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A Republican Right to Basic Income?*

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1. Introduction

The basic income proposal provides everyone in a society, as an unconditional right, with access to a certain level of income. Introducing such a right is bound to raise questions of institutional feasibility. Would it lead too many people to opt out of the workforce, for example? And even if it did not, could a constitution that allowed some members of the society to do this – at whatever relative cost – prove acceptable in a society of mutually reciprocal, equally positioned members? I assume in this short essay, however, that none of these problems is insurmountable. I concentrate on the question of how far republicanism makes room for justifying something like a right to basic income, assuming that there are no problems of this kind with introducing and establishing such a right.

Any satisfactory argument for a basic income should satisfy two desiderata. First is that of *adequacy*: the argument should establish a right to an intuitively

* I am indebted to David Casassas and Jurgen De Wispelaere for their editorial assistance, and for some helpful discussion of the issues.

adequate level of income.¹ Second is that of *independence*: the argument should establish a claim to a nonnullifiable, nonstigmatizing basic income.

These desiderata should be relatively uncontroversial. The defenders of a basic income have all had an adequate income in mind, by some intuitive criterion of adequacy. And they have wanted to make such an income available as a right that is not subject to provisos about existing means, employment history, willingness to perform certain services, or anything of the kind (Van Parijs, 1995; 2001). The attraction of republican political theory is that it underwrites a basic income scheme argument that satisfies both of these desiderata better than do alternative schemes.

2. Utilitarian and Liberal Alternatives

Utilitarian theory makes a very good case for a financially adequate basic income, but it is not clear that it could satisfy the independence desideratum. If the government used the utilitarian criterion in making distributional decisions, it might turn out by happy accident that promoting utility would argue for giving each a basic income. But, that would not mean that people would enjoy basic income as a right; they would enjoy it only so long as this was for the utilitarian best.

A plausible liberal argument for a right to a basic income must offer a *liberal* reason – related to the cause of liberty rather than utility – for establishing a legal right to a basic income in every society. And that liberal reason ought to provide a more plausible ground than the utilitarian counterpart for establishing and maintaining such a regime.

First, let liberty be understood, in the spirit of contemporary liberalism, as the absence of interference by others. In particular, let it be understood as the absence of interference in the basic liberties: the absence of interference, roughly, in the harmless exercise of liberties of belief, expression, association, ownership, and the like. The cause of promoting the traditional basic liberties is unlikely to argue, in that case, for a regime in which everyone has a right to a basic income. Possessing those liberties will be maximized by inhibiting those who would interfere. And it is unclear what role a basic income policy would play in such a regime of inhibition.

Philippe Van Parijs (1995) directs us to a second, more promising way of arguing for a basic income right from within a broadly liberal vision. He argues

¹ For an attractive way of identifying an adequate level, refer to Amartya Sen's notion of basic capabilities (Sen, 1985; Nussbaum, 1992).

that we should reject the distinction between the absence of maltreatment by others that allows us the possession of liberal liberties and the absence of natural or social obstacles that gives value to the possession of those liberties, enabling people to exercise them with greater ease or in a greater range of cases (Rawls, 1971). We should treat intentional obstruction and unintentional limitation on a par – we should see each as a variety of liberty-reducing interference. Since each reduces our choices, they are equally opposed, as Van Parijs says, to “real freedom.” As we establish rights to legal protection against intentional interference, we should also establish legal rights against having to endure remediable limitations. And such rights might well include the right to a basic income.

But even this derivation of a basic income right is not fully satisfactory. For it is implausible to treat unintentional limitation as being as bad, in the ledger of liberty, as is intentional interference. If someone stands in my way, that’s a different sort of challenge to my liberty than the challenge provided by the tree that has fallen in my path. If someone threatens me with harm if I take a particular action, that is a different sort of challenge than one which occurs when someone warns me that I will suffer harm, say from natural causes, should I take that action. It is entirely plausible to provide people with rights against intentionally imposed harm from others but not so plausible to provide them with rights against unhappy twists of fate, if the rights are supposed to be freedom-based.

We see that utilitarian premises do not provide an argument for a suitably entrenched right to a basic income. The premises invoked in this liberal approach might argue for such a right but are not suitably compelling. This approach is indifferent to the contrast, marked in traditional discussions of liberty, between the ill of being restricted by natural obstacles and the evil of being subject to the intentional constraints of others.

3. The Republican Turn

Republican political theory can make a firmer and more persuasive case for a right to basic income than any of these approaches.² In particular, it can satisfy not just the adequacy desideratum but also the independence desideratum – i.e. the desideratum that utilitarianism would fail and that liberalism would satisfy only at the cost of rigging the requirements of freedom.

² For a congenial, republican case for basic income – which I had not known about when I wrote this piece – see Raventós (2007).

The basic distinction between republican and liberal political theory is that the former construes freedom, not as the absence of interference by others, but as the absence of a certain sort of dominating control. Let us say that others control me to the extent that their presence in my life raises the probability of my acting according to their tastes. And let us set aside the reasoned and nondominating variety of control exercised when others give me advice or information on a take-it-or-leave-it-basis. Let us focus instead on *unreasoned* control.

Unreasoned control – henceforth, called “control” – may be exercised through interference, such as when others remove an option, replace it with a penalized alternative, or reduce my capacity to choose rationally, whether by exploiting a weakness or inducing false beliefs. But control may also manifest without such active interference. Suppose that others are in a position of being able to interfere in any of those ways that gets me to behave according to their tastes. And imagine that they decide to interfere only on a need-for-action basis. They leave me alone so long as I behave according to their taste, but they are ready to interfere if I begin to deviate from that pattern – or if their taste changes.

Such agents control what I do, whether or not I realize it, even when they find no reason to interfere actively. They exercise control by invigilating my behavior, monitoring it with a view to interfering when necessary – and only when necessary. If I manage to act as I choose, I am lucky; I happen to choose as they want me to choose. Whatever I do, then, I do by their implicit leave. In the words of the old republican complaint, I act only *cum permissu*: only with permission.

The view that unreasoned control takes away liberty and that it may assume a wholly invigilatory character is just the view, in more traditional terms, that liberty requires nondomination. I will escape domination only to the extent that I occupy a protected position and am empowered against such control on the part of others. My freedom will consist in that protected and empowered status.

Let liberty be restricted to the possession of the basic liberties: that is, let those liberties define the domain of freedom and let freedom require the mere possession of those liberties (Pettit, 2008). We can still argue for a right to a basic income, so long as the possession of those liberties is taken to require not just the absence of interference by others in the relevant areas of choice but also the absence of unreasoned control – the absence of domination (Pettit, 1997; Skinner, 1998; Viroli, 2002; Pettit, 2007c). The cause of promoting basic liberties in this republican sense does markedly better than the alternative justifications we have been considering.

The argument is straightforward. Others will control me, if only in the merely invigilatory fashion, only to the extent that the division of powers between us means that they can interfere with me at will – that is, without prevention – and at tolerable cost, i.e. with a degree of impunity. If I am not assured a basic income, there will be many areas where the wealthier could interfere with me at tolerable cost, without their being confronted by legal prevention of that interference.

Suppose there are just a few employers and many available employees, and that times are hard. In those conditions I and those who like me will not be able to command a decent wage: a wage that will enable us to function properly in society. And in those conditions it will be equally true that we would be defenseless against our employers' petty abuse or their power to arbitrarily dismiss us. Other protections, such as those that strong trade unions might provide, are possible against such alien control. But the most effective of all protections, and one that should complement other measures available, would be one's ability to leave employment and fall back on a basic wage available unconditionally from the state.

Next suppose that you live in conditions where you, and perhaps your children, depend financially on your husband. In such conditions he is likely to control you, even though he never resorts to violence or other abuse. He may let you act as you please within certain limits, while being disposed to stop you – at the limit, by leaving you – if you breach those limits. You would live under your husband's control, almost certainly straining to keep within his restrictions, unless there is an effective, financially viable alternative such as that which a basic income would provide. Other protections may be available here as in the first case – for example, he may be legally required to provide maintenance should you separate – but these are unlikely to be equally effective and in any case they will be powerfully supplemented by a basic income.

Such examples show it to be entirely plausible that promoting the resilient, republican possession of basic liberties argues for establishing a legal right to a basic income. Such a right would mean that people had adequate income for functioning properly in society. And that income would mean that people would not have to beg the favour of the powerful, or even of the counter-clerk.

However, why give the basic income right to all, not to only those in need? A number of considerations might argue for this provision. A universal right of the sort imagined would resist electoral pressure for change better than would a needs-tested right, since it would benefit everyone in common, thus being a more entrenched and firmer bulwark against domination. A universal right

would mean that those who rely on the basic income – distinct from the independently wealthy – will not have to assert their right on the grounds of being a class apart: people who depend on others' goodwill and are easier targets of control and domination. And a universal right symbolizes the fundamental equality of all in relation to the collective provisions of government; only some will depend on the basic income that all receive, but all can see that the income is there to depend on, should they themselves fall on hard times.

Would government itself exercise dominating control in establishing a basic income regime? Would it do so, for example, in relation to the wealthy who are the net creditors in the effected redistribution? As a matter of logic, the liberal government that interferes with people in order to reduce overall interference will have to take liberty-as-noninterference away from some in order to increase such liberty overall. But the government that interferes with people in order to reduce overall domination may not have to take liberty-as-nondomination away from any in order to increase such liberty overall. There is no similar necessity of logic here.

If I can stop a certain pattern of interference that you practice, or if I can make it too costly for you to continue it, then my allowing it does not mean that I am dominated. If I allow you to keep the liquor cabinet key or to hide my cigarettes, you still interfere with me when you act under that permission. But your interference will not be control or domination; the interference will be controlled or nonarbitrary.

Does the interference that government might practice in establishing a right to a basic income count as a controlling or dominating form of interference in the lives of those of us who are relative losers? Under appropriate conditions, it can be held to be controlled and nonarbitrary.

Let the activity of government in establishing a basic income right have to be supported by considerations that all of us explicitly or implicitly take to be relevant in public decision-making. And if it is not uniquely supported by considerations of that kind, let it be chosen from among acceptable candidates on the basis of some procedure – say, a parliamentary vote or even a referendum – that is supported by such considerations. To the extent that such conditions obtain, one can plausibly say that the measure introduced is an exercise of controlled interference, and so not dominating in itself (Pettit, 2007a; Pettit, 2007b). The wealthy individuals who are relatively disadvantaged by the measure will not themselves exercise the required checking. But the co-governed people as a whole will exercise such checking; and if they do so by implementing

a regime of common reasons or values, then they can be thought of as acting in a way that does not discriminate between wealthy and poor.

4. Conclusion

Utilitarianism fails to provide premises that would persuasively support a basic income right, because they would not argue for a suitably firm and universal right. Liberalism, even the left variety of liberalism, would not persuasively support a basic income right because the premises it has to invoke for the purpose, given a conception of freedom as noninterference, are not suitably compelling; they make freedom depend, not just on the possession of the basic liberties, but on the absence of natural obstacles to the exercise of those liberties.

Only republicanism serves well in the required role. The premises it invokes are inherently and independently persuasive, deriving from a well-established conception of freedom as nondomination. And, absent problems of feasibility, they give us plausible grounds for arguing in favor of a dispensation in which people enjoy a universal right to a basic income.

References

- Nussbaum, M. (1992) "Human Functioning and Social Justice," *Political Theory* 20 (2), pp. 202–246.
- Pettit, Philip (1997) *Republicanism: A Theory of Freedom and Government*. Oxford: Oxford University Press.
- Pettit, Philip (2007a) *Examen a Zapatero*. Madrid: Temas de Hoy.
- Pettit, Philip (2007b) "Joining the Dots," in M. Smith, H. G. Brennan, R. E. Goodin and F. C. Jackson (eds.) *Common Minds: Themes From the Philosophy of Philip Pettit*. Oxford: Oxford University Press.
- Pettit, Philip (2007c) "Republican Liberty: Three Axioms, Four Theorems," in C. Laborde and J. Maynor (eds.) *Republicanism and Political Theory*. Oxford: Blackwell.
- Pettit, Philip (2008) "The Basic Liberties," in M. Kramer (ed.) *Essays on H. L. A. Hart*. Oxford: Oxford University Press.
- Raventós, Daniel (2007) *Basic Income: The Material Conditions of Freedom*. London: Pluto Press.
- Rawls, John (1971) *A Theory of Justice*. Oxford: Oxford University Press.
- Sen, Amartya (1985) *Commodities and Capabilities*. Amsterdam: North-Holland.
- Skinner, Quentin (1998) *Liberty Before Liberalism*. Cambridge: Cambridge University Press.
- Van Parijs, Philippe (1995) *Real Freedom for All: What (If Anything) Can Justify Capitalism?* Oxford: Clarendon Press.

Van Parijs, Philippe (2001) "A Basic Income for All," in J. Cohen and J. Rogers (eds.)
What's Wrong With a Free Lunch? Boston: Beacon Press.
Viroli, Maurizio (2002) *Republicanism*. New York: Hill and Wang.

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