice*, so that if an interior designer with a middling full-time income could instead run a much more lucrative law practice part-time, this is to be regarded as irrelevant to the question of how many hours per month it is objectively necessary for her to be employed in order to pay her mortgage and cover all of her other bills. Similarly, suppose that we disregard the fact that she could sell one of her luxury cars and relocate to a much less expensive house, as well as the fact that she is among the one in seven Americans who was fortunate enough to inherit the equivalent of the median lifetime labor earnings of the bottom half of all workers³ – and that she could easily use some of this nest egg to cover the equivalent of the average family's monthly housing and other expenses, without spending any time at all in paid work.

If we disregard these types of facts, then even the most asset-rich and privileged professionals may well turn out not to have access to their fair shares of free time, just as long as the bosses in their chosen professions expect them to be at the office at all hours (because they pay them so handsomely for it). Against the background of such deliberate informational restrictions, however, the requirement that public policy must continually guarantee each person a fair share of free time will now turn out to be strongly economically regressive.

For consider. If investment banks, elite law firms, and similar employers are ordered to give their highest-paid employees generous paid parental and

² Again, assuming no unusually time-consuming bodily needs, this conclusion follows straightforwardly from Rose's conception of free time. On this conception, a person's free time on any given day is simply twenty-four hours minus the number of hours that she has to work to be able to buy food, adequate shelter, and to meet all of her other basic bodily and financial needs. So, if someone already has enough wealth to live comfortably even without having to work, then, as long as she does not have unusually time-consuming bodily needs, she must be understood to have much more free time than the average person currently has.

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caregiver leave, then, not being able to squeeze their costliest employees as much as before, the corporate profits of these employers are sure to erode, and, therefore, also the tax base for downwardly redistributive transfers, including wage subsidies for much poorer service-sector workers. Moreover, even if an exception is made for such elite employers, requiring them to guarantee only *unpaid* leave to their highest-paid employees, then the tax base is *still* likely to shrink. For when richly-paid yet harried professionals are guaranteed not to be fired for taking ample unpaid time off, we can expect that many will choose to spend fewer days and months in paid work, thereby generating that much less salary income that can be taxed by the state. And yet, with less tax revenue available for general government spending and redistributive programs, either some of the state's spending will have to be cut or other – less well-paid – people will have to continue to work at least as much, if not more, than they currently do.

In short, we have arrived at a dilemma. On the one hand, there is reason to affirm that each and every person has a claim to some substantial amount of free time. Presumably, then, affluent professionals who work for absurdly demanding bosses should be understood to have a claim to more humane overtime regulations, more flexible work schedules, and so on. However, in order to count such people as having to work at all (let alone as being forced to continue working at their current jobs), we must deliberately disregard not merely their spending habits but their existing housing and financial wealth. And yet if we decide to disregard their wealth, and if we then go on to provide (even) affluent professionals with more free time in the occupations of their choice, then the aim of continuously guaranteeing each person some reasonable amount of free time will turn out to be strongly economically regressive. For when harried corporate lawyers and investment bankers are suddenly rendered safe from being fired for refusing to work on weekends, many of these exceptionally well-paid professionals will undoubtedly choose to work less and thereby reduce the redistributive tax base. As a result, less revenue will be available to subsidize the wages – and therefore also the free-time – of workers who have decidedly less of both.

On the other hand, if we try to avoid this outcome by acknowledging a person's wealth in the course of assessing what she does and does not have to do to meet her basic needs, then it will turn out that many highly-paid yet seemingly harried professionals will not need any new type of working-time regulations in order to count as enjoying a truly extraordinary amount of free time. The reason is that many of these people are already wealthy enough not to have to work anywhere near as long as they do. Indeed, many educated and affluent professionals could henceforth work strictly part-time at more or less any minimum wage job, and could even drop out of the

paid labor force altogether for years at a time, without ever seriously risking the non-satisfaction of their own or their dependents' basic needs. These are time-use possibilities that the vast majority of service-sector workers today can only dream of. Hence it seems that, if only we consider the time-use possibilities afforded by their wealth, many affluent professionals will have to be regarded as already having been blessed with a truly extraordinary amount of free time. However, if that is the case then it is difficult to see why, from the point of fairness, such persons should be entitled to even more free time at what will then be others' expense.

5. CONCLUSION

As I have already hinted, the dilemma described in this essay emanates from a deeper question facing not merely Rose but also other egalitarian liberals. Namely, in a liberal society, the distribution of wealth and income is also a principal basis for distributing free time. People who are penniless are typically expected to work long hours in order to survive, whereas people who inherit or accumulate substantial wealth are free to spend their days however they like. As a result, the wealthy generally enjoy both more wealth as well as more free time. In a liberal society, are there other ways that freedom itself is tied up with economic class? This is the deeper question that rises to the surface on a close reading of Rose's *Free Time*.

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