

AXEL GOSSERIES & YANNICK VANDERBORGH, EDITORS

Arguing about justice

ESSAYS FOR
PHILIPPE VAN PARIJS



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UNIVERSITAIRES
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Abstracts

Linguistic note

In order to pay tribute to Philippe's attachment to linguistic diversity, abstracts throughout the volume are provided in a variety of languages. However, out of concern for linguistic maximin, the reader will also find hereafter abstracts in the international lingua franca.

Using the internet to save journalism from the internet 41

Bruce Ackerman

I sketch a scheme of internet-vouchers for newspapers that will provide an alternative model for serious journalism now that the internet is killing the newspaper's traditional business model. The scheme is of special importance for non-English newspapers, whose language base is not large enough to sustain the advertising-only strategies that may be feasible for at least a few serious newspapers in the English speaking world.

Marriages as assets? Real freedom and relational freedom 49

Anne Alstott

In *Real Freedom for All*, Ph. Van Parijs characterizes jobs as scarce, external resources that may justifiably be taxed in order to fund a basic income. Surprisingly, Van Parijs notes, in passing, that a tax on scarce marriage partners might possibly be justified on similar grounds. This essay revisits the analogy between jobs and marriages and concludes that marriage partners are not in principle scarce, although in practice they are. It follows that the first-best course of action is for the state to take measures (including basic income, national service, online dating regulation, and liberalization of marriage laws) to ensure fair access to marriage partners for those who wish to marry. In the absence of such reforms, a tax on marriage partners might be a defensible second-best measure.

The guaranteed income as an equal-opportunity tool in the transition toward sustainability 61

Christian Arnsperger & Warren A. Johnson

This paper sketches an argument in favor of a guaranteed income scheme as an essential tool for a transition toward more humanly and environmentally

sustainable, frugal forms of economy in wealthy countries. In today's social democracy, citizens' choices as to the kinds of economic mechanisms they accept and want to live under are too restricted. We therefore present the case in favor of broadening the notion of equality of opportunity significantly beyond the one our societies are implicitly using nowadays in their social policies. We then draw the implications from this in terms of an "Economic Transition Income" (ETI), designed to encourage citizens to act on their desires for systemic change and experiment with alternative economic arrangements. This scheme would, in our view, embody the ideal of a genuinely just society in these times of ecological and social turmoil.

The ideal of self-development: personal or political?

71

Catherine Audard

This paper explores the paradoxes and inconsistencies of the ideal of self-development with respect, primarily, to the contested question of the Self. This ideal has been very influential in the works of Hegel, Marx, and Mill, and continues to be so. However, it has been distorted and impoverished by a narrow psychological understanding that dominates our culture of success and results. I show that these wide-ranging inconsistencies clarify once we look at the concept of self-development as a political one. It only makes sense as a political and ideological, not as a psychological reality, and it requires specific political contexts and institutions to acquire any satisfactory content. Whereas self-development could be seen as a selfish liberal and individualistic ideal, it carries in fact a requirement that even successes and flourishing, not only handicaps and failures, are politically-dependent.

Reflections on the limits of argument

79

John Baker

It is common knowledge that people's beliefs are determined by many factors. Having a good argument is only one of them. What are the implications of this fact for egalitarian political theorists who hope to contribute to social change? I argue that our arguments may do more to strengthen the confidence of our allies than to change the opinions of our opponents.

Taxation, fees and social justice

87

François Blais

Public authorities do provide many services, with a variety of goals in mind (justice, efficiency, stability, etc.). There are several ways to fund public services. Based on a conception of justice inspired by Ph. Van Parijs, this paper explores the respective advantages and limitations of *general taxation*

versus *user fees*. I conclude with a few recommendations, taking into account the fiscal pressure that Western countries currently have to face.

Real freedom for all turtles in Sugarscape?

93

Paul-Marie Boulanger

Sugarscape is an artificial world created by Epstein & Axtell with the aim of reproducing “in silicon” the emergence of collective properties and complex social structures from the interplay of very simple heterogeneous agents (called here “turtles”) struggling for survival in a simplified ecosystem. Building on the original Sugarscape model (Sugarscape 1) we simulate and compare two dramatic improvements in the conditions of these creatures with respect to the original model. In Sugarscape 1, the turtles act on a purely individualistic way, wandering on the landscape in search of the only available renewable resource (“sugar”) in danger of dying if they don’t find the indispensable amount of energy for surviving. In Sugarscape 2 they benefit from a conditional allowance in case they get stuck in a sterile part of the landscape, while contributing to the common granary in proportion of the sugar they harvest. The alternative improvement (Sugarscape 3) consists of an unconditional basic sugar income, granted to all turtles irrespective of their accumulated wealth or foraging activity. We compare the three worlds with respect to the number of agents still alive after 100 runs, the different survival probabilities according to talents and basic needs, and the wealth distribution.

Linguistic diversity and economic security are complements

105

Samuel Bowles

It is widely thought that linguistic and other forms of cultural diversity within nations are an impediment to public support for policies of egalitarian redistribution and economic security. I show that policies that reduce economic insecurity and practices that result in cultural standardization are substitutes; more of one reduces the value of the other. Or to put it more positively, linguistic diversity and economic security are complements: each enhances the citizens’ benefits of having more of the other.

Legitimate partiality, parents and patriots

115

Harry Brighouse & Adam Swift

The paper applies our ‘relationship goods’ approach to the topic of legitimate partiality between compatriots. By attending to the specificity of

the goods produced by national relationships, and the kinds of partiality necessary for their production, we apply pressure to the analogy between families and nations. Distinguishing between national and political relationship goods, and making some general points about the gap between claims about the value of such goods and legitimations of partiality in particular circumstances, we emphasize the limits of the analogy.

Individual responsibility and social policy.

The case of school allowances and truancy

125

Bea Cantillon & Wim Van Lancker

Over the past decades, tensions between the foundations of the welfare state have emerged in a more pronounced shape. Whereas social policy used to be primarily about redistribution and protection, current discourse increasingly refers to individual responsibility, merit and accountability. Using the Flemish disciplinary policy on truancy and school allowances as case in point, we demonstrate that this paradigm shift inevitably leads to a more stringent standard of reciprocity, which the most vulnerable will not always be able to meet. This implies an erosion of the ideal of social protection and encourages new forms of social exclusion.

Distributing freedom over whole lives

135

Ian Carter

Many egalitarians, among whom "real libertarians" like Ph. Van Parijs, wish to assess distributions of freedom in a way that takes into account each person's whole life. Is the policy outcome of such a normative stance basic income (an income allocated at regular intervals during each person's life), or basic capital (a lump sum allocated only once to each person, at the beginning of her life)? The former answer depends on an "end state" interpretation of the concept of "freedom over whole lives"; the latter depends on a "starting gate" interpretation of that concept. On the basis of a reductionist conception of the person (due to D. Parfit), together with a particular idea of respect for persons (called "opacity respect"), it is possible to justify a combination of these two interpretations, and with this, the libertarian prescription of a combination of basic capital and basic income.

Love not war. On the chemistry of good and evil

145

Paula Casal

The paper presents a novel hypothesis about the origins of a number of morally relevant traits found in hominids, elephants and some cetaceans, including self-awareness and the ability to take the perspective of others and to respond to their needs. The hypothesis relates those traits to high levels of

maternal investment and oxytocin. The paper then explores the ethical implications of the hypothesis, and other findings regarding oxytocin and testosterone. It begins with the connection between oxytocin and morality, testosterone and crime, and it ends with some hormone-based proposals to re-engineer democratic institutions and to enhance humanity genetically.

Why do we blame survivors?

157

Jean-Michel Chaumont

This paper explores the distant, classical and perhaps even older origins of what has come to be known as the "blaming the victim" syndrome. It starts from the following hypotheses. The syndrome was originally directed toward a heterogeneous group of people – the "dubious survivors", warriors who remained alive after their side's defeat and raped women being paradigmatic examples. The paper focuses on the persistence of this syndrome, through the study of derived figures such as posthumously stigmatized assassinated Jewish masses and *Muselmänner* in Nazi extermination camps. Recent changes in the social reactions to such situations are then connected with the evolution towards more individualistic societies.

Why big ideas never change society

167

Denis Clerc

Ph. Van Parijs has shown that basic income allows to combine social justice and individual freedom, two goals that are often considered to be incompatible. Why, then, does it remain so low on the political agenda? Probably because its implementation would generate such a big bang in our complex societies, a risk that no government is ready to take. This is why we should rather try to approach this goal gradually, be it through very small steps.

Cooperative justice and opportunity costs

173

Laurent de Briey

In a joint article on linguistic justice, Ph. Van Parijs and I set out to define a criterion of cooperative justice whereby it is possible to determine an apportionment of the costs of production of a public good among cooperating agents. The proposed criterion, i.e. a sharing of costs proportionate to the benefits derived by each cooperant, did not take opportunity costs into consideration. After having shown that the non-factoring of this can render cooperation not worthwhile for some cooperants, the present text proposes a revision of our criterion of cooperative justice integrating opportunity costs.

Too much punishment and too little forgiveness in the Eurozone 183

Paul De Grauwe

The debt crisis that hit the eurozone in 2010 forced European leaders to develop new solutions to deal with the crisis. These solutions have been misguided by the idea that sanctions should be imposed everywhere in the system. I argue that too much emphasis was put on designing punishment mechanisms to deal with the crisis and to prevent future ones and that a greater role should be given to forgiveness.

Talking about democracy 191

Kris Deschouwer

Democracy is a contested concept. This means that the word has and receives different meanings. Yet we do use it a lot. Political science also talks a lot about democracy and increasingly so by assuming that it is facing a crisis. This assumption defines democracy as a process of political participation and representation. Citizens are therefore often asked whether they still trust democracy. But citizens are seldom asked what they actually mean by 'democracy'. Recent research in Belgium has shown that democracy means different things for different groups in society. And quite striking is the fact that language plays a role in this respect as well. Those who talk about democracy in Dutch are to some extent talking about different things than those who talk about it in French.

Let's Brusselize the world! 199

Helder De Schutter

In several articles, especially in 'Must Europe be Belgian?', Ph. Van Parijs has argued that language policies in Europe and worldwide should be designed in a 'Belgian' way. This Belgian solution implies that territories should be officially monolingual, which is essentially the case in the Belgian regions of Flanders and Wallonia. However, Belgium has a third region, Brussels, with an official *bilingual* language policy. Philippe argues for the universalization of the Flanders/Wallonia model. I argue for the opposite position: the universalization of the Brussels model.

Translations: economic efficiency and linguistic justice 207

Jacques H. Drèze

Every EU official document is currently translated into every one of the 23 official languages of the Union. It is highly improbable that the benefits of all these translations cover their cost. From an economic viewpoint, translations are public goods. The pure theory of public goods offers a finite algorithm permitting identification of a subset of languages into which systematic

translations would be efficient, with some leeway for the country-sharing of the associated net benefits. Applying the principles of cooperative justice, de Briey and Van Parijs advocate equating across countries the ratios of costs to benefits associated with translations. The present note contrasts and integrates these two approaches.

If Marx or Freud had never lived?

219

Jon Elster

In this paper I focus on the following counterfactual question: what if Marx or Freud had never lived? On the one hand, I look at their respective impact on the well-being of humanity and, on the other hand, at their impact on social theory. I also ask whether other writers or politicians would have taken their place and accomplished what they did. With the usual reservations and hesitations, I conclude that both the world and our understanding of it would have benefited had they never been born.

English or Esperanto: a case for levelling down?

229

Marc Fleurbaey

It is argued here that, in contrast to the distribution of well-being, the distribution of status may exceptionally provide cases in which levelling down is, all things considered, desirable. The adoption of Esperanto rather than English as the lingua franca in the context of Ph. Van Parijs' linguistic justice appears to be an example, even if well-being considerations also interfere and sway the preference in favour of English.

The breeder's welfare state: a cautionary note

237

Robert E. Goodin

Many argue for generous welfare states as a way of countering declining birth rates. But falling birth rates might be good, not just for the environment but also for welfare. Per capita wealth will probably be higher, and its distribution may well be more equal. Declining birth rates do pose a problem for Pay-As-You-Go pension systems, but it is a one-off problem of transitioning to a fully-funded system – a problem which could be solved by earmarking the next big social windfall (like North Sea oil) for the purpose or, failing that, by a special surcharge on the tax paid by one generation on bequests they receive from the previous generation.

A mobile water project:**mobile-for-development meets human-centered design**

245

*Sangick Jeon, Eran Bendavid, Joshua Cohen,
Katherine Hoffmann, & Terry Winograd*

We describe a mobile-for-development project called M-Maji, Kiswahili for "M[obile]-water." Still in its early-stages, M-Maji aims to improve access to clean water—and thus improve human welfare and real freedom—in informal settlements in developing countries by using mobile technologies that have become widely accessible in even the lowest-income communities. Mobile development projects of this kind are often ineffective because they focus too much on technological solutions and are inattentive to user needs, preferences, and capacities. To avoid this limitation, we develop M-Maji using "human-centered design"—an approach to design that is anchored in ethnographic engagement with end-users. If M-Maji works, it will empower disadvantaged communities with better information about water availability, price, and quality.

Prospects for basic income: a British Perspective

253

Bill Jordan

As the idea of Basic Income becomes more of a practical possibility, the political basis for its implementation grows in importance. Among the available rationales for its introduction are to combat the polarisation of incomes through globalisation and to curb the perverse effects of tax-benefit interactions. This paper argues that the proposal should be linked with a global social movement to address the precarious future of the young generation.

Should a Marxist believe in human rights?

261

Justine Lacroix

For most commentators, there is a radical opposition between Karl Marx's thought and the claims made for human rights. This interpretation has recently been shaken by David Leopold. In his book devoted to the young Karl Marx, he affirms that there is little sign of any hostility to the concept of rights in Marx's early writings. Leopold's reading is not truly convincing. It seems difficult to deny that Marx remained in thrall to the ideological narrative of rights, without grasping what they might mean in practice and how they might be agents of radical change. Nevertheless, one can still argue that Marx's thought suffers from a logical incoherence on the issue of rights and that it provides at its core the tools to resist the attacks made against human rights.

Why has Cuban state socialism escaped its "1989"?

Reflections on a non-event

269

Claus Offe

In this essay, I summarize 11 claims presented at the Cuban Academy of Sciences in 2009. The setting was one of a quasi-experimental provocation intended to encourage a small audience of invited academics and experts to think about the future of the country and the Cuban model in terms of options, institutional learning, and decisions to be made – rather than in terms of fatalistic assumptions concerning the continuity of a system of political and economic order that is both petrified and evidently (as well as tacitly even known to be) unsustainable. While Cuba had so far escaped the implosive regime changes that occurred in Central and Eastern Europe in the 80s and 90s, I tried to convince the audience to consider elements of both liberal democracy and a private market economy as desirable vehicles of progressive societal learning and development. Unlike what can be observed about social democracy in much of the West, such institutional innovations do not necessarily stand in the way of socialist goals of socioeconomic justice and political autonomy.

A universal duty to care

283

Ingrid Robeyns

The most fundamental human need is the need to be properly cared for. While it is important that care arrangements be just, they are confronted with a dilemma: on the one hand a just treatment of care requires its revaluation; on the other hand such a revaluation can lead to a more unequal distribution of care. Can a universal citizen's duty to care contribute to a solution to this dilemma?

The ideological roots of inequality and what is to be done

291

John E. Roemer

Anti-state political philosophy, exemplified by that of Robert Nozick, has supplied an ideological basis for contemporary inequality. Economic theory has contributed as well: the transformation of focus from general-equilibrium theory to contract theory is associated with a view that the main function of the market is to provide incentives, rather than to coordinate economic activity. The focus on incentives has led to pessimism with regard to the feasibility of redistributive taxation. I argue that that the focus is misplaced, and the extreme polarization of incomes that characterizes the American economy is not a necessity of economic efficiency, but indeed hinders it.

Philosophers and taboo trade-offs in health care

303

Erik Schokkaert

Psychologists have shown that human beings have difficulties with trade-offs between sacred values such as life and health, and vulgar values such as material consumption – and that they will therefore look for escape routes to avoid them. Priority setting in health care is a typical example of such trade-offs. I suggest that the procedural approach proposed by Daniels and the hypothetical approach proposed by Dworkin share important features with some of these psychological escape routes. This insight as such is not an argument to reject these sophisticated theories. Yet, it may help to see their shortcomings more clearly.

Multilingual democracy and public sphere.

What Belgium and the EU can learn from each other.

311

Dave Sinardet

Democratic theorists argue that transnational polities such as the EU cannot be considered democratically legitimate if corresponding public spheres do not develop. In this respect, the existence of merely national mass media, strongly focused on a national context, is considered problematic. However, this debate does not take into account that a federal multilingual polity such as Belgium deals with similar issues: media are organised on the level of the language communities and the content they produce does not allow us to speak of the existence of a federal public sphere. The case of Belgium either suggests that the premises and expectations of those arguing for transnational public spheres are unreasonable, or that the Belgian federation also faces a democratic legitimacy problem. We argue that the public sphere parallels between Belgium and the EU, can be partly explained by institutional similarities, mostly regarding party and electoral system. Therefore attempts to stimulate the development of public spheres at the level of Belgium and the EU should not so much focus on media reform, than on institutional reform.

On genetic inequality

321

Hillel Steiner

Theories of distributive justice that employ starting-gate conceptions of equality are commonly criticised for failing to underwrite a more than merely fleeting equality: their initially equal distribution of natural resource values is too easily transformable into sets of vastly unequal entitlements through persons' iterative exercises of their unchosen and vastly unequal productive talents. This essay argues that this criticism is refutable inasmuch

as such theories can plausibly extend their conception of natural resources so as to entail the elimination of unchosen inequalities of productive talent.

A federal electoral district for Belgium?

An appraisal with three amendments inspired by the Swiss experience 327

Nenad Stojanovic

Should some of the Belgian MP's be elected in a single federal electoral district? This paper endorses such a proposal, advanced by the Pavia Group. It claims that it might bring a significant centripetal element in the Belgian consociative model. Nevertheless, one aspect of the proposal – the linguistic quotas – creates at least two problems: (a) the legitimacy problem, and (b) the problem of non-territorial quotas. By drawing lessons from the Swiss experience, this paper proposes three amendments to the Pavia Group proposal: a geometric mean to fill the seats reserved for each region, territorial instead of linguistic quotas, and a majoritarian electoral system instead of PR.

Towards an unconditional basic income in Brazil?

337

Eduardo Matarazzo Suplicy

In this chapter, I reflect on the history of basic income in Brazil, based on first hand political experience. First, I detail how basic income came to inspire concrete policies in my home country. Second, I focus on the main social assistance program in Brazil today, the *Bolsa Família*, which is widely regarded as one of the examples to be followed by other developing countries. Third, I explain why I think that a Citizen's Basic Income (CBI) remains superior, in many ways, to such a conditional scheme. Finally, I try to show how we can move towards a true CBI in Brazil.

Is it always better to clear up misunderstandings?

347

Luc Van Campenhoudt

Despite our inability to fully understand each other, we still try hard. As a result, we unavoidably end up with misunderstandings. Is this a problem? I argue that misunderstandings are not just *inherent* in human interactions and community life; they are also *essential* to it, for reasons having to do with respecting each other's autonomy, preserving our capacity to surprise one another, and to act together despite the diversity of motivations that move each of us. Such a positive conception of misunderstandings carries some unexpected implications, including for our methods in the humanities and social sciences.

Why auntie's boring tea parties matter for the fair distribution of gifts 355

Robert van der Veen

Van Parijs's case for the highest unconditional basic income asserts that the benefits of unequally held *gifts* - such as inheritances and scarce jobs - should be redistributed by means of taxation, to serve the goal of maximizing the *real freedom* of the least advantaged. Invoking Dworkin's egalitarian auction model, Van Parijs argues that the fairest way of sharing the tax yield is to give all an equal share, regardless of willingness to work. In this chapter, however, I show that some gifts command auction prices which reflect a reward for the work required to obtain their benefits. If this outcome of the auction is properly taken aboard, then a fair redistribution of the tax yield must - at least in part - be conditional on people's willingness to work.

Lamentation in the face of historical necessity 367

Nicholas Vrousalis

Marxists are committed to the elimination of exploitation of man by man. But they also believe that, for long stretches of history, exploitation is historically necessary. These two claims are in practical tension. As Engels would have it, this tension causes 'the leader of an extreme party' attempting premature revolution to be 'irrevocably lost'. This brief note argues against a Marxist attempt to alleviate this tension and sketches the moral predicament of revolutionists faced with it. Historical materialism entails a 'pantragic' view of history.

Self-determination for (some) cities? 377

Daniel Weinstock

Cities have largely been ignored by political philosophers. Yet an ever-increasing proportion of the world's population lives in cities. The lack of fit between the theoretical concerns of political philosophers and the lived social and political realities of so many people is an oddity that needs to be addressed. My intention in this paper is to make a small contribution to that end. I want to make plausible the claim that cities should possess a greater measure of political self-determination than they presently do. In particular, they ought to exercise some degree of authority over what might be termed the *spatial* dimensions of urban life.

**Why we demand an unconditional basic income:
the ECSO freedom case**

387

Karl Widerquist

This essay argues that Van Parijs's notion of "real freedom" does not capture the most important reasons why an adequate social protection system must include an unconditional income. "Real freedom," the freedom to do whatever one might want to do, is neither the most important freedom for people to have nor a freedom that necessarily explains why benefits must be unconditional and large enough to meet a person's basic needs. It might not be possible to determine what kind of redistribution plan gives people the most "real freedom." Instead society must focus on protecting the most important freedoms, especially the freedom of voluntarily interaction and the freedom to refuse involuntary interaction: the power to say 'no'. This understanding of freedom provides a compelling reason why basic income must be unconditional.

Linguistic protectionism and wealth maximimization

395

Andrew Williams

Suppose that a state must choose between making its least wealthy members as wealthy as possible and protecting a particular language as the primary means of communication in public life. If so, does that choice confront the state with conflicting moral requirements? This paper explores two ways of giving priority to the economic interests of the least advantaged members of society that suggest very different answers to this question.

In defense of genderlessness

403

Erik Olin Wright

While reducing inequalities associated with gender constitutes movement in the direction of a just society, ultimately social justice requires genderlessness. The core idea is this: Gender relations are inherently coercive in the sense that they impose socially-enforced constraints on the choices and practices of men and women. This is what it means to say that gender is 'socially constructed'. Such constraints thwart egalitarian ideals of a world in which all people have equal access to the social and material means necessary to live a flourishing life.

The capitalist road to communism: are we there yet?

415

Almaz Zelleke

Twenty-five years after the publication of Van Parijs and van der Veen's provocative "Capitalist Road to Communism," the global economy has achieved the abundance necessary for communism. The means and relations

of production have evolved in a way that makes the elimination of the division of labor, private property, and class divisions—conditions critical to Marx’s vision of communism—possible. A basic income in the context of a global, networked economy, championed by a new and unexpected vanguard class, could fulfill Van Parijs and van der Veen’s original and ambitious claim.

Foreword

This volume is a gift for Philippe Van Parijs, a tribute to his work and friendship. The *Hoover Chair in economic and social ethics*, which Philippe has led since its inception in 1991, turned 20 this year, while the *Basic Income Earth Network* (BIEN), which he co-founded in 1986, turned 25. During this same year, he published two new books, one a collection of essays entitled *Just Democracy* (ECPR Press), and the other a long-awaited monograph entitled *Linguistic Justice for Europe and for the World* (OUP). He also received the Belgian *Ark Award for Free Speech*, a prize created in 1951 by Flemish intellectuals opposed to restrictions on freedom of expression. On top of that, 2011 happens to be the year of his 60th birthday. We had to do justice to such a convergence of circumstances – especially to the latter.

We thought Philippe would prefer a book to a cake. We also wanted to make sure he did not have the book – not an easy task. The safest way was to edit a new one, if possible something slightly more ambitious than the little lighthearted blue book we edited 10 years ago for his 50th birthday.¹ Perhaps unsurprisingly, we quickly managed to convince authors from all over the world, who all respect his ideas and like him as a person, to join this project. We then subjected all contributors to a firm and thick veil of ignorance: they were asked to write pieces trying out new ideas, taking risks if possible, without knowing anything about who the other authors were, their number, the publisher's name, the venue for the gift-giving, etc. As expected, several authors tried to learn a bit more, putting us under some pressure. We firmly resisted their curiosity, so firmly that one of them (whose name we won't disclose) wrote to one of us "You are in the wrong business. You should have been a secret agent!" To the publisher, we referred to the project as "The Secret Book." Now, a few months and hundreds of no less secret e-mails later, the end result is in your hands: fifty authors and forty-one original papers advancing new ideas, including both theoretical arguments and practical proposals.

We do not intend for this introduction to serve as a biographical essay. Writing one would no doubt double the book's size, making this volume even more unaffordable to the least well off. It would be instantly outdated as well, as there is still a lot of Philippe's life and work ahead. We will,

¹ The crazy-lazy connection (eds.)(2001), *Short essays in honour of Philippe Van Parijs's 50th birthday*, unpublished, 56p.

however, highlight three aspects of his personality – the diversity of his interests, his intellectual style and gregariousness, – leaving to others the task of a more balanced and comprehensive biography in the decades to come.

Diversity

The *diversity* of Philippe's research interests is a striking feature of his career, and is duly reflected in the present volume, with contributors from various disciplines covering a wide array of issues. Apart from his early work on epistemological issues, most of the other themes to which he devoted a significant amount of his energy are addressed in this volume.

Papers on the idea of an **unconditional basic income** are of course well represented. They consider how and to what extent such a basic income can be justified (Arnsperger & Johnson, Bowles, Boulanger, Carter, van der Veen, and Widerquist) as well as the prospects of its implementation, based on experiences from France (Clerc), the United Kingdom (Jordan), Brazil (Suplicy), or at a more general level (Zelleke). Other chapters explore a variety of issues in **social policy**, such as education policy (Cantillon & Van Lancker), trade-offs in health policy (Schokkaert), the funding of public services in contemporary welfare states (Blais), and the use of mobile phones to increase access to water in developing countries (Jeon & al).

Eight papers address **linguistic issues**, including whether the protection of specific language groups and the preservation of linguistic diversity can be justified (Bowles, de Schutter, Williams), the implementation of such protections through electoral systems (Stojanovic), the extent to which some linguistic groups owe compensation to others (de Brie, Drèze), the choice of a *lingua franca* (Fleurbaey), and whether a multilingual public sphere is possible (Sinardet).

Some papers focus on issues directly related to **democracy**. Electoral design, for instance, is addressed by Casal (in relation to gender and age), Sinardet (in relation to public sphere issues), and Stojanovic (in relation to federal states), whereas Weinstock focuses on the issue of self-determination in the case of cities. Two papers discuss the role of the media in liberal democracies: Ackerman (on how to save journalism) and Sinardet (on the extent to which we can expect the media to contribute to the creation of a public sphere in divided societies).

Gender and family issues are also well-represented throughout the book. Parental rights and obligations are discussed in chapters comparing parental partiality with patriotism (Brighouse & Swift), examining the role of parents in issues of truancy (Cantillon & Van Lancker), asking whether family policy

should encourage population growth (Goodin), and considering whether there is a universal duty to care (Robeyns). Gender is very present throughout the volume too, especially in chapters on marriage as assets (Alstott), the importance of hormones (Casal), and on the idea of a genderless society (Wright).

Several papers consider the contribution to be expected from **political philosophy in society**: the role of arguments (Baker), the potential of big ideas (Clerc), the existence of contested concepts in public debate (Deschouwer), the extent to which misunderstandings are a necessary component of social life (Van Campenhoudt), or the challenges raised by taboo trade-offs (Schokkaert). **Marx** is also central to some of the contributions, especially in the chapters by Elster (on Marx's – and Freud's – legacy), Lacroix (on Marxism and human rights), Offe (on Cuba), Vrousalis (on historical materialism), and Zelleke (on the capitalist road to communism).

Last but not least, as the title of this volume suggests, the **requirements of social justice** are discussed in almost all of the papers, with references to *real freedom*, especially, throughout the book. Papers focused particularly on social justice include Audard's on the idea of self-development, and several on various issues especially relevant to egalitarianism: by Carter (complete-life), Fleurbaey (levelling down), Roemer (roots of inequalities), Steiner (starting-gate conceptions and genetic resources) and Williams (maximin). Finally, two papers address questions of blame and responsibility in very different contexts: in relation to rape (Chaumont) and financial debt (de Grauwe).

Style

In addition to addressing a broad range of Philippe's many areas of interest, this book is also a tribute to his intellectual *style*, his way of doing philosophy and social sciences: carefully argued, sometimes to the point of baroque; explicitly addressing questions of importance with an eye toward both conceptual sharpness and socio-political relevance. In this sense, Philippe's style is clearly in line with the analytical tradition. He is passionate about joining together well-informed, sometimes unexpected, empirical evidence together with explicit normative claims, associating a great sense of detail with a broad vision of society and justice. This is reflected in many of the contributions.

Those who know Philippe from intellectual exchanges might be familiar with both his curiosity and his ability to wait for the debate to unfold, before raising his finger and attracting the attention of the audience on a

(sometimes orthogonal) unnoticed and yet crucial distinction. He is never arrogant in debate, always listening patiently to his interlocutors until the very end, even when there are reasons to suspect that there would not be much to be learnt from them – a trait he probably picked up from one of his intellectual fathers, Belgian philosopher Jean Ladrière. Even when he discusses views that he rejects, he tries to show them in a favourable light. This is also how he teaches philosophy, clearly following the style of one of his other intellectual fathers, John Rawls. "[One] thing I tried to do", Rawls explained in 1993, "was to present each writer's thought in what I took to be its strongest form."²

Those who know Philippe as a teacher are familiar with some of his other habits, such as a little handwritten "OK" in a text's margin to indicate a good point. His five-point checklist is a classic, perhaps one that should be used in every classroom: "For example?", "What is your canonical definition of concept X?", "What is the (potential) evidence?", "Can you put it more simply?" and, of course, "So what?" Will Philippe have his checklist in mind when reading the contributions to this book?

Finally, as is clear from his contributions to the Belgian public debate, Philippe likes to be provocative and has no qualms about being controversial. In recent years, for instance, he has invited a few colourful figures to take part in his course in ethics at Louvain University, such as the representative of the left-wing radical Arab European League, or the leader of the most prominent right-wing Flemish nationalist party. This practice is at the core of his conception of what a "public intellectual" should always do and, even more broadly, of his conception of democratic life: rather than appealing to the approval of one's own political side, one always needs to engage with one's opponents' views, in a courteous but decided fashion.

Gregariousness

Those who know Philippe even a little will also have spotted his characteristically enthusiastic, positive, friendly, and casual attitude. He is a person of long-term comradeship, who hardly ever criticizes people openly or interprets their actions with suspicion. This has not only led to numerous individual relationships, but also to engagement with a number of groups with a typically mixed purpose of intellectual clarification, advocacy, and comradeship. Several contributors to this volume have been actively involved in one or more of these groups.

² Quoted in FREEMAN, S. (2007), *Rawls*, London: Routledge, p.7. As Philippe often says, smiling: "Rawls resembles Pascal's God in one respect: 'A little bit of thinking leads you away from him, a lot of thinking takes you back to him'."

Many readers will be familiar with the *September Group*, of which Philippe has been a member since its founding in 1978 at the initiative of G.A. Cohen, Jon Elster, and John Roemer. Also referred to as the *No Bullshit Marxist Group*, it explores the analytical potential of Marxism and has clearly had a great impact on analytical political philosophy more generally.

Perhaps less well-known outside Belgium is the *Collectif Charles Fourier*, named after the French socialist thinker, which Philippe launched in 1983 with Paul-Marie Boulanger and Philippe Defeyt. This small group was the predecessor of the *Basic Income European Network* (BIEN), which was launched in 1986 in Louvain-la-Neuve. Philippe was one of the founding fathers of this network, along with Peter Ashby, Alexander de Roo, Bill Jordan, Claus Offe, Guy Standing, Robert van der Veen, Walter Van Trier, and others.³ In 2004, BIEN expanded its scope and became the *Basic Income Earth Network*.

More recently, Philippe has launched two important initiatives related to institutional issues in his home country. He co-founded the *Pavia Group* in 2006, together with Kris Deschouwer, in order to foster public discussion about the possible implementation of a federal electoral district.⁴ The *Pavia Group* defends this reform as part of the solution to the ongoing crisis of Belgian federalism. Since 2009, Philippe also coordinates with Paul De Grauwe the *Re-Bel Initiative*, a group of Flemish and French-speaking scholars rethinking (*Re-...*) the institutions of Federal Belgium (*...Bel*) more generally.⁵

These are just a few examples of some of his global and local initiatives. Those who are concerned about issues such as the right of foreign citizens to vote in local elections or the availability of cycling lanes in the centre of Brussels know that he has kept himself busy on these fronts too. Working in small groups is a not only a way of enjoying the company of fellow academics and activists, but also a very effective way of forming and testing ideas collectively in an interdisciplinary context, and of finding ways to turn them into reality in a given political environment.

Finally, let us warmly thank all contributors for their imagination, trust, and patience. We thoroughly enjoyed reading and commenting on the papers, and we are pretty confident that Philippe will feel the same. We also want to apologize to those who could have contributed as well. Since this

³ For further information on the history of BIEN, see www.basicincome.org

⁴ See Stojanovic, *this volume*. The Pavia Group website is at: <http://www.paviagroup.be/>

⁵ See <http://www.rethinkingbelgium.eu/>

was meant to remain a surprise until the very end, we did not ask Philippe whom he would want to contribute to this volume in his honour; in any case, he always says “don’t ask people about the gifts they would like to receive.” As the project progressed, we became aware of several other great friends of his who should have been invited to contribute. However, it was simply too late. To all of them we want to sincerely apologize.

There are also a few of his friends who would no doubt have contributed were they still alive. Jean Ladrière, his first mentor at Louvain who, with his wonderfully modest smile, introduced Philippe to the search for clarity so central to analytical philosophy. He was also greatly influenced by three Oxford-related figures for whom he had strong feelings of admiration and friendship: Brian Barry, his first supervisor in Oxford in 1974, G.A. Cohen who he met in 1978, and his friend Andrew Glyn with whom he had so many exciting discussions about the future of capitalism.

Before closing this foreword, we would also very much like to thank John Baker and Almaz Zelleke for their linguistic help in the preparation of this volume, as well as Bérengère Deprez from Louvain University Press (*Presses universitaires de Louvain*). We hope that Thérèse Davio, the Hoover Chair’s manager, as well as Philippe’s wife Sue Black and their children Rebecca, Jonathan, Benjamin, and Sarah will forgive us for having kept this secret till the end. Perhaps an outcome of our (somehow Rawlsian) risk aversion?

Axel Gosseries & Yannick Vanderborght
Louvain-la-Neuve
September 20th, 2011

Using the internet to save journalism from the internet

Bruce Ackerman

Abstract (in French)

Cette contribution esquisse un mécanisme de bons-internet pour la presse écrite, proposant ainsi un modèle alternatif de financement du journalisme de qualité, prenant acte du fait que l'internet est en train de mettre à mort le modèle économique traditionnel de la presse écrite. Cette proposition présente un intérêt particulier pour les journaux non-anglophones, dont l'assise en termes de lectorat est insuffisante pour pouvoir s'en tenir à des stratégies exclusivement basées sur la publicité commerciale, ce dernier modèle ne restera viable que pour un petit nombre de journaux de qualité dans le monde anglophone.

The Internet is destroying professional journalism. The speed of this transformation is extraordinary. In the United States, the overall number of newspaper reporters and broadcast news analysts has already dropped from 66,000 in 2000 to 52,000 in 2009, with devastating cuts in the Washington press corps.¹ But this is only the beginning. The very existence of journalism is at stake. We are losing a vibrant corps of serious reporters whose job is to dig for facts and provide both sides of the story in a relatively impartial fashion.

The crisis in the English-speaking world will turn into a catastrophe in smaller language zones. The former market is so large that advertisers will pay a lot to gain access to the tens of millions of readers who regularly click

¹ My report on job losses in journalism is derived from the Bureau of Labor Statistics, which changed its reporting categories in 2004. Before then, it aggregated journalists working in newspapers and broadcast news into a single group. More recently it has treated "broadcast news analysts" and "reporters and correspondents" separately. My own figure for 2009 adds the two categories together, to permit comparison with the 2000 report. Compare BLS data for 2000 at: www.bls.gov/oes/2000/oes273020.htm with data for 2009 at www.bls.gov/oes/current/oes273022.htm and www.bls.gov/oes/2009/may/oes273021.htm

The hard numbers provided by BLS may underestimate the size of job losses. According to Paper Cuts, a journalism website, the newspaper industry lost more than 15,992 jobs in 2008 and 14,845 jobs in 2009. See graphicdesignr.net/papercuts. These numbers are based on self-reporting and aren't comparable to the BLS figures; nevertheless, they are ominous. For a thoughtful qualitative assessment, see Downie & Michael Schudson 2009 ("most large newspapers" have already eliminated foreign correspondents and many of their Washington-based journalists).

onto the *New York Times* or *The Guardian*. But the Dutch-reading public is far too small to support serious journalism on the internet. What happens to Dutch or Flemish democracy when nobody is willing to pay for old-fashioned newspapers?

The blogosphere can't be expected to take up the slack. First-class reporting on national and international affairs isn't for amateurs. It requires lots of training, lots of contacts and lots of expenses. It also requires reporters with the well-honed capacity to write for a broad audience – something that eludes the overwhelming majority of academic specialists and think-tank policy wonks. And it requires editors who recognize the need to maintain their organization's long-term credibility when presenting the hot-button news of the day. The modern newspaper created the right incentives, but without a comparable business model for the new technology, blogging will degenerate into a postmodern nightmare—with millions spouting off without any concern for the facts.

Dead-ends

This point would be merely academic if we could trust in the invisible hand to come up with a new way to provide economic support for serious journalism on a national and international level. Indeed, the financial press has proved moderately successful in persuading readers to pay for online access; and mainstream media continue to try to emulate this success, and I hope they succeed. But if readers don't succumb to the charms of PayPal—and quickly—the time for constructive action is upon us.

Aside from the usual appeals for tax breaks and bailouts, the more innovative proposals come in two types. On the private side, there have been calls for charities to endow newspapers or to subsidize political reporting. On the public side, the BBC provides a working paradigm that might be extended to the written word.

Both models have serious flaws. The problem with a BBC-style solution is clear enough. It is one thing for government to serve as a major source of news; quite another to give it a virtual monopoly on reporting in small language zones. This could mean the death of critical fact-based inquiry when a demagogic government takes power -- just at the moment we need it most.

There are serious problems with private endowments as well. For starters, there is the matter of scale. For example, *Pro Publica*, is an innovative private foundation for investigative reporting that is trying to fill the journalism-gap in the United States. But it is currently funding thirty-two journalists—a

drop in the bucket.² Worse yet, it's hard to make the case for a massive funding increase when university endowments are crashing throughout the world, imperiling more fundamental research in the social sciences and humanities. Journalists won't win massive increases in private funding in competition with serious social scientists, historians or literary scholars – let alone natural scientists. If a vibrant press can be purchased only at the cost of an impoverished understanding of our cultural and scientific tradition, we are faced with a tragic choice – and the journalist lobby will seem like a bunch of special pleaders as they try to engage in a feeding frenzy at the academic trough at a time of general privation.

In contrast, there is a specially compelling democratic case for public funding for journalism that does not apply more generally. This is, at least, the burden of my argument. Rather than seeking to convince private foundations to divert resources from serious scholarship, and other worthy pursuits, the future of journalism depends on its capacity to make the case for a vibrant fourth estate as a means for safeguarding the integrity of public opinion in the world of sound-bites and You-tube videos.

Putting the democratic case for public funding to one side, private endowments also have intrinsic weaknesses. Insulated from the profit motive, they will pursue their own agendas without paying much attention to the issues the public really cares about. While they can play an important supplementary role, they can't be relied on to occupy the vacuum left by big-city newspapers and national news magazines.

The internet voucher

Are we at an impasse? Enter the Internet news voucher. Under my proposal, Internet users click a box whenever they read a news article that contributes to their political understanding. These reader "votes" would be transmitted to a National Endowment for Journalism, which would compensate the news organization originating the article on the basis of a strict mathematical formula: the more clicks, the bigger the check from the Endowment.

My proposal derives from a growing reform tradition that combines the decentralizing and freedom-enhancing virtues of the market with a broad range of public values – in this instance, equality and democracy. Another example: Ian Ayres and I have proposed a campaign finance scheme in which voters receive a fixed number of "patriot dollars" they can only use to contribute to the political party of their choice in the run-up to election day

² See www.propublica.org

(Ackerman & Ayres 2002). Once again, the rise of electronic forms of payment – credit cards, and the like – dramatically reduce the transaction costs involved in making such schemes realistic. What is more, Europeans are already putting such ideas into practice in other emerging regulatory areas, most notably environmental protection. In confronting the problem posed by greenhouse gases, the EU hasn't opted for the familiar kind of "command and control" regulation in which administrators tell each polluter how much they can legally discharge. Instead, public authorities set the overall limit, and then sell off marketable permits to the highest bidders. To be sure, the public values served by this market-like scheme differ sharply from the journalism voucher or "patriot dollars." The aims here are economic efficiency and environmental integrity (Ackerman & Stewart 1988). Nevertheless, the fundamental regulatory aspiration is the same – to find a third way between laissez-faire and heavy-handed bureaucracy in the service of fundamental values.

The need here is even more pressing given the fragility of the democratic values of free expression at stake in the support of journalism. After all, many newspaper readers may flock to sensationalist sites and click to support their "news reports." But common sense, as well as fundamental liberal values, counsels against any governmental effort to regulate the quality of news.

Nevertheless, some basic restrictions should apply. For starters, the government should not be in the business of subsidizing libel. It should limit grants to news organizations prepared to put up an insurance policy to cover the costs of compensating people whose reputations they destroy through false reporting. This means that a news organization must go into the marketplace and satisfy an insurance company that they have the resources to do serious fact-checking. It's only if they pass this market test that they can open their voucher account with the National Endowment.

The Endowment should also refuse to fund pornography—even if some of its viewers cynically check the box asserting that it has "contributed to their understanding of public issues." But within these very broad limits, we should leave funding decisions to the countless clicks of ordinary citizens.

To achieve this objective, each clicker will have to convince the Endowment that she is a real person, and not merely a computer program designed to inflate the article's popularity. As a consequence, she will have to spend a few seconds typing in some random words or syllables. Though the time spent typing may seem trivial, it will serve to discriminate between the cynics and the citizens. After all, the reader won't receive any private reward for "wasting" her time, day after day, clicking her approval of the articles deserving public support. She will participate only if, as a good

citizen, she is willing to spend a few moments in the broader project of creating a vibrant public dialogue.

This click system can be understood as an Internet-friendly voucher mechanism, giving ordinary citizens the financial power to fill the hole left by the failure of the newspaper's traditional business model. When viewed from this angle, it shares the same aspirations as a recent proposal for a "citizenship news voucher" made by McChesney & Nichols (2010: 200-206; hereafter "M & N"). Under their proposal, citizens get a \$200 voucher that they can give to news media on an annual basis—either by marking down the beneficiaries on their tax returns or filling out a simple form.

My proposal differs in four respects. First, M & N only allow contributions to qualifying nonprofits, but there is no reason that for-profits should be excluded. If an old-fashioned newspaper produces articles on its web-site that readers find informative, why should it be penalized simply because it also relies on commercial advertising to outcompete nonprofits in the marketplace of ideas?

Second, M & N only permit citizens to give their vouchers to news organizations, while my plan invites them to click in support of particular articles. Their organizational focus might make sense as a transitional device, but my article focus is better suited to the Internet—where many readers will not visit the site of the journalistic originator but will view the news-item on a site that aggregates articles from a broad range of sources. These readers should also be given the opportunity to express their support for their favorite pundits and reporters, even if they don't visit the site that originates their work.

Third, M & N invite citizens to express their support once a year, and in a lump-sum fashion. The click system permits a more modulated and ongoing citizenship response. Finally, it is more user-friendly, and likely to generate far broader participation than a voucher keyed to the payment of taxes.

When all is said and done, these differences should not disguise the common aspiration inspiring both proposals—to create a decentralized system through which citizens can provide monetary support for news in a world in which the old business model is collapsing.

With Endowment funds clicking into their accounts, news organizations will have a powerful incentive to support investigative reporting that generates broad public interest. They will also invest in provocative political commentary that puts the news in context. There will be lots of clicks for scandal mongering and the like, but that's the price we have to pay for a system that will also generate serious journalism: it's one thing for the government to screen out pornography and punish libel; quite another, for it

to claim the power to distinguish between “serious” and “sensationalistic” news accounts.

Before the clicking can begin, the Endowment would have to build an Internet highway connecting readers to articles to its central accounting office. This doesn’t look too tough: much of the software already exists, and the remaining design problems seem solvable. Once the system is up and running, there will be an ongoing need to prevent scams that inflate the numbers through computer manipulations.

This is difficult but doable.³ Some governmental monitoring of insurance companies will also be required, and the ban on pornography will be an administrative headache. Without minimizing the problems, the creation of an effective system of electronic news vouchers seems well within our reach.

So near, and yet so far. We live in an era of massive budgetary deficits – not the best moment to issue an impassioned pronunciamiento for yet-another-government-program. But I have tried to persuade you that the internet-voucher isn’t just another handout. It is a key element in preserving a functioning democratic system now that the invisible hand will no longer reliably support serious journalism.⁴ The internet-voucher provides a decentralized mechanism that, like the old market-system for news, will allow citizens to provide financial support to the critical journalism they want on a daily basis.

I am not proposing a miracle-cure. Many citizens won’t take the trouble to click; others will support screamers and scandal-mongers. But are there enough who will use their vouchers to support the fact-based journalism and balanced public commentary?

If so, the current fiscal crisis throughout the world shouldn’t prevent a serious effort to fund national endowments for journalism. If we let the current corps of skilled reporters to disintegrate, it will take decades to replace them. And in the meantime, citizens will begin to forget that there

³ For example, news organizations will be tempted to increase Endowment funding by hiring “professional clickers” to engage in this mind-numbing activity for pay. In response, the Endowment should make the costs of hiring clickers larger than the revenues they will gain per click/ hour. For starters, the Endowment should program its system to accept only a single click from any computer for any article. It might also require the news report to remain on the computer screen for a minute or two before the reader can contact the Endowment. This increases the cost of professional clicking while guaranteeing that ordinary citizens actually have a chance to read the articles before they can tell the Endowment that they contributed to their civic understanding.

⁴ For a more elaborate consideration of the relationship between the internet voucher and the dynamics of the American system, see Ackerman 2010.

ever was a time when they could count on serious journalists to get the facts straight.

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Marriages as assets?

Real freedom and relational freedom

Anne L. Alstott*

Abstract (in French)

Dans Real Freedom for All, Ph. Van Parijs caractérise les emplois comme des ressources externes rares, pouvant légitimement être taxées en vue de financer une allocation universelle. Étonnamment, Van Parijs note en passant qu'une taxe sur une autre ressource rare, les partenaires de mariage, pourrait être justifiée sur des bases semblables. Cet article revisite l'analogie entre les emplois et les mariages, et conclut que les partenaires de mariage ne sont pas rares en théorie – bien qu'ils le soient en pratique. De ceci, on déduit que la meilleure option en la matière pour un Etat consiste à prendre des mesures (incluant une allocation universelle, un service national, la régulation des sites de rencontres, et une libéralisation des lois sur le mariage) visant à assurer l'accès aux partenaires de mariage pour ceux qui souhaitent se marier. En l'absence de telles réformes, une taxe sur les partenaires de mariage pourrait être défendue comme second-best.

Δ In Real Freedom for All (hereafter RFA), Philippe Van Parijs advocates a tax on wages. Jobs, he contends, constitute a scarce resource that -- like inherited wealth -- should be taxed in order to fund the highest possible basic income. The same logic, it would seem, could justify taxing other scarce goods -- like marriage partners. Van Parijs considers the analogy and concludes that husbands might indeed be sufficiently scarce to warrant taxation. But Van Parijs stops short of proposing a tax on husbands. Surely you don't intend to do so?

φ I agree that a tax on husbands seems outlandish, not to mention outdated, but it raises a serious point. The analogy between jobs and marriages serves in RFA only to test the soundness of the argument for a wage tax. But the opportunity to form intimate partnerships is an important component of real freedom -- and today, that freedom is unequally distributed. Taxing marriage may be a political nonstarter, but the idea invites us to consider the justice of the distribution of opportunities for intimate partnerships.

* My thanks to Axel Gosseries and Yannick Vanderborght, who offered insightful comments on an earlier draft.

Δ But the analogy between jobs and marriage partners seems obviously flawed. Marriage is an emotional relationship, not a commodity to be bought and sold. And while jobs produce money to be taxed, marriage produce intangible satisfaction, comfort, and love.

φ But jobs also involve close, personal relationships and fulfill emotional as well as monetary needs. Both marriages and jobs also involve economic and social exchange structured by law.

Even so, I agree that the analogy between jobs and marriages can be pushed too far. The core of Van Parijs's claim is that the employment market does not clear because of efficiency wages and other structural impediments. It doesn't make much sense (and indeed is a bit offensive) to ask whether the marriage "market" exhibits similar features. Do women (or men) pay above-market "efficiency wages" to secure the loyalty of their partners? I admit I don't know how to think about that question.

Δ So you concede that the analogy fails?

φ No. The scarcity question strains the analogy, but a return to first principles casts light on the question of what a fair distribution of opportunities to marry might look like. Real freedom in economic life requires fair background conditions and access to a variety of life options. We can think of real freedom in forming relationships – or "relational freedom" – as also requiring (1) fair background conditions and (2) access to a variety of relationship options.

These principles imply that a just society ought to provide everyone with the resources needed to sustain relationships and with fair opportunities to meet people, without unfair barriers due to race, class, or ability status. These principles also suggest legal reforms that would enable people to choose a wider variety of relationships – not just conventional marriage but a spectrum of "check the box" relationships including a range of legal rights and obligations.

Δ That sounds complicated, and I have a hunch that "check the box" relationships could advantage the powerful at the expense of the vulnerable. But at least you've given up on the marriage tax!

φ Your hunch is right, and I have some preliminary thoughts about how to combine freedom and protection for the vulnerable. But I haven't abandoned the marriage tax entirely. I conclude that marriage partners are not scarce in principle: that is, it is possible to craft first-best arrangements that guarantee everyone a fair chance to marry. But, given the unfair conditions that today deny some the legal rights and economic resources they need to marry, a tax on those who can and do marry has some appeal.

Introduction

Although real freedom encompasses the freedom to form a family of one's choosing, family life isn't central to Philippe Van Parijs's *Real Freedom for All* ("RFA"). To be sure, a central claim of the book (as the surfer on the cover reminds us) is that freedom permits individuals to choose a mix of market and non-market activity. The highest sustainable basic income, Van Parijs argues, would enable individuals the greatest possible freedom to do whatever they might like to do. Some will surf, some will take jobs, and some will devote themselves to a marriage partner or to children.

The characterization of family as one among many pursuits is sensible given Van Parijs's project. But I want to suggest that key premises of RFA imply special attention to the freedom to form intimate partnerships. Not, I hasten to add, because marriage is more valuable than other good lives that individuals might choose; I intend to retain a commitment to state neutrality. Rather, it is Van Parijs' conception of assets – scarce resources external to individuals – that invites special attention to marriage.

Van Parijs suggests that both jobs and marriages ought to be understood to be assets, that is, resources that are (1) external to individuals and (2) scarce. I concur that marriages constitute external resources. But I differ from Van Parijs on the scarcity point: although I agree that jobs are (on plausible accounts of economic theory) scarce, I contend that marriages, in principle, need not be scarce.

Today, social, legal, and economic conditions render marriage a scarce and expensive good – one that some willing individuals simply cannot attain. The situation is especially dire in the United States, which is my focus, but similar concerns may arise in other industrialized countries. Alternative institutional arrangements, I suggest, could ameliorate, even eliminate scarcity in opportunities to marry and to remain married. There is at least a colorable claim that justice requires such measures, and I offer a few suggestions for legal reforms that could begin the project.

Jobs and marriages as assets

In chapter four of RFA, Van Parijs characterizes jobs as scarce external resources, with scarcity taking on a specific meaning. Scarcity doesn't simply mean that jobs are rivalrous goods in finite supply. If jobs were scarce only in that sense, they – like apples, toasters, or beachfront land – would properly be allocated in the marketplace. Individuals would bid (using a combination of talent, training, effort, and wages), and jobs would go to those most committed to and able to hold them. But Van Parijs points

out that many economists believe that the labor market does not operate in neoclassical fashion. They posit that the market wage is set at a level which leaves an excess demand for jobs by workers – that is, more workers would be willing to invest the talent, training, and effort needed but cannot do so because the market does not clear.

Van Parijs's point, then, is that the market auction for jobs does not perform as well as the auction for apples or toasters, because there is an element of luck in the final distribution of jobs. An employed person is paid too much relative to the price that would equate to the social price. By contrast, a jobless person is not only paid too little (zero, in fact) but has no job at all. She can take another job, but she has not had a fair opportunity to deploy herself and her assets to purchase her desired way of life.

The remedy proposed in RFA is to redistribute the economic rents that the employed earn. In principle, Van Parijs suggests, the state should issue tradable jobs permits to everyone (RFA: 108-09). In this regime, better jobs (higher salaries, greater power, more social standing) would cost more, because more people would bid on them. The consequence, he cheerfully acknowledges, is the effective (partial) taxation of returns to talents (RFA: 124). A second-best but more practical solution, Van Parijs concludes, would be a wage tax, which would generate revenue to increase the basic income. A tax would leave the employed with less money than if jobs were untaxed, and the jobless would have a higher basic income to direct toward their next-best options (RFA: 115-16).

At the end of chapter four, Van Parijs addresses a challenge to the jobs tax:

But does the logic of our approach not take us beyond the realm of what is usually regarded as commodities? Suppose, for example, that there is a shortage of marital partners, whether for a purely demographic or a cultural reason. More women, say, wish to have a husband than there are men wishing to have a wife... How should a real-libertarian handle this situation? (RFA: 127)

The marriage analogy at first seems “obviously absurd” (RFA: 127), and the reader expects Van Parijs to distinguish marriages from jobs. But instead, he embraces the comparison, asserting that marriages, like jobs, represent external resources that, in principle at least, could permit some individuals to appropriate for themselves economic rents that should be more widely shared. In the end, Van Parijs doesn't propose putting this insight into practice: he concludes that a tax on marital partnerships could invade privacy for the sake of relatively little revenue.

In RFA, marriage poses a logical challenge to the jobs tax: either marriages are assets, just as jobs are, or else there must be some principled distinction.

But the question is of more than analytical interest. By liberal tradition, family formation takes place offstage, according to a process that is private and in some sense natural, or at least outside of deliberate institutional design. But if families are assets, it may follow that the liberal state needs to correct the distribution of opportunities to form and sustain families.

I will suggest that although Van Parijs's specific analysis (which, we should keep in mind, occupies only six pages out of more than three hundred) may be mistaken at points, his argument helps point the way toward legal, social, and economic changes that should accompany the search for real freedom for all.

Are marriages external resources?

But before considering the implications of the analogy between marriages and jobs, I want to pause to consider the soundness of the analogy. In RFA, external resources are subject to just distribution. Van Parijs, like Dworkin, endorses an auction mechanism: backed by a basic income, individuals can bid in the marketplace for external resources they wish to use, which might include land, financial wealth, and technology, among other things.

The contrast is to internal resources. Van Parijs, extending Bruce Ackerman's idea, adopts the criterion of undominated diversity, which sanctions individual ownership of a wide variety of talents, skills, emotional traits (like ambition and persistence), and accomplishments. One's internal endowments meet the criterion of undominated diversity if at least one other person considers them superior to her own (RFA: 73).

At first glance, marriages seem nothing at all like the objects created by nature or technology. They appear, instead, to be internal goods that reflect our vision of the good mixed with our talents, skills, and emotional capacities. They involve intimate relationships with other unique individuals, and the mix of love, economic security, sexual attraction, and companionship that anyone seeks in a marriage is surely her own.

But jobs, Van Parijs argues, share many of these qualities. People select jobs according to some idea of what is good (or at least palatable) to do with one's life, as well as an idea of what is possible, given one's talents and skills. Job choice is highly personal and can have an emotional element. And every job involves maintaining a relationship with specific individuals.

I would add that marriages, like jobs, are structured by laws and by the socioeconomic conditions created by laws and markets. Although liberal political theory sometimes treats the family as private, feminists and advocates for same-sex marriage have pointed out that legal and social structures help distribute the opportunity to marry – and, indeed, the

meaning of marriage. Conversely, although intimate relationships exist outside marriage, they occupy the unprotected legal space that constitutes the absence of marriage. The law enforces a set bundle of rights and obligations inside marriage – and few personal obligations outside it.

Wealth and class position also shape opportunities to marry. On average, upper-class couples tend to stay married and to rear children in long-term, stable marriages. By contrast, lower-class couples marry at lower rates and, when married, divorce at higher rates. Among lower-class families, non-marital partnerships tend to be relatively unstable, and single mothers rear a large percentage of children.

How should we think about class inequality in marriage and family stability? Two perspectives dominate policy debates. Some economists condemn (or at least worry about) nonmarriage among of the poor because it tends to cause or worsen poverty. Marriage, these analysts point out, enables risk-pooling and role-specialization that can enhance lifetime earnings (Thomas & Sawhill 2005). Conservative moralists reach the same conclusion from different premises, reasoning that the immoral behavior of the poor (in not marrying) leaves them worse off. By contrast, other commentators note that causation also runs the other way. Low earners may be less attractive partners for risk-sharing, while the poor health, unemployment, stress, and pressing needs of others that often co-occur with poverty can undermine even determined efforts to sustain stable marital relationships (Edin and Kefalas 2005).

The ideal of real freedom suggests a third perspective. Freedom remains central: the decisions people make about family life (like the decisions they make about economic life) should generally be respected. People who choose not to marry should be able to do so.¹ Thus, real freedom rejects any state-sponsored moral concern about non-marriage and single parenthood, and it suggests a certain skepticism about consequentialist claims that conveniently reinforce conventional moralism.

But the ideal of real freedom cannot countenance the existence of barriers to marriage and family formation: if people want to marry, to stay married, and to rear children in household with a stable cast of adults, they should be able to do so. On this view, class barriers to marriage arbitrarily and unfairly exclude people from doing what they might like to do.

So marriages, like jobs, involve a mixture of internal and external resources. We bring our emotions and our intelligence, our talents and

¹ Relationships that endanger children ought to be out of bounds. But existing studies that insist on the superiority of the two-parent family cannot completely control for the fact that two-parent families are richer and that people who stay married likely differ psychologically from those who do not.

deficits, to relationships just as we do to our jobs. But the social, legal, and economic possibilities of relationships are defined and enforced externally to us, just as they are for jobs. The hardest and most interesting questions relate to a second aspect of Van Parijs's analogy between jobs and marriages -- his assumption, made in passing, that marriages, like jobs, are scarce.

Are marriages scarce?

Van Parijs argues that jobs pose a special problem of distribution, because the auction does not clear the market. Efficiency wages, the minimum wage, and employment regulation can set a market wage above the equilibrium level, with the consequence that jobholders are paid too much (relative to the true market-clearing wage), and some people who would have jobs in equilibrium are involuntarily unemployed. The resulting shortage of jobs, Van Parijs explains, can co-exist with a low rate of overall unemployment, because people denied their first choice of jobs may take a second-best option (RFA: 109).

The scarcity question, then, requires a precise analysis. We can grant that marriage partners are scarce in the sense that human beings are limited in quantity. But is there reason to suppose that the "marriage market" fails to function in the same way that the jobs auction fails, leaving a shortage of marriage partners -- in the sense of unmet demand for marriage partners by those willing to pay the "market price"?

These questions seem odd, even offensive, and it is tempting to dismiss them. Marriages aren't bought and sold on the market, and it isn't at all appealing to suppose that they should be. We sometimes speak of "the marriage market," but to do so risks seeming sexist, invoking ideas of women as commodities to be bought and sold by men.

Van Parijs assumes, for purposes of argument, that marriages are scarce, because more women than men would like to be married. But this isn't (and isn't intended to be) an empirically -- or theoretically -- grounded assertion, because (once again) the marriage question is only an analytical challenge in RFA.

It is tempting, but too easy, I think, to dismiss the question of scarcity in the marriage context. In what follows, I will try to reconstruct a version of the scarcity claim as it relates to marriage. My goal is to show that while marriage today may be a scarce good, institutional reforms might alleviate, even eliminate scarcity.

To begin, even though the notion of a marriage "market" may seem off-putting, we do understand marriage to be a species of transaction, an exchange. Even taking into account variations, most marriages aim to

provide economic security, intimacy, care, and/or a social identity. Taking this list as a starting point, we can begin to think about a "marriage market" in a less crass way. Marriages confer benefits and impose obligations; the exchange of promises (and ongoing acts) of reciprocity, trust, and care constitute a transaction of a kind.

We can return, now, to the question whether marriages are scarce. A more precise question, following Van Parijs, is whether marriage partners are scarce: any (qualifying) couple can conclude a marriage, and so there is no shortage of marriages, given willing individuals. But are there some people who wish to be married and cannot find a partner?

A critical point is that ordinary scarcity (the fact that marriage partners aren't in infinite supply) doesn't justify taxation. Ordinary scarcity implies only that an asset ought to be subject to market distribution. Instead, we must ask whether there is a shortage of marriage partners in the same way that there is a shortage of jobs. Are there "efficiency wages" in marriage? Do marriage laws impose a "minimum wage"? Might desirable spouses demand an above market price to build loyalty?

These questions return us to the realm of oddity. We cannot observe whether the market in marriage partners clears, because neither the actual market "price" (the content of the marginal exchange) nor the market-clearing "price" is observable. Compounding the difficulty, we cannot detect quality differences among potential partners that would lead to differences in price. The resulting ambiguity defeats the analysis: when we speak with a friend who says he wishes to marry but cannot, we cannot tell whether he faces a shortage of partners. Perhaps our friend is about as attractive as the average person, and about as loyal but is holding out for an above average match. In that case, his continuing single status doesn't reveal a market failure. Instead, he simply refuses to pay the going rate or lacks the talents, skills, or values to do so.²

At this point, the analysis seems to reach a dead end. We can't differentiate those single people who face a true shortage of partners from those who simply have caviar tastes but a hamburger budget.

Relational freedom and scarcity

A more promising approach is to return to first principles. Real freedom in economic life consists in offering every person "the greatest possible opportunity to do whatever she might want to do." (RFA: 25). Real freedom

² Keep in mind that the failure to find a partner due to one's (lack of) talents or skills or physical appearance is not (necessarily) unfair, according to the criterion of undominated diversity.

thus requires both (1) fair background conditions and (2) access to a wide array of opportunities. Basic income serves both agendas by equalizing material resources and providing a catalyst for a vibrant market economy offering a variety of life options.

These two principles begin to suggest a notion of real freedom to form relationships – relational freedom. Begin with fair background conditions. Basic income could enhance relational freedom by helping break down class barriers to relationship formation. But basic income may be insufficient, if remaining barriers deny individuals access to possible marriage partners or to the emotional development and life stability they need to offer themselves as plausible partners.

Imagine a very appealing person who happens to have a low income. Call her Justine. Attractive, responsible, and personable, Justine wishes to marry and would easily find a marriage partner if she were middle-class. But her education in inferior schools has left her to the tender mercies of the low-wage labor market. She scrambles to put together thirty hours a week of work at fast-food restaurants, and, like many other low-income workers, she is often unemployed and has no savings. Her family members face similar disruptions, including risks of homelessness, disability, and illness that are higher than for the middle class.

With these disadvantages, Justine is perhaps not such an attractive marriage prospect after all. Compounding her situation, Justine is mostly likely to meet others much like herself – at work, at school, and around the neighborhood. Pooling income with a partner could smooth cash flow, but if Justine is very risk-averse, she may worry that if the partner experiences a major crisis, she could lose everything she has worked for.

Justine's situation reflects multiple injustices. Some could be redressed by basic income, which could offer Justine (and her potential partners) geographic mobility and a cushion against unemployment and other crises. Measures to promote access to a variety of other potential partners and to combat discrimination in relationship formation would also be needed. Educational reforms and employment reforms could help enhance class mobility and break down discriminatory barriers.

But measures to promote relational freedom could require cost and effort beyond those required to enable fair opportunities in the economic marketplace. Possibilities include programs like mandatory national service for young people, which might, among other goals, aim to mix young adults from diverse backgrounds at a time of intense interest in relationship formation. Online dating technology holds both promise and pitfalls, because it can permit wider interactions than most of us manage in day-to-day life – or can be used to create filters and barriers to narrow our

interactions with others. These specific policies may – or may not – survive a closer examination. But the core idea is that society ought to pay due attention to the legal and social structures that enhance or constrict opportunities for relationship formation.

It may seem that relational freedom demands too much of the state. If the law should do more to foster intimate relationships, why shouldn't it promote other relationships as well? Suppose that Sheila, a competitive swimmer, wants very badly to train with a specific coach, Coach X, but he trains only a few swimmers each year. Doesn't society owe it to Sheila to do all it can to redress the shortage of Coach X's time?

But our two principles imply limits on what society owes Sheila. She ought to receive a basic income, and she ought to grow up in conditions that give her a fair chance to choose and act upon a vision of the good. She ought to have an equal chance to bid on the swim coach's time. Even so, the swim coach should be able to set his own terms, including not only a swimmer's ability to pay his fee but also the swimmer's talent and personality.

The larger point is that society need not (and should not) maximize Sheila's chance at working with a top swim coach, any more than it should maximize Justine's chance of marrying. Instead, the goal is to provide fair access to a variety of life options.

The second principle points out an additional deficiency in background conditions: a just society should offer a variety of options for structuring peer relationships, but U.S. marriage law offers (in effect) just two: marriage and everything else. Most states offer just one version of marriage, leaving other relationships largely unregulated; and most states do not recognize efforts to set the terms of intimate relationships by contract.

The law could offer a broader set of options for defining financial and legal obligations. The law might, for example, provide a "check the box" menu to allow conjugal and nonconjugal couples to specify the duration of the relationship, expectations for support during the relationship and afterward, and the desired arrangements for property ownership, inheritance, and health care proxies and visitation (Kavanagh 2004).

One potential problem is that a check-the-box regime could permit some individuals to disclaim obligations to vulnerable people. No-fault divorce, for instance, expanded freedom for women and men to exit relationships. But it also left many women poor. How, if at all, should the law respond to the possibility that check-the-box relationships could improve the situation of the powerful at the expense of the vulnerable?

The problem merits careful analysis, but as a first cut, we can imagine default rules or mandatory terms that could protect women (or men) engaged in traditionally female roles. These protections are most important

when children enter the picture, since it is childcare rather than household work that seems, today, to cause the large gap in economic achievement by gender. Accordingly, protections for care work might be built into the laws governing parental obligations. Parents' obligations to children should not be set in a "check-the-box" manner (because children cannot consent), and the law could layer in obligations by parents engaged in less care work to those engaged in more.

These questions require further consideration, but their depth and immediacy suggests that relational freedom has promise as a framework for thinking about the institutions that define marriage and other relationships. Scarcity, it seems, isn't the critical point. Marriage partners may, indeed, be scarce for some people today, but if better institutions could extend to everyone a fair chance at marriage and other relationships, then scarcity is an artifact of present injustice rather than – as in the case of jobs -- an inevitable failing of market distribution.

Conclusion: a marriage tax?

Van Parijs's discussion of marriage concludes that wives in possession of husbands should be taxed. I am less certain that marriage partners are scarce in principle, but I agree that under current social and legal arrangements they are scarce. I have begun to sketch a first-best approach, which would seek to equalize background conditions and expand the legal menu of relationship options. Society might also, as a second-best or interim matter, impose a marriage tax.

We needn't imagine a highly salient (and therefore highly unpopular) line on the income tax form: "Are you married? if so, pay an additional \$1,000." Instead, a marriage tax could be built into the rate schedule. Some couples in the United States already pay a marriage tax, but the present tax targets middle-class couples. A concern for relational freedom suggests that wealthy couples likely reap economic rents from current arrangements. Different-sex couples also benefit, today, from laws that enable them to marry while denying same-sex couples the same options. The marriage tax isn't, of course, a practical political agenda, but it does offer food for thought: marriage-law reform might proceed apace if wealthy married couples otherwise faced a sizable tax burden.

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The guaranteed income as an equal-opportunity tool in the transition toward sustainability

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Abstract (in German)

Dieser Artikel skizziert den Abriss eines Grundeinkommenssystems, das in reichen Ländern als erstrangiges Hilfsmittel im Übergang zu menschlich sowie ökologisch nachhaltigen, frugalen Formen der Wirtschaft dienen könnte. Die heutige Soziale Demokratie gibt ihren Bürgern viel zu wenig Wahl, wenn es darauf ankommt, zu entscheiden, unter der Macht welcher wirtschaftlichen Mechanismen sie leben wollen. Daher ist es uns wichtig, ein Argument vorzutragen, dem zufolge der Begriff von Chancengleichheit ganz erheblich verbreitert werden müsste -- weit hinaus über den Begriff, den unsere Gesellschaften heutzutage im Rahmen ihrer Sozialpolitik implizit benutzen. Im Anschluss ziehen wir die Konsequenzen aus einer solchen Verbreiterung: es müsste ein "Economic Transition Income" (ETI) geben, das die Bürger dazu verleitet und ermutigt, ihre Wünsche nach System-Änderungen in Taten umzusetzen und mit alternativen wirtschaftlichen Vorkehrungen zu experimentieren. Unserer Ansicht nach würde dieses Grundeinkommen in der jetzigen ökologischen und sozialen Krise das Ideal einer wirklich gerechten Gesellschaft verkörpern.

In this short paper, we want to sketch an argument in favor of a guaranteed income scheme as a tool for a transition toward more humanly and environmentally sustainable, frugal forms of economy in wealthy countries. The first part presents the case in favor of broadening the notion of equality of opportunity significantly beyond what today's social democracies are offering. Then, in the second part, we draw the implications from this in terms of an "Economic Transition Income" (ETI) which would, in our view, embody the ideal of a genuinely just society in this time of ecological and social turmoil.

Broadening equality of opportunity

For many decades, and certainly ever since the advent of the postwar welfare states, one of the official functions of the State has been to optimize its citizens' insertion into the cogs and wheels of the capitalist economic

machine, even when we work as civil servants or as third-sector, nonprofit employees. Ultimately, everything is financed via private profits. Most of us simply don't realize how much our daily creativity, dynamism, allegedly out-of-the-box thinking, and originality are actually piggy-backing more or less invisibly on the rock-hard reality of capital-driven money creation and profit generation. This means that monolithic bottom lines (ones whose evaluation criteria are sometimes quite unrelated to the very meaning of our activities) *de facto* rule the day. The question is: Do we agree they should? Or might we not come to the conclusion that this limited variety of choices, or rather this great variety of choices within a limited spectrum, isn't compatible with the democratic ideal, after all?

We think we do need to come to that conclusion. Our democracies need to honor an *ethos of "econo-diversity"* which, so we believe, lies at the heart of fully-fledged modernity. A free economy is a *genuinely plural* economy, one whose inner plurality does not hang exclusively on capitalistic bottom lines and private-profit structuring mechanisms (see Arnspurger 2010 & 2011).

As citizens of self-declared democracies, we can demand econo-diversity by appealing directly to the ethos which our public institutions so proudly boast. Here is how we might address our political and economic elites: "We, the people who are in search of a meaningful human life and who realize that part of that meaning flows from the way we work, produce, spend, save, consume, and invest—we, the people of this country/ region/ town that officially prides itself on being democratic, demand that this industrial-financial capitalism in which we are living bestow upon us the right to experiment with ways of life that may be non-industrial and even non-capitalist. We see this as a fundamental human right. If the incumbent economic and political institutions, as well as the legal rules, of this industrial-financial capitalism in which we are living deny us the *real and full* possibility of conducting such experiments in a viable and sustainable manner, we will interpret this as a deep discrimination, a blatant violation of the notion of equality of opportunity that is rightly seen as one of the pillars of our democracy."

This demand points to a pretty fundamental overhaul of what we believe the State should be doing for us. The various public authorities' main task should be to secure for all citizens an equal opportunity of access to a realized and effective, non-growth-obsessed, frugal, or convivial existence, lived on a 1:1 scale in real time and on real ground. Not as an obligation but as an ever-open *possibility*. This is what democracy should be used for today, and not just as a tool to slavishly steer the mechanisms of a growth-dictating capitalism which blinds people to many of the deeper existential potentials they carry inside them—potentials that go un-experienced because of a lack

of opportunities for actual economic and social experimentation. Lying at the base of the need for a transition today is the pluralistic exigency of an *egalitarianism of real-life economic experimentation*.

The crucial aspect of this broadened equality-of-opportunity concept is that citizens ought to be given the enforceable entitlement—i.e., the real freedom—to freely choose not just some intra-capitalist life style (e.g., becoming a marketing agent rather than a bank director, or creating one's own capitalist software company instead of working for Google) but to choose between an intra-capitalist way of life and an extra-capitalist one (e.g., moving to an ecovillage and exchanging goods and services within a network of user of mutual-credit currency, instead of staying in the hyper-competitive agrochemicals company with whose salary one can consume all one's fill). And, very crucially, if equality of opportunity is to be more than just a word, this latter choice—between a capitalist and a non-capitalist way of living, working, and doing business—should be accessible to citizens without there being excessive or disproportionate costs for them, both in terms of massive income loss (although they may well, in some cases, be content with less purchasing power if this buys them a qualitatively better life) and in terms of a loss of basic rights (such as health care, social security, free education for their kids, a pension, etc.).

All too often, so-called “marginal” actors in the economy are relegated into a secondary status because they are simply not recognized as playing an important social role—that of being at the forefront of multifarious, creative, difficult, sometimes even hazardous, real-life experimentation. The fact is that one of their basic human rights, which is to apply their own evaluation criteria and their own brand of bottom line in a viable everyday life, is simply not respected. The frequently heard criticism that says these people are “dropouts,” and that they do not contribute their skills and energies to solving society's problems, is totally wrong. They are doing a task that is essential for our future, developing new skills and ways of living that will provide models for others as necessity pushes more of us in that direction. Nothing could be more important. The pioneers are opening up new economic territory where subsequent settlers can join them. They are broadening the choices available to people.

A guaranteed income scheme to accompany the transition

For such a process of transition toward more sustainable forms of economy to get on the rails, a deep overhaul of the current income-redistribution logic of our social democracies is called for. (The main points below are expanded on in Johnson 2010 & 2011.)

The industrial-capitalist world will not be able to afford the luxury of annual economic growth much longer. We need to devise simpler, more cooperative ways that can be supported by renewable energy. So shouldn't we try to take seriously the *call for reasonable frugality*? (This point was already central in Johnson 1973.) This is not a mere regression; to make simpler, more cooperative ways good once again, people will of course be creatively using the knowledge gained in the modern era. The most important technologies—medical care, communications, the knowledge industries, and many others—can undoubtedly be made sustainable, but not the perpetual “getting and spending” reflexes constantly required by the now dominant system logic.

A frugal economy will still be a market economy. Prices, supply, and demand are not *per se* culprits to be rejected. They have to be harnessed toward sustainability rather than growth. The division of labor will remain valuable especially in the smaller, more local markets that encourage the use of nearby resources to make life easier in smaller communities. However, money circulation and trade will occur on the backdrop of a different view—that of an economy no longer set on competitively providing as few as possible (costly) jobs in an ever-growing economy. The frugal economy will be an econo-diverse network of communities experimenting with frugal ways of life, a loose network of local economies producing primarily for the local population. There will still be some long-distance trade, but with transportation having become so expensive, there will be far more of decentralization, i.e., increasing de-globalization and re-localization.

Frugality will have to go along with decreased purchasing power, meaning that in the sustainable niche people will have to make do with lower real incomes. Otherwise we will only perpetuate short-term consumerism. But happily, a rejection of consumerism is precisely what motivates those who venture into frugality. Those who really strive in the mainstream financial and industrial capitalist economy are unlikely to be those who will first move toward frugal ways. The most constructive way of engineering the transition would be to allow both ways to co-exist as the economy slows, rather than squeezing down everyone's incomes right away.

How gradual, smooth and, therefore, bearable will the transition be? Will it encourage the cooperation that has always sustained cultural evolution, or will it foster the Darwinian hell of a survival of the most aggressive? The sustainable niche is not the end of work, nor is it the realm of idle hippies. It will mean less productive and hence more abundant work (i.e., less unemployment) and less consumption, but also a shared commitment to neighbors, with more regard for the well-being of all, rather than trying to

stand out from others in a large, impersonal economy. Critical resources will be carefully protected while keeping their use to the minimum possible, and with a high regard to preserving both the beauty and health of environment that everyone is dependent on. But beyond that, those who gain a taste for frugality and its advantages *should be able to count on public support* when taking the plunge into a different way of life.

This will only be possible if the mainstream economy remains healthy, since that will make it possible to assist those who are creating of sustainable ways of life. Ideally, therefore, the sustainable economy would function in parallel with the mainstream economy as it declines—hopefully slowly enough so as to stretch out the time available for those who are still accustomed to the mainstream economy. Income support should be low enough to appeal to people who want to live simply, yet high enough for them to get by that way and develop a preference for frugality over unsustainable ways, while being able to count on health care and education.

We focus here on one possible such scheme, a welfare reform measure providing an incentive for recipients to find work by allowing them to keep a portion of the support as their incomes rises. By the time a modest income base is reached the support has declined to zero. This is often referred to as a “negative income tax” (NIT). We prefer, however, to use instead the acronym ETI, for *Economic Transition Income*. This highlights the crucial fact that we view this scheme as a tool in a dynamic movement toward systemic change.

The ETI would help those wishing to move in sustainable directions and could be used by those who gave up jobs in the mainstream economy to gradually build sustainable ways of life. Creative individuals could be among the first to use ETI payments as they explore new avenues of living sustainably, but so could those who wanted to try traditional ways that are difficult to uphold now, especially in intentional communities formed around shared values.

An important additional benefit of the ETI would be its contribution to keeping the overall economy in balance while maintaining a stable labor market—which is essential for a smooth transition. This could be done by altering the amount of ETI payments, much as a central bank adjusts interest rates. If, for example, more workers were needed in the mainstream economy, the ETI payments could be reduced enough to draw those marginally involved in the sustainable economy back into the mainstream economy. The more likely problem, at least in the beginning stages of the transition, is apt to be a surplus of people still seeking work in the slowing mainstream economy, threatening to drive wages down and trigger a deflationary spiral. In such circumstances, the ETI payment would have to

be increased to entice workers into exploring the sustainable territory, since that will require a certain amount of resourcefulness when there are, as yet, few actual past experiences to draw on. This is where the efforts of the pioneers will be so important.

Along the process, acting on the ETI (instead of just pocketing it and remaining in the unsustainable economy) will become less of a venture into unknown territory, and more one of learning from others. Young people are especially apt to pass information around as they compare the sustainable alternatives with the choices they have in the mainstream economy. As the sustainable pluri-economy evolves, it will offer a steadily greater range of opportunities to be explored, contributing to a snowballing transition in sustainable directions. These opportunities will be seen as adding to the range of alternatives available in the sustainable niche, but will also leave the mainstream economy more secure because it will be less vulnerable to deflationary forces.

As the difficulties of getting started in the sustainable economy are reduced with more experiences and more people joining it, the ETI payments will decrease automatically, if for no other reason than more people are receiving them, which also means that fewer people are working in the mainstream economy to generate the tax revenues to pay them. As time passes, the sustainable economy will be able to continue more on its own, with lower ETI payments and then none at all. At all times, however, those receiving the assistance will have to accept that the payments will fluctuate with the needs of the overall economy, especially the tax revenues that can be generated as incomes in the mainstream economy will slip along with the energy available to it.

Hopefully the transition will be as slow as possible, and with rising incentives for using energy ever more efficiently to stretch out the time it is available. How well this proceeds will depend on the ongoing health of the mainstream economy. If this health can be maintained, the sustainable pluri-economy will become the place where most dynamism is focused on the fascinating task of finding the ways of life that work best in the emerging circumstances, and on using renewable forms of energy as effectively as possible. Conservation taxes, ETI payments, and existing fiscal and monetary tools should be more than enough to keep the transition on track between inflation and recession, and with balanced budgets. The guaranteed income will then genuinely act as a *transition* income. This will be all the more easy as the vast amounts of money going into trying to keep the mainstream economy growing are reduced as sustainability replaces growth as the goal. The pace of change will slow as sustainable ways emerge that

have the capacity to go on indefinitely while making reasonably frugal use of resources.

The issue would not be so much one of cost, since the income support to the “frugalists” would have to be quite modest to assure that the ways of life created could be supported with renewable forms of energy. Public budgets could be balanced as the building of sustainable ways of life gets under way. The main motivation in all of this will be to create livelihoods that have ongoing value, as opposed to a job that often provides little beyond a paycheck. A key to economic survival will be to learn how to get by with a lower real income. There are many opportunities to do this, and they will become important as needing less income increases the range of economic opportunities available.

In the ETI scheme, the State only pays the *gap* between what one is earning and the guaranteed income level. Of course, there is always the chance that the bulk of the population will just pocket the income guarantee and either continue playing the financial and industrial capitalist game, or drop out of it through permanent inactivity. This is known to be one of the main arguments against any sort of unconditional income support. We’re not minimizing this risk. However, we believe the argument as it is most frequently voiced draws too much on assumptions inherited from mainstream economic theory: People are naturally lazy, they want to work as little as possible while getting the highest possible income, and given half a chance they’ll slouch in front of the TV with a beer or a Coke (paid for with dole money) instead of investing in socially or economically worthwhile activities. Our own take on the human condition is that this description of many people’s behavior is indeed empirically valid, but that it betrays the alienating effects of capitalism and consumerism more than it reflects a deeply entrenched “human nature.” We start out from the conviction that, given the chance and the right framework conditions, most people will indeed embrace alternatives, linked to both economic democracy (see next post) and to a reasonably frugal life. The presumption behind the ETI mechanism is that appropriate income redistribution can act as a “transition pioneer trigger.”

Sure enough, this requires that such a guaranteed-income scheme be viewed as part of larger package in which includes the circulation of ideas and the creation of public forums (inside and outside of mainstream education institutions) where the alternatives to the current system are discussed. More generally, the ETI has all the more chances to trigger extensive emigration toward the frugality frontier if our extended concept of equality of opportunity of section 1 has become a well-circulating intellectual and political currency—that is, if enough citizens have started to

realize that what is currently being sold to us under the name of equal opportunities is a needlessly truncated notion.

In that sense, our proposal seeks to remedy one aspect we feel is defective in more liberal-minded defenses of basic income, such as Philippe Van Parijs's "real-libertarian" case as expounded in his monumental opus *Real Freedom for All* (Van Parijs 1995). Our approach remains squarely liberal in that we do value individuals' free decision as to which sort of economic life they want to realize for themselves. However – and here the reader might rightly detect a strain of very mild paternalism (akin to the kind that presides over the norms of compulsory schooling in our societies) – the will to experiment needs to be triggered. Van Parijs's citizens are not nearly critically reflective enough and aren't seeking alternatives actively enough. We firmly believe that it is socioeconomic experimentation on a real-world, real-time scale, *carried out under conditions of non-reciprocally destructive coexistence*, which alone will make it possible for reasonable citizens (whatever their persuasion, be it capitalist or non-capitalist) to opt for this or that way of economic life.

Full equality of opportunity never has meant that anyone could do whatever he or she chooses without facing *any* of the limitations linked with the fact that there are other models being experimented in parallel. Full equality of opportunity requires, rather, that each citizen be endowed with the maximally possible economic means, as well as the necessary social and legal resources, in order to be able to experiment his or her values and to promote the corresponding evaluative and normative criteria in a viable everyday life. We don't seek to impose a narrow view of the good life, nor do we want to prescribe the precise content of reasonable frugality. However, we do harbor the conviction that *in a genuinely free society, citizens' "reflective capacities" and "experimenting desires" need to be triggered and fostered* in such a way that whatever way of life they choose is not merely the result of industrial-financial-capitalist forces. Whatever economic life one chooses to live ought to be a free choice, not a systemically dictated pseudo-choice.

Clearly, without some sort of guaranteed income, many citizens today who would like to make the transition to a frugal life will be afraid to do so, because they might lose most, or too much, of the (direct and indirect) income support currently associated with participating in the capitalist social democracy. A guaranteed-income scheme is a crucial centerpiece of any genuine equal-opportunity policy that includes the chance to act on one's "alternative" choice.

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The ideal of self-development: personal or political?

Catherine Audard

Abstract (in French)

Idéal politique ayant dominé la pensée sociale du 19^e et du début du 20^e siècles, présent tant chez Marx que chez Mill, le « développement de soi » ou la « réalisation de soi », ainsi que la quête d'un « soi authentique » qui l'accompagne, sont des idéaux qui ont subi une dégradation et un appauvrissement considérables comme l'a montré Honneth. Cet article examine les conditions qui permettraient de redonner un contenu politique à cet idéal. Si l'on peut partager le constat fait par Honneth d'un détournement de l'idéal de développement de soi, on peut par contre contester l'étiologie qu'il en propose. Il nous semble que l'idéal a été perverti parce que, d'emblée, il était porteur de contradictions, et non seulement en raison des nouvelles conditions sociales. Le propos est ici de montrer que, si le concept de « développement de soi » doit demeurer un concept essentiel de la pensée démocratique, une première étape pourrait consister en une réflexion sur la temporalité du développement de soi, sur les conditions qui permettent la transformation d'opportunités en véritables 'capabilités' pour tous.

Since the 19th century, the ideal of self-development has dominated social and political thought, reformulating the emancipation programme of the Enlightenment and its vision of individual liberties and rights in more dynamic and social terms. It finds its fullest expression in John Stuart Mill's conception of "the free development of individuality as one of the leading essentials of well-being" and as "the chief ingredient of individual and social progress" (Mill 1992: 124). It is also present, of course, in the young Marx where it appears as a collective as well as a personal task in a way that is still deeply influential. However, the quest for 'self-realization' or for 'individuality' and 'authenticity' has become an impoverished project, alienated from any political vision. The verdict is that a powerful social and political ideal has been distorted and 'reified' (Honneth 2007: 119-123).

The aim of this paper is to explore the various ways in which the ideal of self-development could be re-politicized, that is, re-conceptualized in political, not only personal terms. Whereas self-development can be seen as a selfish liberal and individualistic ideal (think of the claim that we could have a *right* to self-development), it is important to insist on how much it relies on the effective functioning of the political institutions of justice and

solidarity. This 'proper' functioning I would define, in the last section, not simply as providing public goods for immediate consumption, but as fostering a temporal horizon for self-development, as stimulating 'capabilities', the individual and collective capacity to transform opportunities in utilities.

The loss of a powerful political ideal

In 1840, Tocqueville was already forecasting the dangers inherent in the new democratic individualism, characterized by the quest for "little and mediocre pleasures", dominated by self-interest and leading to the loss of any sense of community and solidarity. Honneth expresses similar concerns about liberal individualism, in the 21st century, as a victim of 'new' capitalism, having endured a triple process of 'psychologization', social control and instrumentalization.

The most obvious feature of the contemporary ideal of self-development and self-realization, for Honneth, is that it has become a purely personal project. Its social and collective dimensions are widely ignored. The current mantra is that when we succeed in developing our potentialities, it is only due to our own personality or 'character' and innate abilities, whereas, when we fail, it is due to social and economic conditions. The external context has become widely ignored and self-development is a carbon copy of physical training: you work on yourself, on your abilities and talents in the same way as a top athlete would work to transform her body. If you fail to develop, it is because you did not get the right trainer or you did not invest the right kind of efforts.

Social control is at its most effective when the individual is promised self-development as a product or a merchandise and the problematic dimension of selfhood is erased from the process. In order to sell oneself, one has to develop certain qualities or to pretend to possess them. For what I would call the dominant 'productivist' model, self-development is no longer a natural, but an artificial process. It can lead to the demand for artificial self-enhancement procedures. It creates an instrumental relation to oneself, one's body and one's mind and to the others, excluding an awareness of both one's 'true' needs and of social reality. The individualism of self-fulfilment and self-help techniques is fed with a deep distrust of social and political institutions and, in the end, creates the new forms of dependency and conformity that Tocqueville had foreseen.

We see examples of this not only in the workplace, but also in education policies. In order to produce a satisfactory number of graduates, it is crucial to develop some qualities and talents in preference to other less useful ones.

The problem, for Honneth, is: who sets the criteria, the aims to be achieved? Self-development is shaped by the demands of work and the market, not by the needs of the individual or, rather, her needs are interpreted and validated mostly by the workplace. For Honneth, this creates what he calls 'social pathologies' and suffering, not solely injustices, both at work and in the family.

For the 19th century liberal thinkers who first expressed it, in contrast, the ideal of self-development had strong normative dimensions. They saw it as an ideal which was inseparable from its dual political conditions of equal freedom and justice. For both the young Marx and John Stuart Mill, self-development, the fulfilment of individual aspirations and potentialities, was impossible without social development. A good example of that kind of view is the 'Solidarist' movement in France and the 'new' liberalism in Britain, which tried to combine respect for individual development and social solidarity. Individuals can only develop their potential and 'become themselves' if they meet favourable social conditions: opportunities in education, family structures, housing, health, etc. The role of the State is to provide these essential public goods without which individuals cannot flourish. Social liberalism is based on such an assumption which has been erased and, in that sense, the ideal of self-development has not only been psychologized, but mostly de-politicized.

The question that I am raising is whether it is possible to re-politicize it and how. There is no straightforward answer. My claim is that the shortcomings of both liberal and socialist theories are clear as soon as one tries to understand what they mean by self-development. In particular, any effort at reviving a social liberal theory needs at its foundation an analysis of what it means to set individual self-development and self-realisation as its main value.

Equal opportunities for self-development

I would like to turn to a conceptual analysis that will show both the ambiguities of the notion and the conditions for successfully re-politicizing it. The culprit is not only external, historical, social et economic conditions, as argued by Honneth, but also tensions between the core elements that constitute the idea. As a political concept, self-development is an "essentially contested concept" (Gallie 1955: 167-98). This means that there is no one 'true' interpretation, as Honneth seems to suggest. In order to make sense of it and to debunk illusions, it is not enough to uncover economic and social factors, but it is essential to become aware of its non-democratic features. I will focus on one such difficulty, the question of fair opportunities for self-

development for all and the conception of temporality it involves, which can work for or against this democratic principle.

First, one core component of the concept of self-development is a distinction between its means and aims. For instance, in what I call the 'productivist' model, the self's talents, abilities, qualities, are seen mostly as means to an end, as a potential to achieve certain aims, in the way in which a tool is shaped to produce certain results. If the individual has no part in deciding the objectives which remain external to her own 'plan of life', to use Rawls's expression, Honneth is right to talk of a de-humanizing effect, of 'reification'. The 'productivist' metaphor does not treat individual potentialities as part of a personal or a collective agreed project.

In a democratic context, in contrast, individuals should have a right to question these aims and to be treated as ends in themselves, not simply as means. This is where the temporality of self-development and, more precisely, the distinction that Sen draws between 'capabilities' and opportunities, is crucial. Opportunities cannot be used by individual agents and foster development if they are not seen as part of their aims or their 'plans of life'. The capacity to order and rank one's objectives determines in great part the capacity to transform opportunities in utilities, in well-being and flourishing. This capacity needs a future, a temporal self-projection. This is a very important political condition that differentiates privileged and less privileged individuals in society and the politics and institutions of fair equality of opportunity should include it in their agenda.

Then, a conflict exists concerning the 'scope' of development, its frontiers, the possibility or the impossibility of radical innovation or of simply actualizing pre-given potentialities. How much in the developed result is already implicit from the very start? In what I call the 'poetic' model, the claim is that 'authentic' or 'true' self-development is, in fact, a creation free from the constraints of the labour market, of production, as in a work of art. This is a 'romantic' model of self-development, which is present in Honneth's conception of self-realization, but also in the young Marx as well as in Humboldt and Mill. The focus is on the role of innovation, originality and emancipation from the external conditions and pressures.

Again, this romantic vision is incompatible with a democratic context as it is an unachievable goal, except for a minority. Only the 'hyperself', the superior being, is capable of creating herself without any outside help. In Nietzschean terms, to shape oneself freely like a work of art, ignoring the pressures of society and the demands of moral norms, to be the creator of one's means of development as well as one's aims, is claimed to be the 'true' meaning of freedom. In contrast, a sub-humanity remains the mere recipient of means for survival. Self-affirmation is the privilege of the strong against

the herd. There is obviously an anti-democratic, elitist and utopian dimension in the ideal of self-development to the extent that it presupposes sole individual responsibility for both the means and objectives of the process. This is an ideal that cannot be realised unless the needs and rights of the others are not respected. In contrast, self-development, in a democratic context, would seem to be dependent on respect for the rights of others and on a moral capacity for ranking one's aims accordingly, not for 'creating' them. If, instead, self-development does not make space for social responsibility, it is a-political in a dangerous way.

Finally, there is the distinction between the 'natural' dimension of the process and the 'artificial' one. Supporters of what I call the 'naturalistic' view will insist that self-development is an autonomous process that should not be interfered with. The self is defined as possessing both actual and potential properties. These potential properties are innate and apparently dormant, but develop according to a natural process, comparable to "the growth of a tree" says Mill. This autonomous process demands only maximum freedom and minimal interference. As a consequence, abilities are seen as naturally or genetically distributed among human beings and only an authoritarian arbitrary power would be able to redress the natural distribution. This is why the privileged always claim to have been successful on their own merits: talents, character, courage, etc., whereas social justice is the necessary recourse for the less naturally gifted.

It is obvious that such an interpretation is not only riddled with inconsistencies, the major one being the Non-identity problem (Hurley 2003: 118-123), but it is also incompatible with a democratic process, which presupposes fair and just conditions for the development of each individual. These include both respect for what is unique in each person concerned and also the awareness of one's debt to the rest of society, be one gifted or less well endowed.

I would like to suggest that one preliminary, yet overlooked, step consists in revisiting the temporality of self-development. The 'naturalistic' vision presupposes that the self can be detached from its environment and that self-development is the actualisation of a pre-given. It is as de-politicized a vision of self-development as the 'poetic' model, which presupposes that anything can be done out of the human 'matter', putty in the hands of the supreme architect or creator. Equally defective is the 'productivist' model which claims that talents can be developed in any pre-determined direction. These views never question the way in which social and political measures can successfully foster self-development for all. They exclude, in the end, a democratic understanding of self-development.

Rethinking the temporality of self-development

I would like to conclude in arguing, as I have done before, that liberal individualism is not incompatible with social justice (Audard 2009: 255-335), provided that individual self-development be understood neither as an autonomous natural fact, as in Mill, nor as a mere creation or production, as in the young Marx, nor as a means to a pre-given end as in the dominant 'productivist' model. External circumstances and factors may interact and create opportunities that will or not be transformed in life-changing prospects. Development cannot, then, be understood simply in terms of a natural gradual process if opportunities as events or 'turning points' in the process are to be available to all. Opportunities only become such if there exists prior to them a set of values and motivations to which they can correspond, to which the individual can relate and on which she can base her development. The central notion here is, of course, the idea of 'capabilities': the capacity to transform opportunities in utilities is relying on the pre-existence of sets of preferences, themselves only available if the individual can project herself unto an open horizon. Bernard Williams has famously analyzed the distinction between external and internal reasons, arguing that external reasons do not exist (Williams 1981: 101-113). This can be applied to the very notion of opportunities as events that must be rooted in prior understandings. External interventions such as social measures, in order to be democratic and non authoritarian, have to be respectful of pre-existing sets of preferences, of what makes an individual unique and allows her to project herself unto an horizon. I would call this new vision a humanization or a de-naturalization of temporality.

Let me illustrate this with an example drawn from a recent book by the French sociologist Eric Maurin. The book is an analysis of a widespread social pathology, fear in the face of losing one's social status and security through joblessness. For 48% of the French population, fear of joblessness, homelessness, etc. is real whereas the chances of losing one's job are minimal in one of the best countries in the world for job protection (Maurin 2009: 5-10). The paradox has its explanation in the temporality of self-development. For French children and students, their fate seems to be sealed between ages 18 and 18 1/2, when they take their final school exam. If they are selected for further education in prestigious universities, they know that they have a future, a meal ticket for life. If not, they feel insecure and unsuccessful for the rest of their lives. The vision, here, is that there is no place for self-development, that the horizon is closed at a very young age with no second chance. Such an ideology produces levels of anxiety and depression, of what Honneth calls 'social pathologies', not simply injustices, that remain

incomprehensible in a rich and prosperous democracy. As Maurin says, it is not so much the loss of status which is a problem, it is the fear of the loss and the lack of projects and alternative solutions. This shows how important the temporality of self-development as an open prospect for all during the course of their lives is, in order to promote a free and democratic society. Self-development as a purely individual quest remains at best an illusion, at worse a dangerous source of suffering and social pathologies.

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Reflections on the limits of argument

John Baker

Abstract (in French)

Nos croyances sont déterminées par de nombreux facteurs. Disposer d'un bon argument ne constitue que l'un d'entre eux. Quelles sont les implications de ceci pour les philosophes égalitaristes, qui espèrent contribuer au changement social? Dans ce chapitre, j'explique que nos arguments contribuent sans doute plus au renforcement de la confiance de nos alliés qu'au changement de convictions de nos opposants.

The limits of argument

An item comes up for discussion at a meeting. You and a few others have strong arguments on your side of the question: you know you are right. The rest of the people there seem to be decent, well-meaning and intelligent. But your case makes no impact; you are overwhelmingly defeated. For many people, and particularly for many leftist academics, this is a familiar experience. What do you conclude? That your case isn't strong after all? That you should have put it more effectively? That your impression of decency and intelligence was mistaken? Or that you have overestimated the power of argument?¹

On a wider political scale, this kind of experience is usually magnified. Leave aside for the moment those ideas for which there are long-standing, powerful arguments but where counter-arguments are still plausible: socialism, basic income, participatory democracy, even climate change. There are other cases where the consensus is entirely on the wrong side of the argument, for example the belief that equal opportunity is possible in very unequal societies. The case against that belief is unassailable, but it remains stubbornly in place. What keeps it in place is clearly not the arguments on its behalf.²

¹ I am grateful to Jurgen De Wispelaere, Axel Gosseries and Yannick Vanderborght for suggestions about this paper.

² There is a body of academic literature about the precise relationship between economic inequality and inequality of opportunity, as measured by social mobility (for a recent overview see Torche 2005: 425-27), but all of this is premised on data showing that 'in all modern societies, significant associations between class of origin and class of destination prevail' (Erikson and Goldthorpe 2002: 36).

If we turn our attention to how beliefs change, it is far from obvious that they move by means of argument. For example, in most western societies there has been a substantial shift in people's beliefs about gender over the past forty years (Bolzendahl & Myers 2004), even if we are still a long way from gender equality. I think one would be hard pressed to maintain that these changes were brought about simply because feminists came up with some good new arguments. For, first of all, it's not as though we didn't have any good arguments for equality before the 1960s, even if the arguments shifted in character and sophistication. And, secondly, if it really were a matter of argument, why wouldn't there have been more of a change, and a more secure one? Any account of social change that is even minimally informed sociologically has to recognise that there is a lot more to it than the availability of some good arguments. On the contrary, the arguments themselves seem to be stimulated by broader social changes that open people up to new ways of thinking and acting (*ibid.*).

It is in fact a truism that the determinants of belief extend well beyond argument. We take it for granted that people who are brought up as Christians tend to remain Christians, while those brought up as Muslims tend to remain Muslims. It is common knowledge that people's beliefs initially depend on what their parents believe and continue to be influenced by the emotional impact of the parent-child relationship (cf. Cohen 2000: ch. 1). Political beliefs are strongly influenced by people's social networks (see, for example, Kenny 1994). People tend to be biased towards arguments and evidence that confirms their beliefs and to ignore arguments to the contrary (Nickerson 1998). The power of rhetoric and artistry more generally to influence belief has always been recognised; the power of images, music, fiction, film and personal narrative is undeniable (McGuigan 2005; Walzer 1999). More generally, it is a fundamental presupposition of political psychology and political sociology that political beliefs are determined by a wide range of factors (Cottam et al. 2010; Weakliem 2003). None of this suggests that people don't change their beliefs: it simply reminds us that the causes of those changes are wide-ranging. Just having a good argument is a pretty small part of the picture.

Even among political theorists, I often wonder (and not just about other people) whether how convincing we find particular authors is based on their arguments, as distinct from strictly 'extraneous' considerations like whether we are drawn to them as people, whether we see them as political or intellectual allies, and our aesthetic reaction to their style. How these biases may express themselves could be that we give some authors a sympathetic reading but make no such concession to their critics. We laugh at their jibes about their opponents but take offence when the tables are turned.

Professional political theory is shaped a lot more by personality, emotion and political loyalties than many of us would care to admit.

In the rest of this paper, I want to reflect on some of the implications of these commonplace observations for the work of political theorists. Although the issues have a general import, and in particular raise serious questions about the plausibility of certain types of consensual approaches to theories of justice (e.g. Nussbaum 2000; Rawls 1993) and of models of deliberative democracy (e.g. Bohman 1998; Habermas 1996), I shall focus on arguments about equality. In terms of the broad distinction between the arguments we address against our opponents and those we enter into with our allies – a distinction illustrated by, respectively, Cohen's refutation of Nozick (Cohen 1995) and his discussion of rich egalitarians (Cohen 2000: ch. 10) – my interest is in the former: in the power of argument to change people's general political orientations. My aim here is not to demonstrate that political argument has limited power – that much is obvious – but to reflect on the implications of that fact for the practice of political theorists.

Political theorists make a living by arguing, and by teaching students to argue. So these familiar facts about the limits of argument raise an acute personal question, particularly if we hope, by means of these efforts, to contribute to egalitarian change. Is all of that arguing a waste of time? If you want to change the world, is argument really where the action is? If you're an egalitarian, why are you devoting your life to *arguing*?

One response might be to distinguish between different kinds of justification. The suggestion might be that what's problematic are the more 'moral', 'philosophical' or 'ideological' forms of argument that political theorists typically make, where there are no hard edges and there's a lot of appeal to intuitive responses. What really cuts the mustard, on this view, is solid empirical evidence. You may not be able to convince people that equality is intrinsically just, but you can show, as Wilkinson and Pickett do in *The Spirit Level*, that societies with greater equality of income have, on the whole, higher levels of health and life expectancy, better educational attainment for all sectors of society, stronger feelings of trust and greater social mobility (Wilkinson & Pickett 2009). If we observe, however, how eagerly the opponents of equality have embraced the dubious criticisms of Wilkinson and Pickett's case,³ we encounter a familiar pattern of people believing what they want to believe, and believing that there are good grounds for it in the bargain. So the problem does not seem to lie in anything special about the kind of work that most political theorists do.

³ For references and replies: <http://www.equalitytrust.org.uk/resources/other/response-to-questions> (accessed 18/4/2011).

Another possible response is to distinguish between different audiences. One might concede that arguments play a minor role in the determinants of mass public opinion but insist that they carry more weight in other settings, for example in shaping 'elite' opinion (think *The Guardian* or the *New York Review of Books*). What seems to be striking in these cases, however, is the segmentation of the elites in question. Each political tendency has their own channels of communication and commentary, through which their broadly shared outlook is articulated and refined.⁴ The arguments internal to the tendency are limited in scope; the arguments they advance against their opponents reinforce shared views rather than winning new adherents. So elite-focused argument may shape the views of one's own 'elite' without doing much to change public opinion generally. And in any case, shouldn't democratic, egalitarian activists be ashamed to confine their arguments to political elites?

Argument and confidence

At the centre of the issue, I think, are relationships between argument, belief and action. Whatever we think about the importance of argument, beliefs are absolutely essential to how people understand the world, how they evaluate themselves and others, and how they act. If we want political change, we do need people to believe things that support action for change. That, I take it, is why we place such importance on argument as a way of inducing these beliefs. If argument *doesn't* change people's beliefs – if they are, in fact, determined much more by other influences – why bother?

As Wittgenstein pointed out, many of our beliefs are held without justification, and without any felt need for it (Wittgenstein 1969; 2009, sec. 217). We are so confident about their truth that the question of justification simply does not arise. For most of them, a justification could easily be constructed, but it wouldn't necessarily make the belief any more certain. These are typically, I think, beliefs that are never challenged, at least not by anyone whose opinions matter (to us). But once somebody who does count with you challenges your beliefs, you reach for justifications – a reaction that teachers of political theory, among others, rely upon in the classroom. If the challenge is for real – if it is not just an intellectual exercise – it can undermine your confidence, until you find a good reason for your original belief. Here the function of justification, of argument, is not to induce or

⁴ See for example the evidence of voting intention by newspaper readership at <http://www.ipsos-mori.com/researchpublications/researcharchive/2476/Voting-by-Newspaper-Readership-19922010> (accessed 18/4/2011). In any case, the suggestion that 'elites' are more open to argument than others is highly questionable.

change beliefs to but to restore confidence. Certainty is re-established, anxiety banished.

I'd like to suggest that political argument often has this character – that it bolsters the confidence of those who already believe something, in a world where those beliefs are constantly under attack. We may already be sure that prisoners shouldn't be tortured, that incomes should be more equal, that men should do more child care, but it reassures us, increases our confidence, gives us strength, to be reminded that there are good arguments for all of these beliefs. Exchanging those arguments among us helps us bond, builds solidarity, strengthens our collective confidence, makes us readier to fight the good fight, to bear the disappointments and to maintain hope. When we switch on the TV to listen to a public debate, when we stay on to hear the speeches at a political rally, when we read the opinion columns of our chosen newspaper, it may well be primarily for the sake of bolstering our confidence in what we already believe, rather than any kind of exercise in reopening the question.

This perspective on political argument casts a different light on the idea of 'preaching to the converted', with its implication of pointlessness. It suggests, on the contrary, that preaching to the converted is in fact an important function of argument. It has similarities to religious ritual, though it is not necessarily so ritualistic: new arguments are to be welcomed among the more familiar ones because they reinforce the case. If the new arguments are designed to defeat novel arguments on the opposing side, they are all the more valuable – not because we were in danger of being won over by those opposing arguments, but because they chip away at the confidence with which we hold our own views.

This aspect of political argument also helps to make sense of the limited impact of our arguments on our political opponents, because it reminds us that all the while that we are putting the case for some egalitarian belief, there are people who are putting the case for the opposite with just as much vigour, reinforcing their allies' confidence in their own beliefs. Nor is it surprising that anti-egalitarian arguments should have so much more purchase with them than our own, since they are more familiar, cohere more with their other views, are put forward by people for whom they have more respect, and are expressed in a style that they find more agreeable.

The confidence-boosting function of political argument seems to generate a recognisable kind of tension between a third-party account of what's going on and the first-person account. The observation that arguments tend to work only with people who are already on-side, and correlatively that their confidence in their own beliefs is complemented by their disposition to ignore and dismiss counterarguments, raises questions about the status of

one's own beliefs and of the arguments that one sees as supporting them. And yet, as a human agent, you have no choice but to seek out the best arguments for competing answers to the questions that matter most to you. You cannot treat your own beliefs with the same scepticism with which you treat those of others. You can of course acknowledge the possibility that you are mistaken, but you cannot systematically discount your confidence in your own beliefs on account of a general theory that good reasons are not the only thing that attaches you to them. You can only treat that theory as raising questions that need to be considered in the course of coming to your own best judgement of the truth. So each of us must continue to construct and evaluate arguments for ourselves as though they really do matter. We all have a first-person case for seeking good arguments, regardless of the degree to which they can change the views of others.

And so, to say that arguments are more likely to strengthen the resolve of existing believers than to convert the heathens is not to say that they are merely ideological in character, in the sense of 'ideological' that means they are a cover for something else like class interest. On the contrary, their function depends on taking arguments seriously. It is only by presuming that one's commitment should be to the claim with the best justification that an argument purporting to provide the best justification can function to strengthen one's commitment. So, to say that argument is more important for maintaining confidence than for convincing others is not to say that arguing is unimportant or disingenuous or that the truth doesn't matter.

Argument in context

For egalitarian political theorists, the idea that our arguments do more to strengthen resolve than to change option is likely to seem deflationary. We would like to think that producing good arguments will help to win adherents to our deeply-held beliefs, and so, at least if we bother to write for a general audience rather than simply for an academic one, we imagine ourselves addressing decent citizens who are capable of being swayed by the power of good reasons. But even if our arguments served no other function than the one I am ascribing to them, it would remain a very important one. Political change in democratic countries only occurs when a large number of people do feel confident that change is both desirable and possible. If we can contribute to change by strengthening that confidence, it is a contribution well worth making.

Nevertheless, this perspective on the role of argument should also make us think about where political theorists fit into wider patterns of social and political change. We should see ourselves as members of broad social

movements to which people are drawn by a variety of influences, most of which operate through personal experience rather than through argument. That experiential route is far from irrational, because it always involves a process of making sense of the world as it changes and as those changes affect each person. In times of political and economic upheaval, it can be a route taken by millions of people for whom old ways of thinking cease to make sense. Argument and analysis can contribute to understandings that are already shifting, and can help to give them greater coherence. But these journeys occur in the heart and not just the head. When we offer strong arguments to social movements, we do so neither as leaders nor as under-labourers, but as confederates, as activists who have a specific part to play in the process of social change. And if my reflections here are accurate, then the arguments we advance can operate not just at the level of understanding, but at the level of emotion and willpower as well.

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Taxation, fees and social justice

François Blais*

Abstract (in French)

Les États sont appelés à fournir de nombreux services à la population en vue de poursuivre divers objectifs (justice, efficacité, stabilité, etc.). Il y a plusieurs façons de financer l'offre de ces services. Cet article explore les avantages et les limites de la taxation ou de la tarification du point de vue d'une conception de la justice empruntée à Ph. Van Parijs. L'auteur conclut par quelques recommandations qui tiennent compte des pressions fiscales que subissent aujourd'hui les États.

Taxation or fees?

There are basically two ways that public services can be funded: through *general taxation* (mainly income and consumption taxes), or through *user fees*. The latter is based on the principle of pay-per-use. Each strategy has its own advantages:

1. *General taxation* allows governments to provide public services while redistributing the cost to the wealthy. Such a transfer helps to equalize the opportunities of the members of a given community. That is why this funding method is attractive from the perspective of social justice, particularly when coupled with the principle of providing services for free. By placing the cost on taxpayers, and therefore mainly on the wealthy, governments can minimize (but not eliminate) barriers to the use of these services.
2. *User fees*, on the other hand, have the advantage of charging either part or all of the cost of services to the user. This makes individuals more responsible for their consumption of services, and reduces (but never eliminates) the risk of waste (Maniquet & Sprumont 1999). Holding individuals responsible for their choices is an important component of equality among citizens. For this reason, the principle of user fees can never be brushed aside by those who support equality.

* I wish to thank John Baker for comments on an earlier draft of this paper.

These two approaches generate the following dilemma. Free public services make them much more accessible, but can also lead to waste and to a lack of real choices for the consumer. User fees encourage responsibility, but they also tend to exclude the poor. This short paper attempts to explain why there is no easy way out of this dilemma. I start with a brief theoretical review of the most fundamental elements of this problem. I conclude by outlining three proposals that might help us make our minds up about user fees.

Social justice and public services

Let us start with a definition: social justice aims at maximising the real freedom (or opportunities) of the least advantaged, in a sustainable way.¹ This Rawlsian definition is in tune with Van Parijs' theory of justice and rejects strict egalitarianism in favour of giving strong priority to the interests of the disadvantaged. Leaving aside technical considerations about the meanings of the words 'maximise' and 'opportunities', this approach remains compatible with a wide range of egalitarian conceptions of justice. It refuses to reduce justice to so-called 'formal' rights such as legal or political liberties, by emphasising the socio-economic conditions necessary for their full expression.

Once a certain number of basic rights are protected, the real liberty of the most disadvantaged can be maximized in two complementary ways:

- Through *cash* transfers that counteract inequalities resulting from, for example, wages, inheritances and the concentration of capital amongst the wealthy;
- Through *in-kind* transfers in the form of (free) public services that favour, for example, the development of human capital and individual autonomy (education) or the preservation of this human capital (health).

Theoretically speaking, we could deny that both types of transfer are necessary. We could defend an egalitarian approach that relied on cash transfers only, albeit much more generous ones than at present. Private companies could then offer services to the population with little interference from the state. This hypothetical equalization of opportunities would allow

¹ I obviously borrow this definition from Van Parijs 1995.

individuals to pay for the services they want, according to their own needs and preferences (Buchanan & Tullock 1971).

Although this proposal may seem surprising, it can in theory claim to resolve the dilemma between equality and personal responsibility. In principle, a massive cash transfer to the poor would equalize individual conditions. User fees for public services would then become obsolete because these services would no longer be provided by the state.

This 'egalitarian' approach exhibits, however, a major drawback. It ignores the true value of turning some fundamental services – such as health and education – into public and even mandatory services in the real world, where massive cash transfers are out of the question. In the real world, universal, free public services guarantee that the poorest citizens are able to access quality services that they could not afford to buy privately. This inability of the under-privileged to provide for themselves the same high quality services as the wealthy furnishes the best rationale for a wide variety of government-provided services. Paradoxically, this restriction of consumer choice is carried out in the name of the 'real freedom' of the under-privileged, and – if necessary – by limiting that of the wealthy.

A question of balance in institutional arrangements

The realization of social justice therefore depends on an optimal combination of cash and in-kind transfers. The problem lies in a lack of consensus on which public services could truly improve the real freedom of the disadvantaged, and in even more disagreement on the scope and form that these services should take. The task of determining the level and type of transfers necessary for maximizing the real freedom of the under-privileged depends on empirical analysis, and not just on broad principles. Our experience of over sixty years of social democracy may allow us to identify a certain number of trends, but these are dependent on administrative, political or economic conjunctures that leave little room for definitive conclusions.

Let me stress this point: many of the ideological debates between the so-called 'left' and 'right' are based on an empirical evaluation of the consequences of socio-economical proposals – which does not make these debates any easier to decide. Would it be better, from the point of view of social justice and of the least advantaged, to prioritize the financing of day-care or of post-secondary education? To what levels? Is universal access to

basic medication preferable to surgery for aging joints? Should we increase family allowances, or the number of hours children spend at primary school? It is obvious that once we start talking about increasing the real freedom of those who have the least, our choices among institutional arrangements are, in principle, endless. That is why these questions deserve to be examined with more serenity than passion, and with reliable facts at hand rather than rhetoric.

Efficiency and public services

Some public services have no direct relation to social justice but are meant to promote security, stability, welfare and, above all, efficiency. Modern states often find themselves obliged to supply goods and services that would not be forthcoming through markets. This can be accomplished by rationing, by partial nationalization, or by taking complete control of economically important spheres of activity, such as energy, communications, transport, social insurance or natural resources, to name just a few. What level of state intervention is required for long term efficiency in the provision of these so-called 'public' or 'essential' services?

Most debates about user fees fail to distinguish clearly enough between services designed to promote justice and services (or other interventions) dedicated to producing greater economic or social efficiency. Yet this distinction is crucial for assessing the consequences of introducing or increasing such fees. An additional complication is that a public service may serve more than one mission at a time. Take public education as an example. It certainly aims to give more autonomy and freedom to future citizens, but it is also vital for economic growth. Can one truly evaluate the first objective while ignoring the second? We may have to do so, but the two objectives will continue to interfere with one another. In any case, we must try to desanctify public policies if we want to evaluate their true contribution to the real freedom of those who have the least of it. We must also constantly remind ourselves that just because a service is public does not mean that it is essential, nor must everything that we think of as essential be free or subsidized. Food and water are certainly essential to the well-being of individuals. Yet it is not always necessary to subsidize their consumption.

Three proposals

These debates about user fees and public services arise at a time of financial crisis and of increased fiscal competition between states. States have to find new strategies and better ways of prioritizing, if they want to continue to offer and pay for their services. One cannot remain insensitive to these pressures, nor to the need to constantly revisit the question of whether services should be free or subject to fees. In this spirit, I would like to make three proposals to bring this debate out of the traditional rut of the 'left' vs. the 'right'.

First of all, in the context of increased fiscal competition, combined with persistent and legitimate environmental concerns, a greater use of consumer and environmental taxes is unavoidable. Contrary to what is often perceived by 'the left', these taxes should not be regarded as anti-social, since their revenues can be used to make compensating transfers to the disadvantaged. Moreover, these taxes have the advantage of addressing two major issues of our times: over-consumption and the resulting rapid deterioration of the environment. Consumer taxes and user fees have the same advantage: they make individuals, rich and poor, more responsible for their consumption and for the effects of their choices on future generations. Of course, these new taxes can only be justified if they are also used to help the disadvantaged. This could be accomplished through both direct monetary transfers and progressive consumption taxes (Graetz 1979). Such a combination would maintain or even improve the purchasing power of the worst off.

In the same spirit, one should not resist higher user fees for public services whose main objective is not, nor can be, justice, but simply greater efficiency. In such cases, the public already benefits from the fact that these services are controlled by the government. It is undesirable to boost the consumption of these services through lower-than-market prices. This principle holds not just for the cost of electricity, but also, potentially, for other services such as access to roads, to insurance, and even – perhaps especially – to water. Once again, the fact that these services are considered 'basic' (or 'essential') does not mean that they must be free or subsidized (explicitly or implicitly, there is little difference) by the state. It is better for the state to ensure that these services are financially accessible to the under-privileged than to subsidize their over-consumption.

Finally, whenever public services are absolutely necessary to meet the requirements of social justice, we should strive to provide these services as

universally and freely as possible. We need to do this, however, in light of society's capacity to pay, as well as their relative contribution to increasing the real freedom of the disadvantaged. Be it in relation to transfers or to public services, universality has the merit of ensuring that the least advantaged obtain the same quality of services as the wealthy. Providing services for free eliminates economic barriers that can hinder access. When equality of condition is at stake, the noble objectives of preventing waste and promoting individual responsibility should be pursued by tightening administrative controls rather than by introducing financial constraints.

Public service user fees will always face the same difficulty: that of the persistence and even the worsening of socio-economic inequalities in our societies. That is why those who enthusiastically defend their merits should give greater attention to the struggle for social justice. In particular, they should recognise that fees can be more efficient and more equitable only if the state makes much greater direct transfers to disadvantaged individuals. Between user fees and social justice there is a link that must never be severed.

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Real freedom for all turtles in Sugarscape?

Paul-Marie Boulanger*

Everything should be as simple as possible, but not simpler
Albert Einstein

Abstract (in French)

Sugarscape est un monde artificiel imaginé par Epstein et Axtell en vue de simuler sur ordinateur l'émergence de propriétés sociales et collectives à partir des interactions d'une population d'agents autonomes et hétérogènes dotés de certaines propriétés et comportements élémentaires placés au sein d'un écosystème rudimentaire. Partant du modèle original d'Epstein et Axtell, nous simulons successivement deux modifications fondamentales dans l'existence de ces agents, une existence exclusivement consacrée à la recherche obstinée et purement individualiste d'une nourriture unique consistant en une ressource renouvelable produite par l'écosystème. La première modification consiste à instaurer une sorte d'assurance « perte de revenu » indemnisant les agents dont l'environnement immédiat n'offre (momentanément) aucune possibilité d'activité rémunératrice. L'autre modification consiste à introduire une allocation universelle, un droit inconditionnel pour chaque agent à une quantité donnée de nourriture financée par un impôt proportionnel et versée indépendamment des caractéristiques et du comportement des agents. Nous comparons ensuite les trois mondes sous les critères de la capacité de charge totale (le nombre de survivants après 100 itérations), des inégalités de fortune et des chances différentielles de survie en fonction des capacités et des besoins, « génétiquement » déterminés des agents.

The Sugarscape universe

Imagine 400 creatures – let us call them “turtles”¹ – fleeing from their planet devastated by an earthquake and landing in a disorganized way on another planet, quite similar to their native world where they expect going on with their – somewhat dreary – existence. They are very simple beings. Their only activity consists of foraging a renewable resource – let us called it “sugar” – which constitutes their unique foodstuff. They don't even reproduce themselves, being immortal as long as they have access to

* I am very grateful to Axel Gosseries and Yannick Vanderborght for their friendly support, remarks and suggestions.

¹ Since Seymour Papert's implementation of LOGO at the MIT, the “turtle” is a kind of mascot and a trademark of many versions (notably the agent-oriented ones) of this programming language.

sufficient amounts of this food but dying immediately if they fall short of energy. Though simple as a species, they are all different at the individual level in two respects: the foraging capacity and the metabolic rate. The foraging capacity depends on the visual acuity necessary for moving in direction of the most promising area, the one offering the highest yield. Visual acuity is not distributed in a homogeneous way amongst them: some are almost myopic while others can detect the presence of food at distances far remote from where they stand. They differ also with respect to metabolism. While some can survive with small amounts of energy intake, others are more demanding. In sum, they differ in terms of capabilities: the capability to gather food and the capability to transform it into health and welfare ("conversion factor"). This translates into different survival prospects: having high visual acuity and low metabolism gives better chances of survival than the reverse. Our flock of 400 turtles landing on their new ecosystem – let us call it "Sugarscape" – constitutes a representative sample of the species' diversity of talents, capabilities and needs.

Furthermore, besides these inborn differences, they don't start their new existence with equal chances of survival insofar as, if some have been able to carry significant stocks of sugar from home, others didn't get the opportunity to make comfortable reserves before fleeing away. Needless to say, they will have less time to adapt to their new environment than those who arrive with important food stocks. What will happen to them? How will they adapt to their environment? Who will survive; who will not? What kind of social and spatial structure will emerge?

These are the kind of questions Epstein and Axtell (1996) wanted to explore with their artificial world, named "Sugarscape"², a multi-agent simulation model designed to experiment with situations characterized by a plurality of heterogeneous agents to which some properties of interest are randomly assigned (capabilities, preferences, initial social and/or geographical positions, etc.); interacting with one another on an active environment and according to some simple (or less simple) rules of behaviour. Epstein and Axtell's main objective was to understand how complex systems and behaviours can emerge from the stochastic interplay of many quite elementary units (or rules of conduct) in a given environment. Artificial societies, as they called "sugarscape-like" models, are 'laboratories where we attempt to "grow" certain social structures in the computer – or *in silico* – the aim being to discover fundamental local or micro mechanisms that are sufficient to generate macroscopic social structures and collective

² Actually, the history of multi-agents modeling didn't start with Epstein and Axtell's seminal book. Schelling (1971) for instance is an important landmark in the domain. For more information see Resnick (1997) or Gilbert (2008).

behaviours of interest' (Epstein and Axtell 1996: 4). On top of the very simple world described below, they add in turn more complex rules (trade, reproduction, additional resources, culture...) and explore their consequences in terms of population growth, wealth distribution, carrying capacity, spatial spreading, and so on. For instance, one of their most exciting experiments consists in introducing a second resource ("spice") and opening trading possibilities between turtles ("x units of your sugar against y units of my spice"). To go back to our 400 turtles in their new world, here is how Epstein and Axtell have pictured them.

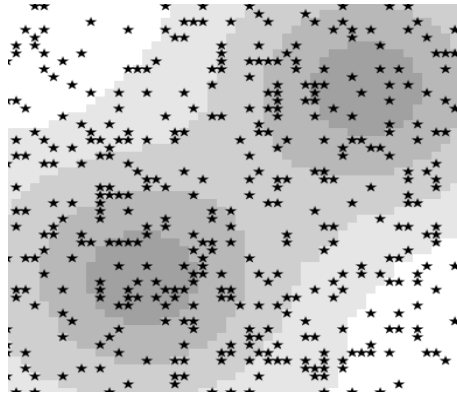


Fig. 1. Spatial distribution of the population in Sugarscape 1 at time 0

The physical environment is made of 2500 location units organized as a 50x50 units grid. Each location has the capacity for a fixed maximum amount of sugar. Some can grow 4 units of sugar, some 0 ones. On figure 1, the darker the spots, the more sugar they can hold (and actually do). The sugar level is highest at what looks like peaks in the northeast and southeast quadrants of the grid and fall off in a series of terraces. Figure 1 shows Sugarscape at time 0, after agents just landed and when each patch of land still holds its maximum capacity of sugar.

The agents are pictured as stars and we see that they are randomly scattered on the grid and that no land unit can hold more than one agent at a time. Some agents have been lucky enough to land near one of the peaks of sugar while others have been dropped in areas of lower sugar capacity. Each agent is equipped with a vision (an integer randomly³ picked in the 1-6 range), a metabolism (a randomly chosen integer in the 1-4 range) and an

³ All statistical distributions used in Sugarscape are uniform, rectangular distributions.

initial “wealth” ranging from 5 to 25 units of sugar. Vision and metabolism are inherited genetic characteristics fixed for the life but wealth will vary over time. Metabolism refers to the amount of sugar the agent consumes per time step and vision to the number of patches the agent can see, starting from its position in the four directions: north, south, east and west. For instance, an agent equipped with a vision of 4 is able to see 4 patches ahead of its current location, in the four directions (but not in diagonal).

The rules of life on Sugarscape are simple. At each time step, every turtle looks around (in the limits of its visual acuity) to detect the unoccupied location offering the most sugar to collect and then jumps to this site. If several locations hold the same maximum quantity, the agent selects the nearest one. All the sugar existing on the patch is then harvested and added to the turtle’s endowment. This being done, the turtle eats the amount of sugar it needs to survive (according to its metabolism) by drawing on its “wealth” (which is accordingly decreased). In case there were not enough left, the agent would die. Then, sugar grows at a rate of one unit per time up to the maximum capacity of the patch.

Let us now give life to all the turtles and observe what happens as time goes by. Figure 2 show the state of our settlement after 100 time steps⁴. We see that:

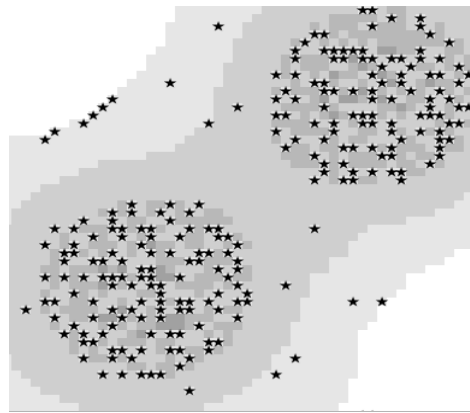


Fig. 2. Spatial distribution of the population in Sugarscape 1 at time 99

⁴ From now on, all data will come from our own version of the Sugarscape model. It is written in Netlogo 5.0 - a special brand of the Logo programming language especially designed for agent-based modeling - and constitutes an enrichment and adaptation of Wilensky’s “Constant Growback Sugarscape” program (Wilensky 1999, LI and Wilensky 2009).

- The population has decreased. In fact, from the 400 agents at start, only about 220-230 are still alive. The number 220-230⁵ corresponds to the carrying capacity of Sugarscape in the context of these behavioural rules.
- The remaining agents cluster around the sugar peaks. One can even speak of two separated colonies, one on each mountain with a kind of “no-agents” land in-between.

What is not visible in figure 2 is the fact that turtles have accumulated wealth. If at start, the median level of wealth revolves around 15 units of sugar it ends up, after 100 time steps, at a value between 114 and 134 units with a mean (calculated on 30 runs) at 119.

Sugarscape 2 and 3: introducing solidarity mechanisms

Having reached this point, we will leave Epstein and Axtell at their experiences with migration, sexual reproduction, trade, war, etc. and explore other avenues never explored hitherto as far as we know. Indeed, if Sugarscape 1 is not exactly “red in tooth and claw” (our creatures are peaceful gatherers, after all) it is nevertheless a world of “everyone for himself”, where each individual not only pursues his own welfare without caring at all for others but, also, without being aware of the benefit he could get himself from improved cooperation and risk sharing mechanisms. Interestingly enough, if Epstein and Axtell immediately thought of introducing trade in their model, they didn’t consider the possibility of enriching Sugarscape with solidarity mechanisms and look at what they change in terms of carrying capacity, wealth distribution and survival chances of turtles according to their internal as well as external resources.

In Sugarscape 1, an agent falling short of sugar because trapped in an overexploited area of landscape, and having insufficient endowment and/or having been unlucky in the genetic lottery is necessarily doomed to die. However, in many cases, if he could only wait, stay still during one or two time steps, the time needed for the patches in the neighbourhood to grow more sugar, he could perhaps eventually be rescued. Would it not be nice if he could receive some sugar from others who have plenty of it, for a limited

⁵ In fact, with agents-based simulation, no two runs will give exactly the same results because of the randomness of agents’ characteristics at initialization and of agents’ time of activations at each time step. For instance, in thirty successive runs of the simple Sugarscape model described so far, the final population after one hundred time steps varied between 243 and 210 with a mean at 234 agents and the mode at 233. Also, the Gini coefficient of wealth distribution varied between 0,358 and 0,475 with a mean of 0,392.

period (ideally), the time necessary for his environment to recover and become more supporting (if possible)? Let us try something like that.

Imagine our 400 creatures deliberating together and deciding to set up a kind of insurance system. For instance, instead of collecting all the sugar for himself each time an agent reaches a fertile patch, he would be “invited” (actually, obliged) to divert a fixed fraction of it in order to fill a collective granary. On the other hand, when in need, he could benefit from a modest allowance in order to help him pass through his “lean season”.

Actually, this is not a small modification with respect to Sugarscape 1 because it changes fundamentally the most important rule of the game, the one that commands agents’ foraging behaviour. First, the net benefit from every move will be reduced by the amount of the contribution to the common granary. Second, it is to be compared with the benefit of doing nothing which is equal to the amount of the allowance that could be granted in case of “unemployment”. In short, the agents now have the possibility not to work if the benefit is not worth the effort, without always running the risk of starvation. Introducing this in the Sugarscape program amounts to shifting from a “one good world” (sugar only) to a “two goods world”: sugar and leisure. In addition to wealth and metabolism, our agents will now have a minimum requirement in terms of rest and idleness under which they don’t want to go as well as the possibility to accumulate free time. On the other hand, working time also has to be taken into consideration now that leisure is a valued good. The simplest way to do so is to consider working time as equivalent to the distance between the current location and the prospective one. So, for instance, a site located at a distance of 3 will take three units of leisure to be reached, and so on. Therefore, before making a move, the agents will calculate the net return of each accessible location taking into account the social security contribution⁶ and the allowance they would get otherwise, weighted by their marginal rate of substitution of leisure for food.

In practice, if the net return of all possible moves, taking into account the food supply, the distance (working time), the contribution rate, the prospective allowance and the current state of satisfaction of both income (wealth) and leisure, is null or negative, the agents will just stay put. Then, provided the collective security stock is not empty, they will be granted the level of sugar fixed as “unemployment compensation”, so to speak.

Obviously, the dynamic of the situation will heavily depend on two parameters: the level of the compensation and the contribution rate. In fact,

⁶ Note that the contribution is levied on the total wealth of the agent, not on the « income », the sugar gathered when moving to another location. This is a significant difference with institutional practices in most welfare states.

our experiences with Sugarscape 2 show that it is extremely sensitive to these initial conditions, some dramatic changes in the history of our settlement being brought by small variations in the “institutional parameters”.

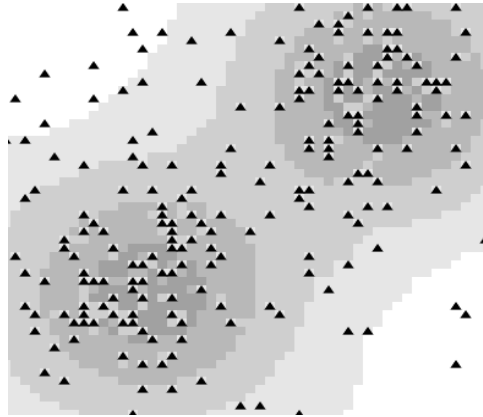


Fig. 3. Spatial distribution of the population in Sugarscape 2 at time 99

Figure 3 shows what happened to our agents after 100 time steps under the conditions of a contribution rate of 0,14 and a dole of 2,2 units of sugar, which is the combination providing the higher carrying capacity. Comparing with figure 2, we see that the agents (now under the form of triangles) are more evenly distributed on the landscape. Though there are still more agents clustered near the sugar peaks than elsewhere, we don't observe the kind of “two colonies” settlement of Sugarscape 1. On the contrary, many agents are now located in less productive areas.

There are other significant differences with Sugarscape 1 but we will discuss them later on, after having considered another social and institutional arrangement, i.e. the basic income scenario.

Our third version, called Sugarscape 3, is close to the second one except that every agent is granted at each time step an unconditional amount of sugar, irrespective of his wealth, vision, metabolism, location and “jobs opportunities” (accessible and unoccupied patches with sugar to collect). The scheme is financed by a flat tax levied on all wealth above the basic income level, which is therefore always tax-free. It follows that while the wealth of any agent cannot be inferior to the basic income level, it can still be inferior to its metabolism requirements. However, as in Sugarscape 2, the

provision can be temporarily suppressed (the amount granted becoming null) if the “granary” gets empty.⁷

If you were a turtle, which world would you chose?

Multi-agents models are inherently stochastic. At the beginning of each simulation, the values of the turtles and patches’ properties are re-assigned on a random basis – with a different random seed – so that all initial conditions are necessarily different from one another. And, of course, the same holds also for any future state. Therefore, in order to get some confidence in the outcomes of the simulation, it is good practice to launch several runs for each simulated scenario and take as result the mean of the variables we are interested in. A scenario is just a set of specific values assigned by the modeler to some parameters of the model. As already indicated, the two crucial parameters here are the amount of the grant on one hand, and the tax or contribution rate on the other. The difficulty is to find the right values for these parameters.

Table 1 summarizes the main outcomes of the most favorable scenarios for Sugarscape 2 and Sugarscape 3 in terms of overall survival probabilities. All the figures refer to the mean situation at $t+99$ calculated on 30 runs.

Among the hundreds of possible pairs of values for the contribution rates and the allowances’ amounts, those reported in table 1 below are the ones that give the highest probability of survival at $t+100$ for the whole population though not necessarily for every subgroup. The second column shows the probability for an average turtle to survive at time $t+100$. The third column gives the same probability, but only for the “lucky” ones. We consider as “lucky” the turtles endowed with a vision greater than 3 and a metabolism less than 3. The fourth column presents the survival probabilities of the “unlucky”, i.e. turtles with a vision inferior to 3 and a metabolism greater than 2. The “middles” are the agents who are neither lucky, nor unlucky. Their probabilities of survival are given in the fifth column. The Gini coefficient, a measure of the degree of wealth inequality in each scenario, is in the sixth column. Finally, the two numbers in the first column refer respectively to the allowances’ amounts and to the contribution rates.

We see that Sugarscape 2 doesn’t seem to give better prospects for the average turtle than the world without solidarity. But it is clearly more advantageous for the “unluckies” whose survival chances are higher in

⁷ It is fascinating to observe that in both Sugarscape 2 and Sugarscape 3 this mechanism allows a very quick adjustment of the two quantities: contributions and transfers. However, the matching is quicker and smoother in Sugarscape 3.

almost every scenario than in Sugarscape 1. Note however how their chances drop between the scenario 2,2/0,14 and the 2,2/0,15 one. A difference of only 0.01 in the contribution rate is sufficient to entail a fall of their survival probabilities of 26%.

	Prob All	Prob. Lucky	Prob. Unlucky	Prob. middles	Gini Coeff.
Sugarscape 1	0,569	0,93	0,116	0,541	0,43
Sugarscape 2					
2,1 / 0,13	0,552	0,943	0,124	0,504	0,39
2,1 / 0,14	0,554	0,920	0,129	0,541	0,397
2,1 / 0,15	0,547	0,911	0,118	0,512	0,392
2,2 / 0,13	0,523	0,934	0,141	0,458	0,351
2,2 / 0,14	0,526	0,910	0,136	0,475	0,357
2,2 / 0,15	0,520	0,918	0,101	0,468	0,353
Sugarscape 3					
1,5 / 0,08	0,574	0,976	0,142	0,524	0,296
1,5 / 0,09	0,556	0,968	0,127	0,510	0,273
1,5 / 0,10	0,579	0,971	0,152	0,535	0,292
1,5 / 0,11	0,587	0,969	0,157	0,548	0,303
1,6 / 0,14	0,593	0,952	0,187	0,556	0,294
1,6 / 0,15	0,609	0,956	0,206	0,580	0,31
1,6 / 0,16	0,533	0,952	0,08	0,482	0,228
1,7 / 0,14	0,586	0,955	0,179	0,543	0,274
1,7 / 0,15	0,589	0,960	0,169	0,551	0,277
1,7 / 0,16	0,588	0,950	0,179	0,546	0,276
1,7 / 0,17	0,61	0,953	0,213	0,578	0,29
1,7 / 0,18	0,583	0,945	0,188	0,547	0,275
1,7 / 0,19	0,515	0,957	0,063	0,457	0,207

Table 1. Comparison between the three worlds

The same phenomenon occurs in Sugarscape 3 where a change in the tax rate from 0,15 to 0,16 (holding the basic income fixed at 1,6) or from 0,18 to 0,19 at a value of 1,7 for the grant entails dramatic drops (up to 96%) in the life chances⁸ of the disadvantaged. This demonstrates how non-linear the behaviour of the system can be, despite its apparent simplicity. It also shows

⁸ Confirmed: when a result is too different from expected, taking account of adjacent values, we confirm it by running the scenario a hundred times instead of the usual thirty.

that for any given level of the grant, there is only a very narrow range of values of the tax rate which is favourable to turtles' welfare.

On the contrary, Sugarscape 3 offers better life chances for the whole population and also for every subgroup. It is also the most wealth-equalitarian. Under a veil of ignorance on how they are likely to fare in this new world they are flying to – e.g. as to of what use would be a sharp vision in a world where the sugar grows under the ground – a rational turtle would prefer to land on Sugarscape 3 than on any of the two others.

How can we explain these better performances of Sugarscape 3 with respect to Sugarscape 2? Note that if the differences in probabilities between the best scenario for Sugarscape 2 and the best one for Sugarscape 3 look significant, the actual difference in raw numbers doesn't exceed 10-12 average individuals and only about 3 unlucky ones. This makes difficult the search for *ex post* explanations. However, figs 4 and 5 give us some clues.

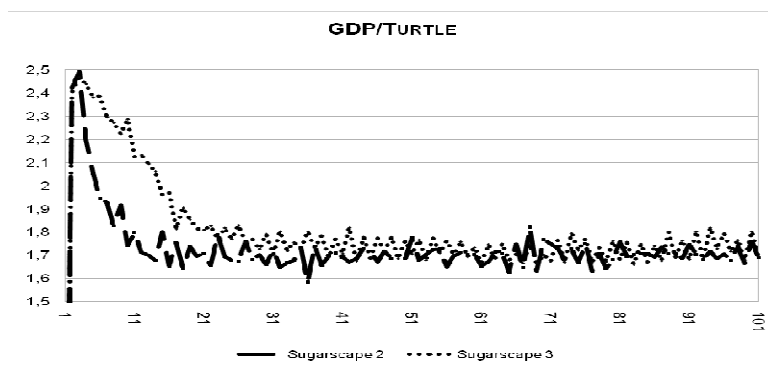


Fig. 4. Evolution of the "GDP" per capita

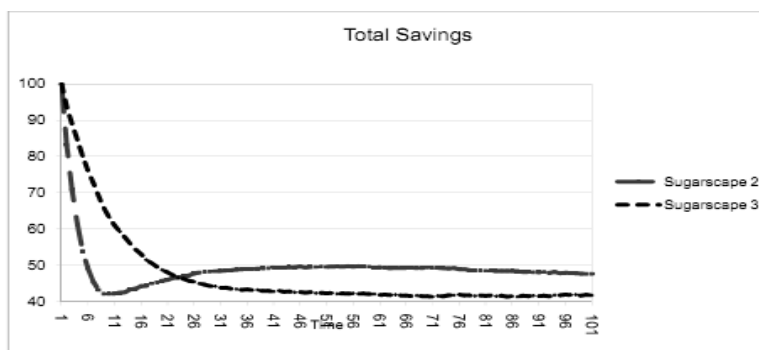


Fig. 5. Evolution of total savings (wealth)

Figure 4 shows the evolution of what can be called the “GDP” (per capita) in the two worlds. By “GDP”, we mean the total amount of food gathered by the turtles at each time step. We see that it is almost always higher in Sugarscape 3 than in Sugarscape 2. There is probably something like an “unemployment trap” in Sugarscape 2. Remember that the turtles look around in order to find the most rewarding patch to jump in, but stay still and take the dole if there is no patch in their vision range that provides a net benefit, taking into account the contribution rate and the foregone allowance. This renders less attractive the patches with a low food potential (clearer areas in fig. 1 and fig. 2). On the contrary, in Sugarscape 3, because the grant is unconditional, less productive patches remain attractive and more economic activity take place.

Another explanation has to do with the use of savings. In Sugarscape 1, agents keep accumulating in excessive, unusable amounts. Things differ in Sugarscape 2 and 3, as we see in fig. 5. In both cases, far from keeping growing with time, total savings decrease and then stabilize more or less. Of course, taxation and redistribution make the difference. However, wealth stabilizes itself at a lower level under the basic income hypothesis than in the social security one. We interpret this as a more efficient allocation (in terms of lives saved) in Sugarscape 3 than in Sugarscape 2.

Conclusions

To sum up, in the Sugarscape universes, at least, a basic income would justify its characterization by Van Parijs as a marriage of justice and efficiency: “For the introduction of a basic income would both boost the national product and distribute resources in a more equitable way”. (Van Parijs 1990:14). In our simulations, it competes successfully with a conditional allowance scheme on the “economic growth” playground as well as on the social welfare and equity battlefield. However, this is not true for every possible pair of values of the income and tax levels. As table 1 shows, for any given amount of the grant, there is a quite *limited range* of tax rates for which the scheme is sustainable. Moreover, the higher the grant, the narrower the range of viable tax rates. However, this is not particular to basic income. In Sugarscape 2 as well, efficiency is guaranteed only within a narrow range of hypotheses concerning the dole and contribution levels. In the end, is Sugarscape 3 the best of possible worlds for our Logo turtles? This would be a hasty conclusion, especially knowing that we have forgotten another, simplest and more natural scenario: the possibility of individual altruism, generosity and care.

Multi-agents models are metaphors of the real life, not representations of it. Or, if representations, only in the dramatic sense of the term. Each scenario simulation is a new re-presentation of a play for which roles are not written in advance but improvised according to the circumstances. The art of multi-agent modelling is somewhat like the art of playwriting in the *Commedia dell'arte* tradition. It consists of creating a situation, a scenery, populating it with characters (agents) to which capabilities, goals and motives are attributed, putting some means at their disposal, letting them act and seeing what happens. However, what makes the show enjoyable or interesting, is what it has to say about the "real life". This depends on the evocative power of the scenery, on the verisimilitude of the motives, on the identification potential of the characters.

It is up to the spectator, not the stage director, to assess the quality of the play. Could the spectator empathize with the turtles' fate and recognize something of his own existence in their destiny? Did the audience find Sugarscape's landscape an evocative representation of our labour market with its hierarchy of differently accessible and rewarding jobs? Is the diversity of talents and needs something we, human beings, are sharing with those artificial turtles? Is our life also a competition for places and positions? Is not the impossibility to satisfy its basic needs by itself leading to a kind of social and psychological death? If the answer is "yes", then the spectator will have enjoyed the show. If not, he/she will probably find our turtles' artificial life "a story, full of sound and fury, told by an idiot, and signifying nothing".

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Linguistic diversity and economic security are complements

Samuel Bowles*

Abstract (in Italian)

Si sostiene generalmente che la diversità culturale, linguistica o meno, all'interno di un paese, riduca il sostegno a politiche rivolte alla redistribuzione del reddito ed all'uguaglianza delle opportunità economiche. Nel presente articolo invece mostro che le politiche volte a ridurre l'insicurezza economica e gli interventi volti a favorire l'omogeneità culturale sono sostituiti, più dell'uno riduce il valore dell'altro. In altre parole, dimostro una complementarità tra la diversità culturale - linguistica e la sicurezza economica, una maggiore quantità di un bene aumenta il valore che i cittadini attribuiscono all'altro bene.

The theme of the conference celebrating Philippe Van Parijs's Francqui Prize in 2003 – “Cultural diversity versus economic solidarity” – expressed the widespread and empirically founded concern that ethnic, linguistic, religious and other differences among citizens might reduce support for public policies that redistribute income and economic opportunities to a society's less fortunate members. The topic unified two of Philippe's passions and important strands of his scholarly contribution, and (the title notwithstanding) the meeting provided some hopeful suggestions that cultural diversity and economic solidarity might be synergistic rather than in opposition.

Prominent among these were Philippe's concluding remarks (Van Parijs 2003) and what he called “Pagano's good news.” Ugo Pagano's paper (building on earlier work: D'antoni & Pagano 2002) advanced the idea that cultural diversity within a nation inhibits geographical, occupational, and other forms of mobility when economic adversity requires a job change or other relocation, thereby exposing citizens to greater economic risks and inducing them to demand more adequate levels of economic insurance from

* I would like to thank Philippe Van Parijs for decades of stimulation of the sort that led me to think about the topic of this paper, Ugo Pagano for the idea that cultural standardization is a form of insurance, and the Behavioral Sciences Program at the Santa Fe Institute both for an extraordinary scientific environment and for the more mundane assistance it has provided.

the state. Here I extend Pagano's idea and my subsequent work with him (Bowles & Pagano 2006) to show that an unconditional basic income grant (hereafter BIG) of the kind that Philippe has championed would reduce the citizens' incentives to learn a *lingua franca* rather than investing in acquiring more culturally specific assets. (For the moment I ignore the many reasons to learn a *lingua franca* that are unrelated to risk reduction.)

The idea is simple. Consider an individual with a given set of skills and no other sources of income. Learning the *lingua franca* is costly, but by providing access to otherwise inaccessible labor markets in which one's skills may be in demand, it reduces the expected cost of losing one's job. Let us suppose that job loss is the risk to which the citizen is exposed. The basic income grant reduces risk exposure in a way similar to the *lingua franca*. It provides a fixed income (the grant) at the cost of paying taxes that are levied on a risk exposed income stream. Thus it substitutes a fixed transfer for a variable flow of income. Because the degree of an individual's risk aversion varies with the level of risk exposure, the provision of a basic income grant reduces the citizen's risk aversion and hence limits her demand for the implicit insurance provided by a *lingua franca*. For analogous reasons it is also true (as Pagano suggested) that policies promoting learning the *lingua franca* will reduce the demand for social insurance. We will see that the basic income grant and the *lingua franca* are substitutes, more of one reduces the value of the other. Or to put it more positively, linguistic diversity and economic security are complements: each enhances the citizens' benefits of having more of the other.

The citizen's choice of risk

To see why this is true we need to study three things: the risk choices that the citizen makes and their consequences for her expected income, the citizen's attitude towards risk, and the way that a basic income grant or knowledge of a *lingua franca* will alter these aspects of the individual's decision problem (see Bowles 2004 and the appendix). Concerning the first, suppose the individual has two choices. She may select a degree of specialization in her training (studying a particular physical therapy technique, for example, rather than liberal arts, which would give her a lower expected income (net of the costs of education) but greater occupational flexibility and hence less risk exposure. Her second choice is how much to invest in learning the *lingua franca*.

Concerning the citizen's attitude toward risk, suppose in the absence of the BIG and any investment in the *lingua franca*, an individual's realized income, y , is his expected income plus deviations from expected income that cannot

be predicted in advance. As a result income varies in response to stochastic shocks according to

$$y = g(\sigma) + z\sigma$$

where $g(\sigma)$ is expected income and z is a random variable with mean zero and unit standard deviation. Thus, σ is the standard deviation of income, a measure of risk. States among which the individual must choose differ in the degree of risk to which the individual is exposed, σ and the expected income g . For example a university student specializing in a very specific and well paid skill would face elevated levels of both risk and expected income compared to a student with a less specialized course of studies. Then we write the individual's utility function as

$$v = v\{g(\sigma), \sigma\}$$

with the marginal utility of expected income, $v_g > 0$ and the marginal utility of risk, $v_\sigma \leq 0$, so g is a good and σ is a "bad", except, as we will see when risk exposure is absent. The citizen's preferences can be expressed as a simple two-parameter utility function in this case because the variation in income is generated by what is termed a linear class of disturbances. (For technical details: Bowles 2004, drawing on the earlier work of Meyer 1987 and Sinn 1990.)

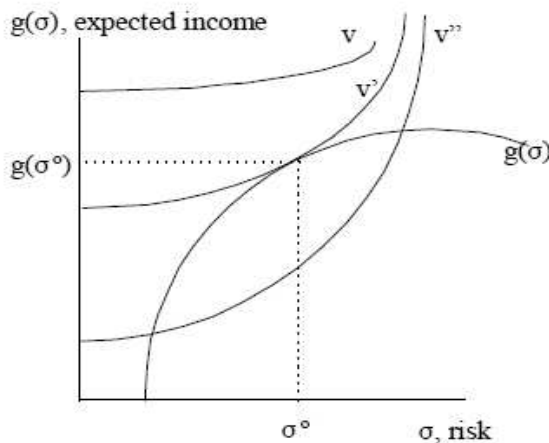


Fig. 1. Indifference loci of a decreasingly risk averse individual and choice of a risk level

There is evidence that the poor are risk averse and that risk aversion decreases with an individual's income level (Binswanger 1980; Saha, Shumway & Talpaz 1994). The indifference loci of such a so-called decreasingly risk averse individual appear in Figure 1.

The slope of an indifference locus in the figure is the individual's marginal disutility of risk exposure relative to their marginal utility of expected income or $-v_{\sigma}/v_g = \eta$ which is termed the marginal rate of substitution between risk and expected income. Thus $\eta(g, \sigma)$ is a measure of the level of risk aversion experienced by an individual faced with the level of expected income and risk given by the particular values of the arguments of the function.

The indifference loci are flat at the vertical intercept ($\sigma = 0$), meaning that in the absence of risk a small increment in risk exposure is virtually costless to the individual. The loci are increasing and convex in σ . They become steeper as σ increases. Finally they become flatter as g increases when $\sigma > 0$, that is risk aversion declines as expected income increases. The vertical intercept of each locus is the *certainty equivalent* of the other points making up the locus: It gives the maximum amount the individual would pay for the opportunity to draw an income from a distribution with the mean and dispersion given by each of the other points on the locus. Because one can overspecialize even if one were to care only about expected income, it is plausible to assume that the so called risk-return schedule, $g(\sigma)$, is inverted u-shaped, first rising and then after reaching a maximum falling as shown in Figure 1.

The decision maker faced with this risk return schedule will vary σ to maximize his utility subject to $g = g(\sigma)$ and thus will equate $g' = -v_{\sigma} / v_g$ requiring that the marginal rate of transformation of risk into expected income (the lefthand side, that is, the slope of the expected income function) be equated to the marginal rate of substitution between risk and expected income. Were one to exist, a risk neutral individual (namely, one for whom $v_{\sigma} = 0$ for all values of σ) would set $g' = 0$, maximizing expected income by choosing the level of risk that implements the maximum of the g function. The risk-averse individual (with $-v_{\sigma} > 0$) will select a level of risk such that $g' > 0$, which implies a lower level of risk, with a lower expected income.

The basic income grant and cultural standardization as insurance

The risk reduction effects of the BIG are readily studied in this framework, as they result in a leftward shift in the g function that results from the fact that the basic income is not risk exposed and it is funded by taxes that

reduce the risk exposed income stream, thereby substituting a certain income for the tax portion of the uncertain income. In Figure 2, I show a horizontal displacement of the g function indicating that the BIG is a pure risk reduction intervention without income reducing effects that might be associated with other conditional risk reduction policies (I have shown in Bowles (1992) that a substantial BIG can be introduced without adversely affecting incentives to work and invest.)

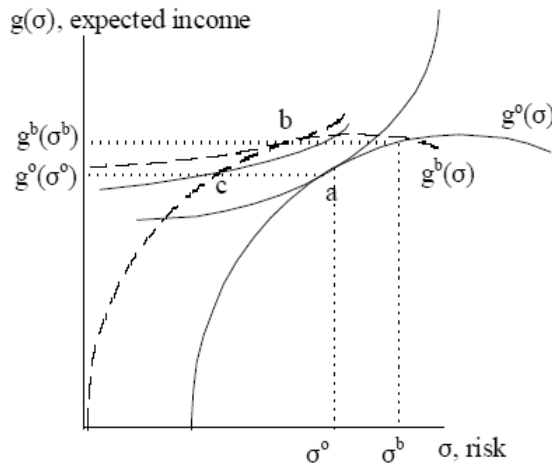


Fig. 2. The BIG reduces risk exposure and induces greater risk taking, resulting in an increase in expected income

In this figure, the pre- and post-BIG risk choices and expected incomes are indicated by super scripts o and b respectively and by points a and b respectively. Point c resulting from an unchanged level of risk taking after the introduction of the BIG cannot be a utility maximum because the indifference locus at c must be flatter than at a , while the slope of the g function is unchanged. So the tangency required for a maximum must be at some higher level of risk taking. The increase in the level of risk-taking is due to both the lesser level of risk exposure of the citizen and (given that risk aversion is decreasing in expected income) the higher level of expected income at point b . It is worth noting (but not studying in detail) that were the intervention to reduce expected income for any given level of risk choice (shifting the g function down as well as to the left) then the above result need not hold, as the reduced expected income would enhance risk aversion and could offset the effects of reduced risk exposure.

To determine the effect of learning a *lingua franca* (for the moment in the absence of a BIG) we imagine that one can incur costs to learn various amounts of the *lingua franca*, and that learning more is associated with greater risk reduction as it makes one's skills more valuable in a wider range of alternative labor markets. Thus we posit a cultural risk reduction technology that for a cost of $f\lambda$ reduces risk exposure by an amount λ .

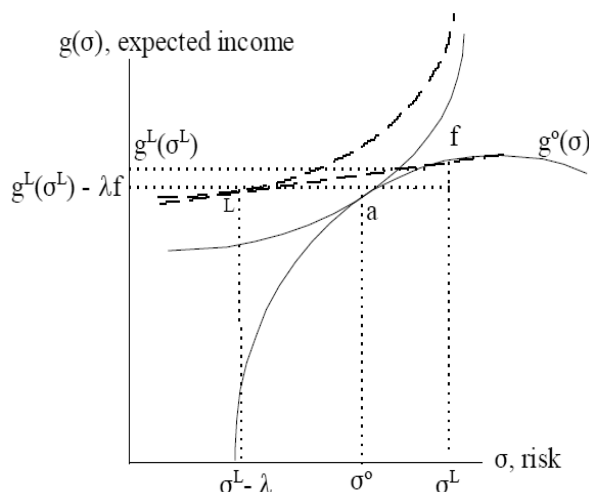


Figure 3. Learning the *lingua franca* reduces the experienced risk level and induces a higher choice of risk

In figure 3 the individual could select point **a** as before. But if it costs f to reduce risk exposure, as long as this cost is less than the degree of risk aversion (the slope of the indifference locus) the citizen would do better to learn some of the *lingua franca*. Thus he will choose point **a**, trading off some expected income for reduced risk exposure (this is not shown in the figure). But the citizen could do even better by then adopting a higher level of risk and learning even more of the *lingua franca*. This is shown in the figure by point **f** (the citizen's choice of risk and expected income) and point **L** (the citizen's experienced level of risk exposure and reduced expected income net of the costs of language study). At point **L** the citizen's optimum is given by equating the marginal rate of transformation of increased risk into increased expected income (g') with the marginal rate of transformation of reduced expected income (the language tuition) into reduced risk in the cultural insurance technology (which is just f). The expected income net of the

language costs need not increase (in the case depicted in the figure it does not change). The contrast with the BIG case arises because we have assumed that language training is costly while the transfers associated with the BIG are not.

The economic security and cultural diversity are complements

It is now clear why the *lingua franca* and the BIG are substitutes: what they both accomplish, namely risk reduction, is subject to diminishing returns, so that more of one reduces the marginal value of the other. We just saw that the individual would choose to learn the *lingua franca* in the absence of a BIG, and we reproduce this result at point *a* in figure 4, where because *f* is less than the degree of risk aversion, the individual could benefit from learning the *lingua franca*.

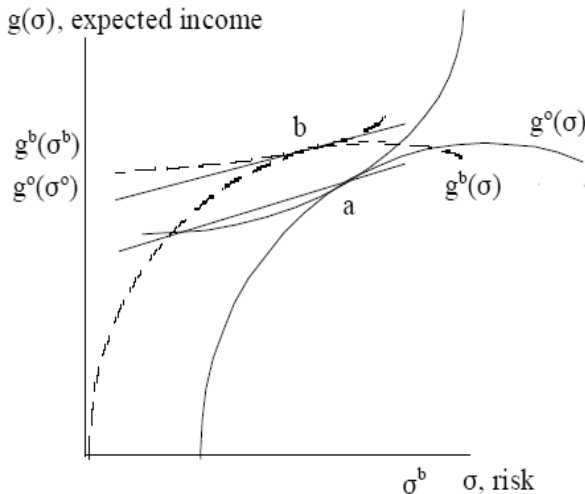


Fig. 4. The BIG reduces and may eliminate the incentive to learn the *lingua franca*

Note: at point *a* the upward sloping line gives the individual's cultural risk reduction technology (with slope *f*) and shows that acquiring the *lingua franca* would be optimal (as explained with respect to figure 3). The reduced level of risk exposure of the citizen at the post-BIG outcome (point *b*) makes the citizen indifferent to learning the *lingua franca*.

But will the citizen also gain from learning the *lingua franca* if the BIG is introduced? It need not be. Figure 4 shows the level of the BIG such that given the resulting risk exposure of the citizen (point *b*) there would be no benefit to learning the *lingua franca*. A smaller BIG would reduce the optimal

acquisition of the *lingua franca* (compared to the no-BIG situation), but not eliminate it. A poorly designed BIG that reduced income substantially while not accomplishing much risk reduction could leave the degree of risk aversion unaltered, or even raise it, thus possibly even increasing the demand for learning the *lingua franca*.

Not surprisingly, the converse is also true: the availability of cultural risk reduction technology that is sufficiently effective (if low enough), will reduce the demand for a BIG. This can be seen in Figure 3 where the demand for risk reduction associated with the BIG is just the degree of risk aversion. At point *a* this is considerable, indicating that the citizen would be willing to incur a substantial expected income loss in order to reduce risk exposure. Even though acquiring some of the *lingua franca* induces the citizen to incur more risk, the resulting degree of risk exposure is reduced, and the citizens' willingness to pay (in expected income losses) for a reduction in risk is reduced (the slope of the indifference locus at *L* is less than at *a*).

Learning the *lingua franca* in this model is just a metaphor for any costly activity that reduces an individual's risk exposure by making her income earning assets less vulnerable to culturally local shocks. Cultivating culturally diverse network ties could play a similar role. The example returns us to the many reasons (put aside at the outset) other than risk reduction that an individual might want invest in less culturally specific skills. It also reminds us that those who invest in either more universal skills or skills specific to more than one culture provide important benefits to their fellow citizens and non-citizens alike. Thus one cannot infer from the analysis here that we should count the reduced demand for learning the *lingua franca* and the possible contribution that this makes to cultural diversity as a reason to support the BIG (and similar risk reducing public policies).

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Appendix

To take account of the financing of the BIG we let the citizen pay a tax equal to a fraction τ of her income and to receive a grant of b , with the two terms selected so that varying the size of the grant and its necessary funding does not alter citizen's expected income. This is just a device for abstracting from the redistributive effects of the BIG so as to study the pure insurance effects. Given some tax rate and grant level, when the citizen selects a level of risk $\underline{\sigma}$ and language training λ her realized income (taking account of both the BIG and cost of learning the *lingua franca*) is

$$y = (g(\underline{\sigma}) + z\underline{\sigma})(1-\tau) + b - f\lambda$$

and the realized standard deviation of income is $\sigma = \underline{\sigma}(1-\tau) - \lambda$. From this latter expression we see that a larger BIG (financed by a larger τ) reduces the risk exposure of the citizen. Writing $g(\underline{\sigma}, \lambda)$ for the citizen's expected income (just the above expression for realized income minus the $z\sigma$ term), the citizen varies $\underline{\sigma}$ and λ to maximize $v = v\{g(\underline{\sigma}, \lambda), \sigma(\underline{\sigma}, \lambda)\}$. This optimization problem gives us the tangency conditions shown in the text, namely $f = g' = -v_{\sigma} / v_{g'}$, requiring that the two marginal rates of transformation of risk into expected income be equal to the marginal rate of substitution between risk and expected income (that is, the citizen's degree of risk aversion).

The assumption that for a given cost (of *lingua franca* learning) the realized standard deviation of income can be reduced by a given amount simplifies the model (it makes the cultural risk reduction technology linear) but does not account for the results. Were I to assume more realistically that the costs of risk reduction are greater as risk exposure is reduced, the results presented here would be strengthened. For example, entirely eliminating the incentive to learn a *lingua franca* would require a smaller BIG than is shown in Figure 4.

Legitimate partiality, parents and patriots

Harry Brighouse & Adam Swift*

Abstract (in French)

Cet article applique l'approche des « biens relationnels » à la question de la partialité légitime au profit des compatriotes. En se penchant sur la spécificité des biens produits par les relations entre co-nationaux, et sur les formes de partialité nécessaires à leur production, nous plaçons sous la loupe l'analogie famille-nation. Distinguant entre les biens relationnels nationaux des biens relationnels politiques, et rappelant quelques points généraux relatifs à l'écart entre des affirmations relatives à la valeur de tels biens et des légitimations de la partialité dans des circonstances particulières, nous soulignons les limites de l'analogie.

Introduction

In other work (Brighouse & Swift 2009) we have developed a way of approaching the issue of legitimate parental partiality; i.e. the question of the ways in which, and extent to which, parents may do things to, with and for their children that they are not required to do (and perhaps must not do) to, with or for other people's children. This contribution explores what happens when that methodology is applied to the issue of legitimate partiality towards compatriots.

The approach requires us to attend to the relationship-specificity of agents' prerogatives and responsibilities with respect to particular others, and to the particular goods that are realized by that specific kind of relationship. What kinds of partiality must one engage in to enjoy that kind of relationship and the 'relationship goods' that it distinctively provides? For us, particular features of the parent-child relationship, and particular ways in which that relationship contributes to well-being, can help to justify the expression of particular kinds of partiality. Some theorists take partiality towards members of one's family as essentially unproblematic, and justify partiality towards compatriots by analogy with it (Oldenquist 1982; Miller 1995). Our emphasis on the specificity of relationships and the distinctive kinds of contribution they make to well-being puts us in a position to investigate the extent and limits of that analogy.

* We are grateful to members of Oxford's Centre for the Study of Social Justice for helpful discussion of a draft of this paper.

Two prefatory comments. First, we want to isolate the reasons for permitting partiality towards compatriots that derive from the value of the compatriot relationship. Individuals may have prerogatives of a more generally, perhaps even universally, permissive kind; in particular cases, these may justify actions by agents intended to favour their compatriots. For example, there may be prerogatives to pursue one's own projects, or to exercise discretion over the objects of one's charitable or altruistic endeavours, in ways that would license an individual's showing partiality towards her compatriots. But those prerogatives, if any, are not justified by appeal to the value of the compatriot relationship and are not our concern here.

Second, the term 'compatriot' is ambiguous. Sometimes, compatriots are fellow nationals, those who share membership of a national community. Sometimes, they are fellow citizens, those who share membership of the same state or political community. Of course, these two relationships often overlap. Nations typically have historical connections to a particular territory, and seek to establish political rule over that territory in the form of a state. Moreover, influential strands of argument see much of the value of nationality as instrumental, as providing the kind of shared identity needed to underpin what are fundamentally civic goods of solidarity, social justice and democracy. As we will see, this overlap makes it hard to disentangle the distinct goods realized by the two relationships, and the distinct kinds of partiality susceptible to justification by appeal to them. Still, in principle we should take seriously the difference between those relating to one another as fellow nationals, on the one hand, and as members of the same polity, on the other. Differences in the goods the different relationships make available are sometimes obscured in the arguments of those defending compatriotic partiality. Here we want to try to isolate what in our terminology become 'national relationship goods'.

This short paper has three short sections before concluding. First, we offer some general points about the value of relationship goods and how that value relates to questions of legitimate partiality. Second, we set out two sharp disanalogies between families and nations. Third, we consider the kinds of partiality that are susceptible to justification by appeal to the value of the national relationship. We conclude by emphasizing the limits of legitimate partiality to fellow nationals.

Relationship goods and legitimate partiality

First, suppose there are indeed distinctive goods made by possible for human beings by national relationships. It does not follow that, all things

considered, it is good that there be such relationships. In the case of the family, we argue that, despite the costs and drawbacks that go with parent-child relationships of the kind that we describe, human beings would indeed be worse off, much worse off, all things considered, in the absence of familial relationships. Parent-child relationships, in our view, are so central to human flourishing that, did they not exist, it would be necessary to invent them. Whether the same can be plausibly be claimed for relationships between compatriots will of course depend on one's view about the nature of the goods they make possible, and the relative weight of the goods and bads that attend the existence of such relationships.

Second, however valuable the national relationship, it's a further question whether one would be justified in doing what is needed to ensure national relationship goods for oneself and one's fellow nationals rather than devoting the same resources (time, energy, money) to facilitating others' provision of those same relationship goods to one another. It may be true that some degree of special treatment is inherent in very nature of the relationship itself; according to Samuel Scheffler (2001) the relationships we are talking about are partly constituted by some kind of special responsibilities - they simply would not be good-yielding relationships if their participants in no way regarded them as providing reasons for some kind of priority or special treatment. (See Keller 2011 for an opposing view.) Even if Scheffler is right, keeping in mind that the relationships in question are equally valuable for all should help us avoid over-simple inferences from the value or importance of the relationships to the degree or kinds of partiality that their participants may legitimately show one another.

Third, suppose it is true not only that national relationships make a distinctive contribution to well-being, and that certain kinds of partiality between fellow nationals are required for them to make the contribution, but also that the contribution they make is indeed very important. It does not follow that we may legitimately act in the ways needed for that contribution to be realised. To ask whether it is legitimate for someone to do something to, with or for her fellow nationals we need more than an account of the properties that such an action must have in order to be susceptible to justification by appeal to the value of the national relationship. Can, for example, contributing resources to national cultural projects, or a national public health service, or national defence, or simply complying with the tax laws as decided - less or more democratically - by one's fellow citizens be justified by appeal specifically to the value of national relationships? We need also a substantive position on the nature and extent of people's duties to *others* in the circumstances. No account of the value of relationships with compatriots, and of the actions that can be justified by appeal to that value,

can, by itself, yield a view about what compatriots may and may not legitimately do to, with, and for one another in any particular circumstances. Perhaps, in a world where some lack what they need for mere survival, the provision, for oneself and one's compatriots, of the goods derived from relationships with compatriots exceeds the bounds of legitimate partiality. Perhaps, if background distributions are unjust by some independent standard, those with more than their just share have a duty to divest themselves of their unjust surplus before devoting any of it to the claims on them that arise from special relationships.

Finally, however, how valuable national relationship goods are *is* relevant to all things considered practical judgements to the extent that agents are choosing between actions that help to realize *those* goods and actions that help to realize *other* goods. This is true irrespective of whether the agent is contributing to the production of those goods for himself and his compatriots, or for members of other nations. On our account, which we do not have space to rehearse here, familial relationship goods are extremely important: whether one is acting partially to realize them for oneself and the members of one's family, or seeking to facilitate their realization for others, that importance means they should have a good deal of weight, relative to other considerations, in one's practical deliberations. How valuable national relationship goods are will similarly make a difference to their weight in all things considered judgements about what to do.

Why nations are not like families

Here are two crucial disanalogies between the nation and the family. First, a weighty reason for there to be families, a reason for children to be raised by parents with responsibility for them, is the particular value that comes, both to children and adults, from that fiduciary relationship. Children, born entirely helpless and vulnerable, grow up with the benefit of initially sensing, and then coming to understand, that there are particular adults charged with the task of meeting their most basic needs and, as they grow up, discharging more complex and emotionally demanding duties of care. Adults benefit from playing that fiduciary role. By its very nature, the fiduciary relationship will entail important kinds of partiality. Only if national relationships are the precondition of basic order and security, which we doubt, do such relationships yield anything like an equivalently deep and fundamental ground for partiality.

Second, when all goes well, parents and children love one another. To love someone is to care that their lives go better rather than worse – to care about that more than one cares about the well-being of a stranger. There is a

particular value to being the person who brings it about that one's loved ones lives do indeed go better rather than worse, and to having one's well-being promoted by someone who loves one, so distinctive familial relationship goods are indeed realized when family members act on that motivation. Even in the case of the family, though, we regard that consideration, though real, as weak. It is secondary to, and parasitic on, the value of the relationship itself. Although fellow nationals can doubtless develop something that we might think of as affection for one another, and doubtless it can be valuable to promote the well-being of those for whom one feels affection, we cannot regard that value as having anything like the weight of that in the case of the family. Fellow nationals do not love each other; the chances are they don't even know each other.

National relationship goods

What kinds of partiality towards fellow nationals are indeed susceptible to justification by appeal to the value of the national relationship? Taking David Miller's influential defence of nationality as what can be no more than an exploratory pilot study, we start by identifying claims about the specific contribution to well-being made by that relationship.

So what are nations, and what goods do national relationships contribute to human lives? For Miller (2000: 30-31), a nation is "a community constituted by mutual belief, extended in history, active in character, connected to a particular territory, and thought to be marked off from other communities by its members' distinct traits". According to Miller (2005: 68-69), "...people who deny the significance of national identities in circumstances where such an identity is accessible to them are missing out on the opportunity to place their individual lives in the context of a collective project that has been handed down from generation to generation, involving among other things the shaping of the physical environment in which they live, and whose future they could help to determine, by political participation and in other ways".

It is striking how many of these characteristics and goods might describe and be realized by (a) members of a political community and (b) members of a single global political community. We do not have space to explore the latter possibility; clearly a lot turns on how we read phrases like "particular territory" - is the planet earth one of those? - and "members' distinct traits" - might these be traits be distinctive of human beings? But the former is key to our understanding of what national relationship goods are. For theorists like Miller, national identity is important primarily because, for him, it is a precondition for the achievement of *political* goods - the nation provides the

affective and motivational basis for people to realize political goods in their lives. Sometimes, as in the passage quoted, those goods are conceived procedurally, with the emphasis simply on the value of membership of a particular kind of collective project. Sometimes, such as when arguing that a sense of national identity is needed to underpin egalitarian redistribution and social justice, Miller offers a more specific and substantive vision.¹

The difference between these two ways of thinking about political goods will, of course, have implications for the kinds of partiality that participants in the relevant political relationships might be able to justify. There are other ways of conceiving those goods also.² But however conceived, and purely as a conceptual and terminological matter, if claims of the kind that Miller makes are true then we would indeed regard those goods as 'national relationship goods'. They are goods that explain why national relationships are valuable, albeit instrumentally so. So, for those who emphasize the political aspect of nationality, we need to keep in mind two kinds of partiality that might be justified by appeal to the value of national relationships: there is the kind needed for members of a political community to realize the goods made possible by their political relationship; and there is the kind needed to foster the sense of shared identity that, it is claimed, is the precondition of people enjoying that kind of political relationship.

Miller's mention of "the opportunity to place their individual lives in the context of a collective project that has been handed down from generation to generation" raises another issue. Families sometimes also see themselves in this way, and it might seem that devoting time, energy and other resources to a distinctively national or familial intergenerational project would count as partiality of the kind that could be justified by appeal to the value of the national or familial relationship. If so, this would mean that the *content* of a nation's project would make a difference to the kind and amount of partiality its members might show one another. Members of a nation whose identity was constituted partly by their commitment to something like the UK's National Health Service would then be able to invoke their *nationality* as reason to give, and vote that all members should give, resources to that

¹ Philippe Van Parijs (1993) offers a distinctive, characteristically subtle, and transitional version of this approach. Having articulated a "limited" conception of patriotism requiring only that patriots "refuse to pull out of their society for the sake of collecting higher post-tax incomes elsewhere", and despite believing global maximin to be the only coherent long-term ideal, he suggests that "patriotic commitments would provide a welcome help to relieve pressure on each country's (or each region's or each federation's) redistributive set-up in the long interim period that is bound to elapse before sufficiently powerful interpersonal transfer systems can be introduced at the global level" (329-330).

² We think of Bernard Williams (2005) as offering another account of the distinctively political goods.

project.³ In the case of the family, our focus on the value of the intimate parent-child relationship effectively rejects the analogous argument. Parents' projects (which may have been inherited from their parents, and so on) may indeed influence the terms on which family life is conducted but only in so far as that's genuinely necessary for the intimate, personal, familial relationship to exist. The relationship is defined in other terms; we think of it as a relationship whose value can entirely be explained without mention of the opportunity it affords individuals to "place their lives in the context of a collective project that has been handed down from generation to generation".

Suppose that Miller is right on this point. Attention might then turn to the variety of ways in which individuals can "place their lives in the context of" such intergenerational projects. One can do *that* without endorsing the project or aiding its realisation. Indeed, one can think of what one has national reason partially to do - what one owes one's fellow nationals in particular - as being precisely to explain why their traditional national project(s), and perhaps some key elements of the national identity, should be reconceived. One can have a distinctively valuable relationship with one's fellow nationals by discussing with them how the nation can best respond to its circumstances, and best meet the constraints of acting within the legitimate demands of others. So, for example, there are ways of affirming one's identity as a member of a nation historically connected with a particular territory that involve trying to persuade one's fellow nationals that the nation's traditional territorial claims cannot be sustained, perhaps, but not necessarily, by emphasizing alternative strands in the nation's history.⁴

Conclusion

We make no claim that our 'relationship goods' approach to the issue of legitimate partiality is the only, let alone the best, way of thinking about the topic. That approach has not yet been subjected to the kind of criticism by

³ Cf. Thomas Hurka (1997: 153): "In the 1960's Canadians created a national health care system that continues to provide high-quality medical care to all citizens regardless of their ability to pay. The benefit the medicare system provides to each individual...is still substantial, and one Canadians have provided together. Canadians derive equally substantial benefits from many other aspects of their political activity."

⁴ Cf Judith Butler's (2011) account of Amnon Raz-Krakotzkin as arguing that "the exilic is proper to Judaism and even to Jewishness, and that Zionism errs in thinking that exile must be overcome through the invocation of the Law of Return, or indeed, the popular notion of 'birthright'. Exile may in fact be a point of departure for thinking about cohabitation and for bringing diasporic values back to that region".

others that would allow us to assess its merits and demerits. Still, its application to the issue of 'family values' and parental partiality has been suggestive enough, we hope, to warrant this exploratory extension of the method to a different kind of relationship – that between fellow nationals.

We started with some general observations about the relation between relationship goods and the kinds of partiality that might be justified by appeal to their value. The main point here was to emphasize the gap between the claim that (i) particular kinds of partiality between participants in a relationship are needed for that relationship to yield its distinctive contribution to their well-being, and the claim that (ii) it is, all things considered in the circumstances, legitimate for individuals to act partially in those particular ways. Even if national relationship goods were very valuable, we'd still need to know the opportunity cost of their production as far as other goods are concerned, and why an individual could legitimately pursue them for herself and her fellow nationals rather than helping others to realize them.

Of course the value of national relationship goods, and what kinds of partiality are susceptible to justification by appeal to them, depends on what those goods are. Here, the connection, if any, between national relationships and political relationships is crucial. For us, the most plausible candidates for what are sometimes presented as very important benefits of nationality are in fact goods of political association. To what extent do the goods of political relationship – and there are various accounts of what those might be – depend for their realization on relationships based on shared nationality? Only if national relationships are needed to underpin the basic political goods of order and security can fellow nationals be regarded as owing one another fundamental duties anything like as important as those owed by parents to their children. We doubt that they are, but even if they were we are very sceptical that that consideration could be invoked to justify anything like the kinds of partiality that fellow nationals currently tend to show one another.

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Individual responsibility and social policy

The case of school allowances and truancy

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Abstract (in Dutch)

In de voorbije decennia jaar vertonen de spanningsvelden tussen de grondslagen van de welvaartsstaat zich in een andere, verscherpte gedaante: waar het sociaal beleid vroeger vooral gestoeld was op herverdelen en beschermen, verwijst het huidige discours steeds meer naar verantwoordelijkheid, verdienste en responsabilisering. Aan de hand van een concrete casus, het Vlaamse disciplinerende beleid rond schooltoelages, tonen we in deze bijdrage dat deze paradigmaverschuiving onvermijdelijk leidt tot een harder sociaal beleid en een strenge vorm van wederkerigheid waar de meest kwetsbaren in onze samenleving niet altijd aan kunnen voldoen. Dit kan een afkalving van de sociale bescherming impliceren en nieuwe vormen van uitsluiting in de hand te werken.

In the golden age of the welfare state, the dominant discourse was one of redistribution and the protection of citizens against social risks such as unemployment, illness, disability, rearing children and retirement. However, the then prevailing triumphalism has slowly faded over the past decades. Questions arose on the future of the welfare state, on the rising costs of social protection, on the principle of social insurance in a changing societal context. Parallel with a changing discourse on social welfare, profound changes in social policy took place. Nowadays, one speaks of the “active welfare state” or the “social investment state” in which people are to be activated and empowered instead of “passively” protected. The consequences of this shift have been documented extensively (Cantillon 2011; Vandenbroucke & Vleminckx 2011): minimum benefits in social security and social assistance schemes became less generous and increasingly dependent on activation programmes, the acceptance of ‘suitable jobs’ and in some cases even the obligatory acceptance of community services. As such, the ethical justification of redistribution as fairness (Van Parijs 1995) has lost ground against a more stringent

interpretation of social protection in which individual responsibility and *quid pro quo* have become key concepts. In this context, basic income as the ultimate universal guarantee of adequate income protection is nothing more than a distant ideal.

In this contribution, we are neither concerned with such historical developments, nor with the underlying ethical shift as such¹. Instead we want to discuss the new tensions that are emerging within the foundations of the welfare as a result of these developments: solidarity and reciprocity, universality and selectivity, responsibility and autonomy. In doing so, we will focus on the case of *truancy* (or absenteeism in schools) which is related to *the* instrument of social investment *par excellence*: equal opportunities in education. In Belgium, the former Flemish government introduced the possibility to recuperate (fully or partially) the school allowance (*schooltoelage*) from parents of persistent truants as a disciplinary measure. This has been fully implemented since 2008. Some are however willing to go even further and propose legislative initiatives to link entitlement to child benefits with school attendance or allow administrative fines for parents of truants². We will argue that this specific case is symptomatic of the above-mentioned paradigm shift in social policy in which the pendulum of responsibility has swung too far.

Equal opportunities amidst new tensions in social policy

In the classic welfare state, reciprocity stood for the system of social insurance in which there was an equivalence between contributions and benefits. In the social investment state, however, new forms of reciprocity have emerged whereby individual responsibility and merit become the focal points (Vandenbroucke 2011). This is the result of

1) the emergence of new social risks, which are more than the old ones (*supra*) a result of choice (e.g. divorce versus widowhood);

2) the commitment to equality of opportunities rather than equality of outcomes (e.g. the emphasis on schooling and training which presupposes commitment and hence responsibility from students);

and 3) the focus on employment as a fast-track to social inclusion (which – again – presupposes a commitment to look for a job and the responsibility to accept employment).

¹ We refer the interested reader to Esping-Andersen et al. 1999; Gilbert 2004; and Morel et al. 2009.

² For instance, Bart Somers (mayor of the city of Mechelen and MP) recently (May 2011) announced the submission of a bill allowing municipalities to issue administrative fines in cases of persistent truancy.

At this point, a key question emerges: should the government merely aim at providing equal opportunities to people to live a valuable life. Or should the government also ensure that people achieve socially desirable outcomes? The capability approach, developed by Amartya Sen and Martha Nussbaum, is a useful framework of thought on this matter. The capability approach allows to evaluate the real opportunities one has regarding the life one may lead, incorporating both personal characteristics and the social context (Robeyns 2000). Key to this approach are the concepts of capabilities and functionings. The latter relates to the final achievement, a practical outcome, while the former is the 'ability to achieve' a certain functioning (Sen 1987: 36). There is a classical example: in order for an able-bodied person and an impaired person to have the same capability to be mobile, the latter will not only need a wheelchair, but also pathways adapted to the use of a wheelchair. In other words, whether impairments result in the same capability to be mobile depends on the personal, social and physical environment. Public policy clearly has an important role to play in enhancing people's capabilities. Returning to our case, evaluating the capability to be educated allows to shed light on whether the provision of equal opportunities in education suffices as social policy goal, or on whether we should also enforce citizens' successful participation. And in case of the latter, through which means?

It is well-known that education is an important determinant of individual fulfilment and opportunities on the labour market and in later life. Yet education is also beneficial for society as a whole in the form of enhanced human capital. In this sense, education is one of the cornerstones of the social investment state. And indeed, since the nineties, Flemish educational policy is strongly characterised by the ideal of equal opportunities. It is aspired for everyone alike (rich and poor, vulnerable and strong, more and less talented) to reap the fruits of qualitative education. To achieve this, (in principle) free elementary and secondary education is provided, and families who cannot afford the additional costs of schooling are entitled to a means-tested school allowance. However, to make this government investment 'profitable' for both the individual and society, an effort on behalf of the children is expected. The ones waiving this reciprocity, i.e. those who persistently fail to attend class in our case, are disciplined and their families may lose their school allowance (if they are entitled to it).

The Flemish school allowance is a textbook example of selective social policy: it involves a form of vertical solidarity but it is means-tested. If all conditions are met, the allowance varies according to household income. The allowance is thus by definition targeted at financially vulnerable families. As being said, the provision of school allowances is not only an

instrument of targeted solidarity, but also a disciplinary instrument. Parents of students who are either absent (without an authorization) from school for more than 30 half days in two consecutive years or not officially registered for more than 15 consecutive days, have to repay their allowance. Between its implementation in 2008 and 2010, 351 allowances were recovered.³

Against the background of the aforementioned tensions between the foundations of social policy, we will discuss this disciplinary measure drawing on the concepts of efficiency (consequentialist dimension) and responsibility (ethical dimension). We believe that the case of truancy is ultimately a question of social justice.

The social efficiency of a disciplinary policy measure

Evaluating the social efficiency of a disciplinary measure from a consequentialist point of view cannot but start with a straightforward question: does it work? Looking at the figures, this doesn't seem to be the case so far. The annual monitoring reports issued by the Flemish Ministry of Education suggest that 'problematic absenteeism' in secondary education is on the rise compared to the previous years (Departement Onderwijs en Vorming 2010). As it however may be too premature to empirically assess the genuine effect of this measure, there are three additional reasons to question its efficiency.

A first issue concerns the time period. The complete package of measures issued by the Flemish government to combat truancy (*'Spijbelactieplan'*) encompasses a bunch of integrative measures (in cooperation with schools, community workers and pupil support centres) to intervene rapidly in the case of problematic absenteeism. This is obviously of uttermost importance. However, the financial disincentive follows with a delay of about two years. The link between cause (truancy) and effect (repaying the school allowance) has dissolved after such long period. Therefore, it has little effect as an instrument to raise awareness among parents. If there is a real problem of truancy, one can safely assume it will be already too late.

A second issue concerns the financial consequences of the measure. These households are financially deprived by definition, which means that repaying such (often substantial) amounts may well reinforce their financially precarious situation.⁴ Disciplinary policies of this kind thus endorse the unequal income distribution.

³ *Parl. St.* VI. Parl. 2010-11, nr. 945/1;

see <http://docs.vlaamsparlement.be/docs/stukken/2010-2011/g945-1.pdf>

⁴ E.g. for a secondary school student living at home, the amount ranges from €120 to €800. See <http://www.ond.vlaanderen.be/studietoelagen> (in Dutch).

A final issue is that the principle of non-discrimination is violated because only families receiving an allowance are subject to the disciplinary measure. One could at least assume that disciplinary rules apply to everyone: the late ethicist Koen Raes rightly described this as a moral benchmark for a public sense of justice (Raes 2003: 3). As we will see below, there is substantial yet not complete overlap between families entitled to a school allowance and families with truant children. Not everyone is equal when it comes to truancy which can hardly be regarded as fair. Thus arises a somewhat schizophrenic situation in which only the least affluent are punished by revoking an allowance designed to help those families preventing exactly what is being disciplined.

The unbearable complexity of individual responsibility

The more fundamental, ethical, issue at stake is the concept of merit. If one fails to attend school, isn't it simply a matter of fairness that one loses one's entitlement to a school allowance? That society, echoing Cicero's *suum cuique tribuere*, only has a duty to give to whom it deserves? The crux of this argument boils down to the association of merit and responsibility: who is responsible for the socially aberrant behaviour, and to what extent?

To fully understand the significance of this issue, one has to go back to the beginning: the coincidence of being born in a disadvantaged or privileged family. Many of the inequalities, disadvantages and wrongdoings we observe in contemporary society find their origins in the accident (or lottery) of birth. Obviously no one can be held responsible for being born. Furthermore, several crucial elements are more or less fixed at birth: not only genetic endowments, cognitive abilities and talents but also parental educational attainment, socio-economic background of the family, the quality of the house in which one lives, the neighbourhood in which one grows up. More than a century of historical, sociological, economic and psychological research has made very clear how determining those contextual factors are in becoming an 'autonomous individual'. Children growing up in precarious neighbourhoods where social problems (unemployment, crime, poverty, .. and truancy) are cumulated (by the way a largely urban phenomenon), begin their adult lives with a disadvantage they are often not able to overcome.

Now let us turn to the profile of persistent truants in Flanders. Students from non-native descent, students with poorly educated parents and students from families entitled to a school allowance are overrepresented (Departement Onderwijs en Vorming 2010). Moreover, the problems are relatively concentrated in urban areas (Brussels, Antwerp, Ghent, and

smaller Flemish cities). Obviously, it is not a coincidence that we recognize the same characteristics of vulnerability as outlined above in the profile of truants, and that families entitled to school allowances are overrepresented.

Given all this, to what extent is individual responsibility a useful concept to support such a disciplinary policy? In this case, the measure is aimed at parents in order to raise their awareness of the importance of education. The parents are thus held responsible for the behaviour of their children. Net of the *de jure* responsibility parents have for their children, we are concerned with *de facto* responsibility. We believe that holding parents fully accountable for the absenteeism of their children does not take into account the unbearable complexity of the concept of responsibility: seldom clear-cut, almost always equivocal and ambiguous.

Consider the following examples. Can we hold the single mother responsible for the regular absenteeism of one of her children when she is time-constrained combining paid employment with the care for all of her children and doing the household? Should we punish the immigrated mother who is unable to untangle Flemish laws on compulsory schooling? And what about the short-term perspective of a sixteen year old preferring quick money in the informal circuit to the longer-term perspective of graduating? What about those who never saw among their peers and kin that education effectively leads to a decent job?

Such examples, albeit hypothetical, illustrate how hard the task of exactly demarcating responsibility is. Do we blame the parent(s), or the child? Is it a matter of insufficient social protection of vulnerable households, which makes it a collective responsibility? And what about the responsibility of the school and the school system? Research shows that truancy occurs least in schools with a strong commitment to provide support for pupils including a clear focus on their well-being (Claes et al. 2009). Conversely, truancy frequently occurs in school where negative features (such as inadequate infrastructure, shortage of teachers and lack of funding) are cumulated. Again we are confronted with the same difficulty: is it an individual or collective responsibility, or both?

Every human being wants to ensure his children a good life, but the resources to do so (not only financial, but also including 'knowledge', 'information' and 'time') are not equally distributed. As John Rawls discusses in his Theory of Justice, the outcome of formal equality of opportunities is "affected by all kinds of social conditions and class attitudes. Even the willingness to make an effort (..) is itself dependent upon happy family and social circumstances" (Rawls 1971: 74). In this context, pointing fingers at the most vulnerable is not fair. We do not state that parents or their children bear absolutely no responsibility in the case of

truancy. We however do believe that the concept of individual responsibility is not always strong enough to support disciplinary measures against financially vulnerable families, certainly so in cases where real opportunities are not equally guaranteed.

Some final considerations

Truancy is a social phenomenon that deserves proper attention. It produces undesirable social consequences such as alcohol and drug abuse, early school dropout, nuisance, delinquency and, hence, damaging outcomes detrimental for future opportunities in life. In fact it is a matter of social justice: truancy affects vulnerable families with a low socio-economic profile, whose children are generally enrolled in educational levels with less favourable labour market perspectives. The same families are entitled to school allowances in the first place. We have argued that the use of financial disincentives as a disciplinary measure – aimed at exactly those vulnerable groups – is neither efficient nor ethically justified. Furthermore, we believe that the case of school allowances has broader implications, in the sense that it is symptomatic for the current discourse on reciprocity and individual responsibility as foundations of the social investment state.

It seems that our society has freed itself from social class and traditional bonds and transformed into a place where everyone has the opportunity to be, in William Henley's words, the master of his own fate.⁵ This is what we could call, following Ulrich Beck, the individualisation thesis (Ryckbosch & Van Lancker 2010). However, this thesis does not follow from the facts. Time and again research shows that people are just as determined by their background and origin as they were half a century ago, and – although to a lesser extent - that also holds for new social risks (in which individual choice presumably plays a greater role) (Pintelon et al. 2011). In other words, we observe a discrepancy between the moral and the factual notion of merit and responsibility (Raes 1997). Crucial in this respect is what psychologists call the fundamental attribution error: people tend to overestimate individual explanations and underestimate contextual and situational explanations for the observed behaviour and decisions of others (Ross 1977). In such frame of mind, adverse social behaviour such as truancy is more often ascribed to one's own responsibility and failure. The same reasoning holds for the views people have on redistribution and the welfare state (van Oorschot 2000).

At this point we return to the crucial issue we discussed at the onset: does the government with its social policy has to go for the provision of real

⁵ See Henley's poem *Invictus* (1875).

opportunities (capabilities) for people to live a valuable life, or should government also ensure that people achieve socially desirable outcomes (functionings)? When the social policy paradigm grafts on the moral notion of individual responsibility whilst overlooking the factual one, this inevitably leads to tougher policy measures and a more stringent standard of reciprocity, which the most vulnerable will not always be able to meet, despite formal equal opportunities. Because of the enormous gravitational pull of social class, punitive measures to achieve desirable outcomes – justified under the mantra of individual responsibility – should be approached with great circumspection. Disciplinary policy instruments should only be deployed if they stand a good chance of achieving success, in accordance with human dignity, in the service of self-fulfilment and social justice. That is why great modesty is called for in policy design and implementation. Otherwise disciplinary policies risk encouraging new forms of exclusion.

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Distributing freedom over whole lives

Ian Carter*

I firmly believe that a society of really free people could not countenance a crowd of elderly destitutes who are paying a heavy price for squandering their one-off basic endowments decades ago.

Philippe Van Parijs¹

Long runs are made of short runs – to ignore the latter is very foolish.
Isaiah Berlin²

Abstract (in Italian)

Molti egualitari, tra cui i "libertari reali" come Van Parijs, affermano di voler valutare le distribuzioni della libertà tenendo in conto "l'intero arco della vita" di ciascuna persona. Qual è l'esito prescrittivo di un tale atteggiamento normativo: il reddito di base (un reddito erogato a intervalli regolari durante l'intero arco della vita) oppure il capitale di base (una somma erogata una volta sola, all'inizio della vita da adulto, che la persona può distribuire come sceglie lungo l'intero arco della propria vita)? La prima risposta dipende da una interpretazione "a stato finale" del riferimento all'intero arco della vita; la seconda dipende da una interpretazione "a blocchi di partenza" di tale riferimento. In base a una concezione riduzionista della persona (dovuta a Derek Parfit), e a un'idea particolare di rispetto per le persone (chiamata "rispetto opacità"), è possibile giustificare una combinazione di queste due interpretazioni, e con ciò la prescrizione libertaria di una combinazione di capitale di base e reddito di base.

Assume that egalitarian justice requires us to accord each person a certain amount of freedom – perhaps an equal amount of freedom. At certain stages in their lives, people exercise their freedom in ways that affect how much

* I am grateful to Axel Gosseries and Hillel Steiner for comments on a previous draft of this essay. I expand somewhat on the theoretical proposal contained in this essay in a working paper entitled "Equal Opportunity, Equal Freedom, and Equal Respect for Persons", forthcoming in the HDCP-IRC Working Paper Series, Institute for Advanced Study, Pavia, ISSN 1974-1952.

¹ Van Parijs 1995: 31.

² Quoted in the Isaiah Berlin Virtual Library:

http://berlin.wolf.ox.ac.uk/lists/quotations/quotations_from_ib.html

freedom they enjoy at later stages of their lives. How, if at all, should egalitarian justice take account of this fact?

Basic income or basic capital?

Philippe Van Parijs has wrestled with this thorny question. His own inclination is to say that real freedom for all is guaranteed through (among other things) the allocation of a universal basic income, provided in regular equal instalments (say, monthly instalments) over the course of each person's life. But why, he asks, should we not favour assigning a person the whole of her basic endowment at the beginning of her life? The latter alternative, commonly called 'basic capital', would give the person exactly the same freedoms as those guaranteed by the basic income (assuming she has the freedom to invest the capital), plus other freedoms, such as the freedom to spend the capital at a young age on an expensive cosmetic operation or a flashy sports car. And yet, can a 'really free society' countenance the possibility of a crowd of elderly destitutes who in their youth blew their entire basic endowment on flashy sports cars (or, more nobly, on helping elderly destitute people)? Under a regime of equal basic capital, the enforced redistribution of resources in favour of elderly destitutes would unjustly penalize those who, having enjoyed (no more than) an equal right to initial freedom, gave more prudent consideration to the degrees of freedom enjoyed by their later selves.

Van Parijs briefly contemplates the following possible justification for preferring basic income over basic capital: we could take a sceptical attitude toward the continuity of persons over time, so that my later selves should be seen as enjoying distinct entitlements to freedom – entitlements which they hold against my earlier selves no less than against other people. He rejects this alternative, however, given that it clashes with the temporal unity of the self that seems to provide the very reason for taking an interest in people's freedom in the first place. The reason a 'real libertarian' considers freedom (rather than, say, welfare) to be the relevant distribuendum, is that libertarians respect persons: they consider persons as setters of ends and as makers of plans, including plans that extend well into the future and indeed over the whole of the rest of their lives (Van Parijs 1995: 47). Slicing persons up temporally is not the best way to respect their integrity as temporally unified setters of ends and makers of life-plans.

Van Parijs's own solution to this problem is not to question the temporal unity of persons or the importance of life-plans, but instead to adopt 'a mildly paternalistic concern for people's real freedom throughout their lives', on the assumption that people have an interest in protecting their

freedom at older ages ‘against the weakness of their will at younger ages’ (Van Parijs 1995: 47). This solution is unsatisfactory, however, because the assumed temporal unity of persons, combined with our respect-based reason for being interested in their freedom, makes it difficult to justify paternalism. By explicitly embracing paternalism (however ‘mild’), Van Parijs effectively admits defeat in the search for a ‘real libertarian’, respect-based justification for his preference for basic income over basic capital.

In what follows, I shall gesture in the direction of a solution to Van Parijs’s problem. To show why that solution is necessary as well as possible, I must first introduce some technical distinctions.

Conceptions of ‘Freedom over whole lives’

The concern of Van Parijs, and of many other egalitarians, is with the freedom people enjoy *over their whole lives*. But what is it, exactly, to enjoy freedom ‘over one’s whole life’? The answer to this question is complicated by the fact that freedom necessarily pertains to the future. Indeed, unlike in the case of other possible *distribuenda* (such as welfare or resources), any ascription of freedom includes, at least implicitly, two time indexicals: the time at which the freedom in question is enjoyed by the agent, and the time of the occurrence the agent is free to bring about (Carter 1999: ch. 7; Kramer 2003: 76–91). For example, I am free *now*, at the time of writing, to leave my study *in one hour’s time* (for it is true now that, were I to try to do so in one hour’s time, I would not be obstructed). Suppose, however, that someone were to lock my study door from the outside right now, for a period of two hours. Then we should say that I am unfree right now to leave in one hour’s time, but am free right now to leave in three hours’ time.

An explanation of what it is to enjoy ‘freedom over a whole life’ might involve aggregating over *either or both* of these two temporally specific phenomena: the freedom enjoyed, and the hypothetical actions. Thus, we can distinguish two different conceptions of ‘freedom over whole lives’. I shall call these the ‘starting-gate conception’ and the ‘end-state conception’.

On the *starting-gate* conception of ‘freedom over whole lives’, the amount of freedom you enjoy over your whole life is identical to the amount of freedom you enjoy at the *beginning* of your life. Although this claim might at first seem surprising, it immediately gains plausibility once one considers that it is only at the beginning of one’s life that one’s future coincides with the *whole* of one’s life. Each person begins life with a tree of spatio-temporally specific action possibilities, branching out through all of the many alternative possible lives the person is free (at the beginning of her life) to lead. On the starting-gate conception, the freedom one enjoys over

one's whole life is calculated as an aggregation of the set of (spatio-temporally specific) actions one is free (at the beginning of one's life) to perform. On the *end-state* conception of 'freedom over whole lives', by contrast, we need to consider each and every one of the different amounts of freedom possessed at various moments extending over a single life.

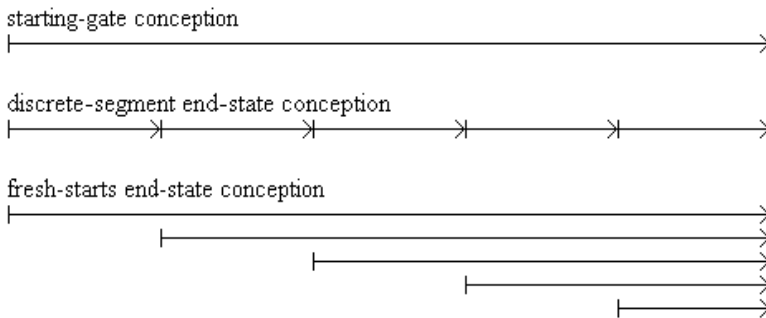
When we aggregate over the (spatio-temporally specific) *actions* a person is free at time t to perform, we produce a judgement of the *degree of overall freedom* enjoyed by that person at time t . Both of the above conceptions of 'freedom over whole lives' aggregate over whole lives in the sense of aggregating over available actions. It is also conceivable, however, that one might aggregate over the degrees of freedom possessed at various times during a person's life. Call an *aggregative* end-state conception of 'freedom over whole lives' a conception according to which the concern for a person's freedom 'over her whole life' amounts to a concern for *the sum or the average* of all the degrees of freedom possessed by her at various given junctures extending over her whole life. This conception coincides with what Dennis McKerlie and others have called a 'complete lives view'.³ But an end-state conception of 'freedom over whole lives' might be aggregative or non-aggregative in the above sense, for one can still be said to be concerned with the freedom people enjoy 'over their whole lives' if one says, for example, that a person has a right, at any one time in her life, to enjoy a degree of freedom that is equal to the freedom enjoyed by others at that same time. (The latter conception coincides with what McKerlie calls the 'simultaneous segments view'.) The starting-gate conception, on the other hand, is necessarily non-aggregative with respect to temporally distinct degrees of freedom.

Before proceeding, we should make one more distinction within the end-state conception. On a first version of the end-state conception, we divide each life into temporal segments, and we measure the freedom a person possesses at the beginning of each segment (call this time t_1) taking into account only those action possibilities that are temporally located within that same segment (that is, between t_1 , when the segment begins, and t_2 , when it ends). Thus, if t_1 is the present and t_2 is two hours later, then my freedom or unfreedom at t_1 to leave my study in three hours' time will not show up in our calculation of the degree of freedom I enjoy at t_1 . Call this the 'discrete-segment' version of the end-state conception. Alternatively, we might measure the freedom I possess at t_1 taking into account all of the hypothetical actions that are temporally located within the whole of my expected lifetime subsequent to t_1 . In this case, my freedom at t_1 to leave my

³ See McKerlie 1989, and subsequent articles.

study in three hours' time would show up in our calculation of the freedom I enjoy at t_1 . Call this the 'fresh-starts' version of the end-state conception.⁴

Leaving aside the difference between aggregative and non-aggregative end-state conceptions, the different conceptions of 'freedom over whole lives' can be represented graphically as follows, where the arrows pointing from left to right represent the passage of time.



Which conception is the most appropriate?

Fine-grained as they are, the above distinctions are important: if one intends to argue from a concern for 'the freedom people enjoy over their whole lives' to the prescription of basic income or of basic capital, one must first specify which conception of 'freedom over whole lives' one is assuming. The choice of conception will influence the resultant prescription. In order to avoid presenting a circular argument, one's choice of conception must be grounded independently of one's preference for basic income or for basic capital.

Consider first the two alternative versions of the end-state conception. The discrete-segment version is the simpler of the two, but it is also the less plausible one. After all, the real degree of a person's freedom at any given

⁴ I take the term 'fresh starts' from Marc Fleurbaey (2005: 29-61). The fresh-starts version of the end-state conception is like the starting-gate conception inasmuch as it involves positing several starting-gates over the course of the agent's life. Nevertheless, I classify it as an end-state conception because any principle of justice based on that conception would count as an end-state principle in the standard Nozickian sense (see Nozick 1974: ch. 7).

time surely depends on her freedom to bring about events that are temporally located at any subsequent time within her expected lifetime. Focusing at t_1 only on those freedoms to perform actions located between t_1 and t_2 seems plausible only if we think of the life of the person under consideration as itself coming to an end at t_2 .

The discrete-segment version therefore seems to presuppose scepticism about the temporal continuity of persons over time, and this fact seems to constitute an independent reason for rejecting the discrete-segment version. Moreover, such scepticism seems to be subversive of our reasons for being interested in interpersonal distributions at all. As Derek Parfit suggests, to the extent that we weaken the unity of the self over time, not only do we extend the *scope* of our distributive principles (so as to cover distributions among selves located within discrete temporal segments of a single biological life); we also lessen the *weight* that those principles ought, intuitively, to have in our moral thinking. Weakening the unity of the person over time lessens the importance of the very separateness of persons that occasions our interest in interpersonal distribution rather than aggregation (Parfit 1984: 113–114). As a result, an aggregative end-state conception of ‘freedom over whole lives’ will start to look more appropriate than a non-aggregative end-state conception, and the scope of the aggregation will be interpersonal as well as intrapersonal. Even if we can somehow justify a continued interest in people’s freedom (as opposed to their welfare), the appropriate ethical principle will then become maximal societal freedom, rather than equal freedom or leximin freedom.

At this point, however, it is not clear why we should endorse an end-state conception *at all*. Our reason for rejecting the discrete-segment version depends on our belief in persons as temporally unified wholes. This belief occasions our interest in the freedom they enjoy over their whole lives. The starting-gate conception is a conception of ‘freedom over whole lives’, and it is surely this conception, rather than the fresh-starts end-state conception, that is most consistent with the idea of respecting persons as temporally unified wholes. Yet the starting-gate conception will lead us to prescribe basic capital, not basic income.

Respect, opacity, and identity over time

A respect-based justification for basic income might nevertheless be found in a more nuanced approach to the problem of personal identity. On Parfit’s reductionist view, there is no ‘further fact’ of personhood beyond a series of physical and psychological states that are more or less connected with each other over time. Nevertheless, those states *are* (more or less) connected.

Adopting a reductionist conception of persons need not, then, lead us to jettison the liberal idea of respect for persons. Even on the reductionist view, persons remain setters of ends and makers of plans, including plans that extend over the whole of the rest of their biological lives. Just as the ethical ideal of respect for persons has survived the transition from a Kantian transcendental conception of the person to a naturalist conception, so too it can survive the transition from a non-reductionist conception of the person to a reductionist one. A person's agential capacities can, at any one time, remain an object of respect, and that person can accordingly be conceived as the bearer of an entitlement to freedom.

Elsewhere I have developed a particular interpretation of respect for persons, which I have called 'opacity respect' (Carter 2011). When combined with a reductionist view of persons, this interpretation of respect might motivate an understanding of 'freedom over whole lives' that gives some weight both to the starting-gate conception and to the end-state conception.

According to the idea of 'opacity respect', one respects a person's dignity by adopting a perspective that is external to her, refusing to assess the extent of her agential capacities. Opacity respect means taking the agent as given, maintaining one's distance from her and refusing to 'look inside' her. Opacity becomes morally appropriate whenever an individual is perceived as having a given *minimum* of agential capacities. Once the minimal threshold is seen to be satisfied, we turn a blind eye to all variations above that threshold and instead ascribe moral personality to the individual in the form of a range property, a property that designates a range of normality. Since all moral persons possess the range property equally, opacity is what grounds the *equality* of respect owed to different persons, and with this, the equality of their basic entitlements.⁵

A similar attitude might be appropriate with regard to people's different degrees of psychological connectedness. On a reductionist view of persons, psychological states tend to exhibit a minimum of connectedness. Perhaps, then, respect for the dignity of persons (considered as makers of plans, including life-plans) becomes appropriate not only when they exhibit a certain *minimum of agential capacities* at any one time, but also when their several temporally distinct psychological states exhibit a certain *minimum of connectedness*. And perhaps that respect ought to lead us to abstain not only from evaluating degrees of agential capacities (above the minimum) but also from evaluating degrees of connectedness (above the minimum).

If we assume opacity in terms of degrees of connectedness over time (above the given threshold), the way in which the entitlement to freedom is

⁵ On the idea of a range property as the basis of equality, see Rawls 1971: sec. 77.

allocated over time will be the same for all, and will depend on the appropriate conception of 'freedom over whole lives'. Which conception of 'freedom over whole lives' will be the appropriate one? Despite our refusal to assess degrees of connectedness, we all know that agents are not perfectly unified wholes, and that the individual states to which they are reducible are not always perfectly connected. This knowledge suggests that we should give some weight to the end-state conception. However, the commitment to opacity respect will have two further implications that ought to save us from the unwelcome consequences outlined in the previous section.

First, it will lead us to adopt the fresh-starts version of the end-state conception, rather than the discrete-segment version: at any given time, we shall respect each person as falling within the normal range of connectedness, and therefore as a potentially effective decision-maker for the future selves that extend over the whole of what remains of her biological life. In other words, we shall respect (normal) people's capacities to make life-plans regardless of their actual or expected degrees of connectedness to their future selves. Second, it will lead us to retain our commitment to the separateness of persons as they are normally understood, and with this our commitment to the interpersonal distribution of freedom (as opposed to its societal maximization): given our respect for persons as potentially effective decision-makers for their future selves, we ought to treat each temporal sequence of minimally connected selves as separate from other such temporal sequences and therefore as the bearer of a separate entitlement to freedom.

The upshot of this reasoning might be the combination of a first principle prescribing the greatest equal freedom over whole lives, assuming the starting-gate conception of 'freedom over whole lives', and a second principle prescribing a guaranteed minimum of freedom over whole lives, assuming the fresh-starts end-state conception of 'freedom over whole lives'. The second principle could be seen as constraining the maximizing element of the first.

Depending on the level at which we feel warranted in fixing the minimal threshold of connectedness – depending, that is, on how high we can fix that level without excluding persons who are generally seen as 'normal' – the resultant freedom allocation might yet turn out to be closer to basic capital than to basic income, even though the policy of pure basic capital will never be appropriate. At one extreme, for example, it might consist in a first instalment at the beginning of people's adult lives together with a second instalment at the age of retirement.

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Love not war

On the chemistry of good and evil

Paula Casal*

*For Philippe, a calm and caring, charitable interpreter,
with plenty of oxytocin.*

Abstract (in Galician)

Este artigo presenta unha hipótese novidosa sobre a orixe dalgunhas características moralmente relevantes atopadas en homínidos, elefantes e algúns cetáceos, como son o auto-coñecemento, e a capacidade de asumir a perspectiva dos outros e responder ás súas necesidades. A hipótese relaciona esas características con altos niveis de investimento materno e a oxitocina. A seguir, o artigo explora as implicacións éticas da hipótese e outros achádegos en relación á oxitocina e á testosterona. Comeza coa análise da conexión entre a oxitocina e a moralidade, e a testosterona e o crime, e remata con algunhas propostas para re-diseñar as institucións democráticas e mellorar xeneticamente a humanidade que teñen en conta as hormonas.

Many people envision the dawn of humanity like Kubrick. The first minutes of *2001* – released in Europe in May 1968 – show a group of hominids finding a waterhole. Shortly after, another group arrives and expels the first from its little paradise. One of the defeated apes finds a femur and, returning like an avenging angel, smashes the skull of the leader of the opposition, and victoriously throws the femur in the air. In a few seconds representing millions of years, the rotating bone turns into a rotating spacecraft.

I never believed ‘war is the father of all things’ but lacked an alternative image to Kubrick’s. Thirteen years’ involvement with the Great Ape Project, however, has made me look at that testosterone-filled, skull-smashing Adam very differently. It gave me time to reflect on the role oxytocin-flooded mothers may have played in the evolution of language, morality, food gathering and processing techniques and civilisation more generally. The paper explains the relevance of hormones and evolution to a variety of

* For detailed comments I thank Axel Gosseries, who encouraged me to contribute a daring paper outside my usual field to celebrate Philippe’s birthday, Arcadi Navarro, and Andrew Williams. For biological discussion, I thank Jaume Bertranpetit, Robin Dunbar, Carmen Maté, Eduardo Robredo, and Frans de Waal.

issues of ethical concern. I apologise for the over-simplification that space restrictions necessitate. I also hope not to offend, and intend only to share some findings that seem important in order to learn more about their plausibility and implications.

Maternal investment: the pattern

I never expected to devise a plausible biological hypothesis. However, by focusing on Lockean persons (intelligent, self-aware creatures that can think of themselves in different times and places) (Locke 1995: 246-56) I have spotted a pattern that seems not to have yet struck any of the biologists I have read or consulted, including Frans de Waal and Robin Dunbar (Casal 2010, 2011). My conjecture is that, at least among mammals, some morally relevant properties, such as self-awareness or ability to take the perspective of others and respond to their needs, correlate with degree of maternal investment – which only in very long-living species is above the relevant threshold for these properties to emerge. For example, the Gallup tests for mirror self-recognition was passed by elephants and orcas (who can live up to 80 and 90 years) (Brault & Caswell 1993) and bottlenose dolphins and hominids (who can live up to 45-60).¹ These species' pregnancies are (i) almost invariably singleton, (ii) extremely long (22 months for elephants, 18 for orcas, 12 for bottlenose dolphins, 8-9 for hominids)² and (iii) very infrequent (average birth intervals are 8 years for orang-utans, 5 for orcas, chimpanzees and bonobos, and 4 for humans, gorillas and elephants (Galdikas & Wood 1990). Maternal investment continues through years of lactation (7 for orang-utans, 5-6 in other apes, 2-4 for elephants and cetaceans), which is followed by many more years of care, protection, education and cultural transmission, extending into adolescence.

Females' lasting usefulness is responsible for the unique phenomenon of menopause: only humans, orcas and elephants live long after fertility ends. Whilst most species have very large numbers of offspring, and care proportionally less for each, mammalian persons occupy the other extreme of the spectrum. They all have long-term emotional memory, highly unusual imitative, linguistic, mathematical, and problem-solving abilities; they all carry corpses for days or weeks – with elephants and gorillas also burying them – and only elephants, hominids and some cetaceans (orcas, bottlenoses,

¹ This is why Marc Hauser's claims to have proven that tamarinds (tiny monkeys born as twins, reaching adulthood at 2 and living only 17 years) passed the Gallup test, always seemed suspicious to me.

² The fact that length of pregnancy tends to correlate with size may contribute to explaining the pattern but does not invalidate the hypothesis.

beluga, Risso, sperm, humpback and fin whales) are known to have spindle neurons like us.

Maternal investment: the links

What is the relationship between these remarkable facts? Biologists do not have a collective name for all mammalian persons, which can give us a clue. My suggestion is that a huge maternal investment is essential to understanding these species and civilisation itself. It requires large quantities of oxytocin, causing maternal love, empathy, altruism, and the patience required for cultural transmission.

Females' lesser strength and far larger nutritional needs resulting from prolonged pregnancies, lactation and infant nutritional dependency impose a greater need to resort to technological innovation. And if we take the most photographed examples of tool use, we see that it is overwhelmingly female chimps that practice the arts of termite fishing or sweeping; female gorillas that measure the depth of rivers with a stick, and female dolphins that manipulate air rings or use sponges to protect their noses while feeding. Female chimps would not kill a monkey even when hungry – whilst males terrorise them and kill them for fun – and so had to develop various nutrition-improving techniques, essential to female reproductive success. For whilst males' reproductive success depends on access to females, female's success depends on access to food. As a result, while males are more likely to obsess with sex and power, females focus on offspring and nutrition (Emlen & Oring 1977). Wrangham (2009) argues that female food preparation is the key to both our anatomical and cultural evolution.

Females not only invent new ways of obtaining and preparing food, but are the ones that teach those techniques to their offspring. Female chimps even develop teaching techniques, dividing tasks into exercises the young repeat (Boesch 1991). Language is extremely useful to educate the young as well as to protect them from skull-smashing through alliance-building. It is, then, unsurprising that females learn to speak earlier, talk faster, talk more, and derive more political and health benefits from conversation (Brizendine, 2006: 62ff, Dunbar 2010: 73ff) or that *motherese* is thought to be the origin of language and music (Falk 2009). Mother-infant constant communication provides the reassurance required for sanity, the security required for immediate survival and the intensive education required for long-term survival and cultural transmission.

Since such a high level of investment is worthwhile only if individuals survive long after education is complete, all mammalian persons are long-lived. The role of spindle neurons is not yet well-understood but we know

that there is a connection between longevity and size and that spindle neurons have been found only in large brains, perhaps forming a sort of fast-track. The last remarkable feature of these species – death rituals – also fits the picture well. Having invested massively in an offspring, and being predisposed to sacrifice further still, mothers cannot simply move on when their infant dies. Consequently, they make repeated attempts to resuscitate them, and need time to lose hope and let go. Females that may have protected, or even fed, the dead infant empathise, and the whole group slows down to permit the grieving mother's corpse-carrying.

Empathy

Why should ethicists be interested in any of this? One reason concerns its implications for the moral status of mammalian persons. Another concerns its implications for various gender-related questions concerning, for example, reproductive autonomy, discrimination against males in child-care professions, and intra-household distribution. Here I shall explore some less familiar issues.

I start by noting that explaining the common features of mammalian persons could offer some clues about the origin of morality itself. In species requiring huge maternal efforts, the most caring and self-denying mothers achieve greater reproductive success, with females becoming more caring and self-denying over time. To ensure mothers perform all the required tasks with perseverance and patience even when stressed or ill, nature has designed them to feel an immense love for their infants. Because of its intensity, the caring impulse spreads to anything that resembles their offspring, making all creatures with disproportionately large heads, hesitant steps and incompetent vocalisations seem adorable. The caring impulse extends to any creature that stumbles calling for its mother, and then to any vulnerable and needy individual.

Nature activates this impulse in females through oxytocin, which not only triggers labour but then causes mothers exhausted by the birthing effort to respond lovingly to the irritating calls of their newborns, providing them with milk, with breastfeeding producing more oxytocin, contractions and pain. Oxytocin increases trust and empathy and facilitates the interpretation of body language to read the baby's mind. In these early days, survival may depend on the correct interpretation of very subtle signs, and being responsible for many hours of mother-baby contemplation, oxytocin may be the one chemical that is more closely connected to morality, assisting in our adopting the perspective of others and responding to their needs.

The female bonobo Kuni, for example, who stretched the wings of a stunned starling, carried it to the top of the tallest tree, and cared for it all day until it flew (de Waal 2005: 2), demonstrated an ability to respond to needs she never had. These actions sometimes come at great cost, as when female chimp Washoe risked her life to rescue a drowning youngster she hardly knew (Fouts 1993: 29), when female elephants save drowning infant rhinos despite repeated rhino charges, and when female cetaceans engage in altruistic interspecies protection against sharks. Interspecies altruism is also largely female in the human species, where animal protectors are mainly female and animal torturers are mainly male. The same applies to the adoption or fostering of orphans, the feeding of mothers and grandmothers who have become too old or sick to feed themselves, and to other practices like comforting the bereaved, calming down those about to fight, and initiating reconciliations between contenders after a fight. Amongst mammalian persons, those providing care, valuing peace, and going the many extra miles for it are overwhelmingly female. We see this in neonates, with girls being more responsive to tears and other expressions of pain shortly after birth (Brizendine 2009: 41, 43). We see it in childhood, with female chimps rocking sticks to sleep while males play violent games. We even see it in entire species, in the male-dominated chimpanzee society, with homicide, genocide, infanticide and generally high levels of aggression, and the female-dominated bonobo society, where not a single instance of murder has ever been observed.

Evil

Another reason why ethicists should be interested in these matters concerns the importance of understanding evil. In his recent *Zero Degrees of Empathy*, Baron-Cohen (2011) defines evil as “the absence of empathy”, and analyses Nazi experiments – like amputating and then re-attaching hands the wrong way just to see what would happen – and other horrific cases of cruelty around the world. He notes, however, a crucial difference between two non-empathic groups, both of which are mainly male: those in the Asperger and autism spectrum, and the psychopaths. Those is the first group, identified by Baron-Cohen with “the extreme male brain” in *The Essential Difference* (2003), lack empathy and trust, abilities to read body language or other minds, or take others’ perspective. Their compulsive rule-following, however, saves them from becoming evil. For example, they would not tell a lie, no matter what; and so, as in the film *My Name is Khan*, can even be “super-moral”. Both groups, however, share a lack of empathy

and most also share a male brain, the emergence of which Brizendine describes as follows:

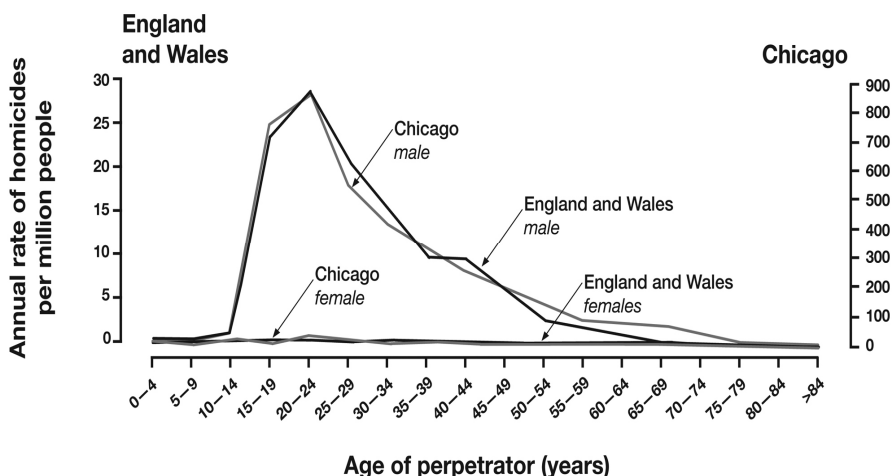
until eight weeks old, every fetal brain looks female – female is nature’s default gender setting. A huge testosterone surge beginning in the eighth week will turn this unisex brain male by killing off some cells in the communication centers and growing more cells in the sex and aggression centres (Brizendine 2009: 36).

A consequence of this is that

the testosterone-formed boy brain simply does not look for social connections in the same way a girl brain does. In fact...autism spectrum disorders and Asperger’s syndrome are eight times more common in boys. Scientists now believe that the typical male brain... gets flooded with testosterone during development and somehow becomes more easily socially handicapped. Extra testosterone...may be killing off some of the brain’s circuits for emotional and social sensitivity (Brizendine 2009: 47).

Unfortunately, the Khan-types are less numerous than the serial killers, torturers, rapists and child molesters who also are overwhelmingly male.

Consider, for example, the following chart provided by Wilkinson & Pickett (2009: 132) in a book which attributes a sweeping range of social ills to economic inequality rather than testosterone.



According to this chart, women are so unlikely to murder that they are virtually equally unlikely to do so at age four, fourteen or forty. There is by contrast a shocking coincidence between violent crime in males and the surge of testosterone in adolescence. The chart makes sense when we learn the very same hormone causing men to be hairy, bald, strong and thick-skinned, makes them prone to risk-taking, aggression, sexual preoccupation, and insensitivity to others' feelings – a rather scary combination.

Just as intense love for our offspring can make us care for creatures quite unrelated to us, intense sexual desires can also extend to all sorts of targets. These include individuals that are uninterested, terrified or dead, members of other species or subspecies – in the case of humans including not only farm animals (Kinsey & al. 1948) but also Neanderthals (Green & al. 2010) – and even the very same offspring that inspire maternal self-denial.

It is striking to see how much attention ethicists have given to testosterone in connection to muscle development in sports, and how little they give to its role in rape, child-abuse, battery, harassment, kidnapping, murder, war and genocide. If the correlation is as strong as some scientists suggest, this raises important issues. For example, should we think of testosterone as an involuntary injected drug that diminishes the agent's responsibility by instilling certain propensities? Should we employ a theory of responsibility which calculates liabilities by comparison to a reference group (e.g. Roemer, 1995), and conclude that an individual was not that violent *for a male*? Or should we instead adopt a deterrence perspective, and focus on those that most need deterring (young males), and find what would actually dissuade them?

Impeding reproduction (through prison and optional drug treatment) for sexual criminals could be the most effective deterrence if rape – as Thornhill and Palmer (2000: esp. 165) have argued – is an adaptation to spread one's genes. In principle, rape could then be as genetically eliminable as any inherited disease. In mammalian persons, however, rapists do not always target fertile females. Male elephants, for example, may target infants or rhinos, and humans rape males and sometimes kill their female victims, eliminating any chance of conception. And so, instead of (or besides) an adaptation to pass one's genes, rape among mammalian persons may be a side-effect of males being strong, aggressive, extremely sexual and less sensitive to the feelings of others. More importantly, as Thornhill and Palmer accept, certain events in individuals' histories may make a crucial difference to their acting in these disturbing ways. For example, many serial killers and other psychopaths lacked maternal love or suffered physical or sexual abuse themselves.

This is the most common life history in the case of female criminals. According to the US Department of Justice 1993-97 data, 98% of sexual offences, 97% of robberies, and 89% of aggravated assaults were committed by males (USDJ, 2000). Of the tiny minority of female inmates, 60% had undergone sexual abuse, and 40% were perceived by the victim to be under the influence of drugs or alcohol. This is also Baron-Cohen's clinical experience. His typical non-empathic female patients lacked maternal love and/or were raped or abused as children. So evil can be traced to testosterone either directly as in the chart, or indirectly because being sexually abused can also make females capable of it.

Gerontocracy and Gynocracy

Invoking female attitudes to suffering and conflict in *A Darwinian Left*, Peter Singer advocates electing more female politicians on consequentialist grounds. In 'The Disenfranchisement of the Elderly and Other Attempts to Secure Intergenerational Justice' (1998) Philippe Van Parijs introduces his Rawls-Machiavelli project via some unorthodox methods to promote distributive justice. The idea of disenfranchising or otherwise reducing the relative political power of the elderly draws on a fear that the elderly may have a short-term bias because they will not be around long. Younger voters, however, are also more likely to vote for younger candidates, which will make for even more testosterone-fuelled legislative bodies. If, as it seems, we will continue to be ruled by men, the above chart seems to favour gerontocracy. The same attitudes to risk, conflict resolution and the suffering of others that leads the young men in the chart to favour violent solutions to their problems could be collectively deleterious. Moreover, controlled experiments employing the ultimatum game, found that whilst spraying oxytocin increased generosity (Zack et al. 2007), administering testosterone causes people to make meaner offers, and increased their readiness to punish those who did not deliver what they wanted (Zack et al. 2009).

Inspired by the true Machiavellian Ali G,³ who served a drug-laced tea at the United Nations that made sworn enemies sign peace and cooperation treaties, one might be tempted to place air-fresheners full of oxytocin in parliaments and serve testosterone-reducing spearmint tea. Leaving practical matters aside, however, it is unlikely that these measures could compensate for the shortage of female representatives or for the filter

³ Like Borat and Brüno, Ali G is a character created by Sacha Baron Cohen, a comedian not to be confused with his abovementioned cousin. The tea scene appears in the film *Ali G in da House* (2002).

mechanisms that often favour the election of females who are masculine in the relevant respects.

Regarding future generations, it is difficult to be confident that young men – who some car insurance companies charge more because their risk-taking attitude causes them to crash more often and damagingly – will take the most cautious, and cooperative rather than competitive, attitude towards climate stability. Van Parijs himself cites research showing that children are better served when social benefits are channelled through women, and perhaps female parliaments will reduce our reasons to worry about age. According to ‘grandmother theory’, female humans, orcas and elephants survive both males (by three decades in the case of orcas) and menopause (by several decades in all three cases) because of the care they provide for the offspring of subsequent generations. Like bonobos, both elephants and orcas live in matriarchal societies, which at least in elephants are clearly gerontocratic. They actually follow Van Parijs’s more abstract principle, since in their communities those members who care most for the coming generations are ruling.

Enhancement

Robert Sparrow (2010) has argued that if we favour genetic enhancement to improve the quality of life of humanity we must accept that it is desirable to eliminate males. Sparrow argues that the main advantages of being male derive from wrongful sexism and so, like the advantage of being white in a racist world, should be disregarded, and that female extra longevity and capacity to conceive makes up for women’s lesser weight-lifting abilities. He concludes that we must reject enhancement and favour only genetic therapy to eliminate pathological abnormalities or instead affirm enhancement and endorse the claim that humanity should be female. He rejects enhancement and argues that males have their own normality.

Sparrow’s argument overlooks the possibility that the concern to avoid pathological abnormalities that animates therapy may also support the elimination of males, in order to minimise murder, rape, and atrocity.

In any case, discussing male elimination is wrongheaded because there is just nothing wrong with maleness as such. In species where males and females co-parent roughly equally, dimorphism is limited and unproblematic. Parents take turns and derive many advantages from cooperation. In some species, like the pipefish, where males do the parenting work, it is large, ornamented, territorially aggressive, females that compete for the male labour. Sparrow says that dimorphism is good, but dimorphism is mainly the proportional result of polygamy and inequality in parenting.

In mammalian persons, with huge maternal investment and females doing most or all the work, dimorphism is stark and there is fierce competition for females' scarce eggs and devoted labour.

Polygamous competition makes males larger, more aggressive, more drawn to risky behaviour and to escalating violence, more desperate to mate, more indiscriminate about mates, and less long-lived. The combination of polygamy and huge maternal investments is tragic because of the morally relevant cognitive and emotional capacities that accompany this investment, particularly in the species here discussed, and because competition intensifies with a larger price. The result is the horrific coexistence of very sophisticated and caring mammalian persons with brutal murders, rapes and infanticides. And polygamy – again produced by a shortage of certain oxytocin and vasopressin receptors which sustain pair-bonding – is to blame.

Fortunately, we are moving away from all this. Our ancestors are believed to have been more polygamous, brutal and dimorphic than us. But then, males became more slender and graceful, more delicate and empathetic, and also more involved in raising a few offspring and less focused on thinly spreading their genes. This trend eventually gave rise to the caring, responsible, sensitive and loyal males we see today. So we are in the right path to enhancement already. We just need to figure out how we can speed this up, and further reduce dimorphism. While we learn more about how the newly discovered (Walum et al. 2008) genetic variants of the vasopressin receptors gene (alleles of the gene AVPR1a, which newspapers reported as monogamy gene RS3 334), could deliver us from evil, we can work on equal parenting, ask only the faithful to donate to sperm banks, and curse god for not having evolved us from more egalitarian and peaceful, pair-bonded apes.

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Why do we blame survivors?

Jean-Michel Chaumont

Abstract (in French)

Ce texte présente plusieurs hypothèses relatives aux origines antiques de la réaction sociale qui afflige certaines catégories de rescapés d'événements traumatiques, les « survivants suspects ». Les combattants défaits en seraient la figure originelle et les femmes violées le double symétrique. La persistance de la réaction suspicieuse est illustrée par la stigmatisation posthume endurée par les masses juives assassinées et les Muselmänner dans les camps nazis. En conclusion, les évolutions intervenues depuis peu dans ces réactions sociales sont mises en lien avec l'avènement de sociétés de plus en plus individualistes.

Introduction¹

I am researching the distant, classical and perhaps even older origins of what has come to be known as the "blaming the victim" syndrome (Ryan 1997), i.e. the social reaction of putting a certain amount of the responsibility for what has happened to the victim back onto this very victim; at the very least, the fact of not having put up enough resistance. This "secondary victimisation" is considered to be a determining factor in the onset of Post-Traumatic Stress Disorders and is therefore seen as a particularly harmful and misplaced social judgement (Herman 1992: 115-117).

Two hypotheses justify the endeavour of researching its origins back over a very long time period. *First hypothesis*: this reaction was originally directed toward a heterogeneous group of people I call the "dubious survivors". This group is defined by two characteristics: firstly, they endure an experience and secondly, a reaction of suspicion. However, it is neither an ordinary experience, nor just any form of suspicion. The experience is inflicted upon them, i.e. they find themselves in this situation against their own free will² and without any means of escape. They are totally constrained. Furthermore, the ordeal seriously affects the physical integrity of these individuals. If they survive the ordeal, the suspicion held against them

¹ This chapter was translated from French by Ronan Healy.

² The person may not necessarily have been forced to take part, *but if he or she had not done so voluntarily*, then he or she would have been forced to endure it.

retrospectively is one of having sacrificed a greater good for the sake of a survival that has become shameful and derogatory.

Second hypothesis: the archetypal model of the dubious survivor would be the warrior who remains alive after his side's defeat. He is, by definition, suspected of having surrendered through cowardice, preferring to save his skin rather than risk his life in the way his duty as a soldier forces him to. He did not die resisting, clinging on to his weapon. Perhaps he surrendered while the tide of the battle could still have been turned. Perhaps he may have agreed with, secretly applauded even, the enemy's victory, thus committing the supreme crime of high treason.

Defeated warriors and raped women

Texts from classical antiquity are full of examples of prisoners who are put to death or banished for having allowed themselves to be captured instead of dying whilst clinging on tightly to their arms. Flavius Josephus recounts the example of a Roman horseman who, having been taken prisoner by the Jews, manages to escape just as he is about to be executed and returns to his camp. In *The Jewish War* it is reported that Titus "could not endure to put him to death; but deeming him unworthy of being a Roman soldier, *who could allow himself to be taken alive*, he stripped him of his arms, and dismissed him from the legion; a punishment, to one accessible to shame, severer even than death." (Josephus 1858: 480). In the case of this poor horseman, the very fact of having survived is seen as proof enough of a servile attachment to life which justifies all manner of degradation: from execution – to which Titus, out of humanity, cannot resort – to being banished from his own camp; from being put to death to being reduced to slavery with the enemy. The same Flavius Josephus indicates the correct line of behaviour to follow in order to avoid dishonour: voluntary death, as the last resort always available to a man of honour.

This is the case for the exhortation of suicide that Eleazar makes to the besieged people of Masada (Josephus 1858: 520):

As we have of old determined, my brave comrades, neither to serve the Romans, nor any other than God, [...] the time has now come *which enjoins us to verify by our actions this resolve*. Herein then, let us not disgrace ourselves; we who have hitherto refused to submit even to an unendangered servitude, but who now, along with servitude, shall have to undergo intolerable punishment, if we shall fall alive into the hands of the Romans: [...] I think, moreover, that this hath been granted to us as a favor by God, *that we have it in our power to die honorably and in freedom*; a privilege which has not fallen to the lot of others, who have been defeated contrary to their expectations. Let another day dawn, and assured

capture awaits us; *but there is still the unfettered choice of a noble death* with those dearest to us. For this our enemies are unable to prevent [...] while for us to conquer them in battle is no longer possible.

Immediate voluntary death provides proof of the sincerity of their commitment and refutes *beforehand* any suspicion of a lack of genuine commitment.³ It should be noted that in performing *seppuku*, a defeated Samurai also seems to provide *deferred* proof of the fact that his defeat had not been due to cowardice (Pinguet 1993). This last example also shows that this type of social reaction is not only present in Western traditions but could well be part of a far more widespread anthropological phenomenon.

Let us now focus for a moment on the case of Lucretia as reported by Livy in the first book of his *History of Rome*. The story is supposedly set in 509 BC. A Roman army is besieging Ardea, which is located a few hours away from Rome. The siege has been lasting a long time and the officers are getting bored. They start drinking and vaunting the virtue of their wives. They decide to go and verify this with their own eyes, and so ride off at speed to Rome. At the court of king Tarquin, the women are behaving dissolutely. At the residence of Collatinus, however, they find Lucretia, a chaste, modest and hard working wife. Sextus, the son of king Tarquin, becomes infatuated with her. A few days later, the prince returns, alone. He is received as a friend and a guest of honour. That night, armed with his sword, he enters into Lucretia's bedroom and rapes her. She would have resisted right to the end had Tarquin not threatened to pretend he had found her in the arms of a servant and had immediately punished them both. Unable to stand the idea of her reputation being tarnished forever, she gives in to the assault. The following day she immediately calls on her father, her husband Collatinus and two of their friends, one of whom is Brutus. She tells them everything and urges them, if they be men, to exact revenge in her name. They swear to do so and try to console her. However, Lucretia is inconsolable and declares theatrically, just before plunging a dagger into her heart, that she is committing suicide so that "from this time forth, no woman who survives this shame will ever dare to evoke the example of Lucretia." (Titus-Livius 1998: 68)

In doing so, is Lucretia laying the grounds for an enduring sense of stigmatisation to be experienced by future rape survivors who do not choose

³ Moreover, in order to make it completely clear to the Romans – and for all posterity – that their suicide was the result of a free choice, Eleazar proposes not to burn their provisions with all the rest: "Our provisions alone let us spare; for these will testify, when we are dead, that we were not subdued from want; but that, as we had resolved from the beginning, we preferred death to servitude." (Josephus 1858: 521).

death? Just like a Samurai, Lucretia commits suicide *after* having survived. This is a deferred voluntary death with exactly the same aim as the suicide of the besieged people of Masada. It is meant to refute any suspicion of her having put her life before her honour. In the end, she did give in; she gave herself up to Sextus, but neither out of cowardice, nor out of a servile attachment to a life that every soul of decent birth is naturally prepared to sacrifice when honour is at stake. No, the aim was not to compromise a reputation that was under threat. Ceasing to resist and letting herself be invaded *was a ploy*, not to save her life - like those who have the soul of a slave - but rather, a ploy to save her honour. Her voluntary death is aimed at providing rational proof of the fact that her attachment to life was not the motive for her consent.⁴ Therefore, her suicide is not the consequence of an indelible blemish, but rather proof of the absence of any such blemish.

If my interpretation is right, it is surprising to note that the same social reaction applies to situations that seem so apparently different. In the case of defeated soldiers, it is easy to understand why they are faced with such ruthless court-martials. During wartime, it is the very survival of the group that is at stake. Therefore, it is no surprise that in such cases, absolute individual sacrifice is expected of everyone. It is perfectly logical that in order to incite each soldier to accomplish his duty, survival due to cowardice is rendered even more costly than death. It is sanctioned by ignominious execution or degradation and social death, all of which are seen as outcomes far worse than a life that is gloriously sacrificed for the group's survival.

In the case of raped women, however, this ceases to be so easily comprehensible. It is on this issue that the *heuristic* potential of grouping together different populations of dubious survivors is revealed. The similarity of the normative expectations would seem to support hypotheses about the existence of stakes as large as military defeat, i.e. stakes that include the survival of the groups (tribes, cities, nations, empires, etc.) involved. The continuing insistence on resorting to voluntary death up until quite recently⁵ – despite innumerable doubts about the moral value of

⁴ In his *Declamatio Lucretiae*, the humanist and chancellor of Florence Coluccio Salutati (1331-1406) captures perfectly the point where Lucretia declares : "Unless I kill myself, never will you trust that I preferred to escape infamy than death. Who will ever believe that he terrified me with the killing of the slave and that I feared more the possible disgrace of a slave joined to me than death, unless, by the strength and courage of dying, I will prove it?" (This transcription and translation of Salutati's *Declamatio Lucretiae* comes from Jed (1989: 150).

⁵ This is how the writer V. Despentès (2006: 39) recently wrote about her own rape: "A woman wanting to hold on to her dignity would have preferred to be killed. My survival is, in itself, proof against me."

Lucretia's suicide having been raised since Augustine⁶ – also seems to suggest the significance of the underlying stakes. If, through the use of arms, men defend the living space of their group against foreign invasion, then women – and legitimate wives in particular – are responsible for the reproduction of the domestic group. If a wife consents to making love with a third party, she is committing adultery and betraying the lineage to which she belongs. She deserves to die. If she is sexually assaulted, whether by another member of the group or by an enemy, *she finds herself in the same position as a soldier called upon to choose death over surrender*. Livy states clearly that Sextus, who is a member of the same group, behaved just like “enemies in wartime.” (Titus-Livius 1998). And it is because it was unacceptable for their princes to behave like enemies that Brutus would successfully call on the Roman people to bring about the downfall of the monarchy and the foundation of the republic.

Derived figures: the victims of the Shoah and the Muselmänner

Whilst defeated soldiers and raped women appear as paradigmatic dubious-survivor figures, a further hypothesis can nevertheless be put forward for the existence of other *derived* figures. In certain cases, they can be very close: the Christian penitents of the first centuries were, among others, those who didn't have the courage to choose death – the martyrs – over abjuration. Of course, by renouncing their faith, they were putting the survival of their religious community at risk. If, once the persecution had ended, they wished to re-join the group, they could only do so on condition of the bishop granting them the status of penitent: covered in ashes, they would put on an ostensible display of detachment from the earthly life that they had not had the courage to sacrifice when their loyalty had been put to the test by the enemies of the Lord.

In other cases, the derived figures are much further removed from the original model. This might lead to quite attenuated, sometimes even completely *metaphorical* situations, in which the ordeal would not prove to be so constraining, nor be life threatening, in the literal sense of the term. The suspicion could stem from having consented to a less dishonourable act; it could be less explicit and require less demanding proof.

Let us consider all the situations where individuals are stigmatised for having preferred material advantages over solidarity towards the group to which they belong. Take, for example, the factory worker who is indignant

⁶ See in particular Augustine 2003: chapter 19.

with regard to the manner in which some of his co-workers are vying for promotion (De Raeve 2006: 37):

Real whores. I'm not joking. Factory-floor whores. Would do anything to get it, some of them. Not an ounce of pride left. Would crawl through mud if that's what it took. Sell their mother and father, they would. And their co-workers. Would accept anything. Pouncing around. Pawpaw and treats. All teary-eyed, wagging their tails. So embarrassing and pitiful. Yes-men, just for a promotion. For a few cents an hour. For some status.

Having put forward the *possibility* of derived figures, it must now be shown that such other cases exist. It seems to me that the Jewish masses deported from the ghettos and assassinated in the extermination camps during the Shoah must be considered. On the face of it, this may seem counterintuitive for at least two reasons: firstly, they didn't actually survive the ordeal and secondly, it concerns a collective subject: the Jewish masses. And yet, the suspicion, in the toned-down form of what Wellers called, as early as 1949, a "painful surprise," (Wellers 1949: 14) has haunted Jewish memoirs through the repeated examination of the question of *why they didn't rebel*, *why*, to use the biblical expression, they *gave themselves up* to death, *"like lambs to the slaughter."* Imprisoned inside the ghettos, with no real means of escape and submitted to a regime of terror, they certainly had no hope of regaining their freedom. However, in the tacit reproach found in the *why* of their "passivity," there is an echo of Eleazar's exhortation at Masada: "Let another day dawn, and assured capture awaits us; *but there is still the unfettered choice of a noble death* with those dearest to us."

It must be remembered that this is exactly what the Warsaw Ghetto insurgents chose to do. The lucid eyewitness account of Marek Edelman, one of the rare leaders of this uprising to have survived it, is perfectly clear on this point: "There were only two hundred and twenty people left in the Jewish Combat Organization. Could you even call it an uprising? Was it not more about *not letting* them come and slaughter us? Deep down, it was just about *choosing* how we would die." (Edelman & Krall 1983: 74). In choosing voluntary death, they administered the proof required of the dubious survivors and, as a friend of Edelman said, "it's good, because at least *they saved the honour of the Jews.*" (Edelman & Krall 1983: 136). Indeed, this fully explains why Jewish memoirs have, for decades, cherished the memory of the insurgents, whilst discreetly eclipsing the behaviour of the anonymous masses, as if these poor unfortunate people were somehow to blame.

Like many others, I have felt indignant in the past at the recognition denied to the vast majority of victims. Surely their behaviour was only too normal and understandable, considering the situation in which they found

themselves (Chaumont 1997: 286). At the time, I had not yet understood that it is precisely in these exceptional situations, when the survival of the group itself is under threat, that supererogatory action becomes the norm and, consequently, the readiness to make the ultimate sacrifice is expected of everyone. No matter how extreme the constraints placed upon them by the enemy are, each person must resist right to the end because it is tacitly assumed that there is quite simply no future for any individuals, should the group cease to exist.

The assassinated Jewish masses were not the only victims of Nazi terror to suffer, posthumously, from the stigmatisation dealt out to the various groups of dubious survivors. Inside the concentration camps, other modes of “capitulation” were looked down upon and sanctioned according to the same criteria. I have in mind here those who were referred to, in the derogatory slang terms of the camps, as *Muselmänner*. These dubious survivors were seen to have placed their survival, which turned out to be quite provisional, above the superior value of human dignity (Martin-Chauffier 1947: 94):

Nine and a half times out of ten, the attempts to degrade them were successful, reducing men down to an animal state, *without them even being able to save themselves through this abandonment*. When the last breath left a body too weakened to hold it in, whatever it was that made a man a man had already long deserted that little bundle of bones protruding from under the withered skin, reducing him down to automatic movements and to the *most elementary instincts of conservation*: fear, cowardice, treachery, theft or the lowest form of humility.

If my hypothesis is correct, it must be concluded that even as late as the 20th century, the behaviour of the Nazi victims was still being judged by the same yardstick of normative expectations applied to warriors more than two millennia earlier.

A social revolution? Stigmatising the stigmatisers

This acknowledgment must not, however, become a stopping point. On the contrary, evolutions on a spectacular - maybe even revolutionary - scale may be taking place. After millennia of captured soldiers being abandoned to the mercy of their victors, a progressive state of protection has been granted to them through the efforts of the International Committee of the Red Cross. Although initially reserved for somewhat less dubious soldiers, i.e. those who had been injured on the battlefield, this protection was extended to prisoners in the annexes of the Hague Convention (1899) before an international convention was specifically dedicated to them for the first

time in 1929. With regard to the figure of the prisoner, the prevailing image is now one of a victim, rather than a potential traitor. More recently, thanks largely to the efforts of the feminist movement, the suspicions applied to raped women have been redirected towards the perpetrators and, at least in theory, it is now the stigmatisers who are made to feel guilty. In numerous countries, police officers have been specially trained to learn how to interview rape victims without adding insult to injury. Even when it comes to the victims of the Shoah, numerous authors have explicitly criticised the blame that had been levelled at these victims in past decades concerning their passivity. The dogged will for survival shown by certain concentration camp inmates has at last been put forward as a possible basis for a present-day ethical code directed explicitly against the heroic ethics of ancient times (Des Pres 1976).

The radical nature of the sacrifice required in order to guarantee the survival of the group would seem to suggest that the social reaction directed towards the dubious survivors is a phenomenon that is typical of holistic societies, i.e. societies where the law of the whole prevails over the interests of the individual parts. In this hypothesis, the evolution observed could be seen as an indicator of a progressive move towards ever more individualistic societies.

This hypothesis is certainly tempting, but should perhaps not be taken on board too quickly, since certain stubborn facts would seem to suggest that things are not actually quite so straightforward. Women continue to commit suicide after having been raped, former prisoners and others who have survived extreme conditions still choose to exclude themselves from any form of social life (Herman 1992: 50). They sink into despair despite the considerable efforts occasionally put in place to reintegrate these veterans back into normal life. It is quite interesting to note that the episode of Lucretia, when re-examined in the light of "psychotraumatology", turns suicide into a psychological outcome, a pathological consequence of an endured trauma (Jehel 2009). Therefore, it is no longer the most exemplary women who follow in the footsteps of Lucretia, but rather those whose reason has been cast aside by the traumatism. The meaning given to certain acts has, therefore, been fundamentally transformed and it would be absurd to deny the importance of these intervening changes. Nevertheless, suicides continue to occur despite the supposed revolution. The possibility that these changes are more of a *reconstruction* of the terms of the equation, rather than a true revolution, cannot therefore be excluded.

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Why big ideas never change society

Denis Clerc

Abstract (in French)

Pourquoi l'allocation universelle, dont Philippe van Parijs a montré qu'elle permettrait de concilier justice sociale et liberté personnelle, deux objectifs souvent considérés comme incompatibles, demeure-t-elle ignorée des politiques publiques? Parce qu'elle impliquerait de tels bouleversements dans nos sociétés complexes qu'aucun gouvernement n'est prêt à prendre ce risque. C'est pourquoi mieux vaut s'en approcher à pas comptés, même petits.

Karl Marx was not catering for future generations, but he nevertheless had high hopes that the proletariat, with a good strong nudge, would one day bring exploitation to an end. Charles Fourier waited in vain all his life for investors, lured by the promise of a 30% return on investment, to finally build “Phalanstères”, self-contained communities whose 1,600 residents could at last achieve perfect work/life balance. Pierre-Joseph Proudhon never did succeed in freeing people from the shackles of loan interest, as he had dreamt of doing so with his mutual credit schemes. And Philippe Van Parijs, for all the strength of his convictions, has still not quite managed to persuade any single government to introduce a Basic Income.

It is not that the ideas put forward by these great social innovators are devoid of interest. On the contrary: the prospect of a freer, fairer and more fraternal society is quite tempting. Ideas such as these ignite the zeal and activism of those who strive to make them succeed. And yet the fruit, if it ever grows ripe, rarely lives up to the promise of the flower. Marx spawned Stalin, all attempts to build utopian communities like Phalanstères failed miserably, and mutual credit became just another bank, succumbing to the siren call of staggering subprime performance. Meanwhile, the only State to offer a Basic Income – namely Alaska – also chose Sarah Palin as Governor and is now the US State with the highest level of obesity in the world, a possible consequence of significant structural poverty. Does that mean that grandiose social concepts are nothing but idle dreams doomed to failure?

That is what Conservatives of all breeds would have us believe: there are certain natural laws that govern human society, and it would be futile, or dangerous even, to try and change that. In today's political vocabulary, the word “reform” is used by those who want to cut state social protection, not by those who want to bolster it. Fortunately, there is another viable

explanation. Human society is complex. There's no invisible hand about to replace Providence as a guide to a better tomorrow. Society must therefore find its own way to this goal, and be ready to stumble sometimes. Grand concepts cannot take into account all this complexity, and their exponents who try to do so are building sandcastles that are bound to be toppled by all manner of mishaps. Any intellectual construct about an alternative society is inevitably marred not so much by risk – which can be calculated – as by radical uncertainty. Revolutions are like holidays: things never quite work out as you had planned or hoped. But, unlike holidays, there is no guarantee of a return to normality: they begin with lists of grievances, continue with bloody clashes and never ever lead back to the status quo. There is no such thing as a social eraser such as might allow you to create the perfect picture by rubbing out whatever doesn't look right. On that basis, rather than thinking that these big ideas will one day become reality, it is better to move closer by stages, zeroing in through a process of trial and error.

Make no mistake, you've still got to follow a few basic principles, because if you're not sure of where you're heading, you can drift off at a tangent. But these guiding principles are by nature more ethical than institutional: a fairer society, for instance, is what you get when you do away with inequalities. But economic constraints, particularly free movement of capital, can blinker us at the outset about where to go and how best to get there. It's at those times that big ideas should make way for more modest, experimental approaches. Facing up to reality then helps us to find workable compromises that take us a bit nearer to the goal we had in mind, even if we're still a long way off. Each of these compromises is open to criticism, because they bring progress as well as setbacks, and positive impacts as well as negative. But it is the nature of social policies – and of all public policies, perhaps – simultaneously to bring both benefits and harmful side-effects. And this is why they need to be gauged and evaluated, particularly in terms of principles of justice such as Rawls', so we can go beyond the utilitarian accounting of pains and pleasures which Bentham dreamed about.

Basic income

Basic income (BI) is one of the great social concepts. But it can never constitute a concrete social policy, because, just like the game of 'Pick-up-sticks' – where you attempt to remove one stick after another from the pile without moving the remaining sticks – tinkering with a single element can cause a general collapse. No ruler would ever take this risk. In the face of resistance and criticism, Philippe Van Parijs (& Yannick Vanderborght) have bravely defended BI, but they did so by increasing the depth and refinement

of their project, rather than by making it more accessible in debate with their critics, and thus condemned themselves forever to sow on stony ground. It would have been far better to start from what was already in place and propose a series of reforms with a view to gradually reaching the objective, with no certainty of ever achieving it, but only hoping that each small step be an improvement from the point of view of the principles of justice.

Philippe Van Parijs will probably reply by saying that this is by no means different from what he has always proposed. The welfare state has a long history, and did not emerge in a single day. First based on Bismarckian insurance mechanisms, it gradually incorporated a 'Beveridgian component' (Van Parijs 1996). Today, what we need is just to take a few more steps towards a guaranteed income for all, which would be disconnected from employment. BI, he argues in the book he co-authored with Vanderborght (2005), would in fact add backbone to an incomplete and disparate welfare system, and even improve its redistributive character. Solidarity would be reinforced within a given generation, but would also be instituted between generations, since BI would be funded by taxing inheritance. Malibu surfers, sufficiently rich to give themselves up entirely to their favourite sport without having to work, and who, according to Rawls, "should not benefit from public spending" (quoted in Vanderborght & Van Parijs 2005), and all other persons of private means would contribute to the scheme, thereby countering Rawls' objection. The two authors stress that intergenerational justice could also be achieved by taxing income derived from the exploitation of non-renewable resources, or by taxing energy and greenhouse-gas emissions. This would then allow for the implementation of what some have called the "double dividend": a more complete social protection system, which would weigh less heavily on work, but more heavily on negative production externalities (Gherzi, Hourcade, Quirion, 2001). Such a system would take the interests of present *and* future generations into account. It is also true that Vanderborght & Van Parijs deal explicitly with the idea of a *transition*, referring to a proposal initially formulated by Godino (1999), taken up by the CERC (2002), and then implemented through France's new minimum income law (2009). Note that this so-called "activity" minimum income is only paid to households below the poverty threshold, provided at least one of their members has a job.

However, in their minds such a transition aims at preparing a true *revolution*. In the long-term, what they want is to replace a conditional social protection system (contribution-based for insurance mechanisms, income-based for its redistributive side, and adjusted to the age and to the number of children for family benefits) by a more general social protection system. In the framework of this individual, unconditional, and universal system,

taxation would only serve to claw back BI from those who do not need it (such as the Malibu surfers). A true Trojan horse, BI would challenge all existing rules: individual instead of household-based benefits¹, unconditional instead of conditional transfers, income tax instead of social contributions, flat-rate allowances instead of needs-based benefits. In other words, it really is a matter of “creative destruction”, to use Schumpeter’s famous expression – although here referring to another topic than the productive system he had in mind when he coined it.

Two types of obstacles

Very quickly, however, one might expect this transition to be faced with serious – and perhaps decisive – financial and social drawbacks. Let me first focus on *financial* obstacles. In the case of France, a BI of €500 per month (a bit more than the current means-tested minimum income) would cost around €400 billion annually. This is to be compared with the amount of taxes and social contributions that are currently levied (€800 billion annually). This gives a clear picture of the huge sum involved. Of course, tax levels don’t have to be increased significantly to cover a sum of €400 billion, since a basic income would in part replace existing benefits. The size of the potential sum nevertheless shows that changing, albeit gradually, from these benefits to a basic income (and from the current tax system to an entirely new one) is not easy – indeed, perhaps impossible. We are not dealing here with something like “water memory”², but with the infinitely great, with an idea that implies a radical and profound transformation of tax-and-transfer systems. Even a long transition might be perceived as unbearable, especially since every single step towards the end goal is likely to be significant. In the field of pensions, for instance, should we suppress mandatory social contributions and replace them with voluntary contributions – a system in which everyone would be free to determine the level of contribution needed to supplement their BI during old-age? Should we go from a tax system in which expenditure taxes (generally more regressive because of higher savings in the high-income brackets) are in a large majority to a system in which progressive income taxes become predominant?

What about *social* obstacles, then? At the *bottom* of the income distribution scale, the possible substitution of means-tested social transfers by a universal BI will probably lead to a reduction in purchasing power, unless the benefit is set high enough. In this case, however, problems will arise at

¹ This system has been partly tried in Sweden.

² A theory that aims at explaining how an active substance in an infinitesimally small dilution could have any therapeutic effect.

the *top* of the income distribution scale, since higher marginal tax rates will be required. The rich will have to “reimburse” at least what they have received but do not ultimately need. Otherwise, “Malibu surfers” would gain from the reform. For all these reasons, BI is not only an ethical project: it is also a technical and social challenge that only a small number of political actors will be ready to take up. It is certainly attractive for people who are not in charge, because they can easily make broad statements of principle and design ambitious global projects. However, BI is highly likely to become a nightmare for those who have to face existing constraints while minimizing social discontent. Our concern, as Sen (2009) highlights, must not be to pursue *the* right society, but *a less unjust* society.

Here is an example. The establishment in France of the “Revenue de solidarité active” (RSA) rests on the idea that, in the absence of a labour market equitably rewarding all its contributors, it is better to supplement low incomes rather than to risk controlling the labour market. We are still a long way from a BI, but we are getting closer: like “free and compulsory” education for all, and healthcare provided as a “universal service”, a BI is now guaranteed for all those who don’t currently earn that much. And this income is higher for people in employment than for those who don’t work. This forms part of the package of economic rights to which every French citizen is entitled (with the unfortunate exception of those between 18 and 25 who don’t have children). Unlike BI, this minimum income remains means-tested and, from this point of view, they are poles apart. But it is a step in the right direction. This relatively modest (€1,5 billion) step was first aimed at simplifying a complex system, which generated significant “inactivity traps”. It raised several implementation problems. Admittedly, these problems might arise precisely from the fact that the RSA is conditional: they would not have arisen without (or with a softer form of) conditionality. Maybe, but one can expect that other difficulties would have arisen instead, such as those mentioned above. Our societies are very complex, and reforms can only be incremental; even in this case, one cannot be certain of being able to bring them to fruition.

Of course, we should not refrain from searching for better solutions that could lead us towards a less unjust society, one in which individual freedom and autonomy would be enhanced. This can only be achieved by a process of trial and error. And, who knows, the BI might just turn up one day, doubtless different from what its originators had in mind, but better suited to the constraints and challenges of the day. And, on that day, a collective of researchers will most probably do justice to Philippe Van Parijs, who was, if not the originator of the concept, at the very least its most tireless analyst, and who illustrated perfectly the saying attributed to William the Silent,

Prince of Orange: "It is not necessary to hope in order to undertake, nor to succeed in order to persevere."

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Cooperative justice and opportunity costs

Laurent de Brier

Abstract (in French)

Dans un article commun consacré à la justice linguistique, Ph. Van Parijs et moi-même avons essayé de définir un critère de justice coopérative permettant de déterminer une répartition des coûts de production d'un bien public entre des coopérants. Le critère proposé, soit une répartition des coûts proportionnels aux bénéfices retirés par chaque coopérant, ne prenait pas en considération les coûts d'opportunité. Après avoir montré cette non-prise en compte peut rendre la coopération inintéressante pour certains coopérants, le présent texte propose une révision de notre critère de justice coopérative intégrant les coûts d'opportunité.

Introduction

Some ten years ago, I published one of my first articles as Philippe co-author's. In 'Linguistic justice as cooperative justice' (de Brier & Van Parijs 2002; hereinafter BVP), we looked at the apportionment of the costs of creation of the public good represented by a common language. When Béa decides to learn the Al's language, Béa derives a benefit since she becomes able to communicate with Al. However, Al derives a benefit too without having made any effort. Would it not be fairer if he bore part of the costs of Béa's learning effort, by paying for some of her lessons for example? Would this also not be more efficient insofar as, in the absence of a contribution from Al, the cost borne by Béa might exceed the benefit she would derive from speaking the language of Al, but not the overall benefit that Al and Béa could derive from being able to communicate with one another? Could the non-contribution of Al in fact lead to a situation where both Al and Béa would be less satisfied than if they had cooperated?

The article addressed this issue from the viewpoint of cooperative justice, that is to say where we regarded those participating in cooperation as being in equivalent initial situations, where as the correction of any inequalities prior to cooperation falls within the general framework of distributive justice. What we therefore endeavoured to do was to find a formula to apportion cooperation-related costs/benefits that does not alter the initial relative balance. The criterion of cooperative justice upheld in this article was the equalization of yields, on the premise that each cooperant should

derive from the co-operation a benefit strictly proportionate to the share of the costs borne in it, i.e.:

$$(1) \quad \frac{b}{c-t} = \frac{B}{t}$$

where:

- b and B are the gross benefits derived respectively by the dominated (the one producing the common good) and the dominator,
- c is the cost of production of the common good,
- t is the subsidy paid by the dominator to the dominated (with $0 < t < c$)

The article reached an impasse, however, as to one point on which Philippe and I could not concur. This concerned opportunity costs, i.e. the benefit a cooperant could have derived had she/he devoted the resources invested in cooperation to another activity. In this brief text, I revert to that issue. I will (1) justify the need to factor-in the opportunity cost, (2) modify accordingly our criterion of cooperative justice in the case of cooperation between two agents, and (3) generalize this criterion of justice and apply it to the case of linguistic justice.

Why opportunity costs matter

An anecdote similar to the one that Philippe and I relied upon in our joint paper (BVP: 8) serves to illustrate the importance of taking opportunity costs into account.

Two professors, Axel and Yannick, move in together for the time it takes to complete a joint work in honour of an illustrious colleague. Yannick cannot stand seeing the slightest speck of dust and every day cleans the apartment they share. Axel, on the other hand, is quite happy with a more or less thorough clean-up once a week. Axel nevertheless derives a benefit from Yannick's efforts even though it is lesser than the one derived by Yannick himself. Let us set these benefits at, respectively, 2 and 6 for a cleaning cost of 1. It is then possible to apply the criterion of cooperative justice we proposed in our article and to 'even out' the gross benefits/costs ratios of Axel and Yannick (see table 1 in the Appendix, lines i to viii).

The application of our criterion leads Axel to bear part of the cleaning cost. Yet it would be possible for him to invest this contribution in another activity, like for example playing the French bagpipes which he loves but which Yannick could not care less about (*Ex hypothesi*, Yannick derives no benefit whatsoever from Axel's bagpipe playing). As the 'return' on the costs

he invests in the bagpipes is of 10/1, it is counter-productive for Axel to contribute to cooperation. The 'yield' on his contribution to the cleaning is in fact lower than the one he obtains when he devotes himself to playing bagpipe. Consequently, the opportunity cost represented by his not being able to play the bagpipes versus the share of cleaning costs he bears is higher than the gross benefit he derives from this cleaning. The additional benefit he derives from cooperation is therefore negative (table 1, lines ix to xi). He thus finds himself in a less advantageous situation than if Yannick had devoted his time and energy to an activity from which he derives no benefit, e.g. phoning his family, which Yannick enjoys but which offers him a lower 'return' or 'yield' than cleaning the apartment, even when Axel makes no contribution to it (3/1 for 6/1, table 1, lines ix and iii).

Equalizing the gross benefits/costs ratios without taking account of opportunity costs thus means imposing on Axel a contribution such that he will agree to bear it only under duress. Now this is precisely the objection we used in our article to refute the criterion proposed by Pool: an egalitarian apportionment of costs among the various cooperants (BVP: 16-7). Since at that time we deemed this objection sufficient to disqualify the Pool criterion, I must admit today that it does impose a change to our own criterion of cooperative justice.

Fortunately, the importance of Axel's opportunity cost does not mean that it is not *collectively* advantageous to contribute to the cost of cleaning. In fact, although the additional benefit derived by Axel from cooperation – i.e. the net benefit minus the opportunity cost – is negative, the total additional benefit derived from cooperation is indeed positive (table 1, line xi). This means that it must be possible to define a criterion of cooperative justice under which a level of transfers can be determined so that cooperation is at the same time efficient, fair and free.

Factoring opportunity costs into the justice criterion

If I recall rightly, what Philippe and I disagreed on was precisely how we should integrate opportunity costs. In his view, it was a cost like any other that we could thus consider as being factored in to the overall costs. It seemed to me, on the other hand, that the opportunity cost was not... a cost, but a *benefit* that one waived. As I saw it, the real benefit of cooperation is not the benefit that one person derives from the good produced by cooperation, but the additional benefit that this good inputs in relation to the benefit it would have derived from an alternative investment. Mathematically, the issue is whether, in our formula, the opportunity cost is to be added to the denominator or subtracted from the numerator.

I therefore propose to adapt our criterion of justice and to consider that what is to be equalized is the ratio between, on the one hand, the gross benefits derived from cooperation minus the opportunity cost and, on the other hand, the cost of the contribution to cooperation. In a simple situation where two agents cooperate and where only one initially bears the total cost of production of the common good, as in the case of cleaning the apartment, or when Béa learns the language of Al, this is equivalent to:

$$(2) \frac{b - (o(c - t))}{c - t} = \frac{B - Ot}{t}$$

where

- b and B are the gross benefits derived respectively by the dominated and the dominator,
- o and O are the rates of returns/yields of the alternative activity to cooperation for, respectively, the dominated and the dominator,
- c is the cost of production of the common good,
- t is the subsidy paid by the dominator to the dominated (with $0 < t < c$)

It is to be noted that formula (2) can also be expressed as follows:

$$(3) \frac{b}{c - t} - o = \frac{B}{t} - O$$

This means that equalizing for each cooperating agent the ratio between, on the one hand, the difference between the gross benefits of cooperation and the opportunity cost and, on the other hand, the cost of contributing to cooperation is tantamount to equalizing for each cooperant the difference between the 'output' of cooperation and that of the alternative activity. Consequently, if o and O are equal – in other words if the output of the alternative activities is identical for all agents – we are back to the formula (1) and a transfer amount identical to the one obtained by not factoring-in the opportunity cost.

It is now possible to apply this new criterion to the situation of cooperation between Axel and Yannick. The amount of subsidies received by Yannick is henceforth only of 1/7. The output of cooperation is now 14 for Axel and 7 for Yannick, which for the one and the other represents an increase of 4 in relation to the rates of return/yield of the alternative activity (respectively 10 and 3). They thus both derive an additional benefit from cooperation which is perfectly proportionate to the importance of their contribution, i.e.

respectively of 4/7 and of 24/7 for contributions of 1/7 and of 6/7. This gives them an additional benefit on contributions ratio of 4 (table 1, lines xii to xix). It is interesting to note that the sum of the additional benefits of cooperation is higher when the subsidy is of 1/7 rather than of 1/4 (table 1, lines xi and xix). The revision of our criterion of justice therefore guarantees that cooperation is not only equitable but also efficient.

Generalization and application to linguistic justice

The thus amended criterion of justice can of course be generalized to any number of communities comprising N members as follows:

$$(4) \frac{B^i - (O^i(C^i - t^i))}{C^i - t^i} = \frac{B^j - (O^j(C^j - t^j))}{C^j - t^j} = \frac{B^k - (O^k(C^k - t^k))}{C^k - t^k} \dots$$

for $N^i t^i + N^j t^j + N^k t^k \dots = 0$

or

$$(5) \frac{B^i}{C^i - t^i} - O^i = \frac{B^j}{C^j - t^j} - O^j = \frac{B^k}{C^k - t^k} - O^k \dots$$

for $N^i t^i + N^j t^j + N^k t^k \dots = 0$

where

- $i, j, k \dots$ is a agent taking part in cooperation, who has specific characteristics,
- N is the number of agents presenting the same characteristics,
- B are the gross benefits derived from cooperation for each agent i ,
- O is the return/yield of the alternative activity to cooperation for each agent i ,
- c is the cost of production of the common good,
- t is the subsidy received by one agent i (with $0 < t < c$).

It is now possible to apply this formula to the issue of linguistic justice. I shall be looking at two of the situations addressed in our initial article. *First*, Al, An and Béa are learning Esperanto (BVP: 27-8). *Second*, three communities comprising respectively 20, 10 and 1 member(s) and where the two smallest communities are learning the dominant language (BVP: 28-31). I am taking up the principle present in the initial article whereby the gross benefit derived from cooperation by one person corresponds to the number of its potential new interlocutors.

Tables 2 and 3 (see Appendix) correspond to the first of these situations according to whether or not opportunity costs are taken into account. Learning the dominant language would have a cost of 1 for Béa, while Esperanto represents only a cost of $\frac{1}{2}$. Béa then manages to convince Al and An to also learn Esperanto and undertakes to pay them a subsidy so that this cooperation is equitable. If the return/yield ratio of the alternative activity of Al and An is of $\frac{11}{9}$ and of 2 for Béa, the amount of subsidies Al and An should receive will be of $\frac{1}{14}$ for each of them, which represents for Béa a tax of $\frac{1}{7}$ on top of her cost of learning Esperanto. The output of cooperation is of $\frac{7}{3}$ for Al and An and of $\frac{28}{9}$ for Béa. If she thus has a higher 'return' than Al and An, it is because the return/yield ratio of her alternative activity is higher than that of Al and An. The difference between the output of cooperation and that of the alternative activity of each agent is, however, perfectly equal and amounts to $\frac{10}{9}$. Our revised criterion of justice is thus satisfied. Al and An will consequently each derive from cooperation a net benefit of $\frac{4}{7}$, while the net benefit of Béa will be of $\frac{19}{14}$. Finally, if we subtract opportunity costs from the gross benefits, which amount to $\frac{11}{21}$ for both Al and An and to $\frac{9}{7}$ for Béa, we obtain the additional benefits of cooperation in relation to the benefits that could have been produced had the agents devoted their contribution to their respective alternative activity. This additional benefit is of $\frac{10}{21}$ for Al and An and of $\frac{5}{7}$ for Béa, which is perfectly proportionate to the level of their contributions.

Table 4 (see Appendix) shows what occurs if our revised criterion of justice is applied to the case of three linguistic communities. I kept all parameters of the initial article (BVP: 29) while factoring-in opportunity costs for the members of A, B and C of, respectively, 9, 8 and 3. Our revised criterion of justice imposes/requires that each member of A contributes to the learning of their language by those of B by paying a subsidy of $\frac{11}{15}$ (i.e. 0.733 for 0.79 without taking opportunity costs into account). Here each member of B receives a subsidy of $\frac{3}{2}$ (for 1.51 without taking opportunity costs into account). The real change concerns the member of C who must henceforth also contribute to financing the subsidy received by the members of B to the amount of $\frac{1}{3}$ (while he was initially receiving a subsidy of 0.7). Our revised criterion of justice is nevertheless respected as these amounts allow each cooperant to derive from the cooperation – after subtraction of the opportunity cost her/his participation in it represents – a benefit perfectly proportionate to her/his contribution.

Conclusion

Taking opportunity costs into account is essential in order to ensure that the criterion of cooperative justice be at the same time respectful of equity, freedom and efficiency. Opportunity costs are, however, not as much costs comparable to the time and various resources that a cooperant invests in cooperation as a benefit she/he waives. This is why opportunity costs must not be added to these other costs, but rather subtracted from the benefit(s) derived from cooperation. This leads me to propose a revision whereby the costs of cooperation must be shared in proportion to the additional benefits that each cooperant derives from cooperation in relation to the benefits she/he would have had by investing in an alternative activity.

In the example in table 4, it may appear counter-intuitive that member C should pay a subsidy in addition to the effort of learning she/he is also bearing. This is, however, a consequence of the greater benefit she/he derives from cooperation and of her/his lower opportunity cost. The fact of belonging to the smallest community is particularly crucial. She/he is clearly (thus) penalized by having had the misfortune of being born into this community. However, as already pointed out in our initial article this is a component that is prior to cooperation. If this is regarded as a source of injustice, it is up to distributive justice to remedy it.

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Appendix

Table 1: Implications of taking opportunity costs into account

	The proposed criterion without taking opportunity costs into account	Axel	Yannick	Total
i	Gross benefits prior to transfers	2	6	8
ii	Pre-transfer costs (= gross costs)	0	1	1
iii	Pre-transfer benefits/costs ratios (i/ii)	2/0	6	8
iv	Pre-transfer net benefits (i-ii)	2	5	7
v	Subsidies received (= t)	-1/4	1/4	0
vi	Post-transfer costs (ii-v)	1/4	3/4	1
vii	Post-transfer benefits/costs ratios (i/vi)	8	8	8
viii	Post-transfer net benefits (i-vi)	7/4	21/4	7
	Comparison with opportunity costs			
ix	Return/yield of alternative activities	10/1	3/1	-
x	Opportunity costs (ix.vi)	5/2	9/4	19/4
xi	Additional benefits (i-x)	-1/2	3/4	1/4
	Application of the proposed criterion integrating opportunity costs			
xii	Subsidies received (= t)	-1/7	1/7	0
xiii	Post-transfer costs (ii-xii)	1/7	6/7	1
xiv	Post-transfer benefits/costs ratios	14	7	8
xv	Difference between the output of the cooperation and the return/yield from alternative activities (xiv-ix)	4	4	-
xvi	Post-transfer net benefits (i-xiii)	13/7	36/7	7
xvii	Opportunity costs (xiii.vi)	10/7	18/7	4
xviii	Additional benefits (i-xvii)	4/7	24/7	4

Table 2: Situation of Al, An and Béa in case of learning of Esperanto integrating opportunity costs

		Al & An	Béa	Total
i	Pre-transfer gross benefits	1(x2)	2	4
ii	Pre-transfer costs (= gross costs)	1/2(x2)	1/2	3/2
iii	Pre-transfer benefits/costs ratios (i/ii)	2	4	8/3
iv	Pre-transfer net benefits (i-ii)	1/2(x2)	3/2	5/2
v	Rate of return/yield of alternative activities	11/9	2	-
vi	Subsidies received (= t)	1/14(x2)	-1/7	0
vii	Post-transfer costs (ii-vi)	3/7(x2)	9/14	3/2
viii	Post-transfer benefits/costs ratios (i/vii)	7/3	28/9	8/3
ix	Difference between the rate of cooperative output and that of the alternative activities (viii-v)	10/9	10/9	-
x	Post-transfer net benefits (i-vii)	4/7(x2)	19/14	5/2
xi	Opportunity costs (vii.v)	11/21(x2)	9/7	7/3
xii	Additional benefits (i-xi)	10/21(x2)	5/7	5/3

Table 3: Situation of Al, An and Béa in case of learning of Esperanto without integrating opportunity costs

		Al & An	Béa	Total
i	Pre-transfer gross benefits	1(x2)	2	4
ii	Pre-transfer costs (= gross costs)	1/2(x2)	1/2	3/2
iii	Pre-transfer benefits/costs ratios (i/ii)	2	4	8/3
iv	Pre-transfer net benefits (i-ii)	1/2(x2)	3/2	5/2
v	Subsidies received (= t)	1/8(x2)	-1/4	0
vi	Post-transfer costs (ii-v)	3/8(x2)	3/4	3/2
vii	Post-transfer benefits/costs ratios (i/vi)	8/3	8/3	8/3
viii	Post-transfer net benefits (i-vi)	5/8(x2)	5/4	5/2

Table 4: Situation of A, B, and C in case of learning of the language of A by B and C integrating opportunity costs

		A	B	C	Total
i	Size of the community	20	10	1	31
ii	Pre-transfer gross benefits per capita	11	21	30	-
iii	Overall gross benefit (i x ii)	220	210	30	460
iv	Pre-transfer costs per capita	0	3	3	-
v	Overall pre-transfer costs (i x iv)	0	30	3	33
vi	Pre-transfer benefits/costs ratios (i/ii)	3/0	4	3	-
vii	Pre-transfer net benefits per capita (ii-iv)	11	18	27	56
viii	Pre-transfer overall net benefits (iii-v)	220	180	27	427
ix	Return/yield on the alternative activity	9	8	3	-
x	Subsidies received per capita (= t)	-11/15	3/2	-1/3	-
xi	Subsidies received overall (i.x)	-44/3	15	-1/3	0
xii	Post-transfer costs per capita (iv-x)	11/15	3/2	10/3	-
xiii	Post-transfer overall costs (v-xi)	44/3	15	10/3	33
xiv	Post-transfer benefits/costs ratios (ii/xii)	15	14	9	-
xv	Difference between the 'output' of cooperation and that of the alternative activity (xiv-ix)	6	6	6	-
xvi	Post-transfer net benefits per capita (ii-xii)	154/15	39/2	80/3	-
xvii	Post-transfer overall net benefits (iii-xiii)	616/3	195	80/3	427
xviii	Opportunity cost per capita (ix.xii)	33/5	12	10	-
xix	Overall opportunity cost (i.xviii)	132	120	10	262
xx	Additional benefits per capita (ii-xviii)	22/5	9	20	-
xxi	Overall additional benefits (iii-xix)	88	90	20	199

Too much punishment and too little forgiveness in the Eurozone

Paul De Grauwe*

Abstract (in Dutch)

De schuldencrisis die de Eurozone heeft getroffen in 2010 heeft de Europese leiders ertoe gebracht nieuwe oplossingen te ontwikkelen voor de crisis. Deze oplossingen zijn al te veel beïnvloed geworden door de idee dat het system met sancties moet overladen worden. De kern van mijn betoog is dat in plaats van zoveel aandacht te besteden aan sancties meer ruimte zou moeten gegeven worden aan vergevingsgezindheid.

Introduction

The debt crisis that hit the eurozone in 2010 forced European leaders to develop new solutions and cures to deal with the crisis. These cures for the debt crisis have been dominated by the idea that sanctions should be imposed everywhere in the system. Thus, European leaders are tightening up the Stability and Growth Pact (SGP) and are imposing stiffer sanctions on governments that do not obey the rules. Bondholders who have the temerity of buying government bonds will face sanctions in the form of haircuts when governments get into payment difficulties. The financial rescue mechanism aimed at providing liquidity to distressed governments carry punitive interest rates. Thus Ireland was subjected to an interest rate of close to 6% for the financial assistance it received from the *European Financial Stability Facility* (EFSF).

In this paper, I argue that too much emphasis is put on designing punishment mechanisms to deal with the crisis, and to prevent future ones. I will then ask the question why so much emphasis was put on punishment. Finally, I will argue that a greater role should be given to debt forgiveness, and I will discuss what the latter means.

In order to analyze whether punishment is the right approach it is useful to draw a distinction between punishing governments and punishing private market actors. Let me concentrate on the latter first.

* I am grateful to Daniel Gros for very helpful comments

Punishing private agents

Threatening to punish private market participants leads to two problems. First, it works only when these agents know they are doing something wrong that is subject to punishment. If they are not aware that they do something punishable, the threat of punishment will not discipline them. During the good years prior to the crisis, few people realized that they were doing something wrong that would lead to punishment. Private investors were blinded by euphoria and did not see the risks. Bankers took excessive risk because they massively underestimated it. This underestimation had two dimensions. First, bankers underestimated the risk on their own balance sheets. Second, they did not take into account the systemic risks they created by over-leveraging. They were driven to do this by the sense of euphoria that existed during the bubble and boom periods that blinded almost everybody, including the supervisors, in not seeing the risks. Thus most of them were not aware of doing something punishable. So having the punishment would not have changed their behavior.

The second problem with punishments is that they lead agents to run for cover when punishment is imminent. This running for cover is easy in financial markets. Investors just sell. In other words, punishments have very little disciplinary effects in financial markets, because if investors are quick enough they know they can avoid punishment. In addition, this “running for cover” can in fact trigger a crisis where none would have occurred without the punishment scheme.

This idea can be applied to the proposed bail-in mechanism that will be attached to future sovereign bond issued in the eurozone. At the insistence of Germany, the European Councils of October and December 2010 decided to make future financial assistance to eurozone governments conditional on making sovereign bondholders pay in the form of haircuts. Example: if the haircut is 20% this means that the government will pay only 80% of the nominal value of its debt. Thus, eurozone governments have announced that sovereign bondholders will be punished in the future for the sins of the sovereigns.

This announcement has a twofold effect. First, it makes sovereign bonds riskier and therefore increases the interest rate. Second, and more importantly, it destabilizes the government bond markets in the eurozone for the reasons developed in the previous paragraphs. The threat of punishment now hangs over the sovereign bond markets in the eurozone. This will have the effect of regularly inducing bondholders to run for cover. They will do this each time they expect future payment problems of one of the eurozone governments. But this running for cover will in turn make a

default crisis more likely. When investors sell their bonds the interest rate increases, thereby increasing the risk of default, which in turn triggers more selling. This self-fulfilling prophecy mechanism will make the government bond markets more fragile and volatile. In fact this has already happened since the decisions made by the European Council in October and December 2010. Thus, the idea that somebody must be punished has a disastrous effect. Instead of solving a problem, it creates a new one.

Punishing governments

The other major cure proposed by the European leaders is to tighten up the SGP, i.e. to have a stronger punishment scheme of governments. This cure based on the same moral hazard thinking will certainly not solve the debt crisis. It even risks making it worse.

There are two reasons why tightening the rules of the SGP is the wrong answer to the sovereign debt crisis. The first one is that with the exception of Greece, the other Eurozone countries (Ireland, Spain) were not pulled into a debt crisis because of an excessive public debt accumulation prior to the crisis. The government debt crisis in most eurozone countries has nothing to do with undisciplined government behavior prior to the crisis, but with excessive risk taking by the private sector. If the tighter SGP rules now being implemented had been applied before the crisis, they would not have made a difference in most of these countries (with the exception of Greece). Governments like Ireland and Spain would have passed these tighter rules with flying colors; yet they would not have escaped the subsequent crisis.

The second reason why the tighter SGP-rules will not work has to do with the political economy of these rules. As long as budgetary policies (spending and taxation) remain vested in the hands of national governments and parliaments, the political responsibility for the decisions about spending and taxation rests with these national governments and parliaments. The latter face the political sanctions by national electorates. Neither the European Commission nor the other members of the Council face the political sanction for the measures they impose on one member country. "No taxation without representation" belongs to the essence of democracies. The SGP has been an attempt to short-circuit this principle, by giving powers to individuals and institutions, in particular the European Commission and the European Council, that do not face the political responsibility for their actions. For example, when the members of the European Council take a decision to force budgetary austerity on, say, Portugal, most of these individuals do not face the political cost of this decision, only the Portuguese government does. Such an attempt has to fail and happily so.

This is also the fundamental reason why the French and German governments decided in 2003 to ignore the then prevailing fiscal rules. They were urged by the Commission to overhaul their spending and taxation decisions. But the Commission did not face the sanctions of the French and German electorates; the French and German governments did. Each time such a situation occurs in the future (and provided the countries concerned are sufficiently large and powerful) it is the European Commission that will lose the battle.

Bad design of financial assistance

The idea that punishment should be part of the cure to the debt crisis has also infected the design of the financial assistance in the eurozone. The EFSF that was instituted during the Greek debt crisis in May 2010 has been forced to provide financial assistance to Greece and Ireland at punitive interest rates. The interest rate applied to the Irish loans in early 2011 amounts to almost 6%. This high interest rate has a very unfortunate effect. First, by charging this high interest rate it makes it more difficult for the Irish government to reduce its budget deficit and to slow down debt accumulation. Second, by charging a risk premium of about 3% above the risk free rate that the German, Dutch and Austrian governments enjoy, the EFSF signals to the market that there is a significant risk of default, and thus that the Irish government will not succeed in putting its budgetary house in order. No wonder that financial markets maintain their distrust and also charge a high-risk premium. All this, in a self-fulfilling way, increases the risk of default. It is quite sad that the EFSF that was created to solve a problem contributes to creating one.

The intelligent approach in financial assistance consists in using a policy of the carrot and the stick. The stick is the conditionality, i.e. an austerity package spelled out over a sufficiently long period of time, so that economic growth gets a chance. Without economic growth debt burdens cannot decline. The carrot is a concessional interest rate that makes it easier for the country concerned to stop debt accumulation (see Gros and Mayer 2011). A low interest rate also expresses trust in the success of the package; trust that financial markets need in order to induce them to buy the government debt at a reasonable interest rate. I will come back to this point.

Did the debt crisis result from moral hazard?

This intelligent approach was not followed. Why is this? Why has the idea that punishment should be meted out become so important in the design of

mechanisms to deal with the crisis? My answer is that the punishment idea has been much influenced by the idea that the crisis was caused to a large extent by moral hazard.

Moral hazard can be defined as additional risk taking by agents who believe to be insured against the risk they take. Applied to the sovereign debt crisis in the eurozone, moral hazard means that some governments have issued too much debt in the past, expecting other governments to bail them out. In the context of the banking crisis, moral hazard arose when bankers were taking excessive risks also because they expected governments to bail them out.

There is a strong popular perception today that the core of the sovereign debt crisis is moral hazard. This is especially the case in Northern Europe. Many well-known economists in these countries have stressed the irresponsible behavior of governments of peripheral countries as the root cause of the crisis and have warned that providing financial assistance will induce these governments to remain irresponsible. This view has dominated the popular press in countries like Germany and the Netherlands (see Sinn 2010, Plenum der Okonomen 2011). As a result, the popular sentiment in these countries has very much turned against financial assistance for “irresponsible governments”. This popular sentiment has been very influential in shaping the official German and Dutch policies. It is therefore important to look at whether the debt crisis is indeed the result of moral hazard.

Let's consider the debt problems of Ireland and Spain (I'll turn my attention to Greece later). The government debt ratios in these two countries declined dramatically prior to 2007. When the bank crisis erupted, the governments of these countries were forced to rescue the banks and to sustain economic activity. The effect was that the government debt exploded in these countries. With no stretch of the imagination can one interpret these events as being the result of moral hazard. The Spanish and Irish governments did not increase their debt because they expected to be bailed out by Germany or any other country. They did this because any government responsible for the welfare of its people would have done the same thing. There was no other valuable option except letting the economy and the market system in these countries implode.

Proponents of the moral hazard diagnosis may object here, by noting that even if the governments' actions were not driven by moral hazard, the latter was at the core of the banking crisis that forced the governments to intervene. Thus, ultimately the cause of the crisis is moral hazard: banks took excessive risks because they expected to be bailed out by their respective governments. This interpretation does not make sense either. It is

true that bankers took excessive risks. But not because in the back of their mind they had this idea that governments would rescue them. Top management of the banks could not possibly have hoped that governments would bail them out, as such a bailout operation could have cost them their heads. As argued earlier, they took excessive risk because for several reasons they massively underestimated it.

What about Greece? No doubt, there was a lot of irresponsible behavior of successive Greek governments. But to think that these governments were spending excessively because they expected Germany to bail them out is far fetched. It had everything to do with a weak political system that fell prey to pressures of domestic interest groups trying to obtain part of government largesse. In this process, politicians like bankers and many others, were swept by euphoria produced by (unsustainable) growth rates. The latter created the perception that the sky was the limit.

Surely there was misbehavior of many actors in this drama. When interpreted in the light of moral hazard it leads to the conclusion that punishment is necessary because it has the salutary effect of changing incentives. It teaches a lesson that should prevent those who have sinned from sinning again. And it teaches a lesson to the others who have not sinned that bad behavior will be sanctioned.

This punishment approach to the crisis, however, is counterproductive. Too many actors would have to be punished, and not only the bad governments at the periphery of the Eurozone.

The need for forgiveness

The solution of the debt crisis must be sought not in systematic punishments of governments and private market participants. More emphasis should be put on a willingness to be forgiving. Note that I am not arguing that there should not be conditionality in lending programs. These remain important so as to give enough incentives to the debtors to avoid future profligacy. Thus, there is a need for a stick. At the same time, there is a need for a carrot, in the form of a concessionary interest rate. The main reason is that this is in the interest not only of the debtor but also of the creditor nations. Let me develop this point further. The best way to do this is to start from the following table. I show the primary surplus that is needed to stabilize the government debt ratios in different problematic eurozone countries. Let us assume that the debt level these countries aim at stabilizing is the likely level that will be reached at the end of 2011. The interest rate that is applied in this calculation matters a great deal. I use two opposite scenarios. In one scenario I apply the present punitive interest rate

used by the EFSF, which is close to 6%. In the second scenario, I assume that the EFSF would apply a “gentle” interest rate, i.e. 3.5%, which is the interest rate paid by Germany on its debt plus some “gentle” risk premium of 0.5% (so as to ensure that the creditor nations do not lose out). Thus, this scenario takes the view that the appropriate interest rate is the one that is approximately free of default risk¹.

The contrast between the two scenarios in table 1 is striking. When the punitive interest rate is used (6%) the fiscal effort needed to stabilize the debt ratio is considerable, leading to the question whether these problem countries will be able or willing to make this effort. In the second scenario using the gentle risk free interest rate, the fiscal effort required to stabilize the debt ratio is considerably reduced. Countries like Ireland, Portugal and Spain are clearly capable of making that effort, and thus they are capable of avoiding default, making the gentle interest rate applied to lending to these countries a self-fulfilling one, i.e. one that avoids default. It is unclear whether this also holds for Greece, where we see that applying the gentle interest rate will still require a considerable fiscal effort in that country. In addition, in the case of Greece this effort stabilizes the debt ratio at 145% of GDP which can be considered to be unsustainable in the long run. Thus for Greece other solutions will have to be considered, i.e. debt restructuring.

		6,0 %	3,5 %
<i>Debt ratios</i>			
<i>Greece</i>	145	8,7	5,1
<i>Ireland</i>	110	6,6	3,9
<i>Portugal</i>	90	5,4	3,2
<i>Spain</i>	70	4,2	2,5

Table 1: Primary surplus needed to stabilize debt ratio

The previous calculation illustrates that there are several possible equilibria (for more formal analyses see Calvo 1988, De Grauwe 2011). There is a nasty equilibrium. This is the equilibrium obtained in the punitive scenario with a high interest rate that in a self-fulfilling way increases the default risk in all countries concerned and thus keeps the interest rate high. There is a gentle equilibrium in which the lower interest rate reduces the

¹ These interest rates are of course hypothetical ones. The interest rate on the outstanding debt of these countries today is different. The point is that if the EFSF were to apply these interest rates on the debt would tend to converge to these rates. Thus in table 1 we look at the long run solvency requirement under these two interest rate scenarios.

fiscal effort needed to stabilize the debt ratio. By having a greater probability of success this scenario leads to a lower default risk. The gentle interest rate produces a gentle equilibrium with a low interest rate. This gentle equilibrium is in the interest of both the debtor and the creditor nations.

Achieving this gentle equilibrium, however, is only possible if the creditor nations commit themselves to providing liquidity. They have the means to do so. The only possible obstacle is a political one. It will require convincing the German, the Dutch, (and a few other) populations that it is indeed in their national self-interest to commit themselves to financial assistance.

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Talking about democracy

Kris Deschouwer

Abstract (in Dutch)

Democratie is een 'contested concept'. Dat betekent dat het woord verschillende betekenissen heeft en krijgt. Toch gebruiken we het heel vaak. Ook de politieke wetenschap doet dat, en doet dat de jongste jaren meestal vanuit de veronderstelling dat de democratie in crisis verkeert. Daarbij wordt democratie gedefinieerd als het proces van politieke participatie en vertegenwoordiging. Aan burgers wordt dan ook vaak gevraagd of zij 'nog vertrouwen hebben in de democratie'. Maar aan burgers wordt zelden gevraagd wat zij dan wel onder democratie verstaan. Uit recent onderzoek in België blijkt alvast dat democratie verschillende betekenissen heeft voor verschillende bevolkingsgroepen. En heel opvallend is dat daarbij taal ook van belang is. Wie in het Nederlands over democratie praat, heeft het deels over andere dingen dan wie er in het Frans over praat.

A contested concept

We are all democrats. That goes without saying. We believe that democracy is good and that it should be cherished and defended if needed. Yet while we are all democrats, some of the others are not. Some people indeed defend ideas that are considered as not democratic. But since we are all democrats, those accused of being undemocratic defend themselves by claiming loud and clear that they are to the contrary good and true democrats. Some political parties for instance are generally labeled as undemocratic because we believe that they violate the basic values of our beloved democracy. Their first defense line though is that they are the real democrats, saying out loud what the people think, defending the real freedom of speech, being critical of the political establishment.

Talking about democracy is therefore not easy. It is a word that carries many meanings, depending on who is talking about it and to whom. It is therefore typically a 'contested concept' (Gallie 1956), a concept that not only carries many meanings but also one for which there is no full agreement on which of these meanings should prevail.

Yet we do talk a lot about democracy. Especially in political science we hardly spend a day without using the word. And we do so because we are doing a lot of research about democracy. Over the last two decades we have become very much interested in the degree to which citizens of democratic

countries believe in democracy and trust the democratic political institutions. We are very interested in these topics because we believe – and in this we only follow the political and public debates – that something is wrong (Norris 2011). We assume that there is something around that can be called a crisis of democracy. There are several reasons for that. Take for instance the turnout in elections. Electing a parliamentary assembly that represents the will of the people is a central and crucial component of a well-functioning democracy. Yet when the citizens are invited to contribute to this very important act of electing a parliament, an increasing number of them simply remain at home. Quite spectacular is the evolution of the turnout for the elections to the European Parliament. In 1979 it was already quite low – by European standards – with 67% of the European citizens turning out to vote. Yet since then the turnout kept going down at every election. In 1999 it went below 50% – a turnout of 49,9% – and in 2009 only 43% of the Europeans turned out to vote.

There are other indicators that point in the same direction of citizens turning their back to the organizations and institutions of representative democracy. Political scientists keep track of the evolution of the membership of political parties, and if you want to see graphs with lines that go down at a very steep rate, this is the place to watch. Surveys asking about trust in political parties also reveal a sharp decrease to frighteningly low figures.

Another apparently disturbing factor is the rise and success of political parties that mobilize voters with a discourse that is thoroughly anti-establishment and especially accusing the political and societal elite of being hopelessly disconnected from the real demands and concerns of the people. Representative democracy – so they claim – is a perversion because the representatives have lost touch with the people who they should truly represent. They point especially at policies related to immigration and asylum seekers, and to the blatant refusal of the established elite to understand the damage that these policies have caused for the security and the traditional culture, values, and religious beliefs of ordinary citizens.

And since all this is indeed framed as a crisis of democracy, political scientists are quite eager to understand what is going on. Are we indeed witnessing a decrease in the belief and trust in democracy as it was built – with all its checks and balances – after the Second World War and after the disastrous collapse of a number of democracies in 1920s and 1930s? The easiest way to check for that is simply to ask people. In most survey questionnaires drafted since the 1990s we therefore include a few questions about trust in political institutions and quite often also a straightforward question about ‘satisfaction with democracy’. Yet by asking these simple and straightforward questions we tend to forget that the very concept is debated,

that it does not have one single meaning. What we actually do is assume that the dominant political science meaning of democracy – stressing representative democracy and responsive party government (APSA 1950) – is the way in which citizens themselves see and define democracy. There is however no reason to believe that a concept that comes with so many different meanings in the public debate would have one single meaning shared by all the citizens.

Citizen's perceptions

That makes it quite interesting to investigate how citizens actually define democracy. Surprisingly, this has not been frequently done (Shin, Dalton & Jou 2007; Diamond & Plattner 2008). In 2009, we conducted a survey in Belgium's two largest regions Flanders and Wallonia. The survey was part of a larger project on political participation and representation in modern democracies. It asked many questions about political beliefs and behavior, party preferences and media use. Several questions dealt with the way in which the functioning of democracy could possibly be improved (see www.partirep.eu). It also included the following 'open question': "Next question may be a bit more complicated, but could you try to explain what the word 'democracy' means to you?" The question was 'open' because no menu of pre-formulated answers was offered to the respondents. They could indeed explain in their own words what democracy meant for them. These words were carefully taken down by the interviewer. A total of 2332 Flemish and Walloon citizens were interviewed and we received a wide variety of answers. Below are a few examples:

- *There are too many parties and that is not good. Two or three parties would be better.*
- *That Flemings and Walloons should understand each other better to form unity again.*
- *Honesty. Trust. Security. Believing in people. A job.*
- *People who fill their pockets. I can't actually say*
- *I have a vague remembrance from school. But I cannot describe what it is*
- *That everybody is treated the same way. The freedom of speech and equality for all before the law*
- *Democracy is that the majority has the right to decide*
- *Cooperation between all citizens. Freedom of speech. No corruption*
- *If there were a real democracy, it would be good. But I doubt.*
- *Oh that is a nice word. It means a lot. Freedom, wisdom, freedom of speech and opinion. That's what it is for me*

- *Everybody has a say, even if citizens are not always taken into account. It is equality between women and men and between citizens and political representatives.*
- *It is the liberty to do what we want, without walking on the freedom of the others.*
- *Any citizen can, thanks to democracy, participate actively in the politics of the country and improve their conditions of living.*
- *My husband always said “without the monarchy”, but except from that I have never understood the word*
- *A country where one can do what one wants, where one is free and nobody can stop me. When I want to go to another country I am free to do so. Free choice and also not imposing internet or digital TV. In the beginning a lot is promised but later it becomes more expensive. One should not impose anything.*

A careful reading of all these answers shows to what extent the word triggers different responses and feelings, how some apologize for not being able to give a decent answer, how others use this to tell us that democracy is a nice thing but that they are still waiting to see it coming along.

In search for broader patterns, we grouped the answers into six categories. (Diamond & Morlino 2005). The first category is ‘*Representation*’. It groups all answers that define democracy in terms of people casting votes for political parties and all answers referring to being represented, to being listened to and to governmental politics that take into account the demands of the people. The second one is ‘*Participation*’. It refers to the right or possibility to influence decision making, to the population having a say or a voice, to the will of the people or to the people having the right to govern themselves. A third category is ‘*Decision rules*’. This includes all references to the procedures through which decisions should be taken, like the right of the majority to implement its policies, the right of minorities, the need (or the problems related to) coalition formation.

The first two categories belong to what is usually labeled the *input* side of politics, the way in which society communicates its demands to the political system. The third refers to *procedures* of decision-making inside the political system. A fourth and fifth category refer to *values* that are associated with democracy. All answers saying that democracy means freedom in general, freedom of speech or of thought, the possibility to speak out without being punished and the obligation for the public authorities to refrain from restricting the freedom of the citizens were grouped under the label ‘*Freedom*’. The label ‘*Equality*’ was given to all answers referring to equality in general, to equal rights or to equality of chances. And finally we built the category ‘*Quality of life*’ for all references to democracy as a system where life

is pleasant and comfortable, where people live peacefully together and where tolerance of diversity and differences has a central place.

Table 1 shows the frequency of answers belonging to each of these categories. For almost 15% of the answers we could not classify them in one of these categories. That was the case for respondents who did not provide any answer, for those who told us that they did not know what democracy was or could not formulate an answer, and for the answers that were really impossible to capture within this framework. The total of table 1 is more than 100% because one person could of course give an answer in which more than one meaning of democracy was mentioned.

1. Representation	31,8
2. Participation	18,7
3. Decision procedure	7,4
4. Freedom	50,1
5. Equality	23,5
6. Quality of life	13,2
<i>Other</i>	3,1
<i>Don't know</i>	11,4

Table 1: The percentage of respondents per category when defining democracy (N = 2332)

A first conclusion is that democracy comes in many different meanings indeed. Although some respondents gave an answer belonging to more than one of the categories, most of them gave democracy a single meaning. And that divides the population into groups having different definitions of democracy or at least stressing different aspects of it. The number one on the list is freedom, which tells us that for half of the population democracy is *not* in the first place about political processes, political actors or political institutions (only 2,5% mentioned political parties), but about values. Equality comes on the third place and beats participation, the other category that captures interactions between politics and society.

Education and language

To which social characteristics are these meanings of democracy related? They appear to be related to several things, including age, gender, political interest, political knowledge and levels of education. The latter is illustrated in table 2. We have made a crude difference between a low level of education (no degree, a primary school or a lower secondary school degree

as the highest obtained), a middle level (secondary school degree) and a high level (university or university college). This appears to be a strong predictor of the way in which people think about democracy.

	<i>Low</i>	<i>Middle</i>	<i>High</i>
1. Representation	21,3	28,2	35,2
2. Participation	8,5	18,5	30,6
3. Decision procedure	6,0	9,1	9,5
4. Freedom	50,5	50,0	48,1
5. Equality	28,2	26,1	25,7
6. Quality of life	16,7	13,6	11,0
<i>Don't know</i>	21,3	8,6	1,8

Table 2: The relationship between levels of education and definitions of democracy (in percentages of respondents)

The relation with 'no answer' is quite obvious: in the lowest group we find almost one quarter of the respondents not giving an answer to the question. But on the categories itself the level of education also has a clear effect. The definitions referring to political institutions and procedures are clearly more often mentioned by the respondents with higher levels of education. For freedom there is no significant difference, but equality and quality of life are mentioned more often by those with lower levels of education. It means that the vision of democracy that links it to political participation and representation is a rather elitist one. That is an interesting but also sobering finding for political science. It means that the notion of democracy that is often used without really reflecting on it, and for which indicators of 'decline' can be measured, does not actually correspond to the way in which many people see it, especially in the first place in the case of lower educated groups. It is by now very obvious than when people talk about democracy, they might talk very different languages.

Talking about language, the survey was conducted in Flanders and Wallonia. And the responses to the question were of course given in either Dutch or French. It might therefore be interesting to see whether the two language groups rely on different definitions of democracy. There is no reason to expect any significant differences. In international and comparative research we also simply translate questionnaires and use them in different languages, assuming that when people tell us for instance to what extent they believe in democracy, they understand democracy in the same way, irrespective of the language they speak. A simple check of the answers in French and Dutch can however put this naive belief into

question. Table 3 shows the frequencies for each of the categories of democracy, according to the language in which the answer was given.

	<i>Dutch-speaking</i>	<i>French-speaking</i>
1. Representation	30,9	23,8
2. Participation	23,9	11,4
3. Decision procedure	11,2	3,2
4. Freedom	40,6	66,0
5. Equality	31,2	18,0
6. Quality of life	12,8	15,1

Table 3: The frequency of each category of democracy per language group (percentages)

The least that one can say is that the differences are rather astonishing and furthermore quite difficult to explain. We see much more references to participation, representation, rules of decision making and equality for the answers given in Dutch. And we see much more references to freedom and slightly more to quality of life for the answers given in French. These differences are obviously *not* related to differences in level of education. Within each language group, we see the same variety in levels of education, but the starting point is simply higher or lower. The differences can also not be explained by the in average slightly more leftist orientation of the Francophone inhabitants of Belgium. Left-right orientation actually appears to be unrelated to the definitions. Only for the decision rules we can come up with a possible plausible explanation. Many of these answers refer to the right of the majority to govern. The checks and balances of the Belgian system and its strict mechanisms aimed at protecting the Francophone minority and giving it a guaranteed equal share of power might create a frustration on the Dutch-speaking side that is translated in these answers.

Apart from that, the differences are simply differences between people speaking a different language when they think about democracy. And that means that democracy is not only a contested concept, it seems to be a concept that does not travel too well across language borders. Getting a better understanding of that requires a deeper insight into the way in which citizens are being socialized into democracy. Where and how do they pick up the meaning of the word? What kind of civic education is provided at school? Does it differ between the north and south in Belgium? Is there a broader 'French' – coming from France – conception of democracy that differs from the 'Dutch' one? Since we seldom ask the people about their own definition of democracy, we do not know.

Keep on talking about democracy

We are all democrats. That goes without saying. Yet that does not mean that we all agree on what we mean by that. Indeed for concepts like democracy, one should not expect that all users of the word give it the same meaning. From the perspective of the empirically oriented political scientist, this might be problem. Measuring democratic attitudes and deriving from them strong conclusions about beliefs in democracy without saying very explicitly which aspect of democracy is being discussed, is an indicator of sloppiness. By contrast, for the purpose of public and political debate one should not worry. Democracy is a contested and debated concept because it is such a rich concept. It refers to many good things, like freedom, equality, tolerance, welfare, participation, representation, equity, justice and many more. We can discuss these concepts separately, but we can also rather conveniently include them into this one single word. If that results in discussion and disagreement, because your democracy is probably not fully the same as mine, it simply obliges us all to keep on thinking about our democracy, to defend the aspects that we think of as being more important, to explain why we believe that some actions or attitudes are at odds with our definition of democracy. Talking about democracy is a source of disagreement. And talking about disagreement is what democracy is all about.

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Let's Brusselize the world!

Helder De Schutter

Abstract (in Dutch)

In verschillende artikels, vooral in 'Moet Europa Belgisch zijn?', heeft Ph. Van Parijs geargumenteed dat de Europese en globale taalpolitiek op een 'Belgische' wijze moeten worden georganiseerd. Deze Belgische oplossing bestaat erin dat territoria officieel eentalig zijn, zoals dat ook grotendeels het geval is in de Belgische gewesten Vlaanderen en Wallonië. Maar België heeft een derde gewest, Brussel, met een officieel tweetalig taalbeleid. Philippe argumenteert voor de universalisering van het Vlaanderen/Wallonië-model. Ik argumenteer voor de tegenovergestelde positie: de universalisering van het Brusselse model.

In the past decade, Philippe Van Parijs has developed a brilliant theory of linguistic justice, recently published as *Linguistic Justice for Europe and for the World* (Van Parijs 2011). I admire Philippe's project, but I disagree with one pillar of it. Philippe defends 'linguistic territoriality', arguing that native language groups should, if they desire so, be able to 'grab a territory' on which their language will be the only official language of that territory (Van Parijs 2009). That language then becomes the only admissible one within that territory as regards public administration, political life, judiciary procedures and public education. Philippe portrays this territoriality view as central to the ideal of linguistic justice for our current world. I disagree. I think we need to globally advertise the very opposite: linguistic pluralism, to be explained below.

Two Models of Linguistic Justice

To make this discussion palpable, let me sketch a stylized picture of the language issue in Belgium, the linguistically diverse state of which Philippe and I are citizens. Belgium has two major official languages: Dutch and French.¹ These two language groups get equal status, but this equality is expressed in two different ways, depending on where you are located within Belgium. I'll call the first way the *Brussels model*, and the second the

¹ It also has a third official language, German, spoken by only 70.000 Belgians. Language recognition also extends to the German-speakers, who are sometimes called the 'best protected language minority' in the world.

ROB (Rest of Belgium) model. The capital region, Brussels, with about 10% of the Belgian population, is officially bilingual. Inhabitants have freedom of choice between French and Dutch with regard to public institutions and services, such as the school for their children (there are schools in each language), their voting ballot, the city council (officials will approach them in the language of their choice), public hospitals, or state museums. Individuals are not required to make a language package choice; they choose on a case-by-case basis: they can send their children to a Dutch-medium school, attend subsidized theatre in French today and in Dutch next week, vote for Dutch speaking politicians, and go to a French speaking doctor. On Brussels territory, then, both language groups get full linguistic recognition: Brussels has an officially bilingual status.

This is the first model of linguistic justice, the Brussels model. Put theoretically, the Brussels model stipulates that linguistic justice entails equal recognition. Within certain practical limits, all native language groups within a region should receive equal status, so that individuals with the respective identities get language recognition. When I argue for linguistic pluralism as the hallmark for linguistic justice in the world today, this is the model I have in mind, hence the title of this contribution: if we want to realize global linguistic justice, we should globally advertize a version of the Brussels model.

The second model is the ROB model. The ROB model embraces linguistic territoriality: each territory only has *one* official language. In Belgium, the ROB model applies to the rest of the Belgian territory, essentially to Flanders (minus Brussels and some exceptions) and Wallonia (minus the German-speaking municipalities and some exceptions). Both Flanders and Wallonia have only one official language: in Flanders the official language is Dutch; in Wallonia it is French. In both regions, then, it is only in the language of the region that one can find schools, get city council services or find state museums. To be sure, Belgium internally has open borders: French speakers are welcome to move to Flanders and Dutch speakers can opt to live and/or work in Wallonia. But they will have to adapt linguistically as far as public language use is concerned. In theoretical terms, the ROB model stipulates that linguistic justice requires assigning to language groups territories on which their language will be the only official language. The people can of course be very multilingual, but the territory reserves official status to only one language.²

² In its literal meaning, 'territoriality' as a way of naming the ROB model (common in public discourse in Belgium and Canada) is a misnomer, since of course Brussels is also a territorial unit, just one on which two languages get official recognition. Brussels is not less 'territorial' than the ROB.

So Belgium has adopted two models of linguistic justice: the Brussels model which grants rights to more than one native language group living on the territory, and the ROB model which works on the premise that each territory should be officially monolingual, applying a *cujus regio ejus lingua* principle. Philippe argues for the universalization of the ROB model: when he talks about 'Linguistic Justice for Europe and for the World' (2011) and when he says that 'Europe should be Belgian' (2001), the linguistic justice and the type of Belgium he has in mind is of the ROB type. I argue for the opposite position: the universalization of the Brussels model.

The problem with the ROB model

The most important argument for thinking the Brussels model to be superior to the ROB model is that the world today is not characterized by linguistically unified territories, and that, consequently, installing the ROB model is often inconsistent with granting equal recognition to linguistic minorities. In linguistically very homogeneous societies or territories – say, Iceland – few will see problems with implementing a ROB model. In such cases there is no need to recognize other languages since there are none, and a ROB way of proceeding is a natural practice. But the ROB regime is not advocated for such – from the point of view of linguistic justice 'trivial' and unproblematic – cases. The ROB model acquires its normative force from situations where there is more than one historic language group. Yet, the same constellations where the ROB solution is relevant and for which it is intended, will almost invariably be constellations where it is heavily contested due to the presence on the same territory of speakers of another language. Indeed the ROB model is typically argued for with cases like Quebec, Catalonia, the Basque Country, and large parts of the Baltic States in mind. But these are all cases where two or more language groups live intermingled, where there is no congruence between language and territory in the first place. In such cases, including also examples like Brussels, Kosovo, Wales, much of Ukraine, the Balkans and Moldavia, different language groups live intermingled on the same territory.

If in such cases only one of the languages is given all the official recognition, what about the language rights of those who speak another (non-immigrant) language? It is true that, as a result of centuries of nation-building, parts of the world have been transformed from linguistically very heterogeneous areas to more homogeneous ones. As a result, we can find today large monolingual zones in Europe and America. For such Iceland-like situations the ROB principle may be appropriate (be it trivial). But it certainly is not for the vast remaining instances of linguistic heterogeneity

within the Western world and the much vaster linguistic heterogeneity existing in Africa, Latin America or South East Asia. For such situations, the Brussels model is a much better fit. Any attempt to 'grab a territory' in places where language groups live so intermingled that neighbours living in the apartment above or adjacent to one another may belong to different language groups, will lead to the incorporation of linguistic minorities within the territory officially declared to belong to the language group that managed to grab it. These minorities can then be asked to assimilate (but how can this respect *their* dignity?), move to the other side, or in the best scenario (but already with important concessions to a pure territoriality model) get some language rights until they die out as Philippe suggests (2011: chapter 4). However, none of these solutions is one which chimes well with equal rights for all. If *some* native language groups are given language rights, then *all* should get it. What the ROB enthusiast ignores is intra-territorial linguistic heterogeneity, as a result of which the model cannot achieve linguistic justice.

Interestingly, the same cases where we find two or more language groups sharing the same territory are also cases where you will find individuals with bilingual language identities, who do not uniquely identify with one of their linguistic belongings. For such bilinguals, the linguistic inappropriateness of the ROB model is much less severe than it is for linguistic minorities who will have ended up on the wrong side of the border once the ROB solution is implemented. After all, their linguistic identity interests are at least partly recognized. But they are forced to adhere to one part of their mixed identity structure, and this is regrettable given the existence of an alternative which avoids that problem.

Propagating the ROB model as the hallmark of linguistic justice will also raise the expectations of language groups, and make just coexistence projects less feasible. Embracing the ROB model as the ideal in cases where two language groups claim the same land, makes it hard to think about and realize linguistic justice for all. The 'Grab a Territory' view will at best result in territories for some, but not for others.

So globally advertising the ROB model as the ideal of linguistic justice is the wrong thing to do: in linguistically diverse regions, it gives full language rights to some, but not to minorities, who are denied linguistic justice. It is unable to provide full linguistic justice for bilinguals. And it makes language groups believe that driving out or ignoring other groups is entailed by linguistic justice. If we are to choose, it is the opposite ideal that we should go for. The primary model for linguistic justice is to be the Brussels model. The basic guideline should be 'look at the existing linguistic diversity'. If linguistic diversity is such that one territory is inhabited by more than one

native language group, then go for the equal recognition ideal central to the Brussels model. Only if no significant diversity can be found is an ROB model acceptable. The Brussels model is the standard rule, and deviating from it is only acceptable in cases which already instantiate an Iceland-paradigm. There is no reason to protect more than one language group within Iceland, since there are none. Note that even in such cases, no injustice would be committed by implementing a Brussels model instead. If French speakers from Wallonia choose to move to Flanders in an imagined Belgium where the Brussels model is universalized within Belgium (and no ROB model exists), no injustice would be committed: both language groups would get language rights.

On this Brussels model, multilingual language policies are installed, which grant equal recognition to the existing linguistic identities of citizens through equal language rights, such as the provision of police services, schools, voting ballots and welfare services in both languages. Language rights are then granted *pluralistically*, by granting equal sets of language rights to all. On this territory, members of each language group are enabled to experience their language identity and make use of the available resources to change it if wanted: this includes assimilating to another language, assuming or acquiring a bilingual language identity, or staunchly assuming a monolingual identity (even though incentives for knowing the language of the other language group(s) are to be given and encouraged, in the interest of stimulating a shared community). Each of the native language groups should enjoy equal language rights, and the territory's institutions become effectively bilingual. Surely there are practical limits here: it's hard to imagine pentalingual or hexalingual territorial communities. But even in such situations special accommodations can be imagined: while one or two shared languages will need to be fostered as shared languages of communication and democracy, special provisions for the minorities can be imagined.

Should we protect languages from erosion?

One important problem needs to be discussed at this stage.³ It has to do with what Philippe calls 'kindness-driven agony', which he bases on the insights of the Canadian sociolinguist Jean Laponce. Laponce states that in cases of peaceful contact between languages the more powerful language tends to dominate and assimilate the other(s) (2001: 188-189). Philippe has

³ There is also the important problem of fleshing out the various levels of efficiency associated with both models.

aptly summarized this ‘Laponce mechanism’ as: “The nicer people are with one another, the nastier languages are with each other” (2000: 219). This law helps to explain the radical transformation of Brussels from a predominantly Dutch speaking city at the end of the 19th century to a predominantly French speaking city today. The rationale behind the ROB model, then, is that it will seriously constrain the spontaneous process of language contact and language shift, and thereby protect the territorially privileged language: the language status of the territory is fixed, and the official institutions massively encourage and coerce people into speaking the language of the territory, even if a more powerful language would without such massive encouragement of the territorial language tend to encroach upon it. As Philippe puts it: “To protect vulnerable languages, there is, under circumstances of high mobility, at best one effective strategy, the firm application of the linguistic territoriality principle: *Cuius regio, eius lingua*” (2000: 219).

This argument calls for a reaction from defenders of the Brussels model. Is it not a problem that equal intra-territorial status for languages may lead to the effective domination of one language over the other? Not necessarily. It is important to see that the Brussels model is not a ‘laissez-faire’ solution. Equally recognizing two languages, say Catalan and Spanish in Catalonia, French and Dutch in Brussels, or Russian and Ukrainian in Ukraine, confers active protection on those language groups, which will help guard them against massive linguistic assimilation pressure. Given the fact that the two languages in such cases receive active state support and symbolic benefits, equal language protection will help forging future people’s (and people’s future) language identities, which are more likely to be beneficial to the protected language groups than to others outside of the territory. But this model does not just provide protection for the official languages of the territory vis-a-vis other languages outside the territory. The Brussels model also protects the languages internally vis-a-vis each other. Whatever the lure of French may be, Dutch is actively protected: hospital, city council and police services will continue to benefit the Dutch minority in Brussels.

Of course evolutions are possible here, and the group of French speakers may grow while the number of Dutch speakers may decline. But even if that happens, the Brussels defenders should bite the bullet. Even if, under such an equal status language policy, the mechanism of free language contacts started to work toward the gradual erosion of one language group and the growing strength of another, then some members may regret this, but no injustice is committed. For, the switches made by those who ‘leave’ the weaker group and join the stronger one are choices made against the background of government-supported linguistic liberty and equality. On the

contrary, trying to preclude the emergence of bilingualism or language switches to the stronger language may be understood to be an injustice in itself. There is nothing wrong with people assimilating to other languages since, as soon as speakers of one language start losing their original language, the language recognition argument starts to work to the benefit of politically recognizing the stronger language. There is no reason to protect the weaker language from gradually eroding, except when there is a threat to the viability of the weaker language, for which then some priority in funding or recognition could be established. That priority, however, is justified uniquely by reference to the interests of the remaining speakers of the weaker language, not to those who left already or to the interests of language in itself. Once the background requirements of linguistic justice are appropriately fulfilled (according to the Brussels model) and generous language rights are granted, including in some cases a priority for a weaker group, there is no injustice involved in language loss.⁴

Once linguistic justice is realized (so provided the remaining minority members still get many language provisions) one might regret the loss of a language in the same way that one might regret that Albert Camus did not live longer (or that he hadn't worked harder) so that he might have written more novels. There is a loss involved in the fact that a language disappears, but that loss is not unjust.

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⁴ Philippe is not basing his case for the ROB model on the idea that we should prevent *local* language death – how could he since in his model those who end up on the wrong side of the border will not see their language protected from disappearance, even if they get temporary language 'facilities', as he argues they can get but not after *currently* living speakers have left or died (future children would not get facilities). Philippe could therefore not see *local* language death as an argument against my view, as he accepts it as well for minorities. He also does not base his ROB model on the importance of preventing *general* language death. Instead he argues that once language groups become aware of the Laponce mechanism, they will see the grabbing of the territory as essential to dignity. My reply to this claim is that, even if it is true, given the pervasive global phenomenon of territorial linguistic heterogeneity, the costs to dignity for intra-territorial minorities are too high for this argument to be able to satisfy equality. Allowing groups to grab a territory in multilingual cases will lead to withholding minority members' dignity for the sake of satisfying the dignity of members of larger groups. I thank Axel Gosseries for helpful suggestions on this point.

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Translations: economic efficiency and linguistic justice

Jacques H. Drèze*

Abstract (in French)

Tous les documents officiels de l'Union Européenne sont aujourd'hui traduits dans chacune des vingt-trois langues officielles de l'Union. Il est hautement improbable que les bénéfices de toutes ces traductions couvrent leur coût. Du point de vue économique, les traductions sont des biens publics. La théorie pure des biens publics offre un algorithme fini permettant l'identification d'un sous-ensemble de langues vers lesquelles des traductions systématiques seraient efficaces, avec quelque latitude pour le partage entre pays membres des bénéfices nets attendus. Se référant aux principes de la justice coopérative, de Briey et Van Parijs recommandent l'égalisation entre pays des rapports coûts/bénéfices associés aux traductions. La présente note confronte et intègre ces deux approches.

1. Introduction

If you consult Google on the theme "linguistic justice", the leading entries all refer to the writings of a Philippe Van Parijs (henceforth Philippe, or PVP: the "Present Volume Progenitor"). Clearly, this Philippe is also *the* authority on the subject!

One convenient introduction to our author's thinking is provided by a relatively early joint paper – hereafter BVP – entitled 'Linguistic justice as cooperative justice' (de Brieij & Van Parijs 2002), which starts with the statement: "Viewed as an issue in cooperative justice, linguistic justice bears on the way in which the costs of learning a common language should be apportioned between the various linguistic communities benefitting from the communication possibilities resulting from the existence of the common language... Thus, nothing is done to correct a possible pre-existing failure of distributive justice."¹ The authors present a case (discussed under 3.2 below) for equating the *ratios of costs to benefits* across the different communities.

* I am grateful to Pierre Dehez and Victor Ginsburgh for helpful discussions. I have also benefited from useful suggestions from Laurent de Brieij and Axel Gosseries. The usual disclaimer applies.

¹ My translation.

Many aspects of the use of languages raise issues of cost-benefit analysis. I discuss here translations – a topic that lends itself more naturally to interpretation in terms of *public goods*, a concept familiar to economists and for which *efficiency* analysis is reasonably well developed.

For concreteness, I consider the special case of official translations within the European Union – which, in Philippe's words (2011), has been "forced to develop the bulkiest interpreting and translating service in the history of mankind". The resulting challenges have recently been underscored in connection with patents. Under prevailing arrangements, a party wishing to protect an invention by patent over the EU territory must file an application in the official language(s) of each nation. The cost is easily prohibitive.² The Commission recently proposed retaining 3 languages – English, French and German – as sufficient for enforceability in the 27 member nations. Determined opposition came from ... Italy, followed by Spain. Limiting official translations to a small subset of the 23 official languages looks like a hopeless task...!

The modest aim of the present note is twofold. First, I wish to explain how an economist relying on the theory of public goods would approach the task of selecting a small set of "relay languages" for translations. Second, I will relate that economic reasoning to the norm of cooperative justice recommended by BVP.

A broader question, raised by PVP's work, is whether or not one should aim for a more efficient translation policy, instead of aiming for adoption of a single *lingua franca*³ (English, of course!). I return briefly to that question in conclusion.

2. Translating as production of public goods

2.1 For the economist, a "pure public good" is such that *any one agent's consumption of the good does not restrict the consumption by others*.⁴ Simple examples include radio or television broadcasts, internet sites, and... translations! The contrast with "private goods", whose total supply must be divided among users, is self-evident.

² Anecdotal testimony: in the early sixties, I contemplated patenting the principle of the eurocheque, as introduced in Drèze (1956); translations and administrative costs were enough of a deterrent to deprive me of royalties that would over the years have exceeded 100 million euros...

³ Reminder: the translation of *lingua franca* is NOT "French language"!

⁴ This stringent condition defines "pure" public goods; more general specifications allow for externalities in consumption (e.g. congestion); and the theory has been extended to "public goods with exclusion". See Drèze (1980).

The *theory* of pure public goods, going back to Lindahl (1919) and Samuelson (1954), has been concerned with the definition of *Pareto-efficient production levels* for public goods.⁵ In the simpler cases, the Lindahl-Samuelson (LS) conditions record that the marginal cost of producing the public good should be equated to the sum over consuming agents of their marginal rates of substitution between the public good and "money".⁶

These conditions apply to public goods for which supply is a continuous variable. But many public goods are produced in discrete quantities. For example, a mail-deposit box at a specific street corner is a public good. For a given area, let there be N potential locations for mail-deposit boxes. How many should be provided, and where should these be located? Consider a specific configuration C of n ($N \geq n$) boxes. A natural extension of the LS conditions imposes that the cost of each box in C should not exceed the cumulative "willingness-to-pay" (wtp) of the mail users for that specific box, whereas that property fails for any potential box not in C .⁷

The LS conditions provide a useful clarification of the goal of efficient provision of public goods. But the wtp of potential users is not readily observed.⁸ A partial clarification has come with the definition of a *process* through which elicitation of the individual wtp's can be organised, with some incentives for correct revelation. That process, sometimes called "the MDP process", was introduced in papers by Malinvaud (1971) and Drèze/de la Vallée-Poussin (1971). The second paper contains a convergence theorem ("every limit-point of the process satisfies the LS conditions") and an analysis of incentives for correct revelation of wtp's at limit-points. Rather than summarising these published contributions, I present their application to translations in the EU.⁹

2.2 The current EU policy stipulates that every official document should be available in every one of the 23 official languages of the Union. To that end, the EU currently translates all relevant documents into three "relay languages" (English, French, German), and from these into the 20 others.

⁵ Pareto efficient: there does not exist any alternative at least as good for everybody and strictly better for some.

⁶ These conditions do not state how the cost of producing the public good should be financed. More on this below.

⁷ Unfortunately, these two properties are necessary but *not* sufficient for Pareto-efficiency.

⁸ An agent's wtp is the subjective ratio between the values in consumption of (i) an extra unit of public good and (ii) an extra unit of income used optimally. Element (ii) brings in the notion of "opportunity cost" as discussed by de Briey (2011).

⁹ The MDP process was developed for continuous public goods, whereas I deal here with discrete goods.

Extending the set of relay languages (for instance, to Italian!) is an open possibility.

Alternatively, the EU could limit its official translations program to the first step – translating every relevant document into a set of *relay languages* – and *stop there*; that is, it would not translate systematically into all 23 languages. Subsequent translations of specific documents would remain open to demand. Under that alternative scheme, what would be an *efficient set of relay languages*? With 23 official languages, there are $2^{23} = 8.038.608$ possibilities... So, one needs an *efficient selection process*, like MDP! It is defined in Appendix 1 and illustrated as follows.

Before the process starts, each country j is told by what amount A^j its annual financial contribution to the EU budget would be reduced *if* all translations were abandoned. At an initial step, each country j is asked how much it would willingly contribute towards using language i in N as a single relay¹⁰ – meaning that all relevant documents would henceforth be translated into language i , but no other one.¹¹ Denote that amount $d^j_i(0)$; it corresponds to the “willingness to pay” (wtp) of country j for relay language i .

For each language i , one then computes the sum of wtp’s, and one compares that sum with the cost C_i of using language i as a single relay. Hopefully, there will exist some language(s) i for which the sum of wtp’s exceeds the cost. The difference then defines the *net aggregate benefit* of using relay language i instead of doing without any translations. Choose the language i^* for which the benefit, say $B^* > 0$, is *maximal*. If one collects from each country j its wtp $d^j_{i^*}$, one can cover the cost C_{i^*} and be left with a disposable benefit B^* . The process calls for redistributing that disposable benefit among the n countries with shares α^j adding up to 1. (How these shares are determined will be discussed under 3.2 below). It is important to note that, whenever $\alpha^j > 0$, country j is strictly better off under relay language i^* than without translations.

The simple logic of the proposed process is to use the relay set and country contributions defined by this initial step as starting point for a second step of the same kind, and so on sequentially. Thus, step 2 starts with a relay set consisting of i^* alone and with country contributions $\delta^j_{i^*} := d^j_{i^*}(0) - \alpha^j.B^*$. Each country j is then asked how much it would willingly contribute towards the cost $\Delta_i(i^*)$ of adding country i ($i \neq i^*$) to the relay set.¹² If the sum

¹⁰ This starting point is chosen here for transparency of exposition. In principle, the choice of starting point is open.

¹¹ Thus, language i would play the role of a *lingua franca*.

¹² At step 2 (but only at step 2), there is no need to consider dropping i^* : we know that would be detrimental.

of these wtp's exceeds the cost of adding i to i^* as a second member of the relay set, there is scope for a net aggregate benefit $B_i(i^*)$. Choose the language i^{**} for which that benefit is highest and adjust each country's contribution by its wtp $d_{i^{**}}^j(i^*)$ minus $\alpha^j \cdot B_{i^{**}}(i^*)$. That defines the second step, and the starting point for the third step - with S^3 consisting of i^* and i^{**} , and with initial country contributions equal to $\delta_{i^*}^j + \delta_{i^{**}}^j := \delta^{3j}$.

At each step t , the member countries are presented with a specific relay set S^t and with country contributions δ^{tj} reflecting earlier steps. They are asked to communicate their wtp's for all languages i in N . For i in S^t , the sum of these wtp's will be compared with the cost savings $\Delta_i(S^t)$ associated with dropping i from S^t . For i not in S^t , the sum of wtp's will be compared with the cost of adding i to S^t . One then retains the language for which the cost-benefit *differential* is most favourable, one adjusts the country contributions by shares α of that net benefit, and one moves to the next step. *When no further profitable step is revealed, the process terminates.*

2.3 The iterative process defined under 2.2 has two desirable properties:

P1 Let $\alpha^j > 0$ for each j . Then, each step is strictly desirable for each country, according to its reported wtp's. Consequently, under consistent reporting,¹³ *the process cannot cycle* (visit several times the same relay set). Hence, the process *must terminate after a finite number of steps*.

P2 When the process terminates, it is in the interest of each country to *report truthfully* its wtp for adding or subtracting a language to the relay set. Hence, *the terminal relay set is Pareto efficient*: there does not exist a modification of the relay set with associated cost-sharing that is preferred or indifferent from the viewpoint of all countries with strict preference for some.¹⁴

Together, these 2 properties make the process entirely suitable to select an efficient set of relay languages. There remains to ask whether it is "fair".

Remark. Truthful revelation of wtp's is *not* claimed *along the process* –only at termination. Consistent yet incorrect interim revelation may affect the end

¹³ Ideally, truthful reporting... but any alternative set of wtp's will do, *as long as* it is used consistently.

¹⁴ That property is proved for continuous public goods under convex preferences and technology. I am not aware of a published proof for discrete public goods, so I sketch a proof in Appendix 2.

result. There is some literature on that issue,¹⁵ which remains tricky in applications.¹⁶

3. Cooperative justice and public goods

Two themes will be addressed here: disregard for distributive justice in the pure theory of public goods (3.1); and cost-benefit ratios in the contributions towards financing public goods (3.2). These are indeed the aspects of linguistic justice privileged in BVP. Their counterparts for public goods are thus of interest.

3.1 Cooperative justice and the provision of public goods.

The economic theory of public goods proceeds in the spirit of cooperative justice by omitting reference to "*a possible pre-existing failure of distributive justice*". The underlying logic is simple: it would be inefficient to use the provision of public goods as an instrument of distributive justice; better implement an efficient provision of public goods, while resorting to other measures (taxes and transfers) to promote distributive justice.

In the framework of a given economy, that argument is tight *when* lump-sum transfers across individual agents are possible (when distributive justice can be implemented at no welfare cost). Otherwise, when the only instruments of direct redistribution are *distortive taxes or subsidies*, it would be commendable to resort to *second-best theory*: adjusting the provision of public goods (away from efficient levels) should be combined with other measures in an attempt at minimising the total welfare cost of the justice-promoting (redistributive) program.

It is easy to give examples of public services that would not pass the LS test of cost-covering wtp's: daily mail deliveries to remote residences, or frequent train-stops along a local line, are justified instead by a principle of "equality in the access to public service".¹⁷

¹⁵ See, e.g., Groves and Ledyard (1977).

¹⁶ Anecdotal reminiscence: when the MDP process was developed, an experiment was run in connection with the CORE library; the budget was divided between fields (economic theory, game theory, econometrics, operations research, mathematical programming) and placed in the hands of representatives of these fields; ten public goods were defined as the expenditures on journals, then books, in the five fields; an MDP process was run, with the five field representatives invited to express wtp's for the ten public goods; one of the five initially underreported wtp for journals *in his field*; ultimately (at convergence), he was alone to pay for them and had little money left for books... (Guess which field the unhappy strategic participant represented!).

¹⁷ That principle is debatable, in my examples, to the extent that locations of residence are *chosen, not given*. The implicit cost differentials for public provision could possibly be internalised.

One simple approach to second-best, distribution-sensitive provision of public goods would recognise that the prevailing ("pre-existing") distribution of family incomes is more unequal than desired. Accordingly, the "social value" of an extra unit of income varies across households, whose private wtp's should be replaced by social wtp's – namely, the private wtp's weighted by the social values of individual incomes. The LS conditions should thus be rewritten in terms of these weighted wtp's.¹⁸

The EU implicitly assigns "welfare weights" to the per capita incomes of its member states, witness the national contributions to the EU budget. When expressed as "rates of contribution per unit of average individual income", the *rates* vary by a factor of 2 between a minimum (for new Eastern members) and the maximum (for Luxemburg). It would thus seem proper to recognise these implicit weights when defining "just" guidelines for the EU translation policy – if it were felt that international redistribution across member states is either costly or constrained.

A cogent reason for ignoring that issue is lack of quantitative relevance: the total EU budget for translations is of the order of 1% of 1% (one-per-ten-thousand) of aggregate member incomes, thus hardly providing a relevant instrument for enhancing distributive justice between member nations. There is thus little incentive to revise the process of section 2 on that score: let it implement cooperative justice.

3.2 Cost-benefit ratios versus net benefits shares.

What about the selection of the parameters α^j governing the redistribution among member nations of the net benefits accruing at each step of the proposed process? Clearly, they affect the cost-benefit ratios prevailing at that step. BVP would thus advocate α 's that *equate* these ratios across member nations.¹⁹

The case for equality presented in BVP (p.12) consists in showing that the proposed criterion is immune to drawbacks of three other criteria advocated in the literature. But it is not claimed that the proposed criterion is the *unique* way out of such drawbacks. Nor is any independent axiomatic basis offered in favour of the specific ratio. The underlying motivation is that "fairness requires some degree of burden sharing".

¹⁸ Concern with this issue is already present in Samuelson's work; see, e.g., the discussion in McGuire and Aaron (1969).

¹⁹ One can easily define α 's that satisfy the BVP criterion for a *single step* of my process – say, the first as illustrated under 2.2 above. There, the (gross) benefit accruing to country j is $d^j_*(0)$, at a cost $d^j_*(0) - \alpha^j \cdot B_j^*$. The cost-benefit ratio of j is thus equal to $1 - (\alpha^j \cdot B_j^*)/d^j_*(0)$. In order to equate these ratios across nations, one should set α^j proportional to $d^j_*(0)/B_j^*$ – with the common factor of proportionality chosen so that the α 's add up to one. At that stage, my process is *compatible* with the BVP suggestion.

Interestingly, the same suggestion appears in the economic literature on public goods (see Buchholz & Peters 2007). These authors introduce equal cost/benefit ratios *as an axiom of fair cooperation*. I understand their approach as logically equivalent to that of BVP.

One significant technicality distinguishes "equal cost/benefit ratios" from *fixed shares in net benefits* (implied by given α 's under the MDP process): net benefits are *additive*, cost/benefits ratios are not. It follows that implementation of equal ratios requires specification of the *level* at which the criterion is applied.²⁰ In my example, one could equate ratios *for each language* in the relay set, or alternatively *for the relay set as a whole*. More broadly, if one looked at the EU as a producer of public goods benefitting member nations, one could aim for *EU-level equality of the ratios* of costs (the national contributions to the EU budget) to benefits (national evaluation of which raises deep challenges!). Under this ambitious option, the overall *net* benefits associated with an efficient²¹ set of relay languages for translations could be returned to the EU budget – as happens when the fixed α 's under an MDP process correspond to national shares in the EU budget. Of course, this option is irrelevant to BVP, who were not concerned specifically with EU policy. And the EU might not wish to take national benefits into account...

To conclude, equality of cost-benefit ratios is a consistent criterion for allocating the net costs of a translations program. However its merits remain to be assessed in comparison with alternatives. I modestly invite BVP to extend their comparisons – for my example - to fixed shares in net benefits consistent with the EU policy on sharing the Union's overall costs (its budget).

4. Concluding remarks

4.1 The present note pursued two aims: apply the economic theory of public goods to an elementary issue in linguistic justice – namely, translations, which provide a simple example of "pure public good"; and relate that approach to the theory of cooperative justice. I feel justified in claiming some advances on both fronts.

First, the theory of public goods offers a procedure apt to define an efficient provision of translations. And the dimension of cooperative justice

²⁰ It also follows that the starting conditions of an MDP process (say, whether from "no translations" or from "a full set of relay languages") matter under equalisation of the cost-benefit ratios; whereas they do not under fixed α 's reflecting EU budget shares.

²¹ As noted by BVP as well as Buchholz and Peter, equal cost/benefit ratios do not by themselves imply efficiency of public goods production, to be achieved independently.

receives a sharp characterisation in that simple case. In particular, the conditions under which it is "justified" to ignore pre-existing failures of distributive justice stand out clearly.

Second, the case of translations invites comparison of the criterion of equality of cost-benefit ratios with new alternatives, like predetermined shares of net benefits.

4.2 Of course, translations are a special issue in linguistic justice. The issue of primary interest to Philippe is the adoption of a *lingua franca* and the just sharing of the associated learning costs. In search for policies promoting the adoption of a *lingua franca*, Philippe (2007) has mentioned (inter alia) "a ban on dubbing": replace dubbing by subtitles for English movies, TV programs a.s.o.. In that spirit, he might object to reliance on a set of several relay languages for EU translations: just *stick to English!*

Any country sharing Philippe's view should then report a positive wtp for English and *negative wtp's for all other languages*. If enough countries behaved that way, English would become the *lingua franca* for EU translations!

Philippe does refer to a *lingua franca* as a "public good". The resulting net benefits for distinct linguistic communities consist of gross benefits, from which internal (learning) costs must be deducted. In the pure theory of public goods, internal costs of access to the public goods are implicit, as deductions from the wtp's..

In practice, adoption by a set of linguistic communities of one *lingua franca* is not a one-step process. Should, for instance, the EU ever adopt English as its single official language, a large number of distinct initiatives would be called for in order to implement that option. Written translations are one step; simultaneous interpretations at such meetings as the Parliament or Council are another; patents and a myriad of private activities are in line; teaching is crucial, a.s.o.. One could almost treat the *lingua franca* as a *continuous* public good, and attempt to mimic the MDP process in selecting the successive steps of implementation.

That being said, *I feel justified in concluding that theorists of linguistic justice stand to find useful inspiration in the economic theory of public goods... and conversely.*

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Appendix 1

I here describe formally an MDP-type *process* apt to permit identification of an efficient “relay set” for translations.

There are n countries j in $N := (1, 2, \dots, n)$, each endowed with its own language. Accordingly, there are $2^n := T$ possible relay sets S_k , elements of $\Sigma := (S_1 \dots S_T)$. With each set S_k is associated a total cost $C(S_k) := C_k$ corresponding to the cost of translating all relevant documents from their original language to all the languages in the set S_k and only these.

Given any set S_* in Σ and any language i in N , let S_*^i denote the modified set obtained from S_* by adding or omitting i , as the case may be. Define $\Delta_i(S_*) := C(S_*^i) - C(S_*)$, a positive (resp. negative) value if i is added to (resp. omitted from) S_* .

The proposed process starts from a given initial set S^1 in Σ and a given initial vector δ^1 in R_+^N of country contributions to $C(S^1)$. It then proceeds through a sequence of steps indexed $t : 1, 2, \dots$

A step t is defined as follows:

- Given a relay-set S^t and a contributions-vector δ^t inherited from step $t-1$, each country j communicates, for each language i in N , the amount $d_i^j(S^t, \delta^t) \geq 0$ that it would be willing to contribute for adding i to S^t , or the amount $0 \geq d_i^j(S^t, \delta^t)$ that it would claim as compensation for dropping i from S^t , as the case may be.

- The center computes, for each language j in N , the net benefit

$B_j(S^t) := \sum_i d_i^j(S^t, \delta^t) - \Delta_j(S^t)$ associated with either adding j to S^t or dropping j from S^t , as the case may be.

- Let $B_*(S^t) := \max_i B_i(S^t)$. If $0 \geq B_*(S^t)$, the process terminates.

- If $B_*(S^t) > 0$ corresponds to language i^* , then add i^* to S^t , or drop i^* from S^t , as the case may be - thereby defining the set S^{t+1} to be used in step $t+1$.

- For each country j , adjust its contribution to overall translation costs by an amount $\delta^{jt} := d_{i^*}^j(S^t, \delta^t) - \alpha^j B_*(S^t)$, where $\alpha^j \geq 0$ and $\sum_j \alpha^j = 1$ - thereby defining the contributions vector to be used in step $t+1$.

Appendix 2

In the case of discrete public goods, relevant convexity assumptions are:

(A.1) For each j , if the set S' strictly contains the set S but does not include language i , then $d_i^j(S', \delta) \leq d_i^j(S, \delta)$ identically in δ .

(A.2) Let S contain s elements; then $C(S) = \sum_s C(s)$.

The proof of global efficiency is an extension to arbitrary sets of the simple reasoning applicable to pairs. Let S denote the relay set when the process terminates. Languages i^* and i^{**} are *not* elements of S . So, we know that the net benefit of adding *either* to S is non-positive. We wish to show that the net benefit of adding *both* i^* and i^{**} cannot be positive.

We know that $\sum_j d_{i^*}^j(S, \delta) < C(i^*)$ and $\sum_j d_{i^{**}}^j < C(i^{**})$; accordingly,

$\sum_j (d_{i^*}^j + d_{i^{**}}^j) < C(i^*) + C(i^{**})$. If both i^* and i^{**} are added simultaneously to S , the extra cost will amount to $C(i^*) + C(i^{**})$ by (A.2); and the extra benefits will not exceed $\sum_j (d_{i^*}^j + d_{i^{**}}^j)$ by (A.1); hence, the simultaneous addition of i^* and i^{**} is not warranted.

Clearly, the same reasoning applies if i^* or i^{**} or both are sets with more than a single element.

If Marx or Freud had never lived?

Jon Elster

Abstract (in French)

Dans cet article, on se pose la question contrefactuelle de savoir ce qui se serait passé si Marx et Freud n'avaient jamais vécu. On examine d'une part leur impact sur le bien-être de l'humanité et de l'autre part leur impact sur notre connaissance de l'homme et de la société. On se demande aussi si d'autres personnes auraient pris leur place et accompli ce qu'ils ont réalisé. Avec les réserves et les hésitations de rigueur, on conclut que le monde et notre connaissance du monde auraient profité s'ils n'avaient jamais vécu.

Introduction

Counterfactual history is a delicate subject, partly because it may be difficult to establish an appropriate antecedent (if we assume away one factor in the past, how much else do we have to assume away?) and partly because it may be difficult to determine the consequent (do our causal theories allow us to determine a unique alternative outcome, or at least a range of outcomes?). The most ambitious attempt to date, Fogel's study of the economic development of an American economy without the railroad, tries to address both questions, with questionable success (Elster 1978).

In a subset of counterfactual issues, the first difficulty – the indeterminacy of the antecedent – takes a particular form. If we ask what would have ensued if a particular individual had never lived, we have to ask whether someone else would have taken that person's place and realized all or some of his or her accomplishments. In this article I address a special question of this kind: *what would have happened if Marx or Freud had never lived?*

The question of "the role of the individual in history" is not one that lends itself easily to meaningful discussion. I shall nevertheless try to make some general observations, and then address my two specific counterfactual questions. Consider as an example the importance of Napoleon. In a letter to W. Borgius from 1894, Engels wrote, naively:

That such and such a man and precisely that man arises at that particular time in that given country is of course pure accident. But cut him out and there will be a demand for a substitute, and this substitute will be found, tant bien que mal, but in the long run he will be found. That Napoleon, just that particular Corsican,

should have been the military dictator whom the French Republic, exhausted by its own war, had rendered necessary (*nötig*), was an accident; but that, if a Napoleon had been lacking, another would have filled the place, is proved by the fact that the man has always been found as soon as he became necessary: Caesar, Augustus, Cromwell, etc.

This is a meaningless teleological argument, based on the alleged *needs* or *demand* of society at these various times.

In his biography of Napoleon, George Lefebvre (2005: 89) offers a more sober causal account:

That the Revolution would resort to dictatorship, was not an accident; an internal necessity (*nécessité*) pushed it in that direction, and not for the first time. Nor was it an accident that it finished by the dictatorship of a general. But that general turned out to be Napoleon Bonaparte, whose temperament even more than his genius could not easily accommodate itself to peace and moderation. This was the unpredictable factor that turned the scales towards 'the eternal war'.

Although "*nécessité*" shares the ambiguity of the English "necessity", there is no doubt that Lefebvre is arguing in causal rather than teleological terms. Had he written in German, he would have used "*notwendig*" rather than "*nötig*".

I shall not try to reconstruct the causal mechanisms underlying Lefebvre's argument. Let me only point to the distinction between those of Napoleon's actions that would have been done by someone else had he not been present on the scene, and those that were due to his peculiar temperament and genius. With regard to the former, Napoleon merely preempted his rivals. There was only one slot available for a military dictator, and he occupied it. In a different set of cases, more relevant to my topic here, several individuals could fill the same slot. The list of independent discoveries in science, for instance, is long and impressive (Merton 1961). Engels was somewhat less naive when, in the same letter to Borgius, he wrote that "While Marx discovered the materialist conception of history, Thierry, Mignet, Guizot, and all the English historians up to 1850 are the proof that it was being striven for, and the discovery of the same conception by Morgan proves that the time was ripe for it and that indeed it *had* to be discovered". It would seem, therefore, that in this respect at least, Engels thought that Marx didn't make much of a difference.

I am going to discuss Marx and Freud separately. To some extent, of course, the impact of each has enhanced that of the other. There have been many attempts to integrate Marxism and Freudianism, ranging from the Frankfurt school to French structuralism. Without exception, I believe, these

attempts rest on facile analogies. (As regrettably but irrefutably manifested in Elster 1975: 219, I have endorsed one of them myself). Hence if Marx had never lived, some contrived interpretations of Freud might have been avoided, and vice versa. Yet these are second-decimal issues.

With regard to the first-decimal questions, I want to consider the impact of Marx and Freud both on *society* and on *social theory*, inducing four subsections altogether. Would the world as a whole have been better or worse off if the one or the other had not lived? Would our understanding of the human mind, human action, human interaction and the human condition have been further advanced? The questions are somewhat interrelated. A negative answer to the second question would imply that a large numbers of scholars have wasted their time, to the detriment of society at large and, more conjecturally, to the detriment of their own intellectual development.

Marx

The impact of Marx on society

Individuals, parties and regimes claiming to implement the ideas of Marx have, of course, had a massively negative impact on human welfare. The victims of Lenin, Stalin and Mao are counted in tens of millions. That observation does not, however, offer an answer to our question, for several reasons. First, it is not clear that we can hold Marx causally responsible for the effects of the choices made by those claiming to act in his name. Even if we could, we might not be able to hold him morally responsible, if these choices and their effects could not have been foreseen. I shall not pursue this issue, but limit myself to the causal question. Second, if Marx had not lived, some other socialist thinker might have produced doctrines similarly liable to abuse. Third, even if no such thinker had appeared, other dictators might have emerged to cause equal or greater harms in Russia and China. The third issue merely invites idle speculation. We are on somewhat firmer ground regarding the first, to be considered here, and the second, to be considered in the Conclusion.

Three besetting and closely interrelated sins of Marx's thinking were intellectual hubris, moral hubris, and disregard for individual rights. The core intellectual flaw, inherited from Hegel, was the idea that the history of mankind had a foreordained and knowable end – "end" having the double sense of terminus and goal. This end was the advent of communist society, following which the book of history would only, in Hegel's phrase, contain blank pages. These general ideas get additional power by the belief that communism can be attained only through a violent revolution, with the

implication that anyone who opposes the use of political violence is guilty of delaying an inevitable-cum-desirable outcome. The multiple flaws in these ideas have been thoroughly exposed and denounced by Kolakowski (1978).

It is easy to see how this rhetoric of omelette-making and egg-breaking could provide a useful after-the-fact justification for dictators bent on destructive aims. It is much more difficult to determine whether they would have acted less violently without this convenient ideology, and (a different issue) whether the latter might actually have inspired their actions. I believe that the mind-set developed in the Second International was (1) a direct legacy of Marx and (2) a direct cause of the Russian Revolution. Without Marx, German socialism might have followed the course advocated by Bernstein, and Russian revolutionaries might have remained stuck in the dead-end of anarchism. Although these statements seem more plausible to me than their negations, others may have different intuitions.

The impact of Marx on social theory

Let me distinguish between the influence of the questions Marx asked and the impact of the answers he provided, and also between positive (explanatory) and normative questions. Roughly speaking, I believe Marx had good answers to some important normative questions, and that he raised some valuable positive questions. The answers he provided to the latter, however, were partial at best, incoherent at worst.

I do not need to say much about Marx as an economist. In the words of Paul Samuelson (1957), Marx was a “minor post-Ricardian”, his only contribution of interest being the precursor of input-output analysis in the second volume of *Capital*. Although there are still scholars who waste their time and that of their students by defending the labor theory of value and the theory of the falling rate of profit, Roemer (1981) and others have shown that Marx was a failure as an *analytical* economist. His “explanation” of the falling rate of profit was particularly flawed, since the explanandum was a pure product of wishful thinking.

As a social theorist, Marx did much harm through his practice of functional explanation. Actions or institutions that might be seen in some perspective or other as benefiting the capitalist class were to be *explained* by that benefit. One can always find such a perspective, for instance by claiming, as Marx did, that it was in the interest of the capitalist class to let some other class wield the political power. The enormous and pernicious influence of Foucault and his agentless “dispositif” - “an apparatus which gradually undertook the control or subjection of madness, sexual illness and neurosis” (Foucault 1980: 195) - would hardly have been possible without Marx. Since functionalism has appeared independently in the writings of

other scholars, and may stem from pattern-seeking as a hardwired tendency of the human brain (Ramachandran & Blakeslee 1998), Marx does not have the full causal responsibility for the prevalence of functional explanation in the social sciences. It seems likely, though, that but for him it would not have taken the systematic and all-embracing form that it has in Foucault and his numerous imitators.

Although Marx had important things to say about class conflict and the conditions under which classes “in themselves” acquire class consciousness, he overrated the importance of class struggle and economic exploitation compared to other forms of social conflict. The transitions in Eastern Europe in 1989-90 and the uprisings in the contemporary Arab world did not take the form of struggles between classes defined in terms of property or non-property of the means of production. Had Marx not lived, the importance of class conflict for social change might have remained underestimated. As a result of his influence, it is now perhaps overestimated.

Exploitation, in Marx’s work, serves the ends of both positive and normative analysis. That exploitation is unjust, is a normative statement; that men rebel because they are unjustly exploited, is a positive one. As just noted, the positive statement is false if taken in the sense that exploitation is the only or even the main source of rebellion. In a broad historical perspective, the normative statement is clearly true. The *unequal* ownership of the means of production that has made exploitation possible throughout history has almost invariably been based on *unjust* appropriations. Yet exploitation is not a fundamental moral concept. As Roemer (1985) showed, Marxian exploitation *can* come about as the result of voluntary choices based on fair initial endowments.

In my view, Marx’s most valuable contributions to social theory were his critique of alienation and, as the positive counterpart, the conception of the good life as one of self-realization through self-externalization (of which productive labor is one but not the only form). These ideas were hijacked and transformed by writers of the Frankfurt school and other critics of consumer society, according to whom *false consciousness* (being alienated without knowing it) is the main problem of industrial societies. In practice, this view has often led to elitist criticism of popular culture, as in Adorno’s uninformed and deeply misguided attacks on jazz, rather than to efforts to change the workplace and to facilitate other vehicles of self-realization. In this case, Marx’s views did not have the impact they deserved to have, in contrast to cases in which they had an impact they did not deserve.

Freud

Although (or perhaps because!) my mother and her father were both trained as psychoanalysts by, respectively, Otto Fenichel and Wilhelm Reich, I know less about Freud than about Marx. On a continuum from well-grounded opinion to unfounded prejudice my views about Freud may be closer to the latter extreme than are my opinions about Marx, but not, I hope, closer to that extreme than to the former one.

The impact of Freud on society

Freudian ideas have become a part of the popular culture of Western societies. We routinely refer to repression, defense mechanisms, the unconscious and the superego, as if these were well-established mechanisms or entities. They are not (see next subsection). When invoked in everyday exchanges, they can do harm. Someone who reacts angrily to an unfounded accusation may see his anger transformed into evidence for the charge. A person who is genuinely ignorant of a fact may be told that she is in denial. Such refusals to take what other people say at face value ("the hermeneutics of suspicion") have a large potential for disrupting human relationships. As far as I can judge, their net impact on human welfare is negative.

Psychoanalysis and other forms of therapy inspired by Freud seem to involve *waste* rather than harm. Most therapies do help a bit, but their success is correlated more with the personality of the therapist than with the theory to which he or she subscribes (Dawes 1996). However, the evidence seems to show that therapists, to be effective, do not need the long training that is supposed to justify their high fees (*ibid.*).

Other forms of applied Freudianism have caused *harm* on a large scale. Acting as expert witnesses in legal trials, psychologists have persuaded courts to believe in false memories and unfounded accusations of sexual abuse (Loftus & Keecham 1994), often with very detrimental consequences. In a Norwegian case in which a father was accused of sexual abuse of his daughter, on the basis of her statements, an expert psychologist testified that the sharp fence posts in the child's drawing of a house surrounded by a fence very likely had a sexual significance.⁷⁶ She affirmed, moreover, that the number of posts in the fence very probably indicated the number of occasions on which the child had been abused. The child's father spent two weeks in jail, in a security cell, was barely acquitted of incest, but his life was ruined. Later, the child confessed that it was all an invention. This is not a rare or atypical case.

⁷⁶ *Aftenposten*, Oslo, October 9, 1999.

The impact of Freud on social theory

In 2009, an editorial in *Nature* (461: 847) stated that “Anyone reading Sigmund Freud’s original work might well be seduced by the beauty of his prose, the elegance of his arguments and the acuity of his intuition. But those with a grounding in science will also be shocked by the abandon with which he elaborates his theories on the basis of essentially no empirical evidence.” It is difficult, in fact, to point to theoretical propositions in Freud’s work that are both novel and well-documented. Nor have his successors even tried to propose falsifiable hypotheses. With one important exception that I shall state shortly, Freud tells us nothing about the human mind that we cannot also learn from the classical and French moralists, Nietzsche or Proust. These teach us the reality of unconscious causal mechanisms, such as wishful thinking, the transmutation of “I cannot do it” into “I do not want to do it” (and vice versa) or of envy into righteous indignation, the tendency to hate those whom we have injured, and so on. By contrast the alleged defense mechanisms that induce the transmutation of “I love him” into “He hates me” or of “My mother hates my father” into “I hate my brother” (Suppes and Warren 1982) have no empirical foundation or intuitive plausibility (see Elster 1999, Ch. V for a fuller discussion).

The exception to which I referred is the proposition that as the ego is navigating the external world (the Reality Principle) it also has to *fight a two-front war* against the impulses coming from the *id* (Pleasure Principle) and the punitively severe impulse control exercised by the *superego* (Conscience). This idea is original, profound and true. What it lacks is a mechanism. Why could not the *ego* itself exercise whatever impulse control might be needed? Why do morality and conscience so often take the form of rigid rules? Do we need to stipulate the existence of separate and quasi-autonomous mental functions? It took the pioneering work of Ainslie (1975) to provide satisfactory answers to these questions, using the idea of hyperbolic time discounting.

If Freud had never lived, this particular insight might have been lost. At the same time, the study of the unconscious would not have been sidetracked into the arbitrary speculations that have dominated the field. It is difficult to assess the net effect.

Conclusion

Marx and Freud underestimated the complexity of their respective subject matters. Like many modern economists, they were victims of *excessive ambition* (Elster 2009). In addition, they lacked a proper understanding of

causal thinking and of the principle of falsification (which they could have learned from Pascal), reasoning in terms of analogies and functions rather than causes and using empirical phenomena as illustrations rather than as potential falsifiers. At the same time, they were of course towering intellects, still very much worth reading today.

Similar remarks could obviously be made about many other thinkers of the modern period. Tocqueville (in the second volume of *Democracy in America*) was equally reliant on analogies, and Durkheim (in *The Division of Labor*) equally reliant on functions. I have not tried to explain why Marx and Freud had a vastly greater impact than these and similar writers. I have been concerned only with the benign or malign nature of that impact. Overall, I tend to think that both the world and our understanding of it would have benefited had they never been born. I do not except to persuade many readers who do not already share my views. These are intrinsically indeterminate matters, where reasonable people can differ. I hope, however, that even those who disagree with my conclusions with regard to the one or the other thinker might be moved into asking themselves exactly how Marx or Freud offered a *net improvement* of the world or our understanding of it. What would have been lost if they had never been born? Would the losses have been bigger than the gains?

The question that remains to be discussed is that of *preemption*. Perhaps Marx and Freud only preempted other writers or politicians who would have taken their place and accomplished, “*tant bien que mal*” as Engels says, what they did. To address this issue, it is not good enough to say that their ideas were “in the air”. Rather, we should follow the example of Engels, in his discussion of historical materialism, and try to identify *actual historical individuals* who were engaged, at the same time, in similar endeavors. With regard to the most important issues, I do not think such individuals can be found. Marx’s theory of revolution and Freud’s theory of the unconscious were genuinely radical proposals, and not simply the earliest or most forceful expressions of ideas that would have made their way without them. On this point, we can also draw on Lefebvre’s comments on Napoleon. One might well argue that *some* of the achievements of Marx and Freud would have been realized had they never lived, and still deny that their *decisive* achievements were inevitable.

Admirers of Marx and Freud tend to claim both that their ideas had a positive net effect and that these ideas would not have been proposed had Marx and Freud never lived. I concur with the latter claim, but not with the former. With regard to historical materialism, Engels concurred with the former claim, but not with the latter. Nobody, to my knowledge, has stated disagreement with both claims.

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English or Esperanto: a case for levelling down?

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Abstract (in Esperanto)

En te papel es defendito que, contra distrivuo de bueneter, distrivuo de statu pode seldo doner cases en que tira-baso es, per tot considero, desirabil. Adopter Esperanto sor Angles com “lingua franca” en context de justes lingust de Philippe Van Parijs similes un exampel, com si considero de bueneter als influos e suipes preferenso por Angles.

In *Linguistic Justice for Europe and for the World* (2011) Philippe Van Parijs refines his theory of justice as real freedom in order to accommodate “parity of esteem” in the context of competition between languages for recognition and use. He proposes to enforce such parity by a territorial regime imposing the use of the local language for administrative operations jointly with the dissemination of a *lingua franca* so as to make global communication accessible to all. Regarding the choice of the *lingua franca*, he considers that English now has reached a level of prominence that would render any other choice much less efficient. In particular, Van Parijs examines in detail the alternative of choosing an artificial *lingua franca*, such as Esperanto, or a multiplicity of *linguae francae*.

There is much to be said in favour of Van Parijs’ approach to linguistic justice, and I shall not quarrel with it here. What this paper is about is whether the choice of Esperanto rather than English would involve a form of levelling down, i.e., a loss to some with no gain to others, and whether this is an argument against Esperanto or an argument in favour of levelling down.

Two effects of an artificial *lingua franca*

If Esperanto (or any similarly artificial language) were chosen as the *lingua franca*, this could be viewed as a form of levelling down in two ways. First, the distribution of individual well-being might be adversely affected because an artificial language needs to be learnt by all, whereas a language that is the mother tongue of hundreds of millions of individuals saves these people the trouble of learning an additional language (at least those who

* I wish to thank Axel Gosseries for comments on an earlier draft of this paper.

would not do it for any other personal purpose). Of course, one can find other people who gain in the operation, if, as it is the case with Esperanto, the artificial contender is simpler than English. They might also gain (and the Anglophones lose) because competition for communication and access to the labor market would be more equal. But one might perhaps argue that the gains are very small compared to the cost endured by the Anglophones who must learn Esperanto. Van Parijs gives reasons to doubt that the gains just described would remain significant if Esperanto did acquire a prominent status and were to become the mother tongue of a sizeable population and develop irregular forms that would shorten words but would also diminish its simplicity. Conversely, a globalized form of English would almost become a foreign language to Anglophones, who would then lose part of their competitive advantage in communication.

Second, and more interestingly perhaps, the replacement of English by Esperanto as the *lingua franca* would imply a form of levelling down among the natural languages themselves. If English is adopted as the *lingua franca*, it acquires a superior status above the other natural languages. If instead an artificial language is adopted, all natural languages share the same lower status as local tools of communication with no official cross-border function. No elevation of status is obtained by the other languages when English is downgraded from the status of *lingua franca* to that of a local language. The first form of levelling down had to do with the imposition of additional learning costs on many without any reduction of learning costs for anyone. This second form of levelling down associated with an artificial *lingua franca* consists in the status reduction of one natural language, with no status gain for any other language.

As far as the distribution of status is concerned, this is a rather unusual configuration. In societies with unequal status among individuals, it is typically the case that eliminating the top status somehow elevates the lower statuses, or at least the immediately inferior statuses. Very often, the elimination of inequality of status actually takes the form of suppressing the lower status. The elimination of masters is described as the elimination of the status of slave. The case of nobility is less clear-cut perhaps, but certainly it goes hand in hand with the elimination of serfdom. The key problem concerning castes has to do with the untouchables, not with the Brahmins. For individuals, status is largely a relative notion, a positional good.

In the case of the *lingua franca*, in contrast, it is possible to downgrade one natural language without upgrading the others. This is really a case of levelling down in status. It is as if the citizens of a country replaced their king, a fellow countryman, with a foreign, or extraterrestrial, monarch. The former kind is downgraded to the status of a subject but all the former

subjects remain so. This exotic example confirms that levelling down in the distribution of status is unlikely to occur for a standard notion of social status.

One could argue that levelling down among languages in terms of status is not as dramatic as levelling down among individuals, be it in terms of status or well-being. But insofar as the status of languages has a strong symbolic value, one can at least admit that it conveys a form of recognition to the native speakers. In fact, how could one understand the violence of linguistic conflicts if the symbolic value of recognition for the population itself, as distinct from its language, was not so great? This issue of symbolic recognition is the main motivation for Van Parijs' approach to the "parity of esteem". Therefore, even at the level of populations, it is a form of symbolic levelling down for individuals, not just languages, if no individual can any longer feel the pride that his mother tongue is the world's *lingua franca*.

We have seen above that levelling down in status is uncommon for individuals, because the lower status is generally raised when the higher status disappears. But, here, we have an interesting example in which the special pride of being a native speaker of the *lingua franca* can disappear without being replaced by a new pride for the others. Negative feelings of envy or jealousy, or simple frustration, may recede, but this has nothing to do with an elevation in symbolic status. While English seems to "dominate" the world currently, its replacement by Esperanto would not make the native speakers of other languages "freer" or more respectable in any sense.

Implications for egalitarianism

What are we to make of this observation? The literature on levelling down in political philosophy¹ makes a great deal of the supposedly repugnant possibility to find a single reason for a levelling down operation. Egalitarianism is criticized and often rejected in favour of prioritarianism because the latter does not find any good feature in levelling down whereas the former does find such a good feature when levelling down brings about equality. A not infrequent worry is that if egalitarianism finds it a good feature of levelling down that it may bring about equality, there must be cases in which egalitarianism considers it justified, all things considered, to implement a levelling down operation. This worry is obviously misplaced because egalitarianism can be combined with the Pareto principle which says that it is always good, all things considered, if the situation is improved

¹ An excellent recent collection of essays on this topic can be found in Holtug & Lippert-Rasmussen (2007).

for some individuals and worsened for none. However, it is indeed an interesting question whether a levelling down operation may in some cases produce an improvement, all things considered, and it is a less pressing but not uninteresting question whether it may produce an improvement in at least one respect. I belong to the crowd of those who are sceptical about the former possibility, believing that in general it is not a good thing to worsen the situation of some without improving the situation of others, but do not feel any quiver at the thought that levelling down may sometimes improve things *in some limited respect* (i.e., the distribution).

Van Parijs rejects the option of taking an artificial language as the *lingua franca*, but does admit that it would have some advantages, in particular because it would be fairer, symbolically more neutral than English. This advantage in terms of fairness is not big according to him and can be overridden by efficiency considerations. But it is an advantage. This is a rather convincing point and appears to give at least an argument in favour of symbolic levelling down. This is not an all things considered judgment, because efficiency considerations point in the other direction, but this seems to provide a clear-cut case in which a pure levelling down in a symbolic dimension of people's status (via the status of their native language) displays some good feature.

The possibility of finding such an example is not totally new, of course. If one considers equality to be a desirable feature of a distribution, one must consider that levelling down, when it produces an equal distribution (or a less unequal one), has at least a reason in its favour. What the linguistic example provides is another vivid example in which levelling down is good in some respect.

Moreover, what is different between the classical egalitarian case in favour of levelling down and the linguistic example is that the latter deals with symbolic status instead of well-being. While egalitarianism in terms of well-being is challenged by prioritarianism, it is not common to think of a similar challenge as regards status and respect. It is very common in political philosophy to take *equality* of status and respect as basic values for a just society. The reason why equality instead of priority is usually invoked in this context may perhaps be that in the standard case of social status, it seems that a problematic egalitarian justification (at least in "some" respect) of levelling down cannot arise because equality of status is always achieved at to the benefit of the lower status. In other words, equality is then never achieved by levelling down but rather by equalization at a middle level (the joint abolition of nobility and serfdom, masters and slaves) or by levelling up (the abolition of categories such as "the untouchables"). The example of the artificial *lingua franca* is an unusual case in which equality of status can

only be brought about by levelling down one of the ordinary members and raising an external entity, the artificial language, to the higher status. If equality of status is desirable and can be obtained only by levelling down, this implies that levelling down, in this case, is good in at least some respect.

At this juncture prioritaricians may wonder if equality of status should be replaced with priority of status. Let us leave aside this issue, as there is nothing frightful, in my opinion, about considering that levelling down can be good in some respect. Let us instead examine another possibility. If equality rather than priority of status is a fundamental value, could it justify levelling down as being sometimes desirable, all things considered?

In the case of levelling down in well-being, there is no doubt that efficiency considerations preclude the judgment that a levelling down operation improves the situation, all things considered. When efficiency is understood in the sense of Pareto, it is inefficient to worsen the situation of some without improving the situation of others when this can be avoided. All things considered, levelling down is therefore always bad.

Equality of status and respect, in contrast, is a more basic and consensual value than equality of well-being or similar advantage. It is usually thought that it is obtained by equalization of status, or by emancipation of the lower status group. But what if it is obtainable only by levelling down? The Pareto principle does not seem as appealing in this case as in the context of distributions of well-being. Would it be an improvement to raise one member above the others if this could be done without lowering the status of the others? Would it be better to give some countries the pride of seeing their language play a global role, just for the sake of giving someone this advantage? Imagine that history had produced a situation in which Esperanto would be the *lingua franca* and would be the mother tongue of no particular people of the world. In this hypothetical world, imagine a philosopher arguing for the replacement of Esperanto by Flemish on the grounds that it would give the people in Flanders a special symbolic status and a unique pride, without changing anything to the status and lack-of-pride of any other people. Would he be taken seriously? It seems definitely harder to defend an inequality-generating Pareto improvement in the case of symbolic status than in the case of well-being.

Why do we resist the application of the Pareto principle in this case? One possible reason is that it is hard to get rid of the intuition that if one is raised above the others, the others' status is somehow diminished. In the linguistic example, this is really not the case. A local language does not lose any status just because another natural language, rather than an artificial one, is chosen as the *lingua franca*. The existence of a *lingua franca*, as such, may imply a symbolic reduction of status of the ordinary languages because they are

thereby deprived of much of their potential role as cross-border communication tools. But *once the principle of using a lingua franca is in place*, it seems hard to defend the thesis that a local language suffers a loss if another local language, rather than an artificial one, is raised to the upper status. For instance, it is hard to claim that the Basques suffer a loss in symbolic status if English rather than Esperanto is adopted as the *lingua franca*, given that Basque is not the *lingua franca* in any scenario.

Although the status of a local language is not diminished by the adoption of a natural *lingua franca*, there is still a specific loss to the speakers of the local language when they interact with native speakers of the *lingua franca* and when the latter use their superior communication skills to take advantage in debates and negotiations. But similar situations may occur with an artificial *lingua franca*. At least in the case of a natural *lingua franca* the native speakers cannot claim any merit in their superior skills, whereas with an artificial language inequalities in proficiency may be more reflective of unequal talents and therefore more dangerous for equality of respect. All in all, this specific loss does not seem to matter much.

Another loss is obviously suffered by the defenders of Esperanto. If Esperanto were chosen, the Esperanto community would take great pride. This, however, is a transitional phenomenon that would disappear with the generation that defended Esperanto. And one can always think of creating another language that would be more neutral than Esperanto with respect to all existing communities.

If one can get rid of any doubt about a possible loss to some people when a natural language is elevated to the "global" status, does it become plausible that the Pareto superiority, in terms of the distribution of status, that goes with such elevation may provide an argument against an artificial *lingua franca*? I am not sure. Equality of status and respect seems better than unequal status in this case.

This is not always true. One can find contexts in which the Pareto principle seems to apply. Levelling down cannot be accepted at all costs. For instance, if a society has the choice between everyone being the slave of an external master and an unequal society like the Western countries, in which differences of status are important but most people are above the condition of slaves, although some remain very close to it, the latter option seems preferable. In this case raising most people to a superior status seems desirable not just because of the effects on the distribution of well-being but also because the superior distribution of status appears preferable, even though it is less equal.

Conclusion

We cannot yet conclude that, all things considered, Esperanto would be preferable to English as the *lingua franca* in a linguistic regime similar to what Van Parijs proposes. The conclusion is rather that the Pareto principle, which provides a definitive argument against levelling down in an all-things-considered judgment, does not seem to be as powerful as usual in the case of linguistic status. Raising English or any other natural language above the others by granting it the unique status of the *lingua franca* does create a Pareto-superior distribution of status, compared to a situation in which an artificial language is adopted. But that does not seem to constitute a knock-down argument in favour of this solution. Other arguments are needed, such as those provided by Van Parijs in his book, and related to the cost of adopting an artificial language and the well-being aspects alluded to in the beginning of this paper.

Not only is equality of status a value in itself perhaps, as opposed to simple priority to the lower status, but there may be cases in which equality of status is preferable, all things considered, to unequal superior statuses. While the issue of Esperanto versus English does not seem to provide such an example because other considerations than status matter, it comes close to it.

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The breeder's welfare state: a cautionary note

Robert E. Goodin*

Abstract (in French)

Nombreux sont ceux qui voient dans un Etat providence généreux le moyen de contrer le déclin du taux de natalité. Pourtant, un tel déclin peut être une bonne chose, non seulement du point de vue environnemental mais aussi en termes de bien-être. La richesse par tête sera sans doute plus élevée, et sa distribution pourrait être plus égale. Des taux de natalité décroissants posent un problème pour les systèmes de retraite par répartition. Mais c'est un problème transitoire lié au passage vers un système par capitalisation. Il pourrait être résolu en y affectant les revenus de la prochaine grande aubaine sociale – pensons au pétrole de la Mer du Nord – ou en augmentant la contribution fiscale payée par une génération sur les héritages dont la gratifie la génération précédente.

The demographic beat-up

Progressive social policy arises in strange ways. Philosophers take it to be an analytic truth that the social democratic welfare state is the manifestation of a deep impulse toward social equality. Historians know otherwise.

Across Scandinavia, its original home and natural habitat, the social democratic welfare state arose instead from a demographic panic. In their hard-hitting 1934 book, Gunnar and Alva Myrdal exposed the 'crisis in population policy'. Fertility rates had fallen persistently and deeply below replacement rate (Myrdal & Myrdal 1934).¹ The Swedish Minister of Social Affairs proclaimed, 'No people with unimpaired energy and the will to live can ... fail to undertake strong measures to combat the situation.'² A Commission was promptly appointed, recommending as remedies generous welfare state provisions to assist with the costs of raising children and to facilitate mothers working outside the home. 'So decidedly was [the Commission's] social program ... accepted and so free from opposition were the major reforms enacted that [that] session [of parliament] has been called

* I am grateful to Frank Castles, Steve Dowrick, Heiner Ganßmann, Diane Gibson, Axel Gosseries, Peter Macdonald, Axel West Pedersen and John Stephens for discussion of these ideas – for which, of course, none of them are to blame.

¹ For an English gloss, see Myrdal 1940.

² Quoted in Myrdal 1944: 161.

the "Riksdag of Mothers and Children," Alva Myrdal subsequently boasted (1944: 166).

Thus was born the Swedish welfare state. Elsewhere around Scandinavia it was much the same. Population Commissions reported in broadly similar terms, and with broadly similar effects, in both Finland and Denmark. Such was the way the case was made across Scandinavia at the time: not in high-minded terms of justice or equality, but rather in terms of 'equalizing ... the economic burden of breeding children' as a practical solution to declining birth rates (Myrdal 1940: 204).³

Europe today is in the midst of a baby drought every bit as deep as interwar Scandinavia's. Put bluntly: 'the population of Europe is no longer reproducing itself.... West Germany stopped doing so in the 1960s, East Germany, France and the UK in the first half of the 1970s, and Italy in the second half of that decade.' (Therborn 1995: 38. See further Gauthier 1996). In good Scandinavian fashion, today's preeminent theorist of the welfare state Gøsta Esping-Andersen (along with many others) is once again attempting to appeal to that as an argument for progressive social policies.⁴ Philippe Van Parijs points to evidence suggesting 'that an increase in benefit levels for a two-child family by 1 percent of average earnings would boost the number of children by nearly 4 percent' (Van Parijs 1998: 317).⁵

I am all in favour of progressive social policies, family-friendly workplaces and generous welfare provision – and I suppose we should be glad to get them any way we can. But truth told, I suspect that in various respects a shrinking population may be no bad thing, not just from an ecological point of view, but also from a welfare state perspective.

Smaller populations are less poor, and potentially more equal

The traditional core welfare state concerns are, of course, 'poverty' and 'equality'. Put positively: welfare state advocates are concerned firstly with the average level of living, and secondly with its distribution. Declining fertility can assist with both.

Insofar as average well-being is concerned, it is a matter of simple arithmetic. Having fewer children means that the same fixed stock of capital

³ As Myrdal (1940: 208) elaborated in his Harvard lectures at the time, 'the population argument has been the most potent force behind the speeding up of this important transition in social policy ... from the aid of the needy to broad coöperation among all the people' – which is to say, from the residual Poor Law-style concerns of the liberal welfare state to the progressive agenda of the social democratic welfare state.

⁴ Esping-Andersen, 1999, ch. 4, esp. 67-70; 2002, chs 1-3; Sleebos 2003.

⁵ Referring to Gauthier and Hatzius 1997: 302.

will be concentrated in fewer hands in the next generation. Therefore, on average, each member will have more.⁶

If each couple have only one child, and that child inherits all that both parents have, then the wealth of two individuals comes to be concentrated in the hands of a single individual in the next generation. Just as each child will have more than it would have done had its parents had more children, likewise across the population as a whole. With below-replacement fertility, members of each subsequent generation will actually be richer, on average, than members of the previous one.

True, a smaller population may produce less total output than a larger one would have done. But from the perspective of existing people, what matters is the average not the aggregate.⁷ Their welfare is a function of output *per capita*, not output *in toto*. With a declining population, the numerator may get smaller, but so too does the denominator.⁸

Modeling economic growth is of course a tricky business, with many competing models on offer. All depict reductions in population size as having multiple effects – some positive, some negative – which substantially cancel one another. Depending on which model you use the overall effect of population decline on income per capita may be either slightly positive or slightly negative. But either way, the effect is typically small, at least for typical OECD economies (Brander and Dowrick 1994; Dasgupta 1995; Heijdra & Ligthart 2006).

Thus, declining populations are arguably good news from the point of view of average well-being. People will on average have a larger share of the stock of fixed capital, without any substantial reduction in their income flows.

But champions of the welfare state care about more than merely the average. They also care deeply about how that income and wealth is distributed across the population. There, a shrinking population might seem worrying in two respects. First, given assortative mating, the rich will marry the rich; and with below-replacement fertility, the rich will just get richer in

⁶ Of course, that is only part of the story – albeit a very important part (certainly in the short run, in which people's lives are actually led). In the longer run, there are complicated feedback loops to be modeled insofar as the rate of capital accumulation is a function of investment decisions that are themselves a function of population size.

⁷ In the sorts of scenarios used to argue for total utilitarianism, bringing one more happy person into the world would be good for that person, and hence for total utility for society as a whole – but it does nothing for the welfare of any of the previously existing people.

⁸ While 'optimal population size' cannot coherently be decided on the basis of average well-being (Dasgupta 2001: 212-4), at least the average well-being standard clearly identifies which is the direction in which it is better to move – which is what policymakers need to know (Sen 2006).

the next generation, as two rich parents bequeath their holdings to a single offspring. A second well-established sociological generalization is that the poor tend to have more children; hence, while the holdings of the rich get concentrated in the hands of fewer children in the next generation, the holdings of the poor (smaller from the start) get divided more ways. In both respects, population shrinkage threatens to exacerbate inequalities in the distribution of wealth, even while increasing average wealth.

Here is a more encouraging thought, however. Recall the main mechanism by which population shrinkage improves average welfare, via a fixed capital stock being transferred from more to fewer people in the next generation. And note that the mechanism of that transmission – probate courts – provides an excellent site for the state actually getting its hands on the wealth, in order to redistribute it.

Redistributive taxes on income and consumption can be evaded, more or less easily, through in-kind payment outside the cash economy. Such evasion is impossible when you are transferring legal title to property from one person to another, at the point of death or otherwise.⁹ Transfers of legal title by definition have to go through the legal system, and they can be subjected to redistributive taxation as they do.

There may be some limits to the magnitude of death duties that can be imposed without undermining people's motive for amassing large capital stocks to pass to their heirs, rather than consuming it all themselves as they go along. Again, these are contentious issues, with economists divided. But one strand of evidence suggests that bequests mostly arise by accident rather than from any 'bequest motive' as such. The bequest just arises as the accidental by-product of people saving as a hedge against expensive (albeit unlikely) contingencies in their own old age that end up not eventuating (Dynan, Skinner and Zeldes 2002). That savings behaviour would remain unaffected even by confiscatory death duties.

The fly in the ointment: funding PAYG pensions

Even if everything I have said so far is true, there remains one compelling reason for worrying about declining population size. That has to do with the funding structure of public pensions. They have traditionally operated on a 'pay as you go' (PAYG) basis. Instead of the public pension scheme being fully vested, with reserves sufficient to meet its current obligations, taxes collected from today's income-earners are used to pay today's pensioners.

⁹ People can of course pass property to their children *inter-vivos*, thereby circumventing death duties (Cox & Rank 1992) – but we can of course tax transfers of title *inter-vivos* as well.

Were birth rates exactly at replacement rate, that would pose no problem. The ratio of pensioners to earners would be constant across time. With a below-replacement birth rate, however, the ratio of earners paying taxes to retirees drawing pensions will be ever-decreasing. Either earners will have to be taxed at higher rates, or the level of the pension will have to be reduced, or proportion of people receiving it will, in order to make ends meet. Those are the hard choices facing PAYG pension systems given below-replacement birth rates.¹⁰

Of course we do not have to confront that particular problem for a quarter century or so after the birthrate first dips below replacement rate. It will be that long before the below-replacement generation enters the paid labour force and the previous generation goes onto the pension. Nonetheless, as demographers like to say, 'Demography is destiny'. Everyone who is going to be aged 25 in 25 years from now has already been born. Maybe there is a little uncertainty about how many will die along the way, or where they will end up living. But basically demographic projections are just that: projections, not mere predictions.

Still, the decline in the birth rate today will not become a problem for the PAYG pension system for another quarter century. And while there is nothing we can now do to change how many 25-year-olds there will be in 25 years' time, all sorts of other things may still change in the meanwhile.

Like what? Well, recall that the standard solution to the structural problem with the financing of PAYG pension systems is to get pension obligations fully funded. Then each person would live in retirement off funds she had herself paid into her own personal pension fund during her working years. If each generation took out of the pension scheme only what it put into it, then no matter if generations differ in size.¹¹

The trick lies in getting from here to there. The 'here' in question is the situation in which the payments that a person makes into the pension fund during her working years are immediately eaten up paying the pensions of current pensioners.¹² If we want to get from that to a situation in which the

¹⁰ Musgrave (1981) for example opts to hold the first and third constant and allow the pension level to vary. The problem is exacerbated if (as is also the case) people live longer, thus further increasing the number of non-earners still alive and drawing the pension (World Bank 1994). While I focus here on the birth rates alone, the solutions I offer would apply equally well to both aspects.

¹¹ To be sure, the size of the population might affect the rate of return on those pension-fund investments. But insofar as most of those effects on the portfolio of any given cohort will be amassed during the working life of that cohort, the size of previous or future cohorts will not matter much to that.

¹² For the most noble of motives, I hasten to add: so that those who were already old and in need at the time the pension was first enacted could benefit from the policy, even

payments are preserved in that fund for her own retirement, so she draws out only what she paid in, there is only one way to do that. Some generation will simply have to 'pay twice' – once for the pensions of those currently drawing the pension, and once more to fully fund its own future pensions.¹³

Thus stated, the problem seems far more tractable. It is not a matter of magicking up some additional people out of thin air. It is merely a matter of finding some extra money, somewhere, to help with the problem of 'paying twice' in the transition.

Maybe the money can be found out of the proceeds of economic growth. Or maybe the money can be found in some sudden windfall, like the discovery of North Sea oil or the auctioning off of licenses to broadcast on wavebands not yet allocated for any other use. Those are just the sorts of things that might well occur sometime over the course of a quarter century.

What is required, as a matter of settled public policy, is that we have a standing commitment to watch out for such windfalls, and to have a standing list of 'big ticket' plans for putting such a windfall to good use.¹⁴ Financing the shift from 'defined benefit' PAYG pensions to fully vested 'defined contribution' pension arrangements is one big-ticket item that should surely be on any such list, along no doubt with many other major infrastructural investments.

But what if the Micawberish hope that 'something will come along' proves futile, and nothing does? Well, there is in principle another easy solution, push come to shove: just make 'one generation pay twice' through one-off surcharge on the tax on bequests.

That may seem unfair ('why *my* generation?'), in a way that devoting windfalls to the task does not. While the windfall arose during some particular generation, the windfall was not 'its' in any morally important respect. By definition, a windfall is not something that anyone deserves.¹⁵

But an inheritance is much the same. It is not something the beneficiary has done anything to deserve. Furthermore, it is not the sort of thing that anyone should (or typically does) count on. You never know how

though they had not themselves paid into the pension fund during their own working years.

¹³ So after the 'free lunch' for the first generation of non-contributing pensioners comes an 'expensive lunch' for some subsequent generation of double-contributing ones.

¹⁴ The Thatcher Government just squandered the North Sea oil windfall on unemployment benefits to those driven out of work by its ideologically-driven economic agenda.

¹⁵ A tax on earned income, in contrast, deprives people of something that they arguably do deserve – the fruits of their labour efforts. The deprivation may be defensible, but any defence has to overcome that desert claim with a tax on earned income in a way it does not in the case of a windfall.

expensively your parents will die. You never know how much of their savings and investments will be left, by the time you come to inherit them. You cannot sensibly arrange your life around the assumption that you will inherit anything in particular, or perhaps even anything at all.

So, in a pinch, we can solve the structural problem in financing PAYG pensions by making one generation pay twice, through a surcharge on its inheritance. If we are prepared to accept that as a viable solution, push come to shove, then the last reason for worrying about declining populations from a welfare-state perspective evaporates.

Conclusion

There is of course considerable truth in Esping-Andersen's remark that 'the ability of citizens... to form families according to their true aspirations must be regarded as the' – well, let's not get carried away, but at least 'one important' – 'bottom-line measure of any society's welfare performance.' (Esping-Andersen 2002: 63). Certainly the fact that people across Europe persistently fail to have as many children as they say they want is in itself a genuine cause for moral concern. (It is, anyway, assuming those are true statements of their preferences rather than just a response given because it is thought to be socially appropriate.)

There may be various other reasons, principled or pragmatic, for being concerned with population decline (e.g., not having enough young people to fight your wars¹⁶). There are other reasons for being glad of it, such as a smaller ecological footprint. How all of those other considerations balance out I will not attempt to say.

But from the narrowly perspective of the traditional core concerns of the welfare state, at least, there seems nothing to fear and something to celebrate about declining birth rates. If generous welfare provision does have the effect of promoting population growth, that should perhaps be seen from a welfare perspective as an unfortunate rather than sought-after effect of policies best justified on other grounds.

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¹⁶ 'Too few children, too few arms, too few allies' was Marshall Pétain's explanation for why he petitioned for an armistice to the Franco-German War (Lenoir 1991: 150). For a lightly encoded contemporary version of this concern, see Goldstone (2010).

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A mobile water project: mobile-for-development meets human-centered design

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Abstract (in French)

Dans cet article, nous décrivons un projet de "téléphone mobile pour le développement" baptisé M-Maji – "Eau M(obile)" en Kiswahili. M-Maji, qui en est encore à ses balbutiements, a pour objectif d'améliorer l'accès à l'eau potable – et donc d'améliorer le bien-être et la liberté réelle – dans les bidonvilles des pays en voie de développement, grâce à l'utilisation des technologies mobiles désormais largement accessibles même dans les communautés les plus pauvres. Les projets de développement fondés sur la téléphonie mobile sont souvent ineffectifs, en raison de leur forte focalisation sur les aspects technologiques, au détriment des besoins, préférences et capacités des utilisateurs. Pour éviter ce problème, nous avons développé M-Maji en le concevant comme "centré sur l'humain" – soit une approche ancrée dans l'engagement ethnographique avec les utilisateurs finaux. Si M-Maji fonctionne, il permettra de "capaciter" (empower) les communautés désavantagées, grâce à une meilleure information quant à la disponibilité de l'eau, de son prix, et de sa qualité.

In this short essay, we sketch a project in process. The project is focused on access to clean water in Kibera—the largest of Nairobi's intensely poor, densely populated, humanly vibrant informal settlements. Like many of Philippe van Parijs's projects, from universal basic income to a bike lane in Brussels, ours is guided by a normative concern. In particular, our aim is to increase real freedom by ensuring that people who are now economically marginalized and lacking access to basic goods have easier, less-costly access to clean water—surely essential to making any use of our formal freedoms. Moreover—and again like much that Philippe van Parijs has done in his admirable career—our project sits at the intersection between theory and practice. We are developing and testing a practical idea that is informed by normative and positive theory. But, as we write (in August 2011), we are entirely unsure whether it will work. Precisely for this reason, we think the project belongs in this volume, with its animating spirit of new exploration.

Overview

Kibera, located a few miles southwest of central Nairobi, is one of Africa's largest informal urban settlements. Population estimates vary widely, but roughly 200,000-250,000 people now live on 630 acres, an area two-thirds the size of New York's Central Park. Most Kiberans live on under \$1 a day, and dwellings generally have one room, no electricity, and no toilet. Moreover, residents in Kibera, as in many of the world's informal settlements, typically have no direct access to running water. So most Kiberans (roughly 75-85%) acquire water by making daily purchases at kiosks from private vendors, who (legally or illegally) tap into water supplied by the Nairobi water company. Because buyers typically purchase water from nearby vendors, the distances they walk to purchase water are not great—though considerably greater than any reader of this volume travels. In addition, while affordable for most families, the standard price for a 20-liter jerry can is eight times the lowest tariff for domestic connections and four times the average tariff in Kenya (World Bank 2005).

However, in Kibera, as in many informal settlements, water shortages occur frequently—on average, once a week. And when shortages hit, buyers need to find new water vendors. The shortages drive prices up dramatically: from 100-600%, depending on the village in Kibera (Jeon 2011). And because the geographic scope of the shortages—which often result from breaks in pipes—is so uncertain, search costs are high: buyers search, on average, for one-and-a-half to two hours, carrying a 20-liter jerry can (Jeon 2011).

Moreover, on good and bad days, water quality is suspect. Buyers wonder—so we have learned from our conversations in Kibera—whether they are getting a jug of water or a bucket of cholera vectors.

But while Kiberans often lack easy, low-cost access to water and face pervasive uncertainty about water quality, mobile phone penetration is very high: in most of Kibera's 13 villages, nearly every household has at least one mobile phone (Jeon 2011). And growing competition in Kenya's mobile market—once fully dominated by Safaricom—has very substantially reduced the costs of both voice and SMS communication.

Our project, called *M-Maji*—Kiswahili for “M[obile] water”—aims to improve the opportunities and welfare of Kiberans by exploiting virtually ubiquitous, low-cost mobile access to improve limited, high-cost water access. Mixing moral-practical purpose with field-experimental social science, *M-Maji* aims to enable buyers to use their mobile phones to acquire information about water location, price, and quality. It builds on and tests the main claim in the growing social-scientific literature on “mobile for development”: that mobile technology is effective at reducing search costs

(Jensen 2007, Aker & Mbiti 2010). Such reduction is, in turn, typically good for creating more efficient markets (Baye, Morgen & Scholten 2007). More contextually, it builds on local enthusiasm about mobile phones, which is driven in part by the remarkable growth of mobile banking in Kenya. M-Pesa, Safaricom's mobile money-transfer system, has fueled an extraordinary expansion in access to financial services since its creation in 2007, with adult access growing from 5% prior to M-Pesa to 70% this year (Jack & Suri 2011). In 2010, 15 million Kenyans used the system and pushed 20 per cent of national GDP through it.

If *M-Maji* works, water vendors will use their mobile phones to advertise water availability, with information about location, price, and quality; water buyers will use their phones to query the *M-Maji* database to find the closest, cheapest, cleanest water. *M-Maji* will thus reduce information asymmetries that now impose large burdens on purchasers, enhance water market efficiency, and improve consumer welfare.

M-Maji was designed by an interdisciplinary team of Stanford University graduate students (Anuraag Chigurupati, Katherine Hoffmann & Sangick Jeon) in *Designing Liberation Technologies*, a course taught in Stanford's Hasso Plattner Institute of Design (d.school) by Joshua Cohen and Terry Winograd. The guiding philosophy of the d.school is "human-centered design"—an approach to problem-solving that is applied to designing products, processes, and experiences, and is anchored in ethnographic engagement with users, pursued in interdisciplinary teams, and focused on innovative solutions.¹ The Cohen-Winograd course, which is coordinated with the University of Nairobi's School of Computing and Informatics, grows out of current enthusiasm for mobile solutions to economic and social problems in developing countries. Some of that enthusiasm seems well-founded (Aker & Mbiti, 2010). But mobile (and other informational technology) solutions are often poorly designed because they reflect very little understanding of the lives of users (Toyama 2010). The idea of "designing liberation technologies" is to deploy human-centered design to develop projects with greater chances of success because they emerge from a real and sustained engagement with end users.

System Design

M-Maji will work in three steps (see Figure 1 for a system overview):

¹ For an introduction, see <http://dschool.stanford.edu/wp-content/uploads/2011/03/BootcampBootleg2010v2SLIM.pdf>

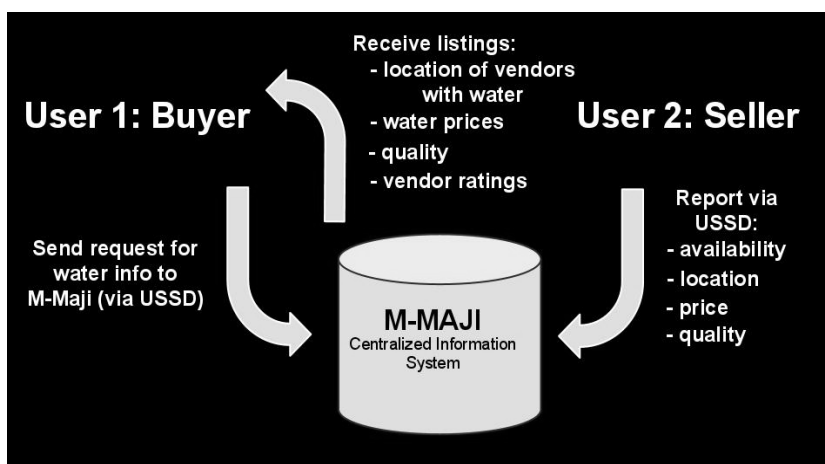


Fig. 1: System overview

Step 1: Each day, water vendors notify *M-Maji* via USSD² that they have water to sell, where they are selling it, and the price they are selling it for. They also have the option to advertise the last date of water purification and the results of any recent quality testing. These advertisements are collected and stored in the *M-Maji* database in real-time.

Step 2: Water buyers initiate a USSD session with *M-Maji*, and obtain a location-relevant listing of local water vendors who have sent notifications of price, location, and quality, as well as their vendor rating (see Step 3 for vendor ratings). Within the same USSD session, users are given the option of re-sorting the listings by price, quality, vendor ratings, or another geographic location.

Step 3: If a vendor misreports availability, price, or quality, buyers can file a complaint with *M-Maji* via USSD. The *M-Maji* team will then review, investigate, and evaluate these complaints, and assign vendor ratings to alert future buyers of negative histories (the details of this part of the system are still in development).

² USSD (Unstructured Supplementary Service Data) is a technology available on basic GSM phones. In Kenya, USSD is often used for tasks such as purchasing minutes from mobile service providers and paying utility bills. Unlike SMS, USSD opens a channel for two-way communication.

Rationale

M-Maji aims to improve access to clean water by providing low-cost information about water availability, price, and quality. By pooling water information from multiple sources, it provides information beyond what other search methods (e.g., gossip and word-of-mouth) deliver. It is also economically sensitive, relying on basic GSM (Global System for Mobile) phones, which are already broadly accessible in informal settlements. Moreover, it operates free of cost for individual users (USSD costs are subsidized). Information accuracy is encouraged by the vendor rating system and by the *M-Maji* support team on the ground, which will monitor data quality with regular surveys and random evaluations (for example, through drop-in testing of water quality).

M-Maji is a novel approach to water supply problems in informal settlements. Alternative approaches aim to increase water supply or quality. *M-Maji* tackles the information side of the problem. People struggle daily to locate water and evaluate its quality, and may pay much higher prices than they would with better information. By providing better water information to consumers, we seek not only to reduce the individual burden of finding water, but also to equalize water prices across villages of Kibera, and make clean water affordable to larger segments of the population.

M-Maji's promise is supported by a number of studies on water in developing countries. Randomized field experiments, for instance, have shown that consumers who receive information regarding their water quality are more likely to seek out a clean source and purify their water (e.g., Jalan and Somanathan 2008). The demand for water is also estimated to be highly elastic at low prices but inelastic at high prices, indicating that clean water uptake can be increased through a price reduction mechanism (Kremer et al. 2009). And, more generally, mobile-for-development research has shown the promise of mobile technology in improving the efficiency of certain product markets by reducing information costs (Jensen 2007, Aker & Mbiti 2010). Whether this same logic extends from markets for perishable goods (fish) and goods of relatively uniform quality (grain) to water markets is one of the issues we hope to address.

Evaluation

As a first step in developing *M-Maji*, we are conducting a randomized impact evaluation in Kibera to test our system's potential for improving clean water access in urban slums. Randomized impact evaluations are the gold standard of impact evaluations (see Duflo et al. 2006), and they proceed

by randomly assigning members of a population to a “treatment” or “control” group—groups that will or will not receive a particular intervention, respectively. After intervention, outcomes are compared across treatment and control groups to obtain statistically convincing estimates of a program’s impact.

We are assessing *M-Maji*’s impact on *water prices*, *search costs* (in terms of time and distance), and *clean water uptake* (under-5 diarrheal infection rates and household water quality).

To conduct this program evaluation, *M-Maji* has partnered with Umande Trust (www.umande.org), a non-profit community organization (funded in part by the Bill and Melinda Gates Foundation) that works on water and sanitation issues in under-served communities throughout Kenya. In collaboration with Umande, we have been collecting baseline data to obtain pre-intervention benchmarks on clean water consumption and supply. After completing baseline data collection, we will move the project into a pilot phase during which we introduce *M-Maji* to users in a random selection of villages in Kibera (our treatment group). We will then compare these users to people in villages that did not receive *M-Maji* services (our control group) to estimate our impact on the three water outcomes of interest: prices, search costs, and clean water uptake. Umande Trust will lead the pilot implementation: they will market *M-Maji* to communities, collect and spot-check accuracy of field data, and obtain user feedback.

The program evaluation serves both practical and scientific aims. Practically, running the pilot in this way will generate user feedback in the short run, which will be important for designing *M-Maji* to be maximally effective for users. In the long run, this evaluation will permit an estimation of cost-effectiveness, which will inform how we proceed with this project (including scale up and system modifications). If successful, the project will generate real human benefits.

Scientifically, we hope to gain a better understanding of the scope and limits of information-based approaches to water problems in developing countries. The project’s focus on data collection will also contribute to our understanding of access to basic public services in informal settlements, a setting for which data is scarce and unreliable. It will help to test the idea that mobile applications improve market efficiency by reducing search costs. And it may suggest lessons for the innovative efforts to use human-centered design to develop sensible mobile-for-development ideas that Cohen and Winograd explore in their d.school course.

Future Directions

M-Maji represents, in our view, a second-best solution to water problems in informal settlements in developing countries. The best solution would not be to improve a poorly functioning private water market, where much of the supply is in any case of dubious legality; rather, it would be a formal and efficient water and sanitation system provided by local and national governments. Like the U.N., and like Umande Trust, we believe these services should be provided as a matter of basic rights. But for many reasons—including political corruption, insecure land tenure in informal settlements, and extreme poverty—many communities continue to be deprived of them. In collaboration with Umande Trust, we are developing *M-Maji* as a temporary solution for such communities.

For the communities that *M-Maji* does serve, we expect that it will prove to be a cost-effective solution to problems of water quality and access. Because the project uniquely focuses on the information side of the water problem, we also expect it to supplement other water projects, which address issues of supply and quality. If results from the program evaluation are favorable, the next steps include scaling up, both in Nairobi and in other informal urban settlements in Sub-Saharan Africa. In fact, *M-Maji* may help in addressing water problems in rural and suburban settings as well. Indeed, it should help in any location that has multiple sources of water and pervasive information asymmetries that impose significant burdens on the time and money—and thus the real freedom—of poor consumers.

Finally, if *M-Maji* works on its principal domains of application, future extensions might incorporate a method for tracking cholera outbreaks and reporting leakages—the latter being an avenue by which we might indirectly increase water *supply* (since up to 40% of piped water in Kibera is lost to leakages, according to Umande Trust 2007). But, first things being first, we begin this process of practical and socio-scientific experimentation by examining whether our project delivers on its promise—to improve the real freedom of people in Kibera.

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Prospects for basic income: a British perspective

Bill Jordan

Abstract (in French)

L'idée d'allocation universelle semble gagner en crédibilité, tandis que les conditions politiques de sa mise en œuvre paraissent de mieux en mieux réunies. Parmi les justifications à son introduction, il y a la lutte contre la polarisation des revenus liés à la globalisation et l'atténuation des effets pervers liés aux interactions entre taxes et subsides. Ce papier avance l'argument selon lequel cette proposition devrait être associée à un mouvement social mondial visant à lutter contre le futur précaire des jeunes générations.

At present the Basic Income (BI) proposal seems to be poised somewhere between academic dream and popular demand. Prototypes are being implemented in some developing countries; embryonic forms are detectable in some affluent ones; and a few social movements are adopting it as part of their manifestos all over the world.

Although some advocates still guard the purity of its principles, we also witness the less edifying sights of the Iranian regime replacing its consumer subsidies by something like a BI in the face of economic stagnation and popular unrest, and Colonel Gaddafi dispensing an *ad hoc* cash version to his supporters in Tripoli while using military force against the revolutionary uprising in the rest of his country. As a global problem of employment and income for a whole new generation is emerging, BI can appear to be more of a sop than a solution. Does BI have respectable roots in democratic collective action, or must it remain suspended between utopianism and opportunism?

My first encounter with the proposal was in the early 1970s, in a small industrial town in South West England, where I was a probation officer. At that moment structural unemployment was reappearing for the first time since the Second World War, and the demand for a BI brought together college drop-outs, influenced by the social movements of the late-1960s USA, Trotskyist trade union organisers made redundant by the local engineering factory, and indigenous long-term benefits claimants (single parents and disabled people). For those claiming social assistance for the first time, that undignified experience, together with the message that a new form of global capitalism was threatening the whole welfare state, supplied the motivation to join a movement (offering advocacy, participation and

mutual benefits to members), which reflected the spirit of that turbulent age. The BI proposal fitted that movement's mood, having arrived on the westerly wind blowing from America (Jordan 1973).

After the radical moment of the early 1970s, neo-liberal political forces in the UK went on the offensive with the advent of Margaret Thatcher; the left took up its position in defence of the welfare state, and BI fell off the political agenda. Yet within a few months in 1984-5, I encountered three people who were to change the direction and trajectory of the whole campaign around the proposal. At that time, Guy Standing was already a globetrotting powerhouse, working for the International Labour Office in Geneva; I little thought when I met him at Exeter St David's station that he would put his formidable energies behind BI. Philippe Van Parijs seemed a somewhat diffident young academic; it was hard to imagine that he would project BI into the mainstream of moral and political philosophy worldwide within the space of a decade. And Hermione Parker, a Tory *grande dame* with an overwhelming hatred of Thatcher, was scarcely the most likely influence on UK social policy, representing as she did the seemingly endangered traditions of Cobbett, Disraeli and Lady Juliet Rhys Williams (Parker 1989).

With the formation of BIEN in 1986, the campaign became first a European and then a global one. But for many years it seemed like an idea with an intellectual appeal, which kept winning over academics and the occasional political has-been, but which was incapable of firing the imagination of the new brand of activists. In the UK, Paddy Ashdown persuaded the liberal Democrats to go into the 1992 election with the proposal as one of its social policy commitments.¹ The party did poorly, and the idea met with little enthusiasm on electoral doorsteps.

Destined to drift?

So it seemed that the BI proposal was destined to drift from continent to continent, always finding a few willing souls to pick it up and run with it for a while, and often beguiling the most gifted and creative spirits, but never anchoring itself in the grass roots of an enduring set of social relations, or a coherent political programme.

This view tended to be confirmed by Van Trier's (1995) historical studies. BI as an idea was recognisable in almost every age since Imperial Roman times. It was the offspring of the Enlightenment, of the Industrial Revolution, of anarchism and utopian socialism. In the UK, it took the form

¹ I had ghost-written most of his political testament, *Citizens' Britain* (1988), a few years earlier.

of two very detailed schemes immediately after the First World War; but so hopeless were they at organisation and co-ordination that leading figures of these two strands (B. Pickard and J. Meade) were close friends and neighbours in Geneva without either even realising that the other was committed to the principle. Was BIEN itself little more than the expression of a similar political incompetence, a travelling circus destined to meet in attractive cities all over the planet, rallying the faithful to a flag that would never fly over so much as a municipal building?

Since the turn of the century, BI seems to be casting off this fey and flitting guise; it has been adopted by hard-headed politicians at local and national levels, and there have been real pilot projects which have largely justified the claims of its advocates. Furthermore, although these experiments have taken place in far-flung and exotic places, the failures of traditional instruments of income maintenance and employment policy in the advanced economies mean that it is back on their agendas, though in a disguised form.

The UK is a case in point. The Labour Party came to power in 1997, pledged to reform the benefits system and create new jobs throughout the economy, re-integrating the excluded poor by improving incentives (through a minimum wage and new tax credits) and enforcing work obligations (welfare-to-work counselling, training and sanctions). Ten years later, most of the same social phenomena which sparked these programmes remained. Four million new jobs had come into existence, but around 75 per cent of these had been taken by migrant workers, mostly from Poland and the other EU accession states of Central Europe, who did not qualify for out-of-work benefits. The Conservatives pounced on these statistics, arguing that the benefits system trapped low-skilled citizens in claimant roles, and created a disorderly, demoralised underclass – the ‘Broken Britain’ phenomenon.

The scheme proposed by the Conservative-minded think-tank, the Centre for Social Justice (2009) was very similar to the one put forward by H. Parker in her *Instead of the Dole* (1989). Parker had argued for a partial integration of the income tax and means-tested benefits systems as a first step towards a fully-fledged BI. Without referring to any such goal, here was a government-in-waiting recommending a measure which would allow claimants to keep the full amount of their benefits up to the point where these could be withdrawn through the tax system, enabling a smooth transition from outside to inside the labour market. Although the assessment unit was to be the household, little was said about work enforcement; the scheme was consistent with a transition to the BI approach.

Because of the fiscal deficit, this has not been implemented in full; benefit levels have been cut, and conditionality strengthened before the

improvements in incentives take effect. But in the longer term, the reforms introduced do take the UK system for people of working age in the direction of a BI, by introducing 'universal credits' to replace a wide range of means-tested benefits for people of working age, by raising the sums disregarded by the authorities for those working only a few hours a week, and by achieving a smooth trajectory of additional income as these hours are increased. Eventually the benefits regime seems likely to move towards more simplicity and less conditionality; indeed it is required to do so if the new government's overall philosophy of the 'Big Society' is to be made a reality. Since the declared aim is to involve all citizens in participatory, democratic activity, in groups and communities, involving paid and voluntary work, only a BI approach could include poor people in this form of citizenship and common good.

The transformation of work

However, the success of this strategy depends on a culture shift as well as a transformation in the UK labour market. In effect, the new coalition government has abandoned Labour's Third Way attempt to create employment through a combination of investment in the 'knowledge economy,' the expansion of public sector management and technical roles, and a growth in low paid service work, subsidised by tax credits and enforced by officials. This approach disguised the stagnation of middle-range and lower earnings by encouraging a massive growth in bank credit – before the crash, UK credit card holders owed around 75 per cent of this form of personal debt in the EU. This 'financialisation' of citizenship under Labour created the conditions for the collapse of the UK banks.

David Cameron has committed himself to the emergence of a new labour market, supplemented by the growth in voluntary community work, and derived from citizens' shared perceptions of the needs and opportunities of their localities. This view is most radically expressed by Blond (2010), who argues from the work of early twentieth century Distributist thinkers (such as Belloc and Chesterton) that co-operatives, mutuals, building societies and local credit organisations must be revived through the redistribution of property, in order to bring about the economic conditions in which this culture shift can occur.²

But two factors threaten the emergence of any such 'Big Society.' First, the sheer speed and scale of the budget cuts, and the immediate consequences of

² Incidentally, Blond also gives a favourable mention to BI on this context on p. 32 of his book.

this for public and voluntary sector employment, is more likely to make people insecure and cautious about changing their work strategy and orientation than to enable a cultural transformation. But second, and in the long-run more crucially, there may simply be no scope for a sustainable growth in this form of economy; instead, it may turn out to be no more than a further fragmentation of the labour market, and an authoritarian system for managing economic decline.

This is because what the UK is experiencing as a public debt crisis is simply the manifestation of a global shift, which has left a deficit in the whole range of employments between the least skilled and the best rewarded. This phenomenon stems from the fact that it is not just traditional blue-collar work which has been relocated to China, India and Latin America; it is also much of the 'knowledge work' on which European, Japanese and North America governments have pinned their hopes for future job expansion. This is why in the UK earnings between £12,000 and £48,000 a year have stagnated since 2003 (those in this range have stagnated since the early 1970s in the USA). It is also why there is now a 20 per cent unemployment rate among recent graduates, and around a million 16 to 24 year olds outside education, employment and training.³

Standing (2011) identifies a global 'precariat', a 'new dangerous class' of younger people, often with good educational qualifications, but facing long-term insecurity of income and employment, which spearheaded the uprisings in the Arab world. One risk is that these revolutions will lead to mass migration into Europe, and to anti-immigrant movements of the kind already evident in Sweden, the Netherlands and Denmark. Instead of uniting to demand the BI, the precariat might form the basis for a new fascism.

The basis for a global movement

So it is crucial that proposals for a transition to BI in the affluent countries take account of the risks as well as the opportunities of the present situation, and that advocates target the precariat for their support. In this regard, Japan is a good model; there Toru Yamamori has always focused on organising homeless and precariously employed citizens around BI. He was partly inspired by interviewing elderly former activists from the Newton Abbot Claimants Union of the 1970s on a visit to England.

It is also very important that advocates convey a realistic version of what BI can achieve. Gone are the days when it can be represented as a panacea

³ BBC Radio 4, 'Economic News', *Today*, 28 February 2011.

for humanising capitalism, and making it consistent with global justice; more credible would be the claim that it might be the last best hope of a dignified decline of the West in the century in which the East will rise to economic dominance. And we should not be too proud to acknowledge that several developing countries such as Brazil and Namibia have stolen a march on us in recognising the pragmatic advantages of BI for social harmony amid glaring inequality.

The new global capitalism consists of a super-rich international elite, highly mobile between countries, and with few emotional or political commitments to any particular regime. In so far as a small proportion of any state's citizens have strong links to this elite (for instance, those working in the City of London) these along get the full benefit of the plutocracy's wealth. A dwindling proportion of what Standing calls 'proficians' – skilled experts in various fields – are all that remains of the majority who once had careers and income security. For all the rest, BI offers their best prospect of developing a portfolio of activities in a reasonably planned and self-directing way, and of improving their collective environment in co-operation with others.

In this respect, countries like Mongolia have recognised the future sooner than we have; the discovery of enormous mineral wealth means that the rich few must dispense BIs to yak herders, subsistence farmers and petty traders, to maintain the social fabric. In my role as a peasant (producing apples, not yak cheese), I can see that much of the UK economy already resembles the Mongolian one, though in a shabbier form, and little of it makes much longer-term sense. Occupations like clowning and obesity counselling are among the few still experiencing expansion; in the public sector, it costs £460 to cull each ruddy duck (to protect the Spanish white-headed one) and £1,200 to pay me the EU subsidy of £150 for my grazed orchard. Surely someone can show the young generation that BI offers a better way.

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Should a Marxist believe in human rights?

Justine Lacroix

*Philosophers have merely interpreted the world in various ways;
the point is to change it.*

Karl Marx¹

Abstract (in French)

Pour la plupart des interprètes, il existe une opposition radicale entre la pensée de Karl Marx et les revendications en faveur des droits de l'homme. Cette grille de lecture s'est trouvée récemment contestée par David Leopold. Dans l'ouvrage qu'il a consacré au jeune Marx, ce dernier plaide qu'il y a peu de traces d'une réelle hostilité au concept de droit chez l'auteur de Sur la question juive. Cette interprétation stimulante n'est pas tout à fait convaincante. Il semble difficile de nier que Marx est resté prisonnier d'une version idéologique des droits de l'homme. En revanche, on peut argumenter que la pensée de Marx souffre, sur la question des droits, d'une incohérence logique et qu'elle présente en son sein les ressources nécessaires pour résister aux violations faites aux droits de l'homme.

Nearly thirty years ago, Steven Lukes published an article entitled 'Can a Marxist Believe in Human Rights?' He answered his own question categorically, saying that 'the Marxist canon provides no reason for protecting Human Rights (...) a Marxist cannot, in the sense indicated, believe in Human Rights. Many non-hypocritical and non-self-deceiving Marxists who do can only therefore be revisionists' (Lukes 1982: 344). To be sure, Lukes did not argue that it was impossible for those with Marxist affiliations and beliefs to subscribe to the concept of human rights. He did, however, maintain that they could not do so consistently: for Lukes, 'to take human rights seriously' – that is, to give priority to the interests they presuppose and the obligations they impose – was 'not to take Marxism seriously' (Lukes 1985: 70).

¹ Karl Marx, Thesis XI on Feuerbach, cited by Philippe Van Parijs to illustrate the philosopher's task during a teaching seminar with Luuk van Middelaar and Helder De Schutter at the Facultés Universitaires Saint-Louis, Brussels, 24 February 2011.

Indeed, Marx's early diatribe against human rights as 'nothing but the rights of the member of civil society, that is selfish man, man separated from his fellow men and from the community' is well known (Marx 2007: 44). Proclaimed as universal rights pertaining to the abstract individual, Marx suspected that human rights in fact promoted the interests of a highly specific person: the property-owning individual in the capitalist system. Moreover, he argued, bourgeois ideology defined not only the context in which rights emerged, but also their form itself (Waldron 1987: 126). The nature of these rights is ultimately selfish, since it assumes that there will always be a significant enough potential for conflict between individuals to make a coercive authority necessary in order to ensure that the actions of others do not endanger the individual's pursuit of his/her own interests. In short, according to Marx's interpretation, human rights feed what today we call 'social atomism'.

However, the term 'atomism' is misplaced here, since what Marx emphasized was in fact the difference between social 'atoms' and members of civil society. In *The Holy Family*, he thus observed that the defining characteristic of an atom is its self-sufficiency and autonomy. The selfish individual, on the other hand, may cherish the illusion of being a self-sufficient atom, but reality is there to remind him that he does in fact have needs. This is why one can say that a definite bond exists between the members of civil society in the shape of interest. This is the source of the contradiction that trapped Robespierre, Saint-Just and their followers: that of believing it possible at once to proclaim the rights of man – the rights of general competition, anarchy and individualism – and, at the same time, to model collective life on that of antiquity.

Leopold's interpretation

On first glance, it therefore seems difficult – following Lukes and most other commentators – to deny the existence of a radical opposition between Marxist thought and the claims made for human rights. However, the certainties of this interpretative scheme were arguably shaken by the publication of David Leopold's *The Young Karl Marx* in 2007. In this study devoted to Marx's early writings, the author affirms that – contrary to 'an interpretative commonplace' – he can find 'little sign of this purported hostility to moral rights either in this text or elsewhere in the early writings' (Leopold 2009: 150).

The first step of Leopold's argument is to contest the moral status of individuals in Marx's work. In the broadest sense, to affirm that an entity has rights amounts to saying that it enjoys an independent moral status. To

say that someone has 'rights' means, in this sense, that one considers an individual as an end in herself. Now, it seems clear that the young Marx believed in rights in this broad definition. For instance, he evidently believed that individuals have an intrinsic moral meaning. He argues vigorously against 'objectification', that is treating human beings as objects or commodities. Thus, when Marx deplores modern working conditions for reducing the worker to a machine, he is in fact condemning the mistreatment of an entity with independent moral status as if it were an entity without any defined status (Leopold 2009: 150).

It might nonetheless not be too much of a surprise, continues Leopold, to see that the young Marx believed in rights in this broad sense. According to the same definition, practically all normative theories might be interpreted as subscribing to rights. When commentators observe that Marx is hostile to the idea of rights, they are working on the assumption of a more restricted conception of rights. Rights in this narrow sense are defined as the prohibition of certain actions even if those actions could lead to a better collective result. In this definition, rights are seen as an independent paradigm which recognizes the moral value of factors outside the expected outcome of the action, and invests these factors with an importance over and above the outcome.

But once more, in Leopold's view, the concept of 'objectification' in Marx's work seems to correspond to this more restricted notion of rights. Thus when Marx identifies a number of ways in which a poor individual's life, skills and work count only as guarantees against a loan, 'Marx is not simply saying that humans have a moral standing which dollar bills lack; he is claiming that humans have a moral standing which we have a duty to respect and which we fail to respect if we treat them (at least treat them systematically) in certain ways, namely as if they were objects' (Leopold 2009: 153). In other words, Marx holds in his early writings that individuals do indeed have a moral right not to be systematically treated as objects, and that if we treat them as such we violate that right. This injunction not to treat human beings as objects implies a deontological interpretation in as much as it posits the existence of moral considerations independently of any positive outcome of actions.

One might, however, object here that Marx's vision of rights must not be reconstituted on the basis of his beliefs about the moral status of individuals: that one should instead look at what Marx said explicitly about rights themselves, and would then see that he shunned any reference to rights. But in Leopold's analysis, Marx's early writings reveal little evidence of such hostility to the idea of rights. In particular, one might argue that *On the Jewish Question* is not in fact an attack on rights in themselves. When Marx

analyses 'human rights' as separate from citizen rights, it must be remembered that his main aim was to refute the argument of Bruno Bauer: that holding a particular religious belief or displaying a particular form of selfishness were good reasons for excluding individuals from the benefits brought about by human rights. Marx consistently avoids condemning the benefit itself (freedom of conscience, expression and association) or refusing the fact that individuals have a right to these benefits. Rather, he critiques the way in which they are understood and implemented by modern states.

In other words, the aim of the discussion of rights in *On the Jewish Question* is to refute Bauer's argument that the selfish and religious nature of the Jewish population should bar it from access to human rights: 'Marx's own argumentative strategy in this discussion is not to attack the very concept of right, but rather to reject this contemporary justification for excluding Jews from the possession of human rights' (Leopold 2009: 161). The basis for critique is in fact not so much rights, but rather a model of political life that underestimates the value of community and citizenship by making the partial individual of civil society the only real human being.

A narrow view of the significance of human rights

Albeit highly original and developed, Leopold's new reading of human rights in Marx's oeuvre is not truly convincing.

The first limitation of Leopold's argument lies in its insistence on the immediate historical context of Marx's work. The focus on the context for *On the Jewish Question* certainly serves to remind us that Marx's first objective was to refute Bauer's argument that the Jewish population should not see the benefits of political emancipation. In other words, this work *in practice* pleads in favour of recognizing equality of rights for the Jewish population. But in the same gesture, the emphasis on the immediate context of *On the Jewish Question* hides the fact that the denigration of human rights was a consistent feature of Marx's works, and one which therefore goes well beyond his reply to Bauer – whether in *The Holy Family*, *The German Ideology* or the *Critique of the Gotha Program*. At the very end of his life, Marx explicitly emphasized that 'rights can never be higher than the economic form of society and the cultural development which is conditioned by it' and that only 'in a higher phase of communist society (...) can the limited horizon of bourgeois right be wholly transcended' (Marx 2010: 214-215).

As Claude Lefort has demonstrated, Marx failed to see the truly political dimension of the 'human rights' (e.g. the right to resist oppression, the right of association, the right to freedom) that he contrasted with citizen rights – and as a result interpreted them as individualist by definition (Lefort 1986:

245-259). It seems difficult to deny that in Marx's view, human rights were selfish by definition and citizen rights were by the same token contaminated by the atomist nature of capitalism (Waldron 1987: 12). More specifically, Marx gave credence to the liberal idea that the Declaration had instituted the separation of the social and the political, of the public and the private. As Etienne Balibar has written, this is 'a complete misunderstanding with the respect to the letter, the materiality of the text. Man in the Declaration is not a private individual in opposition to the citizen who would be the member of the state. He is precisely the citizen....' (Balibar 1994: 46). A rereading of the 1789 text is enough to show that a number of the rights identified as 'human rights' – liberty, resistance to oppression, free communication of thoughts and opinion – necessarily bind the subject to other subjects.

Furthermore, Marx failed to grasp the destabilizing nature of rights discourse: that the lack of ultimate basis for human rights could, by way of its indeterminacy and resistance to clear definition, contribute to furthering the struggle for emancipation. Marx did not see that a politics of human rights "begins by taking democracy to its limits (...) in order to mark immediately that the rights that we have have no reality and no value except as political rights, rights of the citizens, and even as unlimited right of all men to citizenship" (Balibar 1994: 212). Marx remained in thrall to the ideological narrative of rights, without grasping what they might mean in practice and how they might be agents of radical social change (Lefort 1986). He failed to realize that the words of the Declaration had themselves immediately escaped the control of those who had penned them, going on instead to furnish claims for women's rights, workers' rights or the rights of colonized peoples (Balibar 1994: 43). Marx did not pick up on the third way between human rights as an abstraction and citizen rights, subsequently envisaged by Rancière: that rights might be 'the rights of those who have not the rights that they have and have the rights that they have not' (Rancière 2006: 61). Put differently, rights can give rise to consciousness of rights, so that individuals and groups may imagine and act in light of rights that have not yet been formally recognized or enforced by officials (Mc Cann 2004: 7). In this sense, Lukes's argument that 'Marxism has inherited too narrow an account of the significance of rights and too narrow a view of the circumstances that render them necessary' remains broadly sound (Lukes 1985: 66).

Was Marx coherent in condemning human rights?

Nevertheless, without claiming to find a positive interpretation on human rights in Marx's writings – a claim that would require grave distortion of a

number of texts published after *On the Jewish Question* – one can still suggest that his thought suffers from a logical incoherence on the subject. More specifically, one could extrapolate to human rights Jon Elster's remark about Marx's explicit denial of advocating a particular conception of justice: 'It remains a puzzle how Marx could hold these views and also characterize capitalism and communism in terms that strongly suggest a particular conception of justice. One is left with the answer, although it is difficult to accept when interpreting a writer of Marx's stature, that he did not really understand what he was doing. He was a bit like M. Jourdain (...) who is astonished to learn that he has been speaking prose all his life without knowing he was doing something so fancy. Unlike M. Jourdain, however, Marx went out of his way to refute the correct description of what he was doing' (Elster 1999: 93).

How can we otherwise explain Marx's appeal to the same concept of 'right' in order to reply (in the negative) to his question to Bauer: 'If Bauer asks the Jews: from your standpoint do you have the right to desire political emancipation? Then we ask in return: does the standpoint of political emancipation have the right² to demand of the Jews the abolition of Judaism, and of mankind in general the abolition of religion?' (Marx 2007: 32) Instead of attempting to reveal that Marx was in no way opposed to the concept of right – as Leopold does when he cites this important passage (Leopold 2009: 159) – it is more useful to borrow from Elster's formula and suggest that 'Marx is arguing in prose against the possibility of speaking prose' (Elster 1999: 97)

One can advance, in other words, that Marx's theory – although certainly not presented as a theory of human rights – nevertheless provides at its core the tools to resist any attack on human rights. The dramas being played out today around human rights claims – the defence of the individual considered as 'authentic' in her universal capacity for freedom above and beyond the citizen and his belonging to a particular national or historical community – can look to Marx's theory of the means of social production for support. Marx's rejection of the ideology of human rights, then, does not mean that his theory of social history runs contrary to affirming the principle that humans as individuals have a right to define themselves as absolute ends by freely stating their liberty.

² « Das Recht »

Conclusion

This last idea brings us back to Steven Lukes's question: 'Can a Marxist Believe in Human Rights?' If a 'Marxist' is someone who follows the Marxist text with literalist fervour, the answer undoubtedly remains 'no'. If, however, a Marxist is someone who – albeit recognizing that Marxist theories are 'shot through with errors of detail, even have basic conceptual flaws, yet remain immensely fertile in [their] overall conception' – can 'trace the ancestry of his most important beliefs back to Marx' (Elster 1999: 3-4) the answer then becomes: 'Yes, she can. And in fact, she should'. This moreover, is what Steven Lukes himself means when he asks whether the Marxist conception of liberty can really be achieved without elaborating a true theory of justice and rights in its support (Lukes 1985: 149).

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Why has Cuban state socialism escaped its "1989"?

Reflections on a non-event

Claus Offe

Abstract (in German)

Der Essay fasst die Thesen zusammen, die der Verfasser (in der Absicht einer gleichsam experimentellen Provokation) in Vorträgen an der kubanischen Akademie der Wissenschaften in Havanna entwickelt hat. Warum hat das "kubanische Modell" des Staatssozialismus, anders als ähnliche Regimes in Europa, trotz seiner manifesten Stagnationstendenzen und Fehlentwicklungen bis in die jüngste Zeit praktisch unverändert überlebt? Politische und ökonomische Institutionen gehen aus Entscheidungen hervor, in denen sich Lernprozesse spiegeln; aber umgekehrt können Institutionen, wie das versteinerte "Modell" Kubas zeigt, Lernprozesse und institutionelle Entscheidungen auch blockieren. Märkte, Privateigentum und die Prinzipien der liberalen Demokratie können durchaus als Vehikel kollektiver Lernprozesse verstanden werden, die keineswegs zwangsläufig auf eine Verletzung von sozialistischen Zielen der Gerechtigkeit und der politischen Autonomie hinauslaufen. Im Gegenteil: Sie können diesen Zielen dienen.

Introduction

In 2009, the unpredicted, sudden, non-violent, and irreversible breakdown of authoritarian state socialism twenty years ago in Central Eastern Europe and, shortly later, the Soviet Union as well as the subsequent transformation of its system into a regime of democratic capitalism was widely remembered. Few would disagree that this event was the most consequential one to affect the region and the world since the end of World War II. But this breakdown of and transition from state socialism was far from universal. It took place in all (but only in those) states whose national capital is located in Europe. This applies, with widely varying degrees of success, to all those states which had previously belonged to the Warsaw Pact system, on the one hand, and Yugoslavia, on the other. New states emerged through separation, and one state – the GDR – disappeared through fusion with another state. But authoritarian state socialism did survive in non-European parts of the world, with China, North Korea, Vietnam, and Cuba being the most significant instances of political regime continuity. Future historians will have to fully account for these non-events.

Why have they withstood the dynamics, evidently so highly contagious elsewhere, of state socialist regime breakdown?

Among these, Cuba, the small, poor, and geographically remote island state existing under severe economic, military, and political threats and sanctions orchestrated by the US and therefore, throughout most of its history since 1959, entirely dependent upon the now defunct Soviet Union, is arguably the greatest puzzle. As a former colony of Spain, it is culturally (in terms of language and religion) a predominantly "European" country, although elements of African culture are also present in the spiritual and artistic life of the country and the ethnic composition of its people. Furthermore, there cannot be any doubt that the economic conditions of Cuba today are – and continue to be – at least as crisis-ridden as were conditions in the Warsaw Pact and CMEA countries in the late eighties. All these aspects and conditions would have led observers to expect a similar regime change to take place as it occurred in Central and Eastern Europe. Yet such an event did not happen so far, although there are now (April 2011) clear signs that basic economic reforms (as they also were adopted in Vietnam and China) are in the making, although they are not accompanied by the liberalization and democratization of the regime itself.

How do we make sense of this non-event, both in Cuba and elsewhere? As far as Cuba is concerned, academic experts speak of "Cuban exceptionalism" (Laurence Whitehead) and a political economy that is based on a rather unique synthesis of state socialism and nationalism. Whereas in Central Eastern Europe the desire for national independence and self-determination always resulted in the quest for emancipation from Soviet rule and its economic implications, a rather extreme form of state control over the economy as well as political authoritarianism were both successfully advocated by Castro and the political elite as the only way to *safeguard* Cuban independence from US interference. The perception of such existential threat, as it was so plausibly corroborated by the policies of the two administrations of George W. Bush, has served as cement for the Cuban version of state socialism. Yet that cement is clearly crumbling, not just because of the very different gestures and initiatives coming from the Obama administration, but also because of the accumulated internal political and economic crises of the island. To illustrate the latter, the Cuban economy suffers today from a vast underutilization of its productive resources (both land and labor), while at the same time depending on the import (mostly from the US) of up to half the foodstuff consumed. Political and economic elites of a country in which such conditions prevail have very good and urgent reasons, it would seem, to think about and implement institutional reforms which might help to stabilize, perhaps even improve the situation.

Building a viable political economy: basic choices¹

1. To get started, some basics. Economic systems - sets of rules that govern the production and distribution of items valued as being useful - are in no way "*natural*". And neither are they ever unambiguously "*rational*". Instead, they are based upon *institutional choices* that have been made by concrete agents at some historical point in time and can (and often will have to) be changed at another historical juncture or even in an ongoing process of adjustment. Such institutional choices are by their nature *political*, i.e. they are being made (as well as defended and criticized) in terms of the interest of entire societies in their *wellbeing*, based upon some (essentially contested) conception of *justice* and by the means of some collectively binding *political authority* and its mode of *legitimation*.

The menu of choices available is often misleadingly framed in terms of a dichotomy. This dichotomy suggests that there is a choice to be made between pure "socialism" (with *state-owned property* as its major structural feature and *planning* as its procedural feature) and "capitalism" (with *private property* as the economic structure and *pricing through markets* as the dominant procedural feature). A look at actually existing economic systems shows that, *in between* these polar types, there is a huge variety of hybrids, all of which must be understood as sedimented choices that have been made at some point by holders of political power under some kind of historical, economic, political, or normative constraints.

To illustrate, there is a myriad of options that policy makers can adopt concerning *property rights*. These rights specify three things. First, how can property in productive assets be *acquired* (e. g., through various kinds of "original appropriation", through credit and the design of the financial system and the stock market that provides it, through cooperatives, joint ventures, mergers, etc.)? Second, what can owners (and, as the case may be, managers) *do* with productive assets once appropriated (which is subject to a vast variety of regulatory rules concerning the production process and its products, aimed at protecting consumers, workers, and the environment)? Third, what is to happen with the net *results* of the production process (either profits or losses), which can be taxed, subsidized, consumed, re-invested, shared among workers and investors, etc. Moreover, all these features of property rights are typically subject to constant political conflict and change. Once we realize how many options exist concerning these basic

¹ In what follows, I summarize eleven points I presented in three lectures presented in the framework of an international conference organized by the Ebert Stiftung in the premises of the Cuban Academy of Sciences and other academic institutions in La Habana on the subject of "Social Democracy and the Cuban Model" in January 2009.

institutional parameters of the economy and its various sectors, we come to realize that a dichotomy of "socialism" *vs.* "capitalism" is analytically virtually meaningless as a matter of all-or-nothing.

Even if we imagine a perfectly "socialist" system of production, one that is based on full state ownership and comprehensive planning of outputs as well as prices, we still must allow for the two facts that, first, such an economy is typically embedded in *international* markets (for products, raw materials, investment goods, etc.). Secondly, as evidence shows, the "purer" a planned socialist economy becomes at the official level, the more likely it is to develop an *informal* economy of "wild" and *poorly regulated* market transactions as an *internal* environment. In sum, we can say that all reasonably complex economic systems are *mixed* economies. Consequently, the issues of investment, growth, productivity, and distributional patterns all boil down to the question of *who does the mixing*, in the framework of what kind of policy-making institutions, according to what kind of normative notions of wellbeing, and within what kinds of resource constraints.

2. The economic system of *market societies* is a good example of how its basic rules of operation result from institutional choice made through political decisions in regard of a particular notion of wellbeing and justice. Markets are *politically* established devices to promote the wellbeing of some community the members of which share a common interest. There are basically three *founding decisions* as a consequence of which a market system comes into being. First, *property* in productive assets is declared *private*, meaning that the right to dispose over property is declared to be the (more or less) exclusive right of private owners. Second, *prices* are not administered, but determined by *competitive processes* on the demand and supply side of markets for particular commodities and the factors employed in their production. Third, the *transactions* among market participants are regulated by commercial and other kinds of legal norms plus the politically instituted agencies designed to adjudicate conflicting claims and to enforce laws and court decisions. Like all other economic systems, market systems are thus "embedded" in all kinds of legal, and, beyond that, of social and moral norms and rules.

3. There are two schools of thought answering the question *why markets* (together with a high degree of privatization of property) *should be preferred* to other economic arrangements in terms of the wellbeing they generate. One claims no more than that markets are preferable simply because they *maximize liberty*, or non-interference of political authorities with the plans

and decisions of private citizens as owners. This is what so-called *libertarians* believe. The other claims that markets serve wellbeing because they *enhance efficiency*. They are believed to do so, first, by placing a premium on relatively more efficient methods of production, thus *rewarding innovators* who introduce more productive methods because they, as every competing supplier, are driven by the desire for *private profit maximization*. Secondly, they drive out of the market those "marginal" suppliers who fail to meet minimum thresholds of efficiency, thus providing a powerful (if inconspicuous) mechanism of *collective loss minimization* and, as a result, saving society as a whole from the relative sacrifices and welfare losses all members would have to make due to the survival of methods of production that are (at any given point in time) unnecessarily inefficient or wasteful.

There are also two classical arguments fashioned to defend private property. First, the predominantly private appropriation of profits (and losses!) promotes the *self-ascription* of the causes of failure. If losses occur, there is *no one else* to blame than the one who made the respective decisions on investment and production. Second, such self-ascription will enhance learning – the constant search for product markets and methods of production by which the likelihood of individual losses can be reduced. Needless to say, these defences of markets and private property can (and must) be criticized for their limitations. (see # 5)

4. There are two ways in which institutional choices and political decisions on which an economic system is built can be *wrong*: they can be *simply* wrong and *seriously* wrong. Institutional choices (such as the choice of some configuration of features of a market economy) are *simply* wrong if they turn out to yield less wellbeing than anticipated and promised by their proponents. In that case, a new round of institutional choices will be called for, and a *political learning process* sets in, as the outcomes of which (simply) wrong decisions will be corrected. People, after all, can learn from their errors and mistakes. One of the most attractive definitions of socialism that I have seen is Fidel's, who claims that socialism is equivalent to organized learning – to the ongoing process of "changing everything that needs to be changed". While this definition, to be sure, remains silent on what are the criteria for *what* "needs" to be changed and *who* actually *does* the changing, it resonates with the proud republican ideal of society being in full and independent control of its own fate.

But there are also *seriously* wrong institutional choices, in that they *block the capacity for institutional learning* and self-revision. If such institutional freezing happens, previously made (simply) wrong decisions become *irreversible*, and people are trapped in the consequences of the wrong

decisions they have made at an earlier point without being able to escape from them through learning. Seriously wrong decisions can occur when those who made them and defend them are placed in a position of *unaccountable power*, with such power being defined as "the ability to afford *not to learn*" (Karl W. Deutsch). Social democrats and democratic socialists adhere to the (no doubt highly optimistic) belief that, assisted by an appropriate design of *political* institutions, societies can put themselves in a position to limit their wrong choices to *simply* wrong choices, while *seriously* wrong choices can be reliably avoided. Social democrats, in other words, believe that the political institutions of liberal democracy allow them (and all of us) to ride the capitalist tiger while at the same time benefitting from some of the benefits of market society that I have summarized under # 3. Neo-liberals, in contrast, believe (at least used to believe until very recently) that the animal in question is a pet that is best left to follow its own paths.

5. What are the "simple" wrongs associated with capitalist market economies? Three answers have been put forward in the history of critical thinking about capitalist market society. First, as classical political economists from Smith to Marx agreed, market competition tends to be *self-subversive* and leads to centralization, monopolization, and cartelization. Second, as 20th century critical theorists have argued, market competition, far from drying up, tends to *flood* social life in its entirety. In the process, it generates types of personalities that are selfishly and unscrupulously obsessed with selling and buying, investment and profit, and private consumption. These personalities suffer from pathological deformations that have been described as anomie, alienation, and people's trained incapacity to honor all those social norms, cultural values, and standards of civilized life that transcend the logic of individual gain. At the same time, methods of competition become progressively more unrestrained. While originally market competition is conducted in terms of better products, lower prices, and greater work effort, it is now conducted in terms of deceiving customers, bribing politicians into favoring certain industries, causing addiction, blackmailing suppliers, exploiting information asymmetries, the use of military force to destroy competitors and gain control over resources, and finally of competitors cutting each others' throats.

A third critique of what markets do to social life claims that they become positively destructive as they are extended to the *factors of production* themselves, i. e. to labor, natural resources, and money capital. These factors are treated by markets *as if they were* in fact tradable commodities, which actually they are not (as their coming into being is not guided by the *purpose* of being traded, as is, by definition, the case with ordinary or "genuine"

commodities). The consequences of this "misunderstanding", i.e. the commodification of non-commodities, are disruptive social conflicts and self-destructive crises (such as, according to the reading of some, the current financial, labor market, and ecological crises).

6. Social democrats and democratic socialists believe (and are positively *defined* by their belief) that the resources of *political power* that can be mobilized within the institutions of a liberal democracy are sufficient and adequate to cope with each of the three destructive side-effects of market society just summarized. To wit, antitrust legislation and its vigorous enforcement, designed to strengthen competition, is believed to counteract the first of our three pathologies. The second is addressed by a great variety of regulatory and market-constraining policies, national as well as internationally coordinated, enforcing the honesty, fairness, and transparency of market transactions. Finally, the third set of problems is approached by applying protective measures and guarantees both to employees (non-negotiable status rights provided by welfare state and co-determination arrangements) and natural resources (environmental protection), with the ban on purely speculative financial market transactions (i. e., the commodification of money) that have severed their ties to the "real" economy being an urgent contemporary third item within this bundle of protective policies. These protective measures are adopted to ensure that "exploitation" (i. e. the taking of unfair advantage among economic actors) is effectively foreclosed. Whether or not these beliefs in the potency of corrective policies will still turn out to be valid is a question the answer to which depends critically, in the face of "globalization", on the capability of states to engage in *supranational* forms of regulation and protection. Social democrats carry a heavy burden of proof: should their beliefs turn out to be untenable, or the practical implications of these beliefs unfeasible, global society will be left exposed to disruptive crises and to the conflicts resulting from giant injustices.

7. Why is it that *liberal democracy*, as opposed to some form of authoritarian egalitarianism, is believed by democratic socialists to be an adequate institutional framework for coping with the inherent pathologies of capitalist market societies? The quality of a democracy being liberal means that *rights* of citizens provide for limitations and constraints on the extent to which political power can be used for (supposedly) collectively beneficial goals. "Liberal" democracy means that there are (human, economic, cultural, political, social) rights attached to *persons*; these (largely inalienable) rights can be used by them according to their own preferences and interests and

enforced in independent *courts*. There is clearly a tension between the two defining features of a polity being liberal and at the same time democratic. If the "will of the people" is supposed to rule, why accept limitations to that rule by recognizing and enforcing liberties, the use of which may turn out to restrict and interfere with democratic rule?

The short version of the answer is that the "will of the people" is a homogenizing *artefact* fabricated by leaders (however benevolent they may happen to be) rather than a *reality* that can be determined, or derived from any political doctrine, *in the absence* of people using their rights to express what their will actually consists in. If I am not mistaken, there is, in some regions of Latin America, a strong tendency by political elites to claim a *certain knowledge* of what people want and need; this tendency is most understandable under conditions of profound and evident social injustices. Yet it is a tendency that is in danger of de-activating and alienating exactly those "people" in whose name leaders of progressive populist movements claim to speak. It is true that at least some people can use their rights in order to obstruct progressive policies; they can be stopped from doing so by any combination of the three antidotes mentioned in #6. They are likely to make every effort to act even more obstructively in case they are deprived of these rights.

8. Rights are containers of *liberties*. There are (at least) two vastly divergent interpretations of what "liberty" means. One is the *libertarian* reading or "*liberty from ...*". It emphasizes the negative and passive aspect, as the liberty is seen to consist in, according to this interpretation, the right *not to be interfered with* in the *use* of the right (of property, of opinion and its expression etc.) by political authorities. The other is a positive and active reading, or "*liberty to ...*". To be free means, at the individual as well as on the collective level, to be in the possession of the resources and security that allow you to pursue your own life plans and fashion your own way of living so as to realize the full potential of your social existence, as long as doing so does not interfere with the equal liberty of any other person. Thus, a person is free if and when s/he is in full possession of the resources and opportunities needed to be in control of one's own fate and at the same time free from fear and asymmetrical dependency upon others. According to this reading, liberty is something that must not just be *respected* by authorities; it is something the essence of which must be *provided for*, generated, and guaranteed by political authorities. To illustrate the difference between the two readings: A person who is a long-term unemployed in a contemporary European country enjoys perfect liberty according to the first understanding of the term. But s/he suffers from a total denial of liberty according to the

second. But that does not mean that both of these liberties cannot come together, with the second coming on top of the first.

9. Analogous ambiguities apply to the notion of *equality*. Here, even three interpretations can be distinguished. One is the minimalist *liberal* reading of *equality of rights*. This notion suffers from the evident difficulty that having rights does not itself provide the resources that you need in order to enjoy and *make use* of that right, as in the case of property rights. Also, some rights may be equal in form, but highly specific in substance, such as the negative right (= prohibition) in the famous line from Anatole France: "The law, in its majestic neutrality, prohibits rich and poor alike to steal firewood and sleep under bridges". Therefore, the liberal reading is clearly not good enough, as equality of rights can positively cement inequality of outcomes which result from the unequal access to the use of rights. But neither is the maximalist, i. e. strict "socialist" reading which takes equality of *substantive outcomes* as the yardstick. Happily, it has never been implemented, as the necessary means to actually implement it are clearly frightening and contradict *any* notion of liberty.

So, any serious defence of equality has to settle for a third and intermediate understanding which relies on the notion of *equality of opportunity*, or the effective neutralization of morally irrelevant factors (such as race, gender, family background, access to capital etc.) in the distribution of opportunities and determination of outcomes. Thus a strong version of "equality of opportunity" does not just mean *absence of discrimination* (as a weak one would), but, in addition, the *presence* of policies that are effective in neutralizing those morally irrelevant determinants of life chances. As it happens, this understanding seems to fit perfectly with the second understanding of liberty, rather than standing in contradiction to it, as much of liberal political philosophy routinely claims. Yet even the strong version of the equality of opportunity principle may well imply considerable differences of outcomes (for instance, individual incomes). These differences, however, are entirely unproblematic in normative terms (and arguably even productivity-enhancing) – as long, that is, as nobody suffers from poverty as a consequence (with "poverty" meaning the deprivation of resources and opportunities – "capabilities" in the terminology of Amartya Sen – as required according to the second reading of liberty). The range of those legitimate differences of outcomes is further constrained by the two conditions that "better" outcomes are neither due to corruption nor to political status privilege.

10. Today, GDP per capita is the virtually universally employed measure of wellbeing, and the annual increase of this ratio is held to be the quintessential measure of economic progress. These are simply embarrassingly unintelligent measures of the qualities and improvements of entire societies. If school-age children spend all day earning money by selling chewing gum and sun glasses to tourists, they add thereby to GDP but waste their future opportunities by paying the opportunity costs of not attending school. There must be better indicators of wellbeing and development – perhaps less easy to measure and to process in statistics, but more meaningful in substance. One measure might be the degree to which society has managed to reduce its involuntary capacity underutilization – such as unemployment of labor or the underutilization of land that is available for agrarian production.

Why is it that the equation of growth with wellbeing is inadequate? It is not just because the rate of growth doesn't tell us anything, as such, about the *distribution* of the increment. It is also because the main problems on the political agenda of the 21st century are at best only marginally resolved (and even partly made worse) by economic growth and an increased rate of growth. Let me briefly specify what these problems are. Three of them are "systemic" and the other three concern normative minima. The three systemic problems constitute, as long as they are unresolved, a threat to the reasonably civilized survival of (major parts of) mankind. This applies to the triplet of *energy*, *climate*, and *security*, all of which are closely interconnected. The other set of problems concerns *poverty*, *health*, and *human rights*. To repeat, economic growth is entirely unrelated (and in some aspects, such as energy consumption, even negatively related) to the progress mankind makes towards the fulfilment of these problems of public policy, national as well as international.

11. Finally, after discussing the question 'Why liberal democracy?' (#7), we also need to address the issue of 'why (liberal) democracy?' The essence of modern democracy is captured by three essential features: institutionalized *representation*, *contestation*, and vertical as well as horizontal *accountability*, with the former of the two kinds of accountability being based upon freedom of media and freedom of association. There are two widely shared though *erroneous* beliefs about democracy which democratic socialists do their best to correct. First, the belief that benevolent authoritarian rule is good for promoting economic development, because firm hierarchical control of production and distribution will allow the economic system to operate more "rationally". Second, the belief that only relatively rich countries can afford democracy. Both propositions are wrong (as,

concerning the latter, not just the example of India demonstrates). Moreover, democracy can significantly *contribute* to development by providing voice to constituencies. Democracy provides powerful sources of information to non-elites, as well as, due to the resulting learning pressures, to rulers and leaders. Democratic socialists believe that institutionalized opportunities to bring such pressures to bear are essential preconditions both for maintaining the involvement of the people as well as the responsiveness of elites.

Conclusion

Unsurprisingly, my attempt to convince people – in this case a small audience of committed loyalists of the "Cuban Model" – of the view that there are choices to be made, reasons not to postpone them indefinitely, and reasons to prefer one alternative over its opposite did not result in the evidence of an overwhelming success. That may have been entirely a failure of the speaker, who was consistently treated with the academic courtesy that is considered due to someone who had travelled from a distant place. Hardly any of the thoughts I had presented was systematically challenged in the discussion, nor was a single one accepted as a useful starting point for further considerations. This was still another puzzling non-event that I had to come to terms with.

I tried to do so in the following manner. The institutions of liberal democracy – contested elections, human and civil rights, rule of law, accountability of representative government – can be viewed in two diametrically opposed ways. For one thing, they can be framed as political resources the universal availability of which will empower "our" enemies (at home as well as abroad) who would use them to promote their hostile and subversive machinations. Hence, granting such rights and institutions would invariably exacerbate disruptive conflict and put in jeopardy the accomplishments of the revolution. Here, liberty is framed as a source of *anarchy* and *regression*. On the other side, liberal democracy can also be viewed in the opposite manner, namely as an arrangement that helps to institutionalize, domesticate, and normalize conflict. For whoever loses in a conflict does not thereby lose the right to "try it again". In this perspective, liberty is seen as a condition that positively generates a kind of social order that results from the continuous processing and ongoing accommodation of conflict.

Why is it that the elites of state socialist regimes show a virtually instinctive preference for adopting the first of these frames, implying that the second frame consist largely of fraud and (self)deception? This is the question I have been asking my Cuban (and later also some Chinese)

interlocutors. The answers, as suggested by academic intellectuals of various age and status groups, differ considerably. "There is no culture and tradition of human rights in this country" is one of them. Another is that the accomplishments of our revolution clearly outweigh the sacrifices that are needed in order to protect and defend those accomplishments. Others indicate sheer fear of uncertainty: nobody knows what is going to happen if we liberalize. Also, arguments from interest were clearly playing a role: why should we risk our (the elite's) privileges by granting institutional status to our opponents? A more sophisticated version is this: As we have failed to try liberal democracy at an earlier point in time when it still might have worked, it is now too late, as so many complaints and grievances have accumulated that the first frame will inevitably turn out to be valid as a consequence.

What these answers have in common is an almost "tautological" mental lock-in effect: As things are as they are, they will have to stay that way. It is the very need to "learn" that has not yet been learned, as such second-order learning is not being licensed nor encouraged – indeed, not even permitted.

To return to the question posed in the title of this essay, why is it that Cuba has so far escaped a regime breakdown and transition to a democratic type of regime? Two answers may add up to an adequate understanding. For one, the greatest accomplishment of the Cuban revolution is the preservation of national independence from the US. This, together with what has been achieved in the fields of health and education, is widely and proudly celebrated on the island as an unparalleled success story – as a feat of collective freedom that benumbs the experience of individual unfreedom and economic malaise (which in its turn is visibly undermining the state's capacity to maintain the decaying educational and health systems). The other answer consists in a counter-narrative that has so effectively been staged (and used as a pretext of harsh political repression) by Cuba's party elite: any opening and any concession will be exploited by the US to subvert the revolution together with the national independence and social progress it brought to the Cuban people. No doubt, this counter-narrative has been supplied by the other side with some plausibility, if more so under Bush than under Obama. Yet the explanatory force of either of these narratives is presently in a rapid process of wearing thin under the impact of Cuba's home grown economic crisis. Under its severe impact Cuba's leaders can no longer afford to stick to these two stories and to rely on them for the sake of keeping themselves in power. The myth of the revolution (and that of its external enemies) has blocked serious thinking and political learning about the options for institutional reform, some of which I have tried to sketch out in this essay. Instead of carefully exploring these options, the party leadership started, in the fall of 2010, to embark upon a giant, rather ill-

considered and helter skelter transformation of the Cuban economy that involves the dismissal of no less than 25 per cent of the working population from their jobs with the state by the year 2015. Until the next erratic turn of policy, we will be left watching the spectacle of Cuban socialism being dismantled under the guidance of a firmly entrenched Cuban Communist Party.

A universal duty to care

Ingrid Robeyns*

Abstract (in Dutch)

De meest essentiële menselijke behoefte is de behoefte aan zorg, en het is belangrijk dat zorgarbeid rechtvaardig geregeld wordt. Maar een rechtvaardige behandeling van zorgarbeid wordt geconfronteerd met een dilemma: aan de ene kant vereist een rechtvaardige behandeling van zorgarbeid dat we het beter waarderen, maar aan de andere kant kan zo'n herwaardering leiden tot een minder gelijke verdeling van die zorg. Kan een universele burgerplicht om te zorgen bijdragen aan de oplossing van dit dilemma?

Introduction

The most basic and fundamental need that human beings have is the need to be properly cared for. Already before their birth, human beings need proper care, for example by being provided with the right nutrition, not being exposed to toxics, and receiving the right professional care to check the health condition of the woman who carries the baby. Human beings who are just born are the most vulnerable of all human beings: they literally cannot survive more than a day if they do not receive the right kind of hands-on care: milk, warmth, comfort, protection and the tender love of caring adults.

Despite the fact that this surely has been an undisputed fact for a long time, relatively little attention has been paid to the question what this fact implies for political philosophy in general, and questions of social and distributive justice in particular – a field that has been very important among contemporary political philosophers, including in the work of Philippe Van Parijs. The question *has* been addressed in the literature on the ethics of care, but it is only more recently that these issues have been taken up in the philosophical analysis of justice (Okin 1989, Bubeck 1995, Kittay 1999, Engster 2007, Gheaus 2009). In some specific areas relatively more work has been done. For example, a few novel proposals have been made to use parental leave legislations as a vehicle to address issues of gender

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injustice, including one by Philippe Van Parijs himself (Van Parijs and Vielle 2001, Brighthouse and Olin-Wright 2008, Gheaus and Robeyns 2011).

In this short essay I aim to contribute to the literature on care and justice by delving into another domain of public policy, namely the question of universal duties or citizen's duties. I will start by arguing that any attempt at addressing care as an issue of justice is faced with a dilemma between the revaluation of care on the one hand, and the redistribution of care on the other. Care work is undervalued both financially as well as in terms of the social status it commands, but it is also unequally distributed between men and women, with women doing the lion's share of care work, which is arguably an issue of injustice. So from the perspective of justice we would need to both revalue as well as redistribute care work; however, revaluation is likely to lead to a deepening of the inequalities in the distribution of care work, whereas redistribution will not happen as long as care work is undervalued. We thus seem to be faced with a deadlock. Yet since I think the tension is practical and not fundamental, our task should be to use our imagination to find a solution to solve the dilemma. I will then argue that such a solution, albeit perhaps not a *perfect* solution, can be found by implementing a universal citizen's duty to care.

Characterising care

Human beings are not born as capable, autonomous, individual adults who can provide and care for themselves. Rather, we are born as extremely vulnerable babies who are fully dependent on the care given to us by others. Following Bubeck (1995: ch. IV; 1999: 423), we can define care as the face-to-face activities that meet basic needs of those who cannot meet these needs themselves. These are "all those activities which make life livable for those not able to 'fight for themselves'" (Bubeck 1999: 423).

Those 'who cannot fight for themselves' are not only the chronically vulnerable people, but all of us at some points in our lives. We cannot survive if we are not given dedicated, time-intensive attention and hands-on care in the first years of our lives, and we continue to be dependent on care work by others throughout our lives, possibly becoming again heavily dependent on hands-on care at old age or in periods of illness and disability. Some human beings remain dependent on fulltime care throughout their lives, such as the severely disabled (Kittay 1999).

Part of the hands-on care for dependents is done by care workers who perform care work as a profession: nannies, elderly carers, disability carers, babysitters, and so forth. In addition to the hands-on care that is done by care workers, the majority of care that dependents receive is unpaid work

done by caregivers. These are generally relatives (parents or adult children), friends, neighbours and volunteers. It is often, whether exclusively or partly, a labour of love: it is something that caregivers primarily do out of love, sympathy and commitment for those who are dependent. But the fact that it has these other-regarding motives does not mean that it is not 'work': it has to be done by someone, and it requires time, energy, skills and dedication by the worker. Without being properly cared for, human beings risk being treated in an inhumane way, which could violate their dignity. In short, care is crucial for our survival, and for being able to live a dignified life.

Why is care work an issue of justice?

Despite the fact that care work has tended to be neglected by mainstream political philosophy, care is an important issue of social and distributive justice. Why is this the case?

First, care work is an issue of distributive justice because it is (a) work that needs to be done by someone, (b) it requires effort and dedication and thus represents significant (opportunity) costs, and (c) inevitably taps into 'time', which is a resource that is scarce in absolute terms. We know from time budget studies that people with significant care responsibilities experience a strong pressure on their time allocation, as care work competes with other activities, especially paid work on the labour market. Put differently, people with care responsibilities for children, the elderly and the disabled, are very likely to be in a time-crunch if they are struggling to combine caring for dependents with holding a job (independent whether having a job is only motivated by the income it generates, or also by other aspirations, such as playing a role in public life or developing a professional identity). One of the consequences of informal care work are therefore its costs to the care worker, since it amounts to significant foregone earnings (Folbre 2008). Scarcity and issues of differential burdens and benefits are prime reasons to consider an issue to be an issue of distributive justice, and 'care' meets these conditions.

Second, in most cases care work is very poorly (if at all) rewarded. There are several explanations for this. One explanation is that those who need care generally have limited purchasing power; so the equilibrium price for care work will not be very high. Moreover, care work is very labour intensive, and hence there are few technological gains to be made that can drive down the costs of care work. In addition, care work is culturally coded 'feminine' work, and in patriarchal societies or societies with a patriarchal history, work culturally coded 'feminine' tends to be undervalued. Finally, people who bear the largest burdens of care work tend to be poorly

organized and weakly represented both politically as well as with respect to labour unions; hence no-one is really defending their interests at the political level. Most care workers don't have the time let alone the energy to do this: if anything, their most intense need is generally either more sleep, or else a little bit of time for themselves.

Third, while care work is generally considered very meaningful and important by care workers and in some cases also overall more enjoyable than alternative options, care work is not only characterised by a poor financial rewarding, but also generally comes with significant non-financial burdens. People specializing in care work are likely to feel isolated, not able to develop all their skills and talents, often lack sufficient meaningful conversations with other adult human beings, have limited autonomy over their work and working conditions, and, for the less enjoyable forms of care, experience much higher levels of stress and risk of burn-out. Moreover, being out of the formal labour market for a while has been shown to have a life-long depressing effect on the earnings of care workers, increasing the risk of poverty after divorce or at retirement age.

Fourth, the burdens of care work are unevenly distributed in society. In particular, women do the vast majority of care work, especially unpaid care work. This is part of the gender division of labour, whereby men do much more of the paid market work, whereas women do much more of the unpaid household work and care work. The current social institutions in western societies only aggravate this situation, for example by discrimination in leave legislations after the baby is born, which discourages fathers from caring for their newborn, and more or less forces mothers to do so (Foubert 2002, Robeyns 2009). In addition, most jobs are still modelled around the assumption that the employee is free from care duties (whether care for infants, children, dependent elderly, or any other form of care). This, together with the less favourable conditions for part-time work compared to full-time work in most Western societies, provides more disincentives for couples to share paid work and unpaid care work genuinely equally compared with a (semi) traditional gender division of labour. Yet with a few exceptions, the vast majority of political philosophers who have analysed the gender division of labour have argued that it is unjust, and generally to the disadvantage of women.

One could wonder whether the pivotal reason why care is an issue of justice is really its unequal distribution. If it were the case that care is scarce, that care work would be undervalued, and come with certain nonfinancial burdens – but at the same time the distribution of care work were equal, would there then still be an issue of justice here? I would expect that in this situation the issues of injustice between care givers would be drastically

reduced, perhaps even dissolve completely – but that there would most likely be an undersupply of care work, which would harm those in need of care. If care work is undervalued, comes with significant nonfinancial burdens and will drastically tap into the scarce resource ‘time’, then it is likely that less care will be offered compared with a situation where care work would come with fewer burdens and would be higher valued. So even under a distribution of care work which would guarantee justice between care *givers*, there could still be an issue of justice for care *recipients* – the dependent children, frail elderly, disabled and ill. Yet clearly the main case for arguing that there is an injustice between care givers comes from the conjunction of the first three reasons with the issue of the unequal distribution of care work.

Note also that the above four reasons are by no means meant to be exhaustive. While there may be more reasons than the ones mentioned here, the above four reasons provide, in my view, sufficient ground to consider care to be an issue of justice.

A dilemma and a proposal

If the analysis sketched in the previous sections is correct, then we are facing a dilemma. On the one hand, given the importance of care for those cared for and also for a humane and just society, we should try to *revalue care*: either by paying those who care a decent wage, or else by providing them e.g. with extra pension credits or other state-guaranteed benefits. On the other hand, assuming (as I do) that men and women should have the same *genuine* freedom to choose the kind of lifestyle they want, and thus not be given differential opportunities by gendered social institutions (such as the discriminatory maternity leave regulations) or have their preferences being moulded by a gendered culture, we don’t want to reinforce the traditional gender division of labour. The tension we are then facing, is that revaluing care will strengthen the gender division of labour: so those actions that would contribute to the move towards justice for carers and those cared for, are harmful from the perspective of gender justice, and vice versa. If we revalue care by rewarding it more and making sure the social protection of carers is stronger, more women will not resist the societal pressure on them to perform care work, and hence the gendered division of labour will be reinforced; yet if we do not revalue care, then (as is currently happening) more women have an additional incentive to resist gendered norms and expectations, and the gender division of labour becomes on average more equal, but at the cost of justice for carers and the people they care for. Is there a way out of this dilemma?

I believe there is at least something that can contribute to solving this dilemma, even if it will not be sufficient by itself, and that may also be beneficial for other social goods: the implementation of a citizen's duty to care. Under this proposal, all citizens should, upon reaching a certain age (say, the age of advanced adolescence or adulthood), spend some time caring for those who are in need of care: either small children, the disabled, vulnerable elderly, or the ill. By imposing this as a moral and political duty on all citizens, one would make sure that all adults have had, at the start of their adult life, a significant experience of actually performing care work. The duty should be universal – that is, it should be carried out by all members of society, except if some strong reasons make those members unsuited (on this more below).

Implementing a universal duty to care would be morally recommendable for many reasons. The first reason is the epistemic virtue of the fact that it is a *universal* duty: it would give all a lived-through experience of caring, which would weaken the problem of misrecognition of care work. People who have been primary care workers are much more likely to understand how demanding and burdensome (some forms of) care can be; and they do not think lightly of it, equating it to 'leisure', as most economic models do. They also know what skills are needed to do that work; and are more likely to understand what the costs are to those who are long-term care givers. Thus, by putting all citizens in a situation in which they learn to care, they will better appreciate what care work really entails, which would make them less casual about assuming that those who do the work have an easy time, or that this is work that should not be decently rewarded, since it would amount to merely a hobby or unskilled labour. One important consequence of this epistemic virtue is that if all men and women have an experience of care work before embarking on parenthood, they will make a better informed decision on how to divide up the paid work and care work in their families. There is evidence that fathers who took more leave after birth are more involved in care work throughout the childhood of their children, and are less likely to unthinkingly assume that a (mild) traditional gender division of labour is how they should organize family life.

Secondly, the universal duty to care would turn care work into a public issue, and thereby hopefully increase the percentage of couples who openly discuss the way they want to organize the division of labour within their family, but also more openly with friends and others; a surprisingly large number of couples do not discuss these issues at all, thus giving all power to habits and traditions. This could entail an important step towards more gender just societies. Third, a larger supply of care workers would meet the growing need for care work which is due to the aging of western societies

(and, possibly, the weaker social fabric which provided easier access to more hands-on care). Professional care workers increasingly argue that they are working under such time pressure, that they can only perform the most urgent of care duties; that there is very little time left for emotional care work, or time to simply listen and accompany dependent people. If a citizens' duty to care were implemented, many ears would become available to listen to the elderly, many feet to walk and play with children, many hands to push wheelchairs or make a cup of tea. In other words, a citizen's duty to care would increase the net supply of care-givers.

Finally, even if the epistemic virtue and the increased supply would not have the effects one would hope for, the implementation of a citizens' duty to care will have some redistributive effects, making more men do hands-on care compared to the current situation.

Concluding remarks

Obviously, there are further modifications needed to this proposal to make it implementable. One qualification is to address the question what to do with those citizens who are unable to perform their citizen's duty to care. Those who are somehow impaired in their abilities which are needed to care (such as the mentally disabled), should be freed from their citizen's duty to care. Those who are already engaging or have engaged in a significant duty to care, should perhaps also be exempted, or else their previous/current care work needs to be taken into account when redefining their citizen's care duty. Finally, those who believe that they are unsuited to care, for example because they don't have the right dispositions (e.g. they have a dominant, aggressive character), should be given an opportunity to learn how to care. Our societies offers courses in all sorts of skills, attitudes, and competencies, so that it should surely be possible to offer courses in which one develops one's skills to care. If, however, a person would still fail such a training course, then he or she can perform an alternative for the citizen's duty to care, for example, by caring for neglected animals or caring for a forest.

Ultimately, the hope is that just as for decades the default has been that there are all sorts of duties that we owe to our fellow citizens, such as paying taxes if we are able to, the default should become that each citizen should spend some time caring for those who are not able to fend for themselves. We may, perhaps, be positively surprised to see how it would make our societies not only more just, but also more humane.

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The ideological roots of inequality and what is to be done

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Abstract (in French)

La philosophie anti-étatiste, dont Robert Nozick est le représentant le plus exemplaire, a fourni le fondement idéologique des inégalités contemporaines. La théorie économique y a également contribué, en faisant jouer un rôle moins central à la théorie de l'équilibre général pour se focaliser sur la théorie du contrat, la fonction principale des marchés étant alors de fournir des incitants, plutôt que de coordonner l'activité économique. Cet accent placé sur les incitants a suscité le pessimisme quant à la faisabilité d'une fiscalité redistributive. Je défends ici l'idée selon laquelle ce recentrage est déplacé. La polarisation extrême des revenus qui caractérise l'économie américaine ne répond en rien à une nécessité d'efficacité économique. Au contraire, elle entrave cette dernière.

Three arguments for inequality

To address properly the growing inequality in the advanced democracies, particularly in the United States but also increasingly in the UK and continental Europe, I believe it is necessary to review the main arguments for inequality, and to inquire into their legitimacy. There are, today, two main arguments for inequality: first, an ethical one, that individuals deserve to benefit from what nature and nurture endows them with, and second, an instrumental one, that inequality is good for everyone. The first argument is presented in its most compelling form by the philosopher Robert Nozick, who in his 1974 book, *Anarchy, State and Utopia*, advanced the idea that a person has a right to own himself and his powers, and to benefit by virtue of any good luck that may befall him, such as the luck of being born into a rich family, or in a rich nation. Any voluntary exchanges that take place between persons are legitimate, and in this way, it is not hard to imagine that a highly unequal distribution of income and wealth can be built up fairly rapidly from these unequal endowments. Nozick is the first to admit that actual capitalist economies are not characterized by historical sequences of

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legitimate, voluntary exchanges: there is much coercion, corruption, and theft in the history of all societies. But Nozick's point is that one can imagine a capitalism with a clean history, in which vastly unequal endowments of wealth are built up entirely from exchanges between highly talented, well educated people and simple, unskilled ones, and this unequal result is ethically acceptable if one accepts the premise that one has a right to benefit by virtue of one's endowments – biological, familial, and social – or so he claims.

The second major argument for inequality is the instrumental one: that only by allowing highly talented persons to keep a large fraction of the wealth that they help in creating will that creativity flourish, which redounds to the benefit of all, through what is informally called the trickle-down process. In a word, material incentives are necessary to engender the creativity in that small fraction of humanity who have the potential for it, and state interventions, primarily through income taxation, which reduce those material rewards, will kill the goose that lays the golden eggs. Even among left-liberal political philosophers, the incentive argument for inequality is acknowledged: John Rawls describes as *just* inequality that is necessary, for incentive reasons, to render the worst-off class as well off as possible.¹

A third argument for inequality, which is currently most prevalent in the United States, is one of futility: even if the degree of inequality that comes with laissez-faire is not socially necessary in the sense that the incentive argument claims, attempts by the state to reduce it will come to naught, because the government is grossly incompetent, inefficient, or corrupt. Thus, better to let the rich keep their wealth and invest it profitably, than to hope that the state can manage it more fruitfully. Incredible as it may seem, it is now becoming increasingly popular in certain circles of economists in the United States to say that the productivity of government investment is zero.

How current economic theory justifies inequality

I wish to discuss how economic theory influences our views about inequality. I will dismiss macro-economic theory quite curtly. Its two pillars, rational expectations and the efficient markets hypothesis, have both been quite effectively demolished by the current financial and economic crisis.

Rational expectations is simply a premise of mathematical convenience. Suppose that agents are making decisions under uncertainty, which is, of

¹ G.A. Cohen (1997) has argued that Rawls is inconsistent in calling 'just' allocations in which some are much better off than others, when this differential is caused by personal, selfish decisions.

course, ubiquitous in the real world. Suppose, for example, each individual is deciding how much education to take, under an assumption about the probability distribution of wages associated with each level of education he/she might acquire. If one is interested in the long-run properties of such a process, one needs to make some assumption about the relationship between the prior distributions of wages conditional upon educational levels that people hold, and the actual distribution of wages which occurs after people are educated and acquire jobs. The simplest – and indeed, focal – assumption that one can make is that these distributions are the same: that is, people take, as their prior, the distribution that is in fact realized. This is the rational expectations hypothesis. Although mathematically convenient as a way of closing the model, the assumption is impossible to justify as empirically accurate. The reason the assumption is convenient is that there is no simple way to close the model without it.

The *efficient markets hypothesis* says that the prices in stock markets accurately summarize all the information that is available about the expectations of the future values of firms. A consequence of this hypothesis is that bubbles cannot exist in stock markets – or, if housing is efficiently priced, in housing markets.

The financial crisis and concomitant economic crisis which we have recently experienced are not possible under these two views. Diehard advocates of these views argue that there was no housing bubble, and there is currently no involuntary unemployment: those who are unemployed are rationally investing in the search for new jobs. Somewhat less militant advocates of these views do not reject the claim that a crisis occurred, but rather construct Ptolemaic arguments purporting to demonstrate that nothing could have been done to prevent it, and that, in particular, any aggressive intervention by the state would have then or will now only make things worse.

My own take is that the hold these views have on macro-economists demonstrates that economics is not yet a science. For a theory to be a science, it must be falsifiable. I do not see how any real event could falsify the main tenets of current macro-economic theory, if the current crisis could not. History suggests that individuals who have long-held views or methods do not change: we can only hope that a new generation of macro-economists will emerge, whose members have the courage and intellectual power to re-construct the theory.

There has also been an important transformation in micro-economic theory during the past thirty years, and although less noted, it may be just as important as the rational-expectations revolution in macroeconomics, for our views on inequality. Economists have long realized that markets perform

two functions: they *coordinate* economic activity, and they *provide incentives* for the development of skills and innovations. It is not easy to give a definition which distinguishes precisely between these two functions, but there is no question that a conceptual distinction exists.

Let me give two examples. An important problem facing Soviet planners was called the transportation problem. There are a number of plants in the nation which produce steel, with various fixed capacities, and a number of locations in the nation which demand steel – in various quantities. There is a cost of shipping steel from any supplier to any demander – these costs vary. What is the optimal plan? How much should each steel producer ship to each market, so that all demands are satisfied, and transportation costs are minimized? This problem led the Soviet mathematician L. Kantorovich to co-invent linear programming in the 1940s, for which he and Tjalling Koopmans, in the United States, jointly received the Nobel prize in economics.

Competitive prices can solve this problem without linear programming. If competitive prices for transport and prices of steel at the various producers characterize this market, then each demander orders steel to minimize its costs, the steel market clears, and indeed, the market will have found the mathematical solution to the cost-minimization problem. This is an example of prices performing a coordinating function.

Consider, now, the problem that I alluded to earlier. A young person is deciding on how much education to take, and wishes to maximize a utility function in which both future income and the nature of the occupation are important. Prices (which is to say expected wages) guide him/her to make the decision. We should think of this as an instance of where the market is performing an incentive function – it is inducing the individual to make a choice on which skill to develop based on his self-interest, and if the market is well functioning (competitive), the aggregation of all such choices will be Pareto efficient.

Now neither of these examples is pure. Indeed, in the transportation problem, equilibrium prices are realized as the result of managers of firms having the incentive, for some reason or other, to minimize costs. In the education example, the market is coordinating the allocation of workers to occupations in a way which is, under some assumptions, Pareto efficient. And, indeed, in any example, there will be both a coordination and an incentive interpretation of the market's role. I maintain, nevertheless, that there is a distinction between these two roles, and that each example illustrates different mixes of the coordination and incentive functions of the market.

In the last thirty or forty years, the economic theorist's view of the market has changed, from being an institution which performs primarily a coordination function to one that is primarily harnessing incentives. Indeed, the old definition of micro-economics was the study of how to allocate scarce resources to competing needs. (One will find this statement of the task of economic science in almost any textbook published before 1970.) This is entirely a coordination view. The elegant theorem at the pinnacle of this view is that equilibrium prices in a competitive economy with no externalities, no public goods and a complete set of markets will induce an allocation of resources which is Pareto efficient. That kind of efficiency is the mark – perhaps the definition of -- successful coordination. The technique that provided the intellectual justification of the coordination view was general equilibrium theory: it reached its apex in the 1950s and '60s.

It may surprise you to hear that the phrase 'principal-agent problem' was only introduced into economics in 1973, in an article by Steven Ross (1973). In the principal-agent problem, coordination is not the primary issue – rather, a principal must design a contract to extract optimal performance from an agent whose behavior he cannot perfectly observe. This is *par excellence* an incentive problem.

The technique which developed to analyze incentive problems was game theory – more specifically, parts of game theory called contract theory and mechanism-design theory. The problems that are analyzed typically involve small numbers of individuals, where markets do not exist, and the individuals must set prices or write contracts to 'get the incentives right.' But the idea that incentives are the real guiding force which markets must address extends to much larger groups of actors – even to entire economies. Some economists have even gone so far as to say that prices have no coordinating function at all: rather, they say we should look at all economic exchanges as episodes of bargaining between individuals; what determines the price of the exchange is the relative power of the two bargainers – in the sense of how scarce the commodity they are each supplying is – and prices simply ratify these fundamentals. Under this view, markets do not coordinate at all, they simply provide the venue for bargaining.

What is the import of the change in emphasis of the market's role for the problem of inequality? I believe it is to reinforce the importance of material incentives: more radically, to justify the view that the very high salaries and incomes, for those at the top, that have come to characterize capitalist economies in the last thirty years, are necessary for efficiency.

To see this, I propose a simple thought experiment. Suppose that there were an economy where individuals cared only about the kind of occupation in which they engaged, and the amount of education they required to

qualify for the occupation. Assume that there is a variety of preferences in the population over occupations and education. Wages are not important to people, as long as they suffice to purchase a certain minimum of consumption. There is one firm, which produces a single consumption good that everyone needs, and the firm can produce this good using many different possible combinations of workers employed in the various occupations. The firm wishes to maximize its profits, which will equal the revenues from selling the output to consumer-workers, minus the wage costs of the workers. A vector of occupational wages, and a price for the output good, comprise a competitive equilibrium for this economy if, at those wages and prices, all the occupational labor markets clear and indeed the demands for workers in the various occupations put forth by the firm, maximize its possible profits at those wages and price.

Now the peculiar thing about this economy is that workers do not care about wages: they make decisions about what occupation to engage in solely by looking at the attributes of the occupations and the educational requirements to enter them. Each worker chooses the occupation and concomitant educational level which maximizes his utility over the available choices. Equilibrium wages are ones which will direct the profit-maximizing firm to demand *exactly the supplies of occupations* which are on offer by the population².

I propose that in this economy, the market is providing primarily a coordination function. Granted, the firm has, by hypothesis, an incentive to maximize profits: but in some sense the *main* function of the market is to coordinate the fixed occupational choices of workers with the firm's demands for workers in the various occupations. Some workers will, indeed, earn more than others at the equilibrium, because their wages are higher: but, by hypothesis, as long as all wages are sufficiently high with respect to the price of the output, these wages form no part of workers' decisions.

Suppose one now imposed a purely redistributive income tax on workers. Then the occupational choices of workers will be unchanged. Indeed, the equilibrium wages and price of output will not change. All workers will choose exactly the occupations they chose before, and the firm will produce the same amount of output as before, with the same profits: all that will happen is a redistribution of the consumption good among worker-consumers. This is a case where redistributive taxation has *no effects* on occupational and productive choices. There are no efficiency consequences to taxation.

² For a more careful discussion of this model, see Roemer (2010).

Consider, now, the polar opposite model, where workers care *only* about income and the education they must endure to qualify for different occupations. They do not take into consideration the characteristics of occupations at all. A wage vector will still allocate workers to different occupations, but this time the nature of the occupation is unimportant for workers – the wage makes it possible for them to optimize their trade-off between income and time-consuming education. Here, wages are providing an important incentive function, and workers will choose different occupations only because they have different degrees of antipathy towards education, or to time lost from earning income while going to school. If we introduce an income tax, occupational choices will change: indeed, there may be considerable real effects on occupational structure if the tax is sufficiently large; the efficiency consequences of taxation are no longer costless.

The punch line I am proposing is this: to the extent that the market is primarily a device for coordination, taxation can redistribute income without massive efficiency costs. But if the market is primarily a device for harnessing incentives, the efficiency costs of redistribution may be high. I believe that the transformation in micro-economic theory that I have described – one that views the market primarily as harnessing incentives, as opposed to coordinating -- provides an important intellectual foundation for the inadvisability of interfering with market rewards via a re-distributionsist state policy.

Ideological strategies for egalitarian policy

There are three key ideas that we must address, to provide a sound intellectual basis for advocacy of a more equal society – I think that this intellectual task is of utmost importance. Ideas really do trickle down, even if money does not! We must argue:

First, that children should not be disadvantaged by the bad luck of being born into a poor or poorly educated family. I believe that there is considerable support for this idea in the advanced democracies – but often the *consequences* of this view have not been thoroughly understood by citizens, or implemented in policy. Consider education, for example. In the United States, the average amount of state (federal, state, municipal) funding for the education of advantaged children is far greater than for disadvantaged children. A moderate liberal goal is to equalize funding for all children. But the correct policy is to invest *more* state funds in disadvantaged children than in advantaged ones, to compensate them for their family's lack of resources. To the extent that disadvantaged children

are of a minority race or a minority nationality, it is more difficult to win citizens to this implementation of the requirements of equal opportunity, due to racism and anti-immigrant sentiment. Intellectually, winning this battle means confronting Nozick's libertarianism, and in particular the tenet that a person has a right to benefit from his or her good luck in the birth lottery (Betts & Roemer 2007).

A more radical view, that I also hold, is that we must extend the compensation to include genetic bad luck. There is no reason, from the ethical viewpoint, that individuals who are less mentally endowed should have poorer material conditions than the better endowed. To the extent that this occurs, it can only be excused by the necessity of incentive payments to wage earners and the infeasibility of redistribution. There is no ethical basis for it, for such a basis can only exist by advocating the right to benefit from good luck.

Secondly, we must understand the true division of labor in the market's coordination and incentive roles. I think this is, intellectually, the most difficult problem and probably the most politically important one. What I here propose is a question for research, rather than an answer. As I said earlier, I believe that the degree to which redistribution is feasible with small efficiency costs is closely related to how important material incentives are for productive activity. Although economic theory has shifted on this question during the last generation, it is far from obvious that the shift is empirically justified.

My current view is that material incentives are important for the great majority of workers, in their role in directing educational and occupational choices, but that they are far less important for the high fliers at the top of the income and wealth distribution, and indeed for innovation. I do not mean that the high fliers and innovators do not like their huge incomes, but rather that these incomes are not socially necessary, in the sense that we would lose innovation and good corporate management without them.

Many people think that the high incomes paid to corporate management, and in particular to those in the financial sector, are due to monopolistic elements – back-scratching among interlocking directorates of firms made possible by shareholder apathy, for example. I do not endorse this view; I believe it is entirely possible that the high salaries and bonuses these people receive are competitive, in the sense that each is receiving his expected marginal product as evaluated by the board that hires him. Even if this is not so, and those monopolistic elements do exist, I will make my argument under the competitive assumption, because it makes the argument stronger. In other words, I claim that *even if* extremely high CEO salaries are competitive, they are inefficient. Their existence is a market failure.

The theoretical argument for the possibility that these salaries are competitive is that, if you are the pilot of a very large ship in Arctic waters, a very small change you make in the angle of the rudder can significantly affect the probability of the ship's impact with an iceberg. If you are the CEO of a large corporation, with \$10 billion in annual revenues, a very small difference in the quality of your decisions may make a 1% difference in annual revenues, which is to say a \$100 million difference. If the hiring board is convinced that you are just slightly better than the next candidate, you can probably bargain for \$25 million or so of your \$100 million marginal product, or maybe more.

But the payment of these high salaries is inefficient because, even if the expected marginal product of the incumbent CEO is \$100 million greater than the next best candidate, the social costs of creating a class with such huge wealth are large. First, the institution creates a class which has great power to influence politics. Members of this class, if private campaign financing is legal, will make large contributions to political parties to maintain their privileges. Secondly, as we have seen in the financial sector, paying such huge salaries on the basis of expected marginal product can induce behavior that is far too risky from the social viewpoint. This negative externality is not internalized by the firm, because, *inter alia*, of the implicit insurance provided by the state against failure in the case of a bad outcome on these risky gambles. This is why the US government's allowing Lehman Bros. to go bankrupt in September 2008 so scared the financial sector, and why the government effectively reversed itself a few days later by rescuing the insurance firm AIG.

My final argument is based on the claim that the most important reward for the very high fliers is not money income, but power – power over others, and the respect of their peers. Therefore, if these high salaries were taxed at very high rates, we would not see a significant change in productive behavior. (One might have to make the taxation international, to prevent migration.) What other occupation could these high fliers choose which would give them the same power and respect of their peers? Will they, alternatively, be satisfied to retire and play golf or read poetry?

I have argued that these high incomes are inefficient, because of risk-taking externalities that they induce, that they are unnecessary for incentive provision, and that they create a class with disproportionate political power. Finally, there is the very important negative externality of the creation of a social ethos which worships wealth. Ordinary people lose self-esteem, and do what they can to ape the consumption behavior of the very wealthy.

In sum, the positive social value of the institution of extremely high salaries that the leaders of the corporate world, and in particular, of the

financial sector, receive, is a big lie. It may well be a competitive outcome, but it is a market failure which could be corrected by regulation or legislation. In the US, at least, there are no visible prospects for such legislation, and I maintain that this is due, in no small part, to the hold of the incentive argument for inequality on the voting population.

I believe, in contrast, that incentive pay for the *working* population in general is important. The experience of China since 1979 is an example: I do not attribute the Chinese growth rate of over 8% per annum in this period entirely to the lack of coordination which existed prior to 1979 due to the absence of markets. On the other hand, I do not think that material incentives, especially in the wealthier countries, are as important as many economists insist. We see a very large difference in relative material rewards to skilled labor across the advanced democracies – at its most extreme, between the Nordic countries and the United States – without concomitant efficiency differences. Once basic needs are met, I believe that people put substantial weight on the nature of their work.

Many people could increase their income by changing occupations, but we do not, because we think our work is important, or we find it interesting. So although material incentives are important for ordinary workers, they are probably the least important for those workers who pay significant taxes in market economies – namely, those whose incomes are high, and have interesting careers. If my conjecture is correct, there would be no major impediments to substantial redistribution, on account of incentive problems.

What can we do?

Most social scientists who study inequality have focused upon measuring its degree, and studying the micro mechanisms through which it is produced³. Micro mechanisms include a substantial variety of processes: how tax policy contributes to the distribution of wealth, how the intergenerational transmission of income and wealth occur, what role education plays or could play in modifying the distribution of income, how neighborhoods and social networks affect behavior and choices which have an impact on distribution.

Of course we must understand these processes. But in a sense, I think understanding them is of secondary importance, with regard to the massively important phenomenon of increasing inequality in the advanced democracies. I believe that *democracy works* in the advanced countries, in the sense that policies can only survive if they are approved by the majority (or

³ For a summary of the state of this research, see Salverda, Nolan & Smeeding (2009).

a substantial fraction) of the electorate. Now the electorate may have poor information, or may have learned an ideology which does not serve its true interests, or may subscribe to a social ethos which prizes a kind of *de jure* individual freedom over a secure livelihood, but in the end, the electorate must acquiesce to social policy in our advanced democracies. This is surely one great accomplishment of the political revolutions that began in 1776 and 1789.

Today, I think the most important problem for the social science of inequality is understanding how electorates have come to *acquiesce* to policies which increase inequality, and to try and reverse this acquiescence. To an extent, revealing the logic of the micro mechanisms is one strategy for doing so. A second strategy is the philosophical one, of arguing that justice requires equality – the last 40 years in political philosophy have seen a lively debate about exactly what kind of, and how much of that kind of equality, is required. A third strategy is showing how the inequality-increasing policies that electorates have agreed to have been aggressively advocated and proselytized by the wealthy, in order to maintain their material privileges. This work is mainly done by historians and some political scientists. A fourth strategy is critiquing the social ethos of individualism and greed which has grown immensely since 1980: the ethos to replace it is one of solidarity. This strategy overlaps with the third one, since (I believe) the nurturing of the individualistic ethos has been a conscious strategy of the wealthy, and perhaps its most powerful weapon. Finally, I believe, as I have said, that we must do the research to challenge the view that interfering with the incentives the market provides necessarily reduces economic welfare.

We face a situation where we must move from describing the phenomenon we study, to figuring out how to bring evidence to bear against the ideology which sanctions it. That ideology has created a monster, capable of inflicting truly disastrous consequences on civilization. Because theory and ideas are our *métier*, we have a vital role to play.

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Philosophers and taboo trade-offs in health care

Erik Schokkaert

Abstract (in Dutch)

Psychologen leren ons dat mensen het moeilijk hebben om afwegingen te maken tussen enerzijds waarden als leven en gezondheid en anderzijds materiële belangen – ze zullen naar manieren zoeken om die vraagstelling niet expliciet onder ogen te moeten zien. Prioriteitenstelling in de gezondheidszorg vereist typisch dit soort van afweging. Ik suggereer dat de procedurale benadering van Norman Daniels en de hypothetische benadering van Ronald Dworkin zeer goed gelijken op de vluchtwegen die mensen voor zichzelf zoeken als ze met die moeilijke keuzen geconfronteerd worden. Dit inzicht is op zichzelf geen argument om die theorieën te verwerpen. Maar het kan ons wel helpen om hun tekortkomingen duidelijker onder ogen te zien.

Some of the hardest choices societies have to make are situated in the domain of health care. If health insurance is financed collectively (through different arrangements ranging from tax financing to social insurance), a collective decision is needed about the size of the health budget and about the priorities within that budget. This raises questions concerning the reimbursement of end-of-life treatment: perhaps we have to learn again "how to die".¹ Even more challenging are the problems raised by the treatment of rare diseases and the reimbursement decisions with respect to orphan drugs. What to do if these become extremely expensive? We all die, but by definition we do not all get a rare disease.

I will briefly introduce two popular and coherent frameworks that have been proposed by philosophers to think about this issue: the procedural approach of Norman Daniels and the hypothetical ex ante-approach of Ronald Dworkin. I will argue that, despite their popularity, both have crucial flaws. Then why did they become so popular? I suggest that this is partly because they respond to deep psychological needs. This raises questions concerning the kind of arguments that can and should be used in discussions on ethical values. More specifically: can one question the validity of an argument by pointing to (some of) the psychological motivations behind it?

¹ I borrow from the title of the second chapter ('Réapprendre à mourir') in Van Parijs (1996).

I will for the sake of the argument focus on the exemplary case of a genetic disease X that hits only a small fraction of the population (say, less than 1 person in 2000, which is the “official” European threshold to speak of a rare disease). Suppose that disease X cannot be cured, but that a newly invented treatment could lead to a prolongation of life by a couple of good quality years. The treatment is expensive, however, and reimbursing it in the collective system, together with similar treatments, would require a sharp increase in the health care budget – or crowd out the reimbursement of more common health care items. Under what conditions should we reimburse the treatment of X in the collective system?

Easy answers to this question are not convincing. It is sometimes put forward that health has no price – or that everybody has an equal right to treatment, whatever the price to be paid. However, giving absolute priority to the sick is obviously unacceptable as a general principle. Should society pay for all additional health care expenditures as long as they generate marginal health improvements? Even if we restrict ourselves (unrealistically) to health objectives, investments in education, in the environment, in housing may be at least as effective, mainly for the poor. Another escape route is to claim that all needs could be satisfied, if only we were able to remove the glaring inefficiencies in the health care system. That there are inefficiencies is beyond doubt – but many of them are intrinsically linked to the information problems that are typical for the commodity health care (Arrow 1963). While a better organization of the system could indeed remove some waste, it is naive to believe that this would create room for reimbursing all new therapies.

This brings us back to our case X. It cannot be the optimal policy to simply reimburse all new expensive therapies. Nor can we avoid making difficult choices by improving efficiency. We better admit that there is a problem of priority setting – or “rationing”. How can we tackle it? Let me describe the positions defended by Daniels and Dworkin.

Daniels’s procedural approach

Daniels’s starting point is that general philosophical theories of justice in health are not sufficiently detailed to tackle specific questions of priority setting. His own Rawlsian approach (Daniels 2008) requires managing health care and other determinants of health in order to guarantee to all, as much as possible, access to normal functioning as a precondition for an autonomous life. Although this “opportunity-based” view yields specific policy conclusions (such as the need to fight discrimination and social inequalities), it does not give a definite answer to the question whether to

reimburse treatment for X. Reasonable people may disagree about the specific trade-offs to be made in that latter setting (e.g. to what extent modest benefits for larger numbers of people outweigh significant benefits for fewer people), even if they agree that the overall goal of health policy should be to protect opportunity.

Daniels & Sabin (2008) therefore propose a procedural approach: “accountability for reasonableness”. Relevant decision makers should set priorities through a process satisfying a set of fairness conditions. Three of these are formal. Decisions and their rationales must be publicly accessible (*publicity condition*); there must be mechanisms for challenge and dispute and opportunities for revision of policies in the light of new evidence or arguments (*revision and appeals condition*); there must be public regulation of the process to ensure that the other conditions are met (*regulative condition*). The fourth is more about content: the rationales for priority-setting decisions should aim to provide a reasonable explanation, i.e. an explanation appealing to evidence, reasons, and principles accepted as relevant by fair-minded people (*relevance condition*).

As emphasized by Daniels himself, “accountability for reasonableness” is a practical approach. Actual decisions are taken in all countries by some sort of committee procedure and, since there is at this stage no consensus about underlying philosophical principles for priority setting, improving these decision-making procedures seems to be a definite step forward. In this respect the fairness requirements described by Daniels are eminently sensible. Yet, Daniels does hardly say anything about the kind of arguments that would be ethically justifiable in the context of priority setting (except that they should not come in conflict with the general equal opportunity-approach). The relevance condition is only vaguely defined and seems to involve some circularities in the sense that “fair” arguments are those used by “fair-minded” people. In fact, the openness of the approach is not by accident, but by purpose. As summarized in Daniels and Gruskin (2008: 1577): “...we are not proposing a formula or algorithm for generating particular priorities. An algorithm would do away with the process, and it is precisely the process that is the point”. All this looks fair and democratic – this is what makes it attractive. Yet, ultimately, it also means that philosophy does not really add to the substantive discussions about the hard choices. In my view, this is deeply disappointing.²

² To be fair to Daniels, I should acknowledge that he emphasizes the *practical* need of introducing fair procedures at this stage, and leaves open the possibility of formulating a coherent substantial theory of priority setting in the future.

Dworkin's hypothetical approach

A second possible approach has been proposed by Ronald Dworkin (2000). According to him, a free market solution applied to health insurance is unacceptable for three reasons. First, because in a society with an unequal distribution of wealth richer people can afford a better insurance. Second, because a free health insurance market would imply undesirable premium differentiation on the basis of health risks. And third, because many people have inadequate information about the value and the personal and social cost of particular medical procedures.

Dworkin then claims that a just distribution is one that people would create for themselves by individual choices, *provided* these three problems were somehow corrected. He proposes the following thought experiment: what health care would we have if individuals could take insurance against adverse health events (including an unfavourable genetic endowment) on a perfect insurance market, provided that the distribution of wealth is just, that individuals are perfectly informed about medical technology, and that nobody – including insurance companies – has information on the interindividual differences in health risks? The answer to this question describes an ideal solution of "prudent insurance", which should be mimicked in the real world, with public transfers and health care subsidies replacing the resource transfers that would be implemented under the ideal (hypothetical) system.

How would such an insurance system look like in practice? According to Dworkin, returns to scale and the need to avoid adverse selection are strong arguments in favour of a universal compulsory system. This system would typically include regular medical care, hospitalization when necessary, periodic check-ups, etc., since all well-informed and responsible individuals would take insurance for these events. But the "hypothetical insurance" approach also suggests that some items should not be included in the insurance coverage. Would it for a 25-year-old be rational to insure herself so as to provide for life-sustaining treatment if she falls into a persistent vegetative state? Would prudent young people buy insurance that could keep them alive by expensive medical interventions for some months, even if they had already lived into old age? Dworkin suggests that the answers to these questions would most probably be no. And, returning to our example, it is also likely that a very expensive treatment for a very rare disease would not be covered by the health insurance system that comes out of this thought exercise.

The Dworkin-approach makes it possible to justify apparently harsh rationing decisions on the basis of a rational consensus argument. The

hypothetical insurance device transforms an interpersonal redistribution problem into a kind of (intrapersonal) rational allocation decision. Since in the hypothetical situation everybody would agree on the scope of collective insurance, it seems only a matter of consistency to accept this solution also in the real world.

Yet, this is too easy. When adverse health events decrease the marginal utility of income, rational individuals would *ex ante* refuse to take insurance (or would even want to counter-insure themselves and consume more when they are healthy). Of course, this refusal to insure is based on their *ex ante* ignorance of their final situation. Had they known that they would be hit by the adverse event, they would have insured themselves. It can be argued that social evaluation should be based on these *ex post* preferences since they reflect better information about the state of the world (Fleurbaey 2010). The argument gets especially strong when applied to transfers across individuals with unequal genetic endowments, as in our case X. It will be difficult to convince individuals suffering from a rare genetic disease that it is fair not to reimburse their treatment – on the ground that in the hypothetical state in which they had had a chance not to suffer from the disease, they would have preferred not to take insurance. Denying them treatment on this basis just seems grossly unfair.

The psychology of taboo trade-offs

In my view, the limitations of these two approaches are clear. The first does not offer a substantive argument; the second disguises the decision to let a person die as a cool and rational consensus position under a veil of ignorance. How then to explain that I feel emotionally attracted by both theories? Why do they give me a feeling of relief? Psychological research can help me solve this introspective question.

The decision about whether or not to include the treatment of disease X in the compulsory insurance cover implies a trade-off between better health (for some) on the one hand and less consumption (for the healthy) on the other hand. Psychologists have pointed out that people want to avoid such trade-offs (Fiske and Tetlock 1997; Tetlock 2003). Health and life are so-called "sacred values". Consumption is a "vulgar value". People have no problem with *routine* trade-offs, i.e. with choosing between different vulgar values. *Tragic* trade-offs, i.e. trade-offs between sacred values, are more difficult but still "acceptable" – think about the Greek tragedies in which the hero has to choose between his nation and his life. Yet, we have serious difficulties with *taboo* trade-offs, with choosing between sacred and vulgar values. This is not only due to the cognitive difficulties related to the absence

of a common metric for evaluating such diverse entities. More importantly, these trade-offs are morally disturbing, as our commitments to other people require us to deny that we are willing to attach a finite monetary value to their health or their life. People reject certain comparisons because they feel that seriously considering the relevant trade-offs would undercut their self-images and social identities as moral beings. Having to weigh up one life against another is hard. Weighing up material prosperity against health is scandalous.

Empirical (including experimental) research has shown that human beings will consider escape routes when these difficult choices cannot be avoided. I mention three of them. First, we are motivated to look away and are easily distracted by rhetorical smokescreens. Second, we try to postpone these difficult decisions or, even better, to pass the buck to others. More or less secret expert commissions are installed, where the ethical choices can be packaged as technical decisions. Third, we try to disguise the taboo trade-offs as routine trade-offs by reformulating the choice problem so that it does no longer involve our moral commitment to other people.

Returning to case X, it is fairly obvious that denying the need of rationing fits perfectly into the first strategy. However, I suggest that the attractiveness of Daniels's and Dworkin's theories is also partly linked to these psychological mechanisms. "Accountability for reasonableness" shifts responsibility from individual citizens (including the philosopher and the reader) to committees and procedures – and committee members can drown their own individual responsibility into a kind of collective group responsibility. This is close to the second strategy. Dworkin's hypothetical approach turns an interpersonal distribution problem into an intrapersonal allocation choice, so that I do no longer have to feel responsible for or to show compassion with other human beings. This is a step in the direction of the third escape route.

Of course, it would be grossly unfair to reduce the elaborate theories of Daniels and Dworkin to simple psychological tricks. On the contrary, "accountability for reasonableness" can also be seen as an attempt to go beyond the escape route of *secret* committees by putting forward formal requirements of openness and transparency. And Dworkin's view is an ingenious approach to structure a difficult decision problem in a coherent way. Yet, for me at least, some insights into the psychological mechanisms to which I am subjected help me understand why I feel emotionally attracted by these theories, although I am at the same time rationally convinced that they have severe limitations.

It is obvious that I do not think that the findings about how human beings handle taboo trade-offs offer in any way a conclusive argument against the

fine theories of Daniels and Dworkin. Yet, I do believe that a better insight into the psychological mechanisms and cognitive and emotional biases that influence our ways of reasoning may help to get a better perspective on the relative value of different ethical theories. In the case of priority setting in health care, they should warn us for the fact that theories may be attractive for the wrong reasons, i.e. because they make decisions more bearable rather than leading to fairer outcomes.

For the problem of priority setting, I think we should have the courage to feel uneasy. Since we cannot escape making taboo trade-offs, we must be open about them. It is crucially important to set up fair decision procedures – but we should also have the courage to think explicitly about what are valid substantive ethical arguments in the context of priority setting. And we should be aware that a “clean” hypothetical approach can at best be a starting point. Denying treatment to patients with a rare disease is not a hypothetical choice – nor is the decision to spend 40% of our national product to health care.³ What matters at the end, is the final ex post-distribution of income and health.

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³ According to Hall and Jones (2007), this is the welfare optimal share of health care expenditures in the US for 2050.

Multilingual democracy and public sphere

What Belgium and the EU can learn from each other

Dave Sinardet

Abstract (in Dutch)

Volgens veel auteurs kan aan het democratisch deficit van de EU enkel verholpen worden als er zich een Europese publieke sfeer ontwikkelt. Met name het bestaan van louter nationale media, sterk gericht op de nationale context, is hiervoor een obstakel. Zelden wordt echter opgemerkt dat een federaal meertalig land als België met een vergelijkbare kwestie kampt: media zijn georganiseerd op taalbasis en ook de inhoud die ze produceren draagt niet bij tot de ontwikkeling van een federale publieke sfeer. De Belgische case geeft ofwel aan dat de verwachtingen van de pleitbezorgers van een Europese publieke sfeer onredelijk zijn ofwel dat ook België kampt met democratisch deficit. We betogen dat de parallellen tussen België en de EU op het vlak van publieke sfeer deels kunnen verklaard worden door institutionele gelijkenissen, vooral op het vlak van partij- en kiessysteem. Pogingen om de ontwikkeling van publieke sferen te stimuleren op het niveau van België en de EU moeten daarom vooral focussen op institutionele hervormingen.

Public sphere and transnational democracy

In democratic theory, the existence of public spheres, a concept developed by Habermas (1962) within the context of the modern Westphalian (nation)-state, is often considered as an essential prerequisite for the democratic legitimacy of these states. As Fraser (2007: 7-11) argues, the public sphere is part of a normative political theory of democracy, according to which 'democracy requires the generation, through territorially bounded processes of public communication, conducted in the national language and relayed through the national media, of a body of national public opinion'. It should allow public information, participation and debate on national policies and enable citizens to influence and hold accountable political decision makers, turning public opinion into political power.

The main carriers of such public spheres are modern mass media, as they are able to generate a common public debate, where the same issues can be discussed at the same time and under the same premises (Eriksen 2005: 343).

However, in recent years, socio-economic processes and forms of governance which transcend the traditional realm of national democracy have gained ever more importance and transnational institutions have emerged. While we thus increasingly evolve towards an era of 'post-national democracy', public spheres have largely remained national and have become increasingly inadequate to enable democratic information, participation and debate on a large number of today's important policies. This is why it is argued that in order for these transnational political systems to become more democratically legitimate, it is necessary for transnational public spheres to develop.

This argument has been made most extensively concerning the European Union (EU), which through the continuous process of European integration has gained an enormous influence on the lives of citizens in its member states. As Fossum and Schlessinger (2007: 2) argue: 'Inasmuch as the Union actually might serve as an exemplar for the development of post-national democracy at the supranational level, surely such a process has to be rooted in the reshaping of the EU as an overarching communicative space (or spaces) that might function as a public sphere'. Its absence is therefore often regarded as an element in the broader democratic deficit of the EU. Habermas (2001) even sees the development of a European public sphere as the only way the democratic deficit can be eliminated. Moreover, this diagnosis is also made by the EU itself. The European Commission's 'White paper on European Communications Policy' of 2006 notes that 'people feel remote from (...) the decision-making process and EU institutions' and sees 'the inadequate development of a 'European public sphere' where the European debate can unfold' as a main reason for this.

A European public sphere can be imagined in two ways. The first is a pan-European public sphere, carried by pan-European media, available across the entire EU territory. Some of these exist today (*Arte*, *Euronews*, *European Voice*, *EUobserver*, ...), but reach a very limited audience and are not considered as primary communication instruments by EU decision-makers. A problem for the rise of such European media is obviously the absence of a common language in the EU as English cannot (yet) be considered the *lingua franca* of all of its social classes and geographical areas.

A second way to conceive a European public sphere is through 'Europeanisation' of national public spheres and accordingly of national media reporting. This is generally operationalised as treatment in national media of the same EU-actors and topics, within a similar framework. However, large scale content analysis shows that only very small proportions of news reporting concern EU-actors and topics (Machill & al., 2006). Moreover, EU-news that does reach national audiences is often

nationalised, as journalists select topics or angles that relate to domestic political debates (Grundmann 1999: 136-137).

Public sphere and multilingual democracy

Although this European public sphere debate is blossoming, it is seldom noticed that it starts from a problematic assumption that national public spheres, and consequently national media systems carrying them, are uncomplicatedly present in any given national context. In multilingual federal polities, this is not necessarily the case. As they are composed of different language regions, they might not so much resemble our classic image of a nation state, but rather face comparable challenges regarding public participation and public opinion formation as the EU. They therefore provide an interesting point of comparison to feed the debate on transnational public spheres, which inversely can also shed a new light on democratic legitimacy of these federations.

Van Parijs (2000) has already pointed at the similarities between the democratic challenges faced by the EU and Belgium. Let us therefore analyse the Belgian case in light of the assumptions of public sphere theory. Can we speak of a Belgian, federal public sphere, similar to how it is envisaged for the European case? Clearly not in its *first* operationalisation, as pan-Belgian media of importance do not exist. VRT and RTBF, the Dutch-speaking and French-speaking public broadcasting companies, have no structural ties anymore, with the exception of the common central office building in Brussels. The two main private broadcasters, VTM and RTL-TVI, are also independent from each other. They all specifically address only one of the two large language communities and can therefore rather be considered as 'community media'.

Can we then speak of a Belgian public sphere according to the *second* operationalisation, which we can define as 'federalisation of community media reporting' (analogous to 'Europeanisation of national media reporting' for the EU)? Dutch-speaking and French-speaking media in Belgium do cover the federal level. The question is whether they feature the same federal political actors and topics and if they generate a federal public debate, with the same issues being discussed at the same time under the same premises. Research on the media's role in the Belgian federal system (Sinardet 2007) allows us to answer this question.

Community media and federal political actors

The Belgian federal government takes decisions on important policies affecting the entire country. Moreover, it is composed in linguistic parity

(the prime minister possibly excluded), an equilibrium which is usually also achieved in the importance of portfolios. One would therefore expect the number of Dutch-speaking and French-speaking ministers featured in tv-news to roughly turn around the same percentage, approximating 50-50.

However, a representative survey of a year's news programs on Belgium's four main television channels showed that on the Dutch-speaking news programs of VRT and VTM, around 80% of the federal ministers interviewed were Dutch-speaking, while on RTBF's and RTL-TVI's French-speaking tv-news, respectively 70 and 80% were French-speaking. The lack of language knowledge of the ministers does not explain these figures, as bilingual ministers of the 'other' language group were also not often interviewed. Moreover, language is not an obstacle for news programs, which can subtitle or dub interventions. So while they make policy and take governmental responsibility for the entire country, the news value of federal ministers seems to depend on the language group they belong to.

This is also true for issues that fall under these minister's competences, which are less covered when the minister belongs to the 'other' language group. Dutch-speaking as well as French-speaking viewers can therefore not be fully informed on the actions and policies of the federal government.

This dynamic is even stronger in election time. In the run up to the 2007 federal elections, all electoral tv-debates were held between politicians of the same community. Policies of federal ministers belonging to the 'other' language group were often attacked by opposition parties but generally not defended as the ministers or representatives of their party were not present. For instance, in Dutch-speaking media, debates on justice or finance were conducted without the incumbent French-speaking Ministers. Inversely, the three Flemish candidates to the post of prime minister never presented their national programs on French-speaking television. The only exception was one special debate between the president of the Flemish regional government and his Walloon counterpart, broadcast simultaneously on VTM and RTL. However, rather than as a federal debate, this was framed as a confrontation between 'Flanders' and 'Wallonia'.

Community media and federal political issues

Even issues that divide politicians of both communities, do not generate a federal debate. This is shown by content analysis of one year's coverage of the highly symbolical and conflictuous issue of the split of the electoral district of Brussels-Halle-Vilvoorde (BHV) by the two main weekly political debate programs of VRT and RTBF, *De zevende dag* and *Mise au point*.

Again, debates mostly took place among politicians of the same community (more markedly on VRT where only 1 out of 14 guests was

francophone, compared to 1 out of 4 for Dutch-speakers on RTBF). More surprisingly, those politicians that did appear on the screens of the 'other' community, often did not take part in the TV debates within their own community and vice versa: only 2 out of 5 French-speaking politicians on *De zevende dag* also appeared on *Mise au point*, while of the 12 Dutch-speakers on *Mise au point*, only 5 could be seen on *De zevende dag*. This is because top politicians generally leave it up to less high profile colleagues to cross the invisible borderline separating the VRT-wing from the RTBF-wing at the Brussels broadcasting building.

This obviously influenced the content of the debates, which took place within the parameters defined by the political consensus of the 'own' community. The heart of the matter – should BHV be split or not? – was almost never debated. Rather, discussions started from a given premise, which was radically different on both programs: the necessity to split BHV – the Flemish position – was never questioned on *De zevende dag*. In contrast, opposition to a split – the francophone position – was never questioned on *Mise au point*. Critical questions from journalists always concerned politician's strategies to achieve (*De zevende dag*) or to block (*Mise au point*) a split. Therefore, viewers could not witness a debate on the heart of the issue.

Factual elements were also emphasized or omitted depending on whether they fitted in the political consensus. On *De zevende dag*, politicians numerously referred to an 'important ruling' of the Constitutional Court, which they claimed demands a split of BHV. This incorrect statement was never questioned. The much discussed ruling was however not mentioned at all on *Mise au point*, although it is an important element that prescribes that some form of solution to the BHV problem is needed.

In some cases, journalists even positioned themselves discursively in the conflict by using deictic references (such as 'we', 'us', 'our', 'theirs', etc). For example, on *De zevende dag*, the interviewer asked: 'And we Flemish, we will not give anything in return for what the francophones get?', while in *Mise au point* reluctant French-speaking politicians were asked: 'This means there is a price we could hope for? What would that price be? Come on, we are between ourselves here'. Such references incite viewers to look at the issue from the same viewpoint as the interviewer and further contribute to hinder an open federal public debate as could be expected in a genuine federal public sphere.

The need for electoral reform

Analysing the media's role in the Belgian federal system shows that the 'problems' facing transnational polities due to the absence of corresponding

transnational public spheres can also be found in federal Belgium: while important political decision-making still takes place at the federal level, public information, debate and participation are largely organised at a community level. The question is whether this is really a problem. And if so, what can be done about it.

If we resituate the Belgian case in the debate on transnational public spheres, we can draw two quite opposite conclusions. On the one hand, it can be argued that if the prerequisites for a genuine public sphere are not even met in a bilingual country such as Belgium, it is unreasonable to put similar demands on the EU for it to earn the quality label of democratic legitimacy. Because it is stuck in the model of the monolingual Westphalian nation-state, public sphere theory would foster unrealistic expectations. Belgium would then incite us to profoundly rethink this theory for an increasingly multilingual and post-national world. On the other hand, if we do follow the assumptions of numerous authors arguing for the development of a European public sphere as a prerequisite to eliminate the democratic deficit of the EU, we can only conclude that Belgium faces a similar democratic deficit.

While both conclusions lack nuance, we do believe that both political systems deal with the question how to make multilingual democracy work in a democratically legitimate way. Moreover, as shown by the case of media reporting on BHV in Belgium, the current situation can also fuel political incomprehension and conflicts. Therefore it is necessary to look for ways to stimulate the development of public spheres in both cases. While the development of a genuine pan-Belgian and pan-European public sphere would be the most ideal way to solve the democratic deficit, certainly in the short term this is not very realistic and more can be expected from federalization and Europeanisation of respectively community and national public spheres.

The question then becomes how. As main carriers of public spheres, media are seen as the instrument through which to stimulate their development. In the past, the EU has argued for and invested in the development of thematic television channels, pan-European media and European media programs. Options suggested for the Belgian case include establishing pan-Belgian media, attributing an additional media competence to the federal level which could then support exchanges and collaborations between community media, the organisation of federal political debates simultaneously held on Dutch and French-speaking channels, broadcasting subtitled versions of news programs of the 'other' community (the latter was actually done by RTBF during the 2010 federal election campaign). While such proposals have their merit, both for the EU and Belgium they do not

stand much chance of realisation in the current political and institutional context. This suggests it is precisely this context we might have to look at. Focusing (only) on media reform does not touch upon the heart of the problem, which can rather be situated within the political system. Indeed, in both Belgium and the EU, we see that media reporting is influenced by political behaviour.

Political elites of the EU may express their frustration about the lack of Europeanisation of national media. They nevertheless contribute to it by communicating decisions primarily to media of their home country. After meetings of the European Council, 27 simultaneous press conferences are usually held in separate rooms, allowing to spin the joint decisions as 27 separate negotiation victories to the national electorate. Even the communication strategy of the European Commission is nationalised with spokespersons 'adapting' information to the country they are briefing. This type of strategic behaviour does of course not stimulate but rather hamper construction of a European public sphere, a project nonetheless officially very dear to the Commission.

A similar dynamic can be seen at work in Belgium, where federal ministers also tend to communicate their decisions primarily to their 'own' media. Press conferences of the federal government often feature the prime minister, flanked by a Dutch-speaking and French-speaking minister who afterwards both cater for their own media. Politicians anticipate that journalists will want a quote of a politician of the own community, thus also reinforcing this attitude. Program makers often complain about the reluctance of federal politicians to speak to media of the 'other' community. In the past, even perfectly bilingual prime ministers such as Dehaene or Verhofstadt were at times difficult to convince to address media of both communities. In any case, responsibility for the continued segregation within European and Belgian public opinion cannot be exclusively attributed to journalists, but is clearly also encouraged by the behavior of political elites.

This parallel behaviour can in turn be explained by institutional similarities between the EU and Belgium. EU politicians' communication strategies are national because their electorate also is. The EU does not have full blown European parties, nor is there electoral competition organised at the EU level, as the electoral system is organised on a national basis. Because of this, European elections are in fact the sum of 27 national elections.

Or rather 28, given that European, but also federal elections in Belgium can be seen as simultaneous community elections for largely the same reasons: Belgium has no federal parties and most electoral districts do not cross the language border. This causes federal ministers to only be accountable to the

electorate of one of the two communities and explains why they are less inclined to show interest for media of the 'other' community. The heart of the democratic deficit lies there. It influences behaviour of politicians and journalists in their mutual relations: *media need politicians that are relevant to their audience, politicians need media that are relevant to their electorate*. This contributes to the lack of a genuine federal public sphere which in turn reinforces the democratic deficit.

That is why arguments focusing solely on changes in the media system largely miss the point. If there is a key to a further development of genuine European or Belgian public spheres, it is more likely to be institutional reform of the political and electoral system itself. Here again, parallels can be drawn between the EU and Belgium, for which similar reforms have been suggested that would incite politicians to address voters in the entire polity, such as a polity-wide constituency.

In 2011 a large majority of the Constitutional Affairs Committee of the European parliament proposed that 25 MEP's would be elected through a European constituency, which would see the introduction of transnational lists, containing candidates from at least one-third of the members states. In Belgium, Dutch-speaking and French-speaking academics, brought together by Philippe Van Parijs, have argued for the introduction of a federal electoral district to elect part of the federal representatives, a proposal also supported by an increasing number of political parties.¹

In both cases, politicians up for election in such a constituency would become relevant for voters and consequently media over the entire polity and will also be incited to address them, thus contributing to the development of a European- and Belgian-wide political and public debate.

Of course, certainly in Europe, linguistic differences will continue to form an obstacle for the emergence of a public sphere such as conceived in the case of monolingual nation-states. But while electoral reform may not be a sufficient condition for the development of genuine public spheres, it is clearly a necessary condition take down the important barriers separating public spheres within Belgium and Europe today.

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On genetic inequality

Hillel Steiner

Abstract (in French)

Les théories de la justice distributive qui ont recours à une conception de type "égalité initiale" ("starting-gate") sont généralement critiquées pour leur incapacité à aller au-delà d'une égalisation éphémère: leur distribution initialement égale de la valeur des ressources naturelles se mue trop aisément avec le temps en des ensembles de dotations très inégaux, via l'exercice itératif par les personnes de leurs talents productifs, non choisis et fortement inégaux. Ce texte défend l'argument selon lequel une telle critique est réfutable dans la mesure où de telles théories peuvent étendre leur conception des ressources naturelles de manière à éliminer les inégalités non choisies de talents productifs.

Critics of starting-gate accounts of egalitarian justice standardly object that the equality of holdings they sustain is, at best, a fleeting one: adult persons initially equipped with entitlements only to equal resources (including the liberty to deploy them as they choose) will soon find that their respective sets of entitlements have become unequal, and perhaps considerably so. This inequality is held to be due to several different kinds of factor, but undeniably the most salient among them is inequality of productive ability.¹ Persons' respective levels of productive ability vary considerably, from the super-talented to the utterly disabled. If all persons are to be entitled to the fruits of their labour, the entitlements of the super-talented will, eventually, vastly exceed those of their disabled counterparts. And this differential is held to be unjust because – or, more precisely, to the extent that – neither those talents nor those disabilities are themselves results of choices made by their possessors. That is, they are not themselves the fruits of those persons' labour.

This objection is a valid one. Or rather, it is valid with respect to starting-gate theories that deploy an *insufficiently inclusive* conception of initially

¹ Other major sources of these inequalities are said to be bequests and inter vivos gifts. However, at least some starting-gate theories – those deploying the Will Theory model of rights – are well placed to deny the possibility of a just right (strictly, power) of bequest, cf. Steiner (1994: 249-258). As to inter vivos gifts, the inequalities they create cannot, in principle, worsen the comparative position of any third party – anyone who is neither donor nor recipient – since, while they entail that she is worse off in relation to the recipient, they also entail that she is better off, and to the same degree, in relation to the donor; cf. my 'Responses', in Kramer & al. (2009: 242-244).

equal resources. A properly inclusive conception, I suggest, considerably diminishes the range of resultant holding-inequalities due to productive ability inequalities. And it does so by reducing those latter inequalities themselves. Why? How?

It seems reasonable to suppose that all the factors contributing to the production of persons' ability levels fall into one or another of three categories: (1) the contributions made by those persons themselves; (2) the contributions of other persons; and (3) the contributions of Mother Nature. If I pursue a programme of vigorous physical exercise, the various abilities associated with the level of strength and endurance I thereby achieve are themselves the fruits of my labour. Conversely, so too are the levels of disability I incur through pursuit of a career as a couch-potato. If you supply me with piano lessons, the level of proficiency I thereby attain is a product of your labour: labour which you are entitled to bestow upon me as a gift or in exchange for payment. Conversely, if you injure me, the level of disability which I thereby incur is equally a product of your actions, and one for which you owe me remedial compensation.² And finally, if some of my abilities and disabilities are due to the 'actions' of Mother Nature – are *not* due to factors supplied by myself or other persons – then what, if anything, follows about remedial compensation?³

Gametic Information as a natural resource

A common view among starting-gate theories is that Mother Nature's contributions to our productive activities should be shared equally by all. Not being products of anyone's labour, not being results of anyone's choices, it is entitlements to these natural factors that such theories distribute in equal amounts to all persons. In a fully appropriated world, that equal entitlement entails that persons who have appropriated or own a greater than equal share of those natural factors owe corresponding amounts of compensation to all those who have less than an equal share of them: if the total value of natural factors is 1000, and the total number of persons is n , each person is entitled to $1000/n$ of the value of those factors.

² At least, this is true of the injuries you caused that were reasonably foreseeable. I've argued elsewhere that those other-caused injuries that are *not* reasonably foreseeable are attributable to Mother Nature and should consequently be redressed by 'her' owners; cf. my 'Responses', in Kramer & al. (2009: 249-250).

³ Most abilities and disabilities are, of course, joint products of two or all three of these types of contributing factor, and it is the function of countless researchers in numerous fields – especially the social- and bio-sciences – to discover the nature and relative proportion of the contributions made by each of them.

Salient among the factors that contribute to the production of our ability- and disability-levels is the genetic information encoded in our genomes. Whether and to what degree we're predisposed to sing like Pavarotti, or set Olympic records, or cope with steep learning-curves, or react allergically to pollen, or contract cancer, or develop certain forms of schizophrenia, or undergo racist or sexist treatment at the hands of others, are at least partly determined by the genomic information controlling the construction of our bodies. This genomic information is itself the product of a production process – procreation – which, standardly, consists in combining the genetic information respectively born by two gametic cells (egg and sperm) contributed by those persons who engage in that process, i.e. procreators. And their gametic cell information was, in turn, a product of its counterparts in *their* procreators, and so on back, through each serially antecedent generation. In other words, gametic cell information is, standardly, not itself a product of human labour: it derives from non-human sources.⁴

Not being a product of human labour, gametic cell information counts as a *natural resource*. And as a factor in the production of genomes, which contribute to the production of ability- and disability-levels such as those represented in the above list, it has a value. Presumably that value is some mathematical function of what persons would have to pay to acquire that ability-level, or to offset that disability-level, by non-genetic means.

Procreators, in order to produce a genome, must appropriate this natural resource. The fact that it is a resource located within the precincts of self-owned bodies does not entail that it itself is owned – just as a geographic site's being entirely surrounded by owned sites does not entail that it is an owned site.⁵ And hence those procreators, as appropriators, must *ceteris paribus* compensate all other persons who are thereby denied the use of that information.

Suppose that one couple, Alice and Bert, choose to combine respective bits of gametic information – A and B – and thereby produce an offspring, Able, who is possessed of a highly valuable genome: one which, if combined with a particular set of post-conception input factors (IF) – such as particular amounts of nutrition, education, medical care, exercise, etc. – would result in a young adult with a high level of ability. And suppose that another couple, Carol and Doug, combine respective bits of gametic information – C and D – and thereby produce an offspring, Infirm, who is possessed of a considerably less valuable genome: one which, if combined with an identical IF set, would result in a young adult with only a very low level of ability. In a two-family world, the requirement to share Mother Nature's contributions

⁴ This claim is neutral as between Darwinian evolutionism and Creationist accounts.

⁵ Cf. Steiner (1994: 248-9, fn. 26).

equally entails that Able's procreators will be compensators of Infirm's procreators. Thus, if A and B are each worth 10, while C and D are each worth only 5, Alice and Bert owe 10 to Carol and Doug.

One line of objection to this argument has been that, in procreating Able, Alice and Bert do not thereby exclude Carol and Doug from the use of that gametic information, since they do not thereby preclude the possibility of Able's being cloned; hence they owe Carol and Doug no compensation (Curchin 2007: 490; Carling 1992: 94-96). But this objection is a *non-sequitur*. What's true is that Alice's and Bert's procreation does not deny Carol and Doug the use of A and B, *taken conjunctively*: cloning Able to produce Able II is still possible. But what's also true is that Carol and Doug *are* denied the possibility of using A and B, *taken disjunctively*: Alice's and Bert's act of procreation does preclude the possibility of the gametic conjunctions A + D and C + B. Accordingly, Alice and Bert *would* owe compensation to Carol and Doug. And, if that compensation is applied to the purchase of a superior set of post-conception input factors for Infirm, IF+, this would eliminate any ability-level differential between him and Able by the time they attain adulthood, when the further development and deployment of their abilities consequently become a matter of their own choices.

Implications of the Genetic Revolution

That, at least, is how starting-gate accounts of egalitarian justice can reply to their critics today. *But what about tomorrow?* Tomorrow is when - due to what is often referred to as the *Genetic Revolution* - A and B may no longer be construable as natural resources. For over a vast swathe of the biosphere - including the human genome - the impact of this revolution is continuously to expand the domain of nurture and correspondingly to contract that of nature. And with the rapidly advancing techniques of genetic engineering, the prospect emerges of the genetic information loads of gametic cells being products of labour, objects of choice. Under those circumstances, the requirement that Mother Nature's contributions be shared equally - and the consequent equalising compensation flows from the parents of the genetically advantaged to their disadvantaged counterparts - would no longer apply to procreation. Does this restore, to those critics, the ground they lost to the preceding argument?

I think not. Recall that, today, the ability-level differential between Able and Infirm at the point of adulthood is eliminated through the application, to Infirm, of the IF+ purchased with the compensation paid to his parents. What is it that obliges those parents to purchase his IF+ with that compensation award, rather than using it, say, to purchase a round-the-

world cruise for themselves? Here, I think, we can simply invoke the sorts of norms that standardly pertain to custodial responsibility for the rearing of children: duties and powers that are designed to ensure that they undergo a developmental process such that minors reaching the age of majority are equipped to be moral agents, self-supporting, and so forth. Infirm's parents using their compensation award to take a round-the-world cruise, instead of supplying him with IF+, would, pretty uncontroversially, be deemed to be culpably negligent and in violation of those custodial norms. In which case, they would owe him remedial compensation.

Now, it's not hard to see that, in the post-revolutionary world of gametic cell engineering, their failure to conceive him with gametic information that, when combined with the standard set of IF, ensures the occurrence of that aforesaid developmental process, can equally be construed as culpable negligence on their part. Accordingly, their so doing would – equally uncontroversially – amount to a similar violation and would similarly entail their owing him remedial compensation. In short, it is true of both the pre- and post-revolutionary circumstances, that such violations can plausibly be viewed as having damaged Infirm in ways that persist beyond the point of his attaining adulthood, and that therefore warrant the payment of compensation sufficient to undo the adverse effects of that violation on his ability-level.

Hence, in a world that is fully compliant with starting-gate theories' division of nature and with the standard norms governing parental conduct, the primary source of inequality between persons' entitlements is neutralised. So, contrary to the claims of their critics, the equality mandated by starting-gate theories need not be a fleeting one.

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A federal electoral district for Belgium?

An appraisal with three amendments inspired by the Swiss experience

Nenad Stojanovic

Abstract (in Italian)

Eleggere parte dei deputati in un unico collegio elettorale federale, che comprenda tutto il territorio del Belgio? Questo articolo difende la tesi che tale proposta, avanzata da alcuni intellettuali belgi del "Gruppo Pavia", possa apportare un importante elemento integrativo nel modello consociativo belga, il quale, di per sé, rafforza movimenti centrifughi. Ciononostante, vi è un elemento della proposta - le quote linguistiche - che crea almeno due problemi: (a) il problema della legittimità, e (b) il problema delle quote non territoriali. In base all'esperienza svizzera, l'articolo propone perciò tre emendamenti: media geometrica per determinare i rappresentanti delle singole regioni, quote territoriali piuttosto che linguistiche, sistema elettorale maggioritario invece del proporzionale.

Introduction

Deschouwer and Van Parijs (2009) argue that the political philosophy underlying their proposal for a federal electoral district in Belgium (known as the Pavia Group proposal) is based on the belief that intelligent institutional engineering can provide concrete solutions for linguistically heterogeneous polities such as Belgium or the European Union.

The proposal consists of creating a single federal electoral district in Belgium, from which 15 of the 150 federal parliamentarians would be elected according to a proportional representation (PR) formula. Every citizen, thus, could cast two votes: one within his/her electoral district (as today), and one within the single federal district. The system of open party lists would allow citizens to vote not only for a party but also for single candidates from the same party list. Its authors hope that this proposal would provide incentives to politicians and the media to cross linguistic boundaries. For their part, voters would have an incentive to vote for candidates from a language group other than their own.

If implemented, this proposal would clearly move Belgium away from the present consociational model (Lijphart 2004), and towards the logic of the so-called "integrative school" (Horowitz 2002).

In this paper, I will first briefly evaluate the Pavia Group proposal by drawing attention to two disadvantages of one of its features, i.e. the reserved seats for language groups: (a) the legitimacy problem, and (b) the problem of non-territorial quotas. I will then illustrate this problem by discussing two examples from Switzerland in which a single electoral district has been either implemented or envisaged. Finally, I will propose three amendments to the proposal.

Two problems related to reserved seats

At least one element of the Pavia Group proposal should attract our attention and arouse our scepticism: the use of a linguistic quota (i.e., reserved seats) in the federal electoral district that fixes in advance the number of seats for Dutch speakers (nine) and for French speakers (six).¹

First, such quotas are problematic for the stability of democracy in divided societies. If they are too rigid, with permanently defined proportions, they are difficult to amend even if circumstances (e.g., demographics) demand it (e.g., Lebanon). Moreover, they can undermine the overall legitimacy of the political system if the citizen-electors of one group can influence, in a considerable way, who occupies the seats reserved for another (often rival) group. I will call this the *legitimacy problem*.²

Second, group rights such as quotas based on non-territorial identity markers (language, ethnicity, religion, etc.) are problematic for a liberal democracy based on individual rights attributed on the basis of territorially-linked citizenship and of membership in non-territorially defined groups. Therefore, as a general rule, such quotas should be avoided in free and democratic liberal societies (see Stojanovic 2008; Rehfeld 2010). I will call this the *problem of non-territorial quotas*.

Let me illustrate the two problems related to quotas by taking two examples from Switzerland. The first example deals with the legitimacy

¹ Deschouwer and Van Parijs (2009: 16) defend the quotas with the following argument: "In the absence of quota, there is a risk – indeed a certainty in the foreseeable future – that many voters will be reluctant to support a politician from the other language group for fear of contributing to a reduction in the representation of their own group in Parliament."

² In the context of Belgium, the quota provision envisaged by the Pavia Group proposal might weaken the impact on politicians' behavior that its advocates strive for. The reason is simple: Flemish-speaking citizens might elect French-speaking Candidate A in spite of the fact that he/she enjoys less support in his/her home region (say Wallonia) than Candidate B, also a French speaker from Wallonia. This voting behavior, if repeated over time, could undermine the overall legitimacy of the federal electoral district. In fact, it does not seem logical that citizens from all over the country can cast votes for any party list and any candidate from that party list but that, potentially, French speakers alone could decide who will occupy the Flemish quota, and vice versa.

problem. The second illustrates both the legitimacy and the non-territorial quota problems.

1. The reserved seat for French-speakers in the Berne government

The canton of Berne is the second largest Swiss canton, both in terms of territory and population. Its two official languages are German and French. Yet French is the sole official language of the region of Jura bernois (hereafter JB), both languages are official in the municipality of Biel/Bienne, and the sole official language in the rest of the canton is German. French speakers are in a minority position, both numerically and politically (72400 or 7.6%, including non Swiss citizens). 56% of Berne's French speakers live in JB.³

The government of the canton of Berne is composed of seven representatives. It is elected every four years in a majoritarian electoral system with two turns. There is only one electoral district and it corresponds to the cantonal territory. A special constitutional and legal provision, adopted after the separation of the northern part of Jura in 1979, guarantees one seat to the French-speaking minority of JB.⁴ This provision worked fine in the 1982 election but as early as 1986 a significant problem had arisen. A well-known politician from JB and member of the federal parliament, Geneviève Aubry, was defeated in the second run by the relatively-unknown Benjamin Hofstetter by a margin of 7680 votes at the level of the canton of Berne. But his election was contested by some Jurassiens on the grounds that in JB itself, Ms. Aubry had won with a margin of 3508 votes. On the eve of the second run, the president of the main JB party in one of the Jura districts declared that "JB will never accept Benjamin Hofstetter as its representative in the government,"⁵ while Ms. Aubry dismissed him as a "political Nobody"⁶. Moreover, Hofstetter was a bilingual French/German of Swiss-German origin⁷ and some Jurassiens did not consider him a "true" representative of JB. In the aftermath of the election, the Free Democrats from the Canton of Berne, the main losers of the elections, declared their "regret" that the "desire of JB was over voted by the old [i.e., German-speaking] part of the canton".⁸

³ According to the 2000 census, 79% of the 51'504 citizens of JB were French speakers.

⁴ This provision is neither a fully non-territorial linguistic quota (it does not include all French speakers living in the canton of Berne), nor a fully territorial quota (it is restricted only to French speakers from JB).

⁵ SDA-ATS, 3 April 1986.

⁶ *Der Bund*, 7 May 1986.

⁷ *Berner Zeitung*, 12 May 1986.

⁸ *Der Bund*, 15 May 1986.

	<i>Canton of Berne</i>	<i>Jura bernois (JB)</i>
<i>Aubry</i>	1 st run: 59 436 2 nd run: 60 394	1 st run: 6736 2 nd run: 7339
<i>Hofstetter</i>	1 st run: 40 154 2 nd run: 68 074 → elected	1 st run: 1941 2 nd run: 3831

**Table 1. The 1986 cantonal election in Berne.
Results of the two candidates from Jura bernois⁹**

Recognizing the dilemma of what I term the legitimacy problem – a quota filled by a person who can hardly be considered a legitimate representative of the group he is meant to represent – cantonal authorities sought a mechanism that would prevent similar situations (and further frustrations of the French-speaking minority) in the future. They wanted to limit the risk that the canton's German-speaking majority could overpower the will of a majority of JB's inhabitants to elect its representative.

The solution was the *geometric mean*. It works as follows: for every candidate from JB, the number of votes obtained in that region is multiplied by the number of votes received in the whole canton (including JB); the geometric mean is the result of the square root of that multiplication. The reserved seat is filled by the candidate from JB with the highest geometric mean. In other words, this solution gives more weight, but not exclusive weight, to the voters of JB in the selection of their representative. The following table illustrates the mechanism.

<i>Candidate</i>	<i>Canton Berne (JB)</i>	<i>Jura bernois (JB)</i>	<i>Geometric mean $\sqrt{(BxJ)}$</i>
X	70 000	10 000	26 458
Y	120 000	6 000	26 833
Z	150 000	4 000	24 495

Table 2. Geometric mean

⁹ Source: NZZ, 12 May 1986. *Der Bund* 26 November 2001.

Under the previous law, Candidate Z would be elected since her two rival candidates (X and Y) received fewer votes at the level of the canton. With the new system, however, Candidate Y would be elected, because he obtained the highest geometric mean. Candidate X would not be elected, even though he obtained most votes within JB; the instrument of the geometric mean does not throw the choice of their representative to a majority of Jura's citizens *alone*. Rather, the representative of JB is still elected at the cantonal level but the votes she receives in JB are "heavier". This also means that the French-speaking candidates have an incentive to gather support *across* linguistic borders and not only in their home region. The same, of course, applies to German-speaking candidates, who have an incentive to seek votes from French speakers. That would not have been the case if other possible solutions had been adopted, such as the creation of a separate electoral district for JB.

If this mechanism had existed in the 1986 election, Ms. Aubry would have been elected (geometric mean: 21'053) instead of Mr. Hofstetter (geometric mean: 16'149). The legitimacy problem would not have arisen.

2. The proposal for electing the Swiss government by popular vote

Another way to solve the legitimacy problem *and* the non-territorial quota problem is illustrated by a recent proposal of the Swiss People's Party (SVP/UDC). In the late 2000s, this party collected more than 100'000 signatures demanding, via a popular initiative, that the seven-member federal government be elected by the citizens in a majoritarian electoral system. So far, the government has been elected by the federal parliament. The proponents' main argument is that the people should directly elect their representatives in the federal executive branch, as they do in all Swiss cantons and in most municipalities.¹⁰ The Swiss will have the opportunity to vote on this proposal, probably in 2012/2013.

In the context of our discussion, what is interesting is that the election of the government would take place within a *single federal electoral district*. Therefore, for our purposes, *it is similar to the Pavia Group proposal*, even though its objective is not to provide incentives for politicians to campaign

¹⁰ See www.election-populaire.ch/arguments.html. Accessed 9 June 2011.

across linguistic borders¹¹ but rather to have a government that better reflects the popular support for various political parties.¹²

However, one possible disadvantage of this proposal is that it might endanger the presence of linguistic minority groups (French and Italian speakers) in the government, since the first language of around 70% of the Swiss electorate is German (and/or a Swiss German dialect). Realistically, how can a French or Italian speaker, with a good knowledge of German but no fluency in Swiss German, run an electoral campaign in the German-speaking regions of Switzerland and have a fair chance of being elected? The authors of the SVP/UDC proposal anticipated that critique by including a *quota* for French and Italian speakers: at least two of the seven seats shall be reserved for them.

However, unlike the Pavia Group proposal, this is not really a non-territorial linguistic quota. Rather, it is a *territorial* quota that *indirectly* and *implicitly* ensures a representation for French and Italian speakers. It states that at least two of the seven elected members of government must have their residence in the French or Italian speaking areas of Switzerland. In other words, nothing prevents a German speaker who lives, for example, in the Italian-speaking canton Ticino to run for the government and to take advantage of this provision in spite of the fact that her mother tongue is neither French nor Italian.¹³ Such a quota thus remains compatible with liberal democratic principles and avoids the problem of non-territorial quotas discussed above.

This does not address the legitimacy problem, however: citizens from German-speaking areas of Switzerland, by virtue of their numerical majority, could determine who fills the seats that are supposed to represent the French and Italian-speaking areas in the government too. For this reason the proposal contains the rule of *geometric mean*, imitating the model applied in the canton of Berne. For the two seats reserved for French and Italian-speaking areas, the votes of their citizens will have more weight than the votes of the citizens in German-speaking areas.

¹¹ Indeed, its advocates are probably unaware of this possible effect, which is not mentioned whatsoever on their official website (see footnote above).

¹² In fact, although the SVP/UDC received 28.9% of the votes in the 2007 parliamentary election, it has only one representative in the government. The Liberal-Radical party, on the other hand, has two representatives but only 15.7% of the votes.

¹³ This problem is potential but not actual. Informal conventions and political pressure will certainly prevent any major federal party from running German-speaking candidates with residence in French or Italian-speaking cantons, unless these candidates are truly rooted in those cantons and speak the local language fluently.

Implications for the Pavia Group proposal? Three amendments

The Swiss examples illustrated in the previous section lead me to propose the following amendments to the Pavia Group proposal. First, ensure the linguistic balance through territorial instead of linguistic non-territorial quotas. Second, apply the geometric mean. Third, use a majoritarian system instead of open list PR.¹⁴

Here are the main features of the amended proposal:

I. 15 of the 150 members of the federal parliament are elected in a single federal electoral district (Belgium). [This is the very core of the Pavia Group proposal.]

II. Every citizen has a maximum of 5 preferential votes to assign to individual candidates. This gives him/her a genuine opportunity to influence the election of his preferred candidates. (Apart from that, he has another vote for one of the party lists – or some of the candidates featured on one of the lists – presented in a provincial electoral district. See Deschouwer and Van Parijs (2009: 14).)

III. Only a given number of candidates are elected to the parliament from each of the following three regions:

Flanders (population ca. 6.25 million): 9 seats

Wallonia (population ca. 3.50 million): 5 seats

Brussels (population ca. 1.09 million): 2 seats¹⁵

If we were to stop at these three points, the proposal would enable the citizens of the Flemish region to elect a candidate from the Walloon region, and vice versa, and/or it would enable the most numerous linguistic group (the Flemish) to elect a candidate from the Brussels region, etc. This legitimacy problem, however, is addressed by IV:

IV. Candidates with the highest geometric mean are elected, according to the following formula:

¹⁴ For reasons of space I cannot here elaborate on the advantages of a majoritarian over a PR electoral system in divided societies, but I discuss them elsewhere (Stojanovic 2006). I would note, however, that both the government of the canton of Berne and the proposal for popular election of the Swiss federal government use a majoritarian and not a PR system.

¹⁵ Population as of Jan. 1, 2010. Source: <http://statbel.fgov.be/>

- A: number of votes received in the Flemish region
- B: number of votes received in the Walloon region
- C: number of votes received in the Brussels region
- D: number of votes received in the entire country (=A+B+C)

In order to fill this regional quota the following formula will be used:

- 9 representatives from Flanders: $\sqrt{A \cdot D}$
- 5 representatives from Wallonia: $\sqrt{B \cdot D}$
- 2 representatives from Brussels: $\sqrt{C \cdot D}$

In my view, the Pavia Group proposal, so amended, would have the following important advantages over the current system:

- The two main linguistic groups, given their relative concentration in the regions A (Dutch speakers), B (French speakers) and C (mostly French speakers, with a minority of Dutch speakers), would have, *de facto*, a fair chance to be represented in the parliament (within the group of 15 MPs elected in the federal electoral district).
- Nevertheless, the system would also be equally open to linguistic "others" (e.g., German speakers from Wallonia, people from immigrant origin, bilingual Dutch-French speakers from Brussels, etc.).
- All citizens, regardless of place of residence, would be able to vote for the candidates of their choice.
- Thanks to the single electoral district *and* the rule of geometric mean, *all* candidates would be motivated to campaign throughout the *whole* country – not, as is currently the case, solely within their own region. This would have a strong integrative effect, which would in turn promote inter-community cooperation and compromise.
- The use of the geometric mean would give greater weight, but not sole discretion, to the citizens from regions A, B and C for the election of MPs from their respective regions.

Conclusion

In the 2000s Philippe Van Parijs dedicated a lot of time and energy to contributing to the solution of the Belgian political stalemate, in the finest

tradition of *intellectuels engagés*. The creation of the Pavia Group¹⁶ and the Re-Bel Initiative (“Rethinking Belgium’s institutions in the European context”) testify to the importance of this involvement. The proposal of a single federal electoral district is the finest product of this engagement. It has not been confined to the academic community but has increasingly received endorsements from Belgian political leaders from both sides of the language border (see www.paviagroup.be).

This article should be seen as an admiring appraisal of the Pavia Group proposal. Nevertheless, I identified two disadvantages related to the provision for reserved seats: (a) the legitimacy problem, and (b) the problem of non-territorial quotas. By drawing inspiration from the Swiss experience, I proposed two main amendments, suggesting that the first problem can be tackled using the formula of geometric mean in order to fill the seats reserved for each region, whereas the second can be solved by introducing territorial (instead of linguistic) quotas on the basis of the three existing regions. They are complemented by a third amendment, proposing the use of a majoritarian instead of a PR electoral system.

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¹⁶ The name, by the way, stems from the place where its members would gather to discuss different proposals: Philippe’s house in the Pavia street in Brussels.

Towards an unconditional basic income in Brazil?

Eduardo Matarazzo Suplicy

Abstract (in Portuguese)

Nesse capítulo, eu reflito sobre a história da renda básica no Brasil, tendo em conta minha própria experiência política. Primeiro, mostro como a garantia de uma renda mínima inspirou propostas concretas em meu país. Depois analiso como o principal programa social no Brasil, o Bolsa Família, tem sido considerado um exemplo a ser seguido por outros países em desenvolvimento. Terceiro, explico porque considero que a Renda Básica de Cidadania (RBC) é superior, em muitos aspectos, às formas condicionadas. Finalmente, tento mostrar como poderemos avançar em direção a uma verdadeira RBC no Brasil.

Introduction

In the past two decades, I have been actively involved in the debate about universal and unconditional basic income. Since my first election as Senator in Brazil, in 1990, I have been pushing for such a basic income in political circles, with some significant and, perhaps, surprising success. In what follows, I reflect upon this experience, in four steps. First, I detail how basic income came to inspire concrete policies in my home country. Second, I focus on the main social assistance program in Brazil today, the *Bolsa Família*, which is widely regarded as one of the examples to be followed by other developing countries. Third, I explain why I think that a Citizen's Basic Income (CBI) remains superior, in many ways, to such a conditional scheme. Finally, in the fourth section, I try to show how we can move towards a true CBI in Brazil. I dedicate this essay to the 60th birthday of Philippe Van Parijs, who has taught us so much and has been a source of inspiration about the origins and the qualities of basic income.¹

¹ Thanks to James H Potts and Daniel G Parrilha for their suggestions on the final draft of this paper.

How basic income inspired Brazil's social policy

In 1966-68, and again in 1970-73, as I was studying for my Master's and my PhD in Economics at Michigan State University, in the USA, I came across the concept of income guarantee through a negative income tax (NIT). Back in Brazil, I interacted with Professor Antônio Maria da Silveira, who had proposed the institution of such a NIT in our country (Silveira 1975). When I was elected Senator by PT-SP for the first time in 1990, we then worked together on a proposal called the *Guaranteed Minimum Income Scheme*, PGRM. Every adult person 25 years or older who did not earn at least 45 thousand Cruzeiros per month (at that time, about US\$150) should have the right to a complement of 30% to 50% of the difference between that level and his/her disposable income. The project was approved by the Federal Senate, by consensus of all parties, on December 16th, 1991. It went to the Chamber of Deputies where, at the Committee of Finance and Taxation, it received an enthusiastic written opinion from Representative Germano Rigotto (PMDB-RS). The proposal, however, was not voted in that form because of several developments that followed.

The debate on the subject then started to flourish in Brazil. In 1991, during a discussion with approximately 50 economists who were close to the Worker's Party (PT), Antônio Maria da Silveira and I presented the PGRM proposal. Professor José Márcio Camargo observed that the guarantee of a minimum income was a good step, but that it should be granted to needy families only, with children attending school on a regular basis. These children would then not be induced to work in order to help the survival of their families.

In 1995, taking these thoughts into consideration, Mayor José Roberto Magalhães Teixeira (PSDB), in the municipality of Campinas, and Governor Cristóvam Buarque (PT), in the Federal District, started minimum income schemes linked to educational opportunities. Both programs were called the *Bolsa-Escola*. All families with income per capita below half the minimum wage, 50 reais – the minimum wage at the time was 100 reais – would have the right to receive a) in Campinas: whatever would be necessary to complete 50 reais per capita for the family; b) in the Federal District: a full minimum wage of 100 reais, no matter the size of the family, or how many people in the family were working or not. Those experiments inspired several other municipalities. In the National Congress, bills were presented defining the support level that the Federal Government would provide to municipalities introducing minimum income programs related to educational opportunities.

In 1996, I took Philippe Van Parijs for an audience with President Fernando Henrique Cardoso and the Minister of Education, Paulo Renato Souza. Van Parijs argued that an unconditional basic income was a first-best, but also recognized that starting with a minimum income guarantee associated with education opportunities was a good step, because it was related to investment in human capital. President Fernando Henrique Cardoso then gave permission to the National Congress to approve a law which authorized the federal government to grant a financial support of 50% of the amount spent by the municipalities that provide a minimum income linked to social and educational opportunities.

In March 2001, again under Fernando Henrique Cardoso's impulse, the National Congress approved another law authorizing the federal government to conclude agreements with all Brazilian municipalities in order to implement the *Bolsa Escola*. Later on, the government also instituted the *Bolsa-Alimentação* and the *Auxílio-Gás* programs. In 2003, Luiz Inácio Lula da Silva's government instituted the *Vale-Alimentação* program.

In October 2003, President Lula's government decided to unify and rationalize these different programs into a single *Bolsa Família* Program, which had 3.5 million families registered in December 2003. The number increased to 6.5 million families in December 2004, 11 million families in December 2006, and 13 million families, or around 50 million Brazilians, in June 2011.

The *Bolsa Família*: a success story

Along with other economic policy instruments, the *Bolsa Família* Program greatly contributed to the reduction of absolute poverty and the level of inequality in Brazil. The Gini coefficient had reached 0.599 in 1995, but gradually decreased every single year, reaching 0.581 in 2003, 0.544 in 2008 and 0.530 in 2009². The proportion of families under the extreme poverty line, with income per capita below R\$ 93.75 which was 17.5% in 2003, decreased to 8.8% in 2008. The proportion of poor families, with income per capita below R\$ 187.50, decreased from 39.4% in 2003 to 25.3%, in 2008. These favorable results can also be shown in the following way. The 20% poorest families had an income per capita increase 47% faster than the income of the richest 20%. While in 2001, the average income of the 20%

² Sources: Study number 30 of IPEA – Instituto de Pesquisa Econômica Aplicada, First Analysis about the results of the 2008 PNAD – Pesquisa Nacional por Amostra de Domicílios, published in September 24th, 2009, plus the 2009 PNAD results officially published by the IBGE – Instituto Brasileiro de Geografia e Estatística in 2010.

richest families was 27 times higher than that of the 20% poorest families, in 2008 it was 19 times higher, a reduction of 30% in seven years.

Since March 1st, 2011, when the newly elected President Dilma Rousseff announced an adjustment of the program, the *Bolsa Família* started to function as follows: if the family per capita income is below R\$70 per month, it is entitled to receive a basic benefit of R\$70 per month³. All families with monthly per capita income below R\$140 are entitled to R\$32, R\$ 64 or R\$96 if they have one, two, three or more children under 16 years of age respectively, plus R\$38 for each adolescent between 16 to 18 years of age (up to a maximum of two). Therefore, the average benefit per family has increased to R\$115 per month, with a minimum of R\$32 and a maximum of R\$242 per month.

The average size of the Brazilian family is 3.5 persons. The average is a little higher, around four, for families that benefit from the program. These families need to meet important requirements. If the mother is pregnant, she has to go to the public health network for pre-natal examinations and monitoring. Parents have to take their children up to six years of age to be vaccinated according to the calendar of the Ministry of Health. Children from seven to 16 years of age have to go to school, with an attendance average of at least 85%. Children from 16 to 18 years of age must attend school with at least 75% attendance.

Despite the achieved progress, Brazil is still one of the most unequal countries in the world. While the poorest 40% live with 10% of the national income, the richest 10% live with more than 40%. The income appropriated by the 1% richest is the same as of the one the 45% poorest. Undoubtedly, the creation and expansion of the *Bolsa Família* Program had positive effects. However, in order to move towards a more efficient and direct eradication of the absolute poverty, as well as to achieve greater equality and guarantee greater real freedom for all, Brazil should implement a true Citizen's Basic Income.

Towards a CBI

During the 1990s, I increasingly interacted with the founders of the *Basic Income European Network* (BIEN)⁴, and took part in its bi-annual congresses. I became convinced that an unconditional Basic Income for all was much better than conditional schemes or even a NIT. For this reason, in December 2001, I presented a new bill of law to the Brazilian Senate, which called for

³ As of September 1st, 2011, R\$1,00 was US\$0.63, and €0.44.

⁴ In 2004, BIEN became the Basic Income Earth Network.

the institution of the Citizen's Basic Income (CBI). After having studied the proposition, Senator Francelino Pereira (PFL-MG) argued that it had to be made compatible with the Fiscal Responsibility Law under which it is necessary to secure corresponding revenue for expenditures. He suggested the inclusion of a paragraph saying that the CBI had to be instituted gradually, starting with those most in need, until one day it will be unconditional for everyone regardless of income. It reminded me of Meade's recommendation, in the last chapter of *Agathotopia* (1989). What is important is to have our objectives crystal clear in mind, and to move firmly, gradually, into that direction.

The bill of law was duly amended and approved by consensus of all parties in the Senate (December 2002) and the Chamber of Deputies (December 2003). When it came to the President for his examination, Minister of Finance Antonio Palocci told him: "since it is to be introduced step by step, it is feasible and you may sanction it". On January 8th, 2004, President Lula da Silva sanctioned the Law 10.835/2004 that institutes a CBI, step by step, under the Executive criteria, starting with those most in need, such as in the *Bolsa Família* program. Later, then, we will introduce an equal CBI for everyone as an individual right to a stake in the nation's wealth. On this day, the President received the following message from economist Celso Furtado:

As Your Excellency sanctioned the Citizen's Basic Income Law I want to express my conviction that, with this measure, our country puts itself in the vanguard of those who fight for the building of a more harmonious society. Brazil was frequently referred as one of the last countries to abolish slave labor. Now with this act which is a result of the principles of good citizenship and the wide social vision of Senator Eduardo Matarazzo Suplicy, Brazil will be referred as the first to institute an extensive system of solidarity and moreover, it was approved by the representatives of its people.⁵

As I see it, a true CBI should be as high as possible in order to meet each person's vital needs, and should be paid to all members of a community, municipality, state, country, or even, someday, to the whole population of a continent or the world. Regardless of his/her origin, race, sex, age, civil, social or economic condition, everyone will have the right to receive the CBI as a right to participate in the wealth of that community, municipality, state, country, continent or the planet. Such a scheme has many advantages. Let me mention a few of them.

⁵ This letter was sent directly to President Luiz Inácio Lula da Silva, on January 8, 2004, with a copy to my office (see Suplicy 2010: 367).

First, all the bureaucracy involved in knowing each person's income from the formal or informal market would be eliminated. This would also allow for the elimination of any stigma or shame, since individuals would not need to tell civil servants: "I earn only *this much*, so I need a supplement of income for my survival".

Second, perhaps the most important advantage of the Citizen's Basic Income is that it raises everyone's level of dignity and freedom. Take the case, for example, of a girl who does not have another alternative for her survival than renting her body. Or a young man who, to support himself and his family is forced to work for the drug traffic gangs. If there is a Citizen's Basic Income, they can refuse those alternatives, and wait for opportunities that match their propensity or vocation.

Third, a basic income allows for the elimination of the dependency trap. Conditional programs function as follows: if a person's income is below a given amount, she is entitled to an income supplement. When she gets a job, she loses (part of) the benefit. Hence, she might decide not to take that job, falling into an unemployment or poverty trap. With a universal basic income she will have more employment options.

One of the most often-heard objections to Basic Income consists in saying that it would stimulate idleness. The Brazilian Constitution and laws, as well as the laws of so many countries, protect the right to private property. This means that the owners of factories, farms, hotels, restaurants, banks, real estate and financial bonds have the right to receive capital revenues, that is, profit, rent and interest. Do the Brazilian laws, or of most other countries, mention that to receive those revenues, the capital owners must demonstrate that they are working? No, and they usually work, and many of them also dedicate a good part of their time to voluntary work. Do they need to demonstrate that their children are attending school? No. Nevertheless, their children usually attend the best schools.

So, if we assure those who have more resources the right to receive their revenues without conditions, why not extend to everyone, rich and poor, the right to participate in the nation's wealth as our right for being Brazilians? If we want to eliminate absolute poverty, becoming a more equal and fair society and assuring dignity and real freedom to everyone in the society, instituting the Citizen's Basic Income is a solution as simple as leaving home through the door.

Turning basic income into reality in Brazil

In Brazil, we could consider the institution of the Citizen's Basic Income (CBI) as consistent with the values defended by the indigenous, by the

fighting “quilombolas” and abolitionists for the slavery abolition, and by all those researchers and scientists who fight for the creation of a fair nation.

In the same way as the first minimum income linked to educational opportunities started locally, in Campinas and in the Federal District, it is possible to start the CBI in communities or municipalities.

Take the example of *Recivitas – Instituto pela Revitalização da Cidadania*, an organization which has created a free library and a free toy center in Vila de Paranapiacaba (Serra do Mar, 1,200 inhabitants). It has recently proposed the creation of a CBI. *Recivitas's* President Bruna Augusto Pereira and coordinator Marcus Brancaglione dos Santos are waiting for the steps of Santo André's Mayor to carry out the project. While waiting, they started a pioneering experience in another village, Quatinga Velha where, since the beginning of 2009, they pay R\$ 30 or US\$ 18 per month to 83 persons. This is possible thanks to the voluntary contributions of several citizens.

Another promising experiment is taking place in Santo Antonio do Pinhal, in Serra da Mantiqueira, 177 km from São Paulo, 6,500 inhabitants. There, on October 29th, 2009, the Municipal Chamber, by consensus of its nine councilmen, approved the Municipal Bill of Law for a Basic Income, proposed by Mayor José Augusto de Guarnieri Pereira (PT). Among the 5,565 Brazilian municipalities, it is the first that approved a law instituting the CBI. Its first article declares:

With the purpose of turning Santo Antonio do Pinhal into a Municipality that harmonizes sustainable social and economic development with the application of justice principles, meaning the solidarity practice among all its inhabitants, and, above all, to grant a higher level of dignity to all its inhabitants, the Citizen's Basic Income of Santo Antonio do Pinhal – CBI is instituted, consisting in the rights of all registered residents in the Municipality for at least five years to receive a monetary benefit regardless of their social and economic status.

Exactly as in the federal law, it also states that the CBI will be achieved gradually, giving priority to the most needed segments of the population. To finance the payment of the CBI, a Municipal Fund has been set up.

To turn the CBI feasible for the whole country however, it would be necessary to collect a great amount of resources. If one wants to provide an even modest improvement in relation to the *Bolsa Família*, Brazil should begin with at least an amount higher than the average paid by this scheme, i.e. R\$ 96 per family, which means something like R\$ 37 per person for a family of three members. So, if we think about a CBI of R\$ 40, it would amount to R\$ 240 per month for a family of six members. In 12 months, the yearly amount would be R\$ 480 per person. With Brazil's population reaching 191 million in 2011, we would need R\$ 91,680 billion, something

around 2.71% % of the Gross National Product of R\$ 3,388 trillion or US\$ 2,287 trillion in 2010, about 6.7 times the *Bolsa Família* budget of R\$ 13.6 billion for 2010. This is a considerable leap.

R\$ 40 or US\$ 23.5 per month is a modest amount, but in time, with the progress of the country and the growing approval from the population, the CBI could turn into R\$ 100, then R\$ 1.000, and so on. One way of making it feasible is the creation of the Brazil Citizen's Fund, according to the Bill of Law # 82/1999, which I presented to the Senate. It has already been approved by consensus by the Senate, and is in legal procedures in the Chamber of Representatives, where it has been approved by the Committee of Family and Social Security. This Fund is constituted by 50% of the resources generated by authorization or concession of natural resources exploitation; 50% of the revenues from rentals of federal government real estate, which belong to all the population; 50% of the revenues generated by concession and services and public works and other resources. The output generated by the investments of the Fund resources, like the Alaska Permanent Fund, will be used to pay CBI to all the Brazilian residents.

Brazil Citizen's Fund legislation is now awaiting approval by the Chamber of Representatives Committee of Finance and Taxation. Representative Ciro Gomes (PSB-CE), the bill's reporter in the last Congress, finished his term on January 2011, and a new reporter has been nominated, Federal Representative Cláudio Puty (PT-PA) (from the Worker's Party, State of Pará). He will be able to present a favorable report as long there is a green light from the Executive. This is not so easy, although I have been trying to say that I am ready to accept any suggestion to make the proposal feasible. It is important to consider that Congress approved in 2010 President Lula's initiative regulating the proceeds of the oil found in the Pre-Salt area deep in the Atlantic Ocean. The legislation has as its main objectives the eradication of poverty, the expansion of educational opportunities, scientific and technological progress, and better environmental and cultural activities.

Another promising alternative to be pointed out is Glaeser's suggestion of a global emission tax (Glaeser 2011: 221⁶).

Smart environmentalism needs to embrace incentives (...) Throughout the world, we can adopt a global emission tax that charges people for the damage done by their carbon emissions (...) Opponents of big government understandably worry that this type of policy will just turn into an added source of revenue for the government, but this worry can be reduced with a public commitment to rebating

⁶ Glaeser as quoted by Philippe Van Parijs in a letter to the Executive Committee of the *Basic Income Earth Network* (BIEN) on June 8, 2011.

tax to citizens as an energy dividend, much as the state of Alaska pays each of its citizens an annual dividend from all revenues.

Especially when more people understand how CBI could contribute for the construction of a fair and more civilized Brazil, more voices will be saying to the President of the Republic, to the Governors and Mayors: "It is a good proposal. Let's put it into practice right away".

Conclusion: what are the immediate prospects?

During the IV National Congress of the PT in Brasilia, February 19th to 21st, 2010, by the unanimous vote of the 1.350 delegates, the following point was added to the National Program of Dilma Rousseff, who was acclaimed Presidential candidate by consensus:

The Great Transformation

The accelerated growth and the fight against racial, social, regional inequalities and the promotion of sustainable development will be the axis of the economic development structure. (...)

19) The expansion and the strengthening of the popular consumption goods, that produces strong positive impact over the productive sector system, will be attained by:

a) (...)

f) permanent improvement of the income transfer programs such as the *Bolsa Família*, to eradicate hunger and poverty, to facilitate access of the population to employment, education, health and higher income;

g) transition from the *Bolsa Família* Program towards the Citizen's Basic Income, CBI, unconditional, as a right of every person to participate in the wealth of the nation, such as set by the Law 10.835/2004, a PT initiative, approved by all parties in the National Congress and sanctioned by President Luiz Inácio Lula da Silva in January 8, 2004.

It would be rational that the *Bolsa Família* and the state social programs become unified since they are quite similar. Both could be increased in value, for more people, in the direction of the CBI.

President Dilma Rousseff was elected last October 31st, in the second ballot, with almost 55.7 million votes, 56% of the total. On her inauguration day, last January 1st, she announced that the eradication of misery or extreme poverty in Brazil would be her first and most important priority.

On June 11st, President Dilma Rousseff launched the Brazil Without Misery Plan. The main purpose is to include in the program those 16.27 million people who are not yet being benefitted by the *Bolsa Família* program, although there are people who, according to the 2010 Census, are living with

less than 70 reais per capita. She announced that the government will start making an active search for these people wherever they are. Since many of these people are children up to 14 years of age, the *Bolsa Família* Program will increase the benefit from three to five children up to 15 years of age that may receive the 32 reais per child. This measure is expected to reach 800 thousand families more, up to 2014, and 1.3 million more children.

It will be a tremendous challenge for a 150-year old financial institution like the Caixa Econômica Federal, a *Caisse des Dépôts*, to administer the unconditional right to all 191 million Brazilians. But for an institution that was able to increase the number of families benefiting from the *Bolsa Família* Program from 3.5 million (December 2003) to 13 million families (June 2011), the management of a Citizen's Basic Income to all Brazilians is a feasible objective. It is my purpose to help President Dilma Rousseff and her Ministers to take the necessary steps to institute the Citizen's Basic Income by 2014.

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Is it always better to clear up misunderstandings?

Luc Van Campenhoudt

*Heureusement qu'il y a le malentendu,
car sans le malentendu on ne s'entendrait jamais.*
Charles Baudelaire

Abstract (in French)

Comme nous ne sommes pas en mesure de comprendre parfaitement les autres mais que nous ne pouvons pas nous empêcher de tenter de les comprendre pour nous ajuster à eux, nous les comprenons toujours plus ou moins de travers. Inhérent aux relations humaines et à la vie collective, le malentendu leur est aussi indispensable, pour diverses raisons. Cette conception positive du malentendu a quelques implications morales qui vont à contre-courant des injonctions dans l'air du temps à être transparent et à bien communiquer. Elle met aussi au défi les méthodes de recherche en sciences humaines et sociales.

I am fully aware of how likely this admission is to discredit this text right from the start, but my dog is the one to have set me on the track.¹ With the passing years, his ability to get me to understand what he wants, and vice versa, has grown. If I neglect him too long, he sulks for two long hours, turning his back to me, before showing his joy at seeing me again. To let me know it is time for his evening walk, he plants himself in front of me and looks at me straight in the eye, but with his hind end turned toward the apartment door. At other times, however, such as on walks, when he is entirely occupied by his olfactory explorations, or when, dreaming of who knows what, he makes little yapping sounds that seem to come from beyond the grave, I have the disappointing feeling that an ocean of incomprehension divides us. Yet we get along quite well and could pick each other out in a crowd of thousands. Actually, he and I are linked by a perpetual misunderstanding: We understand everything wrong, and when we believe we've understood each other, we've actually grasped just a distorted piece of the other one's truth. Despite that, our actions and sounds adjust to each other as best as they can, and that suffices for each of us to manage and to feel linked by a certain harmony. At least I do, but I think that he does, too.

¹ This chapter was translated from French by Gaby Leyden.

Human beings believe that they are cleverer than animals and that their interactions are more subtle and elaborate than those between a man and his dog or between animals. They like to think that if their relations are harmonious, it is because they are able to understand each other, to explain things to each other, and even to explain scientifically how they are able to understand each other and act in concert. So, Alfred Schütz (1967) showed that a situation of collaboration (let's say a university course, family holidays, or some other collective undertaking) could function harmoniously only because all of the partners, each of whom was there for a different reason, managed nonetheless to behave *as if* they had come together for the same reason (such as learning sociology, having fun as a family, or manufacturing fully equipped kitchens). They could function because all partners could step into each others' shoes and understand why they were there. Schütz calls this 'reciprocity of perspective'. Such a hypothesis rests upon the basic assumption that a relatively fine understanding of another person is a realistic ideal and human interactions are harmonious if each person strives to achieve this ideal.

Several scholars feel that one must also search for the sources of a successful interaction in the forms that it takes and that the partners have adopted. For example, Goffman (1959) thinks that a successful interaction entails, amongst other things, each of the protagonists' avoiding making the others lose face; each one, in a way, guarantees the other's face. In this way, the interaction can be harmonious without the protagonists' understanding each other perfectly. It is important above all that they master certain codes and take pains to heed them.

Human interactions effectively involve a very great number of elements, especially unconscious biological and mental elements (including some to which one could sometimes never confess) that would immediately shatter any interaction that did not take place within the limits of the social scripts that the partners took up in the course of their socialization. The trickier and more uncertain the interaction is, such as difficult negotiations, a university test, or a first sexual experience between two people, the more the protagonists will tend to cling to specific scripts. In the area of intimate relations, for example, these scripts will concern in particular the respective roles and behaviours expected of men and women (cultural scripts), the sequences to follow when going from seduction to sex (semi-structured interaction scripts), and even the fantasies and imaginary representations that are linked to sexual activity (psychic scripts). Thanks to these 'sexual scripts', as Gagnon and Simon (1986) call them, two partners can make love most pleasantly without having to delve too deeply into each others' hearts

and minds, provided that they are good actors who have internalized the scripts well and are capable of playing their roles convincingly.

These are but a few, sketchy examples of the myriad of attempts made by behavioural and social scientists, phenomenologists, and interactionists, amongst others, to grasp the mental and social processes that make interactions between human beings possible or impossible and satisfactory from their participants' points of view.

The limits of reciprocal understanding

However, human beings' abilities to understand each other, to do 'as if', and to follow identical or even compatible social scripts are limited, and this is so for a number of reasons. A *first* reason is simply that each individual's inner being is infinitely complex, unique in each case, and extremely hard to reach. All of us already have so much trouble sometimes understanding ourselves! A *second* reason is that no one ever communicates faithfully what is truly going on inside themselves. As Simmel (1906) explained a century ago, each person always reconstructs her/his inner reality according to an intention linked to the particular circumstances of the interaction. Furthermore, Nagel (1998) also points out that since the elements that make up the diversity of human beings are potentially conflicting, each person is forced to conceal the bulk of her/his thoughts and emotions as soon as s/he has to grapple with the constraints of public life and life in society. Modesty, discretion, and concealment are indispensable for living in society. Each individual can live in a community and contribute to its collective objectives only by keeping for him/herself the bulk of her/his judgements on others, desires, fantasies, and fears. The explosion of social networks on the Internet, such as Facebook and Twitter, might create the impression that new technologies are handing out a new deal. For the subject at hand, this is not at all the case. In introducing ourselves to our 'friends', each of us decides what to show and what to conceal, and we all always hide more than we show (Aguiton *et alii* 2009). Moreover, we do this all the more easily in that we do not have face-to-face contact with our 'speaking partners'. It would be simplistic to equate this concealment with deceit or hypocrisy, Nagel explains, even though these two attitudes can add to the difficulty of understanding each other. Here the comparison with my dog comes up against a first limitation : My dog is equally capable of copulating on the market place and in his kennel, for he makes no distinction between public and private, individual demands and the constraints of collective life, or the desire to act and acting. He makes no distinction between his intimate ego and his social ego. In contrast, in humans, the social ego reveals only a part,

and even then a distorted part, of the intimate ego. A *third* reason for the difficulty of understanding each other is that the people to whom a human being entrusts this distorted part of him/herself hear only a part thereof, the part that they can use for themselves. All this, as Simmel observes, is far from being rational.

This social constraint in favour of concealment and ambiguity reinforces the need for intimacy with a small number of people – friends, confidants, and/or lovers – with whom it is possible to share and experience a part of this unsaid. However, only a part, and up to a certain point only, for, here, too, you cannot say or do what you want without dooming the intimate or friendly relationship to failure. The ability to do ‘as if’ and to follow the same script with great naturalness also has limits. The partners are often reading different scripts although they think they are acting in the same play. In a new intimate relationship, for example, it is very common for one of the lovers to be following a romantic script and the other one a hedonistic script. Each has his or her own inner compass, but the two compasses’ needles are not pointing to the same north, so that the partners soon realize that they thought they were made for each other a little too quickly. This is something that happens fairly often, we must admit.

A misunderstanding that works

Perhaps most of the theories that try to explain the conditions of a harmonious interaction are too naïve and their premises are not radical enough. This is where my dog sticks his muzzle back into the picture. We feel good together, yet between us there is total misunderstanding. Not only do we not understand each other, but, as it is impossible for us to adjust to each other without constantly interpreting each other’s behaviour, each time we are completely off base. We think we understand each other, but we understand everything wrong. Well, I am speaking for myself above all, since, when it comes to my dog, I can be certain of nothing. Furthermore, I am totally unable to imagine the impressions I’d have and emotions I’d feel if I were in his shoes, eyes two inches from the ground, nose snuffling the slightest scents emanating from my fellow canines. And this incomprehension is obviously reciprocal. One might assume that without these misunderstandings my dog’s company would be even more pleasant for me. Not at all! For in that case, he would not be able to live his dog’s life, with its good and bad sides. He would have a terrible canine identity crisis, and he’d lose all his doggy charm in my eyes.

A misunderstanding is commonly perceived to be negative, something to be avoided by trying to understand each other better and to communicate

more. However, misunderstandings are not just inherent in human interactions and community life; they are *indispensable* for them. For people to dovetail with each other, it is important not to strive to understand each other too well. Wanting to seize other people's innermost beings is not only vain and indiscreet; it is also a form of violence, in that it consists in controlling and holding sway over them, and often passing final judgement over them as well. The result is that, to protect themselves, they will seek greater shelter in concealment, even in lies.

Inversely, an interaction between two (or more) beings reaches the apogee of subtleness and truth when each one is able to realize that her/his understanding of the other will always include a share of misunderstanding and accepts not seeking to dispel this misunderstanding by investigating the other to the point of violent intrusion. The magic of harmonious interaction stems from this ability not to want vainly to pierce the other's mystery. It is 'magic' in the sense that something amazingly pleasant, an intellectual or emotional pleasure, can arise from our different readings of the world and ourselves' pattern of interference, *e.g.* a pleasant and interesting conversation, innovative collaboration, the favourable settlement of a conflict, thrilling collective action, and sometimes even a great love, the poet thought.

This principle holds true overall for the most intimate interpersonal, institutional, and social relationships in general, albeit with minor differences. For example, politicians and citizens behave as if the common good were their shared purpose. Now, it is clear that politicians get involved in and pursue their political careers for a great variety of more or less acceptable reasons, such as the joy of committing to a noble cause with others, the desire to give meaning to one's life, the hunger for power, the desire to be recognized and respected, the pleasure of seduction, the adrenaline surges of living intensely, the prestige of having a grand car and chauffeur, the thrill of engaging in negotiations, or simply following in Father's footsteps. Similarly, citizens are interested in political life for a great variety or more or less acceptable reasons, such as concern for the fates of their fellows, defending their pork barrels, watching the thrilling show of their leaders' combat, getting pleasure from watching the downfall of a detested public figure, getting a thrill from being able to 'work out' on their favourite 'punching bags', or simply not doing what Dad did.

What good is it to engage in such speculations and putting words in other people's mouths? For there, too, there is a great risk of making a major mistake, for example in ascribing bad intentions to a worthy political figure with an off-putting face who is occasionally prone to cynicism, or, on the contrary, by trusting blindly in a figure who knows how to move people and

hide duplicitous motivations behind an angelic smile and virtuous statements. It is better not to engage in nebulous speculation about the deep motivations of politicians or fellow citizens, accept a measure of misunderstanding, and consider rather what is worth one's scrutiny, namely, the quality of the political debate and how the political system is working, what they produce in the way of decisions and actions, and their effects on the community.

Of course, to live in society you cannot prevent yourself trying to decipher a minimum of other people's reasons for acting. However – and this is what is important – you should know that you are always more or less off base, and the more you aim pretentiously for total understanding of others, the farther you are from home plate. A strong tie between two or more beings thus does not require vain mutual understanding of the depths of their beings. On the contrary, it comes from the shared awareness of accepting each other as mysteries and of getting from this the pleasure of a subtle, paradoxical complicity. My dog definitely cannot understand that, which explains why, whatever our mutual attachment, our relationship will never equal the relationship that can potentially exist between two human beings. I say 'potentially' for, alas, we must acknowledge that many humans prove equally incapable of having such a relationship. Because of that, they can do much more damage than my pooch, but their cases are never totally hopeless. May humankind take heart from that!

Art and ethics of misunderstanding

This idea of a harmonious interaction has several ethical implications for the ways we lead our lives and have relationships with other people. Let me touch upon two or three points of an issue that would deserve a much more extensive treatment.

Contrary to a prevalent message of the times, it is important first of all not to want to communicate every chance you get. The causes of many problems are frequently sought mistakenly in a lack of communication (between parents and children, husband and wife, bosses and employees, political leaders and the people, etc.). Lack of communication is doubtless sometimes the cause. However, more often, excessive communication is the problem. The social order is based on an implicit consensus on what not to communicate. Moreover, violence can be interpreted as a breach of this consensus, for example, during a brutal argument between drivers, a dispute about noisy neighbours, an industrial dispute in which the workers take over the manager's office, an exchange of insults between a political leader and a heckling crowd, or a revolution in which the insurgents loot

and destroy the ruling class's property. As Goffman reminds us, it is often better to refrain from communicating to avoid a scandal or useless problems; in other words, to accept misunderstandings.

Demanding transparency in managing public monies is necessary. Demanding transparency in human and social relations is as inept as expecting others and oneself to be 'genuine'. These moral injunctions so much in vogue today lead only to a surplus of hypocrisy, deceit, and duplicity. Sooner or later they culminate in hysterical disputes in which people are accused of cowardice, treachery, or treason. Similarly, the person who, as is common today, announces proudly that s/he always says what s/he thinks, regardless of the circumstances, proves above all that s/he is thinking no farther than the end of her/his nose. Whilst we are somehow morally obliged to say certain things to others (to a spouse, workmate, neighbour, customer, boss, or voters, for example) because they are morally entitled to hear them, there are other things that we may but are not obliged to say, and still others that definitely must not be said, even under the pretext of dispelling possible ambiguity.

The problem is not that misunderstandings exist. The problem lies in our inability to admit them, in not being able to stop oneself from dispelling them systematically in the name of virtuous but pointless frankness. The problem is also the inability to cleverly cope with misunderstanding, even to turn it into an asset and opportunity, as in the humour that is often based on misunderstandings. The comedies of Georges Feydeau, for example, often start with a misunderstanding or mistaken identity that ends with a pleasant surprise.

That does not mean that, under the pretext of accepting misunderstandings, we should deny differences in views and the interests to be gained in issues of collective importance and to neutralize in so doing the necessary conflictual dimension of life in a community. That would necessarily tilt the balance in the dominant party's favour. On the contrary, we must be able to handle conflict on the level where they must be, which is not always easy. A beautiful example of this can be found in the various areas of political and social science themselves.

In these sciences, researchers have a range of blurry notions, such as 'civil society', 'governance', and 'globalization', to which each of them can pretty much give the meanings that they want.² Pretending to be in agreement when they are not, they thus keep up a misunderstanding that lets them continue to debate the issues and give themselves a chance, subsequently, to take stock of their differences. Major public and private institutions are also

² See the discussion of 'democracy' as a contested concept by Deschouwer (this volume).

particularly avid for these notions, which generally evoke a consensual vision of society (along with such notions as 'partnership', 'synergy', 'communication', and 'network'). However, they have become so handy to use, even bandied about, that this has led to two problems: first, a blurring of the distinction between the normative register of public, social, or economic action and the register of the political and social sciences that are supposed to analyse this action; and second, and most important for the matter that concerns us here, the under-estimation, even denial, of the conflictual dimension of politics and society, with the ideological implications that such denial entail. The art of misunderstanding should make it possible to avoid bad and vain conflicts in order to concentrate on those that are truly important and can lead to progress.

Finally, let us observe that our notion of the misunderstanding also raises questions regarding social science research methods, especially the 'understanding interview' that aims explicitly to achieve an 'intimate understanding of how the person thinks and acts' (Kaufmann 1996). How is one to design such a method if one's starting point is that there is necessarily a misunderstanding between the interviewed subject and interviewing researcher and there is no reason why all the processes (and their consequences) outlined in this text should not apply to their interaction, too? It would be interesting to re-examine all of our understanding methods from the standpoint of this premise of misunderstanding and to see as well what the conditions of a 'misunderstanding that works' might be.

But, 'sufficient unto the day is the evil thereof'. My dog says it's time for his walk.

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Why auntie's boring tea parties matter for the fair distribution of gifts

Robert van der Veen*

Abstract (in Dutch)

Het pleidooi van Philippe van Parijs voor een maximaal onvoorwaardelijk basisinkomen stelt voor dat de opbrengst van ongelijk verdeelde giften – zoals erfenissen en schaarse banen – wordt afgeroomd door belasting, ten bate van de reële vrijheid van de minstbevoorrechtten. Met behulp van Ronald Dworkins egalitaire veilingmodel beredeneert Van Parijs dat de billijkste herverdeling van deze belastingopbrengst iedereen een gelijk aandeel toekent, ongeacht de bereidheid tot het verrichten van werk. In dit hoofdstuk laat ik echter zien dat in zo'n egalitaire veiling sommige giften een prijs zullen krijgen waarin een vergoeding is verdisconteerd van het werk dat nodig is om de inkomsten van die giften te genieten. Neemt men deze veilinguitkomst in aanmerking, dan volgt dat een billijke herverdeling althans ten dele gebonden moet zijn aan de bereidheid tot werken.

Introduction

Philippe van Parijs's real-libertarian case for maximum sustainable basic income starts by asserting that the metric governing the just distribution of *real freedom* should be the competitive value of diverse rent-bearing gifts to which people have unequal access in the real world. Van Parijs shows that predictably taxing all market sources to secure the highest sustainable revenue approximately captures the part of the aggregate value of gifts needed to satisfy the principle of maximin real freedom. He then argues that an equal and unconditional distribution of the tax is the only fair way of sharing out this value. Using a simple example featuring inheritances and scarce jobs, I dispute this last view. When the competitive value of gifts is determined in an equal token-auction by people's evaluations of the time and effort they must spend in order to derive benefit from some gifts (notably, but not exclusively, scarce jobs), the fair way of sharing out the tax yield must include a work-conditional component. This need not rule out a basic income, but in general it does rule out dispensing the largest sustainable one.

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Implementing the maximin real freedom objective: an issue of fairness

Real freedom - the freedom to do what it is one might want to do - is an opportunity concept involving several dimensions. Chapter 4 of *Real Freedom For All* (Van Parijs 1995) notes that maximizing the real freedom of the least advantaged can be implemented in two ways, looking at two key dimensions: the freedom to earn income, and the freedom to consume free time. The tax yield available for redistribution can be distributed equally as unconditional basic income, or in the form of equal rights to work for those who are able and willing, and generous income grants for those who are willing but unable to work (Van Parijs 1995: 111, 126). If the work-conditional scheme offers more opportunity to earn and less opportunity to consume free time than the basic income scheme does, then the real freedom conferred by each scheme is *differently shaped*, in a way that makes neither evidently superior to the other in terms of its capacity to deliver maximin real freedom. Both schemes, then, can be optimal from the point of view of real-libertarian distributive justice. The remaining normative issue is to select the fairest of the two. Van Parijs holds that it must be settled on grounds of liberal neutrality, from the perspective of a 'liberal ban on discrimination between conceptions of the good life' (Van Parijs 1995: 109). As a matter of fairness, the government should adopt a tax sharing scheme that takes a neutral stance towards people with different preferences for earning income and consuming free time, a stance that gives no special privilege to one dimension of real freedom over another.

But what, exactly, constitutes this neutral stance? Here we must consider the causes which call for redistribution: the arbitrarily unequal distribution of rent-bearing gifts in the real world. To assess the total amount of this rent, we should start by imagining all such gifts being put up in an equal-token auction. In particular, as Van Parijs explained in a recent lecture (Van Parijs 2009: 12), we should

... look directly at jobs and other market niches as incorporating very unequal gifts to which we are given very unequal access by a messy combination of factors. It is these gifts, and not only the much smaller amount that takes the form of donations and bequests that should be made the object of a Dworkin-like auction. This is the key distinguishing feature of the approach proposed in *Real Freedom for All*.

Auctioning the gifts means that their values are expressed by a metric of opportunity costs, that is, exchange rates reflect the cost to others of what

each gift commands. The tax revenue up for redistribution is to be expressed in this neutral metric. As Van Parijs (2009: 12) puts it:

If and only if this metric is adopted, we get a strong presumption - in the context of a discrimination-free market economy regulated in such a way that prices track opportunity costs - in favour of a universal cash income unconditionally granted to all and paid for out of the predictable taxation of all market activities.

What form of redistribution does liberal neutrality require?

Van Parijs's case for maximum sustainable basic income may be clarified by the following argument. The neutral perspective for deciding on the form of redistribution regards the revenue captured by the appropriate tax program as a part of the total value of different gifts determined in a 'Dworkin-like' auction. From this starting premise, the choice in favor of the basic income regime is spelled out in two steps. First, because the auction metric takes account of everyone's preferences from a baseline of bidding with equal tokens, it neutrally values the total rent flowing from unequally distributed gifts in the real world where these preferences are held. Secondly, by expressing the tax available for redistribution in this metric, the corresponding gift rent is a sum of values to which no one has any prior claim. Therefore the neutral way of dispensing that sum must be equal and insensitive to people's preferences. Unlike a work-conditional scheme, maximum basic income meets this requirement of preference-insensitivity. It is therefore the neutral way of achieving maximin real freedom.

For the purposes of this discussion, I accept the reasoning of the argument.¹ But I reject its conclusion, because I think the starting premise is open to challenge. To explain the challenge, it is helpful to consider an objection which Van Parijs has discussed several times, concerning the inclusion of scarce jobs in the auction. In a recent formulation, he says (Van Parijs 2009: 13):

Needless to say, this assimilation of jobs to gifts is not uncontroversial. Is it not undermined, for example, by the fact that one generally needs to do something in order to get a job and keep it? This undeniable fact does not create a fundamental difference with donations or bequests. Attending politely your aunt's boring tea parties may be one of the necessary conditions for you not to get forgotten in her will. But this investment of yours does not make you 'deserve' the whole of the

¹ One might object to the first step of the argument, if the auction participants are differently talented in ways that make some gifts unequally accessible because the work tied to these gifts requires special abilities that not everyone possesses (see Van Parijs 1995: 123-124). In this note I abstract from the complications this raises.

big chunk of wealth possessed by a person to whom you happened to be related. Similarly, the fact that one needs to go to the office every morning and busy oneself once there does not make one 'deserve' the whole of the salary one is able to earn by virtue of a combination of circumstances most of which are no less arbitrary than the fact that one of our parents happens to have a rich sister.

This reply to the objection that jobs are not gifts is sound. Surely the scarce job offering a lucrative reward and nice working conditions is a rent-bearing asset, just as is the large bequest which requires you to attend auntie's boring tea parties before she dies. But the reply also suggests that what one needs to do in order to get the benefits of different types of gift - to fill and keep the job, or to visit your aunt a number of times - must show up in the auction. The prices of work-requiring gifts depend on how bidders assess the work compared to the option of buying gifts which require no work. Now my intuition is that these comparative assessments should be tracked by a neutral scheme for sharing the rent captured by taxation.

To explain this intuition, I grant that the tax revenue originating from jobs or other work-encumbered gifts is indeed *rent* in the sense that no one has a prior claim to it. Yet, that revenue is relevantly different from rent which originates from income or wealth coming in just like manna from heaven. Obviously, the people whose job salaries get reduced by taxation first had to perform activities that are of value to others. Something similar holds in the case of the auntie inheritance. That a part of my 'big chunk of wealth' gets added to the total sum up for redistribution is due to the fact that I engaged (for selfish or other reasons) in a kind of care work which benefits my old auntie, indeed to the point that she wanted to include me in her testament in appreciation of it. Once we view these 'undeniable facts' to which Van Parijs calls attention in this light, it is reasonable to think that the recipients of redistribution might be asked to perform similar socially useful activities in return for at least part of the benefits to which they are entitled to as a matter of justice. This could mean not sharing out the entire tax revenue unconditionally.

Let me add that my reason for entertaining this thought is not inspired by a principle of egalitarian reciprocity requiring that potential beneficiaries should in general be willing to contribute to the upkeep of redistributive arrangements. Rather, the thought is motivated by the kind of liberal neutrality which leads Van Parijs to introduce the gift auction, the exchange rates of which reflect the cost to others of what each gift commands after equally endowed gift holders have made their final bidding choices. So just like Van Parijs, I proceed from the initial idea that the auction neutrally values the *total rent* flowing from unequally distributed gifts in the real world. But I add that the outcome of the auction may also tell us more

specifically which *part of that total rent* arises from rewards to gift work. If this can be worked out, then there could be a neutral reason for sharing out the rent taxed away from gift holders in the real world according to conditionalities that reflect the auction's comparative evaluation of the work which is tied to gifts.

Having spelled out my intuition that 'comparative assessments of gift work in the auction should be tracked by a neutral scheme for sharing the rent', it should be noted that once the starting premise of the argument for basic income is accepted, there is simply no room for this intuition. For, following the starting premise, we have to express the Euro amount of tax in the values of the auction by means of the conversion rate of the auction *numéraire* (the gift in which prices are expressed) to the Euro. It is then impossible to determine what part of that value sum can be attributed to the work required by different gifts. Accordingly, the tax yield gets represented as an *undifferentiated* amount of gift rent, the size of which is determined by the quantities and prices of all gifts. This naturally suggests that the neutral distribution must grant everyone the per capita share of tax. The two-steps reasoning of the argument merely fleshes out that suggestion.

Now the challenge I have in mind is not that Van Parijs's argument for maximum sustainable basic income is invalid. It is rather that its starting premise construes the linkage between the tax yield and the proceeds of the auction in an arbitrary way. For one can just as well express the tax yield as a percentage of the auction proceeds measured in the currency of the real world (here: Euro), rather than as a percentage of the proceeds measured in auction currency. As the example below will show, part of the Euro tax revenue can then be imputed to the rewards of gift work, on the basis of the auction prices. And as I have explained above, this introduces a presumption against equal and unconditional sharing of the tax revenue.

How Euros of gift work depend on auction prices: an example

Two inheritances of ten thousand Euro are auctioned. The benefits of the first - call it the *F-gift* - come in free, no strings attached. The F-gift figures as the standard unit of auction prices in this example. The second inheritance is the *A-gift*. It requires doing a spell of *auntie work* which most bidders find genuinely boring, and would rather not do free of charge, even after considering the real benefit to auntie's well-being. The auction price a of the A-gift will then be less than unity. I spend all my tokens to buy the right to one F-gift. You are willing to engage in auntie work at the going price, and spend all your tokens on A-gifts. Having done the work, you end up with $1/a$ times ten thousand Euro, $(1/a - 1)$ times ten thousand Euro more than I

get. This difference represents your auntie work reward. Between the two of us, $1 + 1/a$ times ten thousand Euro gets added to the auction proceeds. This equals your work reward, plus two times ten thousand Euro free of charge. Next, introduce a third person. She's willing to busy herself with the work required by a scarce parttime job fetching ten thousand Euro, which is priced in the auction at s units of F-gift currency, with $s < 1$. She spends all her tokens on these *S-gifts*. This adds $1/s$ times ten thousand Euro to the auction proceeds. Her job work reward comprises $(1/s - 1)$ of that. Table 1 below sums up this three-person example.

<i>gift type</i>	<i>auction price</i>	<i>units of gift purchased</i>	<i>Euro auction proceeds</i>	<i>units of work required per unit of gift</i>	<i>Euro work reward</i>
F (me)	1	1	10000	0	0
A (you)	$a < 1$	$1/a$	$10000/a$	1 (A-work)	$(1/a - 1)10000$
S (she)	$s < 1$	$1/s$	$10000/s$	1 (S-work)	$(1/s - 1)10000$

Table 1. Imputed Euro work rewards when each of the 3 persons spends the equal tokens on a different type of gift, at auction prices a and s

The notion of Euro rewards for gift work has a significance which is explained by reference to Dworkin's idea that an equal-token auction satisfies the normatively attractive condition of *envy-freeness* when bidders' internal resources are equal, as is assumed here. In the example so far, each of us prefers his or her own chosen bundle of gifts to that of the others, taking into account the characteristics of the gifts and the prices which they command. In particular, the fact that I - buyer of one unit of F-gift - do not envy your bundle of $1/a$ units of A-gift, and do not envy her bundle of $1/s$ units of S-gifts, is explained by the comparative judgement that I'd gladly forego the extra income received by each of you two, because I'm not willing to do the corresponding amounts of auntie and job work at the auction prices of these gifts. Likewise, that both you and her *are* willing to earn the extra income in return for the specified amount of auntie or job work explains why both of you two do not envy my bundle of gifts. Thus the portion of the Euro auction proceeds attributable to work rewards expresses the joint impact of bidders' decisions to trade off leisure against additional income from work-requiring gifts. Conversely, the portion of the Euro auction proceeds which is not attributable to work rewards expresses the joint impact of bidders' decisions to trade off additional income against

leisure. This division of the Euro auction proceeds is normatively supported by the auction's envy-freeness.

Thus it makes sense to model the division by extending the three-person example to a whole population in the simplest possible way. Imagine that each of us (me, you and she) belong to groups making up one third of the population. Members of groups F, A and S each demand only F-, A- and S-gifts. Now, to arrive at the prices a and s at which the auction clears, the quantities of gifts demanded by the three groups must equal the auction's gift supply. This is so when the per capita available quantities of these gifts are $1/3$, $1/3a$ and $1/3s$, respectively.

Now do some accounting, starting with the auction metric. The value of average auction proceeds expressed in F-units amounts to one unit (i.e. $1/3$ available unit of F-gift, to which one must add the value of $1/3a$ of the A-gift priced at a , and the value of $1/3s$ of the S-gift priced at s). Note carefully that within the auction metric, there is no way of determining reward rates for auntie or job work. For if we compare an F-bundle to a value-equivalent A- or S-bundle of gifts, then the work reward *expressed in value* is zero by definition. In the value metric therefore, comparative evaluations of gift work are indirectly incorporated in the prices of A- and S-gifts.

Next, consider the average auction proceeds in Euro. This figure is obtained by multiplying the available quantities of gifts per head by ten thousand Euro: $10000(1/3 + 1/3a + 1/3s)$. Following the reasoning above, we introduce the Euro work rewards accruing to members of the A- and S-groups: $10000(1/a - 1)$ and $10000(1/s - 1)$ respectively. Of the average Euro proceeds, $10000(1/3a + 1/3s - 2/3)$ Euro therefore represents the rewards of gift work (i.e. of $1/3a$ units of auntie work and $1/3s$ units of job work required per head). Call this part of average Euro proceeds the *work-related gift*. The remaining part of 10000 Euro can be regarded as a *free gift*. It is the part of the proceeds not attributable to gift work. To provide a numerical illustration, take $a = 2/3$ and $s = 2/7$. Then average auction proceeds adds up to 20000 Euro. It divides into 10000 Euro of work-related and free gift each.

On the basis of this accounting, units of auction currency change into Euros by the ratio $10000(1/3 + 1/3a + 1/3s)$ to 1. So with the numbers above, one F-unit is worth 20000 Euro. Now we have two alternative ways of calculating the tax revenue. Taxing away the spending power from unequally distributed gifts in the real world negatively affects the propensity to save and bequeath, and destroys incentives for creating scarce jobs. So after economic agents have adjusted to the tax rates, the optimal tax program cannot capture the entire proceeds of the auction. To avoid complications involving preference changes during the adjustment period, assume the auction is run every year with the outcome described above.

Suppose that 10000 Euro per head are up for redistribution annually, after collection of tax.

The neutral status of maximum basic income: two conflicting views

What is the neutral distribution of the gift rent captured by tax? On the premise of Van Parijs's argument, we must start by converting 10000 Euros of tax revenue into the auction metric. This gives us half of a F-unit, 50% of the value of average auction proceeds. Once the tax yield is assessed in the auction metric, it necessarily appears as undifferentiated gift rent. On the two-steps argument, maximum basic income wins. However, if we regard the tax yield as 50% of average Euro auction proceeds (i.e. half of 20000 Euro, given $a = 2/3$ and $s = 2/7$), then an equal sharing scheme following the division into the free gift and the work-related gift is the winning candidate. To operate such a sharing scheme requires that the government should ensure opportunities for work closely similar to the types of work of our gift example. The scheme then dispenses 5000 Euros unconditionally, and gives everybody a maximum of 5000 Euros in return for up to half the average amounts of gift work required in the auction situation.

Since this division of the tax to be shared out depends on the prices of A-gifts and S-gifts, the partly work-conditional scheme respects the neutral valuation process of the auction in the following sense. Consider beneficiaries of redistribution who do not choose to perform work similar to gift work, when given the opportunities to do so at the auction's Euro reward rates. In the context of our example, we may call such people the 'voluntarily unemployed'. They are relevantly like the members of the F-group of bidders in the auction. Since the latter do not envy the gift bundles of the two other groups, they acknowledge that they have no fair claim to the work-related part of the auction proceeds. Therefore, all the voluntarily unemployed can claim under a neutral sharing scheme is the share of tax revenue which corresponds to the free gift part of the auction proceeds. The partly work-conditional sharing scheme follows this judgement. For this reason, I claim, it beats maximum basic income on grounds of liberal neutrality.

The role of the auction

Two conflicting claims about the liberally neutral status of maximum basic income are on the table. They depend on different ways of presenting the very same facts about how the tax yield can be linked to the outcome of the auction specified in our example. Since nothing substantive turns on these

different presentations, it is not obvious which of the two claims one should endorse. But we can make headway on the issue by referring to Van Parijs's statement about the auction metric quoted earlier: "if and only if this metric is adopted, we get a strong presumption (...) in favour of a universal cash income unconditionally granted to all and paid for out of the predictable taxation of all market activities." How should this statement be interpreted? In light of what I argued above, there are two possibilities.

- (1) "Adopting the auction metric" is *narrowly* interpreted to mean that the tax yield must be expressed in units of that metric. In this case, the two-steps argument supports the rest of the statement.
- (2) "Adopting the auction metric" is interpreted more *broadly* to mean that the outcome of the auction, as revealed by its value metric, should be authoritative for deciding how the tax yield should be shared. In this case, the rest of the statement does not necessarily follow.

In my view, interpretation (2) is a more reasonable way of explicating the normative role of the auction. It also gives purchase on how to decide between the two conflicting claims. Because the tax yield can be linked to auction prices in two different ways, we have to look at what role these prices play in each of them. When tax is expressed as a percentage of the value of average auction proceeds, the role of the auction outcome is very limited. Prices are used only to fix the rate at which Euros of tax convert into auction currency. By contrast, when tax is expressed as a percentage of the Euro value of average auction proceeds, gift prices determine the Euro rewards of different kinds of gift work. This assigns a far more significant role to what goes on in the auction from which we are seeking guidance.

To bring out this contrast more vividly, consider two variants of our job-inheritance example. They are based on the fact that the *same value* of average auction proceeds can either be represented by different available quantities of the same gifts, or by a package of different gifts. Recall that our original example was built by assuming that $1/3$, $1/3a$ and $1/3s$ units of F- A- and S-gifts were available per head respectively, and that the population consisted of three equally sized groups spending their tokens exclusively on one of the three gifts.

The first variant retains this last assumption, but it assumes that only $1/3$ units of each gift are available per head. The auction then clears at prices $a = s = 1$, hence maximum basic income is the neutral sharing scheme. For with these new quantities, the size of the demand for A- and S-gifts now tells us that both auntie work and job work are held to be pretty attractive ways of

spending one's time. As a result, average auction value - which as before, is one unit of F-gift - converts into 10000 Euro, because the work-related gift component of average Euro proceeds is reduced to zero. In this (unlikely) special case, it does not matter in which currency you express the tax yield.

In the second variant, there is 'no such thing as a free gift'. It is constructed by dropping the F-gift, and taking the A-gift as unit of auction currency. Suppose two equally sized groups each purchase only A- and S-gifts, and that $\frac{1}{2}$ and $\frac{1}{2s}$ units of these gifts are available per head respectively, with $s' < 1$. The positive Euro reward of job work depends on s' , the price of the S-gift at which the auction clears. Now that work is socially evaluated *relative* to the auntie work required by the A-gift. Therefore the neutral sharing scheme rejects unconditional distribution of any part of the tax yield. In the other method of calculation nothing changes. The value of average auction proceeds is one unit, so the neutral way of sharing the undifferentiated rent represented by the tax yield expressed in A-units remains the same: equal and unconditional.

Concluding comments

The argument of the last section shows why the method by which Van Parijs assesses gift rent does not pick up normatively significant features of the auction valuation process. Therefore I believe it is not the right method. Applied to gifts with different characteristics, the auction is a counterfactual state of affairs. It describes how those gifts get allocated, when equally endowed people with the same preferences for earning income and consuming free time as obtain in the real world bid on the available quantities. The point of the auction is to work out what the fairest way to share out tax revenue in the real world would be, by taking the final expression of people's free choices under the bidding process as a normative standard of reference. As argued in van der Veen (2004, section 4) we use the auction device by searching for a redistributive scheme, the result of which approximates the reference outcome as closely as possible. The price-sensitive conditional scheme I proposed can indeed perform this job. Equal and unconditional sharing cannot possibly approximate the reference outcome, except in the very special case where all auction prices are at unity, as in the first variant of our example mentioned above.²

² For all variants of the original example with auction prices of work-requiring gifts exceeding unity, the neutral recipe would be to distribute a *larger unconditional basic income* than per capita tax revenue, and finance the difference by selling off some rights to work in gift occupations at auction-determined rates of 'negative reward'. Even these (highly unlikely) reference outcomes, however, do not coincide with the simple formula

Surely we must admit that it is quite hard to ascertain the exact outcome of an imaginary gift auction. Yet, if there are good reasons to think that work tied to some gifts is *burdensome*, just like attending auntie's boring tea parties was made out to be in Van Parijs's story, then the auction device tells us that the non-discriminatory way of redistributing for purposes of real-libertarian justice must include a work-conditional component of some magnitude. This need not rule out an unconditional basic income. But it does rule out dispensing the maximum sustainable one.

Finally, while I have focused exclusively on *gift work* in reaching this conclusion, my reasoning can be extended to other relevant sources of cost attached to gifts. Indeed one can make a case for distributing tax revenue originating from gifts with radically uncertain monetary benefits in the form of fair bets, that is, conditionally on willingness to accept uncertainty. The form and size of these bets can be derived from the specification of the relevant gifts, and from their auction prices. Of course, just as is the case for any particular work-conditional sharing scheme for gift rent recommended by the auction, it remains a separate question of social assessment whether one wants to accept the consequences of such a scheme as a defensible redistribution policy, all things considered. These matters are beyond the scope of this contribution. The extension just mentioned, however, does provide another instance of how the liberal strategy of using the auction device I have defended here is unlikely to issue in a conclusion in favor of maximum sustainable basic income.

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envisaged by Van Parijs. As Kasper Lippert-Rasmussen has pointed out, moreover, something similar follows when one considers auctioning off scarce opportunities for spending free time in a very pleasant way, e.g. surfing at Malibu Beach.

Lamentation in the face of historical necessity

Nicholas Vrousalis

Accumulate, accumulate! That is Moses and the prophets! "Industry furnishes the material which saving accumulates." Therefore, save, save, i.e., reconvert the greatest possible portion of surplus-value, or surplus-product into capital! Accumulation for accumulation's sake, production for production's sake: by this formula classical economy expressed the historical mission of the bourgeoisie, and did not for a single instant deceive itself over the birth-throes of wealth. But what avails lamentation in the face of historical necessity?

Karl Marx¹

Abstract (in Greek)

Σύμφωνα με τον ιστορικό υλισμό, τη μαρξική θεωρία της ιστορίας, ο καπιταλισμός είναι ιστορικά αναγκαίος για μια εκτεταμένη ιστορική περίοδο. Συνεπάγεται ότι η εκμετάλλευση, συστατικό στοιχείο του καπιταλισμού, είναι ιστορικά αναγκαία. Αυτή η πεποίθηση βρίσκεται σε ένταση με τη μαρξική πεποίθηση ότι η εκμετάλλευση είναι άδικη και απεχθής. Αυτή η εργασία επιχειρεί μια ψηλάφηση της έντασης, σκιαγραφώντας το δίλημμα που ενδέχεται να αντιμετωπίσαν δρώντα υποκείμενα που βρέθηκαν αντιμέτωπα με αυτή, δείχνοντας ταυτόχρονα ότι δεν μπορεί να αμβλυνθεί με τρόπους που έχουν προτείνει μαρξιστές φιλόσοφοι.

Müntzer's struggle

Marxists believe that (1) capitalism is exploitative and that (2) capitalism is historically necessary.² It follows that (3) exploitation is historically necessary, at least for some historical time. These three claims are logically consistent. But since exploitation is demeaning, degrading, and unjust³ to the

¹ Marx-Engels Collected Works (vol. 35: 591).

² (2) does not imply that every collective social entity, e.g. country, must, as a matter of nomic necessity, go through capitalism, but only that *some* country or class of countries must.

³ Marxists have debated the question whether exploitation entails injustice or unfairness for some 40 years now. See for instance Wood (1972) and Geras (1986). Given that most of

one who suffers it, and shameful and dishonourable for the one who afflicts it, there is a *practical* (roughly: pertaining to action) tension between (1) and (2). In other words, an opponent of exploitation cannot assert (2), or its entailments, without qualms 'sickening... to human feeling'.⁴ The practical tension between (1) and (2) is not, moreover, a curiosum of mere scholastic interest, for that tension purports to characterise, in large part, the predicament of humanity prior to the advent of heavy industry, a predicament no doubt experienced as such by a multitude of historically situated agents.

In *The Peasant War in Germany*, Friedrich Engels recounts the true story of the Reformation theologian Thomas Müntzer, whose 'preachings of Christian equality and evangelical community of possessions... compelled to make an attempt at their realization.' Müntzer won over a large following among the lower-middle and peasant classes between 1524 and 1525 and set up a democratic town council, under universal suffrage, in the city of Mühlhausen, Thuringia, in what is today central Germany. In late 1525 he was captured and executed for treason. In a famous passage, Engels describes Müntzer's struggle as follows:

The worst thing that can befall a leader of an extreme party is to be compelled to take over a government in an epoch when the movement is not yet ripe for the domination of the class which he represents and for the realisation of the measures which that domination would imply. What he *can* do depends not upon his will but upon the sharpness of the clash of interests between the various classes, and upon the degree of development of the material means of existence... What he *ought* to do, what his party demands of him, again depends not upon him, or upon the degree of development of the class struggle and its conditions... he necessarily finds himself in a dilemma. What he *can* do is in contrast to... all his principles and to the present interests of his party; what he *ought* to do cannot be achieved... Whoever puts himself in this awkward position is irrevocably lost.⁵

the parties to the debate seem to agree on the wrong- or bad-making features of capitalist exploitation, however, it remains unclear why the debate is not merely a disagreement over words.

⁴ *Marx-Engels Collected Works* (12: 126). Marx is here referring to other values that capitalism destroys, such as community or fraternity.

⁵ *Marx-Engels Collected Works* (10 : 469).

This short essay discusses Müntzer's struggle, in an attempt to make sense of why he, and others like him, may be 'irrevocably lost'.⁶ I shall argue that the practical tension implicated in this struggle, whose most general form can be found in some conjunction like (1) and (2), is stronger than some Marxists have thought. This form of tension is no longer present in human society, but it characterises long stretches of humanity's past, from the early stages of capitalism, through feudalism, extending to tragic ancient figures such as Spartacus.⁷ A deeper understanding of this tension can, I think, permit a clearer view of certain stark historical choices and even provide belated occasion for that lamentation which could not be availed to historical actors when the dramas of history were played out.

Section II refines propositions (1) and (2) and refutes an argument, due to G. A. Cohen, intended to alleviate the tension between them. Section III contrasts the problem of 'empty hands', elicited by Müntzer's struggle, with the so-called problem of 'dirty hands' and draws some tentative conclusions.

I must now offer some tentative definitions of exploitation and necessity. A exploits B if and only if A takes advantage of B's vulnerability to obtain some benefit at B's expense. Although not all exploitation need be unjust, the dominant form of exploitation under capitalism plainly is, for it permits the rich to extract unpaid labour, i.e. benefit 'at the expense of the poor'⁸ in virtue of (unjustified) monopoly over the means of production.

What is the sense of 'historical necessity' employed in (2) and (3)? Marx's account of historical materialism views history as progress through a series of stages, each of which involves a dominant way of reproducing human life and its conditions. Each 'mode of production' thus forms the 'basis' for social life.⁹ In this connection, some property or event *p* is historically necessary for *q* if and only if *q* can't obtain a place in the historical agenda without the existence or contribution of *p*. Class division, for instance, may be historically necessary for social order (under feudalism), or for the development of productive power (under capitalism).¹⁰ Note, further, that

⁶ 'Müntzer's struggle', it bears noting, need not describe the predicament of Müntzer of Mühlhausen, about whom not much is known. It is simply a label for hopeful revolutionists living at hopeless times.

⁷ Since the adjective 'tragic' figures prominently in some parts of this essay, I must offer some sort of definition. A state of affairs, as I understand it, is tragic if and only if it involves unavoidable alienation. Alienation obtains when two or more things (values, feelings, ways of life) that belong together are separate. Tragedy is the unavoidable form of such separation.

⁸ Marx quotes approvingly this expression of J.B. Say's in *Marx-Engels Collected Works* (35: 591).

⁹ For an excellent introduction to Marx's thought in English, see Wood (2004).

¹⁰ See, for example, *Marx-Engels Collected Works* (29: 210), the allusions to the 'necessary transitional stage' of worker alienation through wage labour in *Marx-Engels Collected*

this conception of historical necessity does not imply some form of 'economic determinism'. It is *because* of what historically situated agents (freely decide to) do, not *despite* what they do, that certain economic and social forms are historically necessary.¹¹

The Lasallean gambit

I turn now to claims (1) and (2). In his Isaac Deutscher Memorial Lecture, G.A. Cohen writes:

There is a tension between the Marxist commitment to advancement of productive power and the Marxist commitment to those at whose expense that advancement occurs. I cannot fully relieve the tension here, but I shall state four logically independent propositions which, brought into proper relationship with one another, would, I think, do so: (i) All exploitation, including that which contributes to liberation, is unjust. (ii) Liberation requires productive progress, and productive progress requires exploitation. (iii) Whether or not productive progress was inevitable, exploitation was. That is, exploitation was not only unavoidable for productive progress, but unavoidable *tout court*. Justice without productive progress was not an historically feasible option because justice was not an historically feasible option. And finally, (iv) Ruling classes always exploit subordinate classes to a greater extent than productive progress would require.¹²

The rest of this section reconstructs, and refutes, Cohen's tension-alleviating argument from propositions (iii) and (iv).

Cohen's proposition (i), in its starkest form, says that exploitation ought to be permanently abolished¹³ (whether at t , or at $t-n$, for any positive n). Proposition (iii) says that exploitation cannot be permanently abolished *prior to t*. 'Cannot' here does not mean that one can't attempt to permanently abolish exploitation, or that one can't temporarily succeed. It merely expresses the standard Marxist view that such attempts are bound to fail in

Works (28: 439) and the more general discussion of the progressive nature of capital in *Marx-Engels Collected Works* (6: 477-519). See also Engels' discussion of the indispensability of slavery for ancient Athenian achievement in *Marx-Engels Collected Works* (25: 168).

¹¹ See Wood (2004: 63ff) for discussion.

¹² Cohen (1988: 303-304).

¹³ An important excerpt from Marx's famous *Preface* (*Marx-Engels Collected Works* 29: 263) is relevant: 'No social formation is ever destroyed before all the productive forces for which it is sufficient have been developed, and new superior relations of production never replace older ones before the material conditions for their existence have matured within the framework of the old society.' Call t the time by which both 'all the productive forces for which' capitalism is sufficient have developed and 'new superior relations' have 'matured within the framework' of capitalism to allow for abolition of exploitation.

the medium run. Primitive communism, or Engelsian 'simple commodity production' are non-exploitative modes of production, but are incompatible with modern industry and are, for this reason, excluded from the (post-feudal) historical agenda. The unasserted premise is that ought implies can: Cohen can then validly infer that it is false that exploitation ought to be permanently abolished prior to *t*.

This conclusion is intended to alleviate the tension between the 'commitment to advancement of productive power and the commitment to those at whose expense that advancement occurs'. It is not, however, successful in its purpose, for that conclusion is consistent with: (4) exploitation ought always to be resisted (whether at *t*, or at any time *t-n*). (4) is not subject to 'ought-implies-can', for it can be acted upon. Hence the tension in Müntzer's predicament is not alleviated: his commitment to the wretched of the earth seems to ground an obligation that he stand against the tide of history.

Of course it would be too strong to insist that everyone must always resist exploitation or oppression no matter how difficult, costly, or indeed hopeless. My contention is only that some people will resist it, even when hopeless, since, for them, resistance will be (experienced as) a matter of existential necessity. Indeed, I think we can better understand Müntzer's struggle by framing his choice set in terms of a dilemma. Here is Müntzer, 'irrevocably lost', talking to himself: 'The Landgrave of Hesse [the Prince who suppressed the Mühlhausen commune] is near. If we resist, we all likely die, or suffer massive losses. But, if we surrender, we won't be able to look ourselves in the mirror. We either lose our lives, or we lose ourselves. So we'll fight.'

This internal dialogue shows that the injunction to resist exploitation, as it appears in Müntzer's deliberations, may be even stronger than (4), for he might think not that he and his followers *ought* to resist, but rather that they *have to*.¹⁴ In short, Müntzer is entangled in an irreconcilable struggle between two forms of necessity: practical and historical. He must resist, but he can never win. The practical tension between (4) and (3) may thus be even stronger than originally envisaged, at least for some historically situated agents. But there's another strategy for alleviating the tension. That strategy seeks to grant (4) by way of achieving an immediate reduction in unnecessary exploitation and human misery. This is the work (iv) does in Cohen's argument.

Proposition (iv) can be schematically formalised as follows. We can define the average rate of exploitation at each stage of productive development as

¹⁴ 'It is an impressive fact that use [of expressions like 'have to'] in the past tense indeed implies that the agent did the act in question.' (Williams 1985: 128).

E_i , where $i=1, 2, 3, 4$.¹⁵ Historical materialism entails that, for $i=2, 3$, a certain amount of exploitation E_i^{min} is *socially necessary* for productive progress.¹⁶ But since there is no *a priori* reason to think that E_i and E_i^{min} will coincide, and strong reason to think that, for $i=2, 3$, $E_i > E_i^{min}$, there seems to be immediate reason to resist. Cohen says, in effect, that socially unnecessary exploitation, the difference between E_i and E_i^{min} , can be reduced to nought. And since unnecessary exploitation ought to be so reduced, Müntzer ought to resist. It follows that revolutionaries have some room for anti-oppression manoeuvre, so that their struggle is not devoid of emancipatory prospects.

The problem with this *unnecessary exploitation argument* is that its conclusion does not support (4), but rather a morally weaker form of (4), namely that one ought only to resist socially unnecessary exploitation. But then there's no tension between two distinct programmatic Marxist commitments to be alleviated! For the weaker injunction raises *no* practical clash with (3): in order to forestall a potentially irreconcilable dilemma, Cohen has weakened its first horn to the point of *dissolving* that dilemma. Cohen's gambit is Lasallean.

Let me explain. In the 1870s Marx was engaged in a polemic over the doctrines of Ferdinand Lasalle and his followers, a dominant stream within the working class movement of Germany at the time. In this polemic Marx ridicules the Lasalleans, among other things, for their allegiance to the so-called 'iron law of wages'. He writes:

It is as if, among slaves who have at last got behind the secret of slavery and broken out in rebellion, a slave still in thrall to obsolete notions were to inscribe on the program of the rebellion: Slavery must be abolished because the feeding of slaves in the system of slavery cannot exceed a certain low maximum!¹⁷

Cohen's argument is Lasallean, for it implicitly makes opposition to slavery a function of the most productively affordable minimization of slave exploitation (E_i^{min}), which is –under innocuous assumptions– mathematically equivalent to the most productively affordable maximization of slave nourishment (Marx's 'low maximum'). Just as this cannot be the (main) reason to resist slavery, it cannot, *mutatis mutandis*, be the (main) reason to resist wage labour. Marxists are not opposed only to unnecessary exploitation, as that argument says, but to exploitation *tout court*, as (4) says. Moreover, Cohen's gambit does not do justice to the motivational nuances of

¹⁵ These stages correspond roughly to primitive communism, feudalism, capitalism and communism. By assumption, E_1 and E_4 are equal to nought.

¹⁶ See footnote 10 for references and Roemer (1982) for a defence of this claim.

¹⁷ *Marx-Engels Collected Works* (24: 92).

Müntzer-like struggles, to the point of rendering them incomprehensible (Serf: 'We're fighting against exploitation, but we'll stop where $E_i = E_i^{min}$ ' Landlord: 'Oh OK, you can borrow my abacus'). The unnecessary exploitation move therefore fails to alleviate the tension between (4) and (3), for it fails to correctly understand that tension. The twin Marxian commitments to emancipation and material progress are in irreconcilable, indeed tragic, conflict.

The problem of empty hands

Müntzer's moral predicament can be profitably contrasted with the so-called 'problem of dirty hands'.¹⁸ The latter arises in response to the question: given evil is inevitable, who is to *commit* it? An army leader having to choose between allowing the enemy to kill thousands of his troops and losing the war is faced with a dilemma that is part of his job description; or, rather, this job (and its description) exists precisely in order to have *him* make decisions of the sort. Müntzer's struggle has similar problem-structure but inverted content: given evil is inevitable, who is to *resist* it? Whereas the possibility of 'dirty hands' redeems evil in the face of human necessity, the possibility of 'empty hands'¹⁹ redeems humanity in the face of necessary evil. Due to space limitations I can only sketch this contrast here.

Dirty hands claims are excuses²⁰ for permissible, because morally expedient, wrong- or ill-doing. The general or politician can either do what's morally expedient and lose his soul, or keep his soul and fail to do what's morally expedient. Empty hands claims, by contrast, are a subset of those permissible and non-obligatory acts that involve well-doing and form candidate justifications for praise, or grounds for pride, on the part of the agent. Now, what distinguishes supererogation from mere benevolence is that the former implies substantial cost to the agent. Clearly Müntzer's actions come at high cost. But are they supererogatory, rather than merely foolish?

In dirty hands cases, ϕ -ing –the 'dirty' act– is not obligatory in the sense that, for any individual P with the capacity to ϕ , it is false that P ought to ϕ in order to bring about state of affairs S . It does not follow, and it is false, that S ought not to *occur*, for in both dirty and empty hands cases S is a morally expedient goal (defeat of the Nazis, abolition of exploitation). But, as a matter of fact, S is not on the historical agenda for Müntzer. As Engels points out, Müntzer's (felt) commitment to S heightens the tension between

¹⁸ Walzer (1973).

¹⁹ I thank Axel Gosseries for suggesting this name.

²⁰ As opposed to justifications (see Austin 1956).

what he ought to do and what he can accomplish. His hands are clean, or cleaner than everyone else's, but *empty*. Müntzer is like a man locked in a dark cell, longing for freedom. He struggles to escape into the heavily lit room next door and succeeds, only to find himself caged therein. The prisoner's act is not, I think, foolish, even if done with foresight. It is, rather, an expressive act of autonomous defiance in the face of unjustified oppression. It fails in its object –freedom– but is, presumably, praiseworthy as such. And since empty hands acts are permissible, non-obligatory, self-sacrificing and praiseworthy, they are also supererogatory.

I have argued that the tension between Marxist opposition to exploitation and Marxist assertion of its historical necessity cannot be straightforwardly alleviated. Revolutionists prior to the culmination of heavy industry are condemned to being 'irrevocably lost', even when they can reduce or eradicate 'socially unnecessary' exploitation. But for their heroism there would be no consolation. I have not, moreover, defended the idea that historical materialism entails a *pantragic* view of history,²¹ although that idea follows from my argument. A better understanding of the stark moral choices faced by revolutionaries of the distant past can, I think, help deepen our appreciation of politics conducted in a *milieu* of historical (near)inevitability.²²

A final word: the practical tension this essay discusses very probably no longer exists. Müntzer's struggle, however accurate a representation of the revolutionist's predicament three hundred years ago, does not describe his present state. In Marx's time, lamentation (*Jammer*) was in order, but could not be availed (*nützt*) because its object –exploitation, oppression and suffering– was deemed necessary for its own eradication. In our time, the proper attitude is, I believe, no longer that of lamentation. It is, rather, focused and organised resentment against that old object, no longer historically necessary but still disastrously ubiquitous.

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²² Apart from the ancient anti-slavery movement and early Christianity, the most recent example is perhaps Russia after 1920, i.e. after it became clear to the Bolsheviks that revolution in the West was not forthcoming.

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Self-determination for (some) cities?

Daniel Weinstock

Abstract (in French)

Les villes sont des entités politiques presque complètement impuissantes. Les décisions politiques qui leur reviennent sont limitées. Et par ailleurs, elle ne sont pas constitutionnellement autorisées à déterminer les pouvoirs qu'elles devraient avoir. Cette situation est problématique, car, premièrement, les villes devraient, pour des raisons tant morales qu'épistémiques, disposer d'une souveraineté au moins partielle sur certains dossiers qui les concernent tout particulièrement, qui ont trait avant tout aux dimensions spatiales des vies de leurs habitants. Deuxièmement, parce qu'elles ancrent les identités de leurs habitants, et parce qu'elles sont le site de cultures qui sont en danger d'érosion au sein d'entités politiques plus vastes, elles devraient également disposer du statut leur permettant de participer à la détermination du partage des compétences entre elles et d'autres entités politiques.

Cities have largely been ignored by political philosophers. Yet an ever-increasing proportion of the world's population lives in cities. The lack of fit between the theoretical concerns of political philosophers and the lived social and political realities of so many people is an oddity that needs to be addressed. My intention in this paper is to make a small contribution to that end. I want to make plausible the claim that cities should possess a greater measure of political self-determination than they presently do. In particular, they ought to exercise some degree of authority over what might be termed the *spatial* dimensions of urban life. I will begin this short paper with some conceptual ground-clearing. I will then very briefly advance four arguments supporting my claim.

Let me first specify my terms. By *self-determination*, I mean two things. First, self-determination involves *jurisdictional autonomy*. In order for a political entity to be self-determining, there must be some decision-making processes through which the members of that entity make decisions about their common lives without interference from any other political entity. This leaves open the possibility that these decisions might be reviewable by *non*-political entities such as courts, as in the case of judicial review.

Second, self-determination as I understand it also involves what I will call *metajurisdictional autonomy* (I borrow the term from Buchanan (2003), though I employ it here in a slightly different sense). That is, not only must it possess self-determination over certain defined policy areas, but it must also possess some say as to what the policy domains over which it has

jurisdiction are (and perhaps also what the domains are over which it shares jurisdiction with other political entities). Thus, self-determination requires not only that certain powers be devolved to cities by a sovereign authority that has the power to delegate powers or not. It also requires that cities at the very least share the second-order power to determine what first-order powers they will exercise

Most cities have some (usually quite limited) degree of jurisdictional autonomy, but very few have metajurisdictional autonomy. Frug (1999) has in the context of the United States spoken of the constitutional powerlessness of cities, and he has couched his analysis of the American case in a broader account of the attack upon and erosion of the medieval and early-modern authority of towns. That is, very few cities have the constitutional authority to participate in the decision-making processes as to what policy areas it will have jurisdiction over. Thus, in my sense, most cities are not self-determining.

We also need to define what we mean by the term “city”. Simply adverting to juridical facts on the ground will not help. This is because many urban areas are divided into independent municipalities in ways that in my view lack independent warrant. In my view, a city is characterized by a certain degree of *spatial integration*. This is within the context of a short paper a criterion that will be left somewhat vague. But it is meant to designate the idea that there is a city where the inhabitants of a certain area exhibit a density of spatially mediated interaction with one another in their work, leisure and patterns of residence that mark them off from other areas. Thus, cities like Montreal, Berlin and Brussels (to name but three) are divided into legally defined municipalities with a significant amount of jurisdictional autonomy. On my view, however, “Montreal” and “Brussels” each refer to one city, given their satisfaction of the spatial integration criterion just mooted.

So the claim of this paper is that some spatially integrated areas, which I refer to as cities, have a legitimate claim to both jurisdictional and metajurisdictional authority. How can this claim be made plausible? Let me briefly sketch four arguments.

The case for greater jurisdictional autonomy

The argument for greater jurisdictional autonomy flows directly from the spatial integration criterion that serves to demarcate cities according to my account. Briefly stated, residents of cities affect one another to a greater degree than is the case for fellow citizens of a nation state that do not share space in the way that city-dwellers do. If we accept some variant of the

democratic principle according to which people ought to have some say over the laws and rules that affect their interests (Goodin 2007), then it follows that people who share urban space have claims upon each other to determine jointly the way in which they interact that differ from those that fellow-citizens of nation-states have toward one another. Briefly stated, this is because fellow residents of a city *share space* in ways that they do not with others. Their modes of transportation between work, residence and leisure activities, the ways in which they mark space symbolically and commemoratively, the ways in which they demarcate spaces for commercial and recreational activities, all these dimensions of people's lives as city-dwellers, and many more besides, call according to the democratic principle I have just mentioned for an important degree of jurisdictional autonomy over those policy areas in which, as it were, the sharing of space is at issue.

The all-affected principle applied to cities yields an argument for including cities in subsidiarity arrangements (Föllesdall 1998) given what I take to be a fairly plausible epistemic claim. According to the principle of subsidiarity, political decisions should both for democratic and for prudential reasons be taken at the "lowest" jurisdictional level, subject only to the efficacy condition, according to which the downward devolution cannot detract from the ability to actually implement policies with some hope of success.

Now, many policy areas that are presently in the hands of national governments, or in the hands of sub-state level governments such as provinces, *länder*, cantons, and the like, which in many respects mimic nations (these sub-state units are, as it were, nations writ small) affect cities disproportionately. The claim is not only that it is *unfair*, given the all-affected principle, that city-dwellers not be able to determine the contents of policies in these areas. Rather, it is also that city-dwellers and their representatives are epistemically better situated to formulate good policy in these areas than would be well-meaning legislators who are not intimately acquainted with the problems that arise in these areas.¹

Take the area of what we might broadly refer to as diversity management. To the degree that the social diversity that is present in many societies results from immigration, and to the extent that immigration is in many countries of immigration an urban phenomenon, urban voters can "see" the impacts of various policy responses to the "fact of pluralism", they are in a better position than are citizens and their representatives from non-urban areas on the effective integration of immigrants. For example, recent experience in Quebec, where debates over models of immigration integration have been heated in recent years, would seem to indicate that

¹ For a somewhat different way of relating the all-affected principle to the idea of subsidiarity, see Fleurbaey & Brighouse (2010).

citizens who live in regions, mostly non-urban, that do not actually have to carry out the task of integrating many immigrants, may come to see immigration as more of a threat than do people who are actually affected by it. They may end up being tempted by policies that aim for a greater degree of immigrant assimilation, policies that can from the point of people who have an everyday experience of multiculturalism be seen to be counterproductive.

The argument that has just been briefly sketched, if successful, grounds an extension of the jurisdictional authority of cities. It provides us with reasons to apportion jurisdictions between cities and other political entities. But it does not provide us with reasons to grant cities metajurisdictional authority. That is, it provides us with a criterion allowing us to determine what policy areas cities should have sole or shared jurisdiction over. It does not yet tell us why cities, like nation-states, ought to have a say in the political processes that distribute jurisdiction among political entities. The criterion just spelled out gives us a coarse-grained way of determining how jurisdictions ought to be distributed. More specific determinations – for example over whether a given policy area ought to be the sole jurisdiction of a political entity, or whether it ought to be distributed among political entities, and if the latter, how power-sharing ought to occur – are the result of political negotiations that occur among political entities that possess a certain status. They are collective political subjects, rather than simply being at the behest of other political entities. What needs to be shown is that cities possess the attributes that have traditionally been taken to ground the claim to that kind of political status on the part of other political entities.

The argument for metajurisdictional authority for cities

Nations standardly claim the right to metajurisdictional authority. Historically, some nationalists have done so because they ascribed properties to nation as such. They viewed nations as self-standing entities, the moral importance of which could be spelled out independently of the good of their members.

These arguments for national self-determination have largely been rejected by contemporary nationalist theorists, who tend to view themselves as *liberal* nationalists. They are liberal both in the sense that the nationalism that they have defended does not countenance illiberal policies, and in the sense that they do not view nations as (to use Rawls' phrase) self-originating sources or moral claims. Rather, the degree to which they are granted self-determination must be a function of the good that such a granting does for the members of nations.

Once liberal nationalists concede that it is not the “nationness” of nations that grounds their claim to metajurisdictional authority, but rather the properties that they possess with respect to the well-being of their members, then the question legitimately arises as to whether *other* entities possess the properties in question, at least to a degree sufficient to ground such authority. What are the properties in question? The ones that have been most often adumbrated have to do with what one might call the identity-conferring nature of national membership, its agency-abetting function, and its morally attractive instrumental properties. Let me expand a bit on these three grounds that have been claimed for the self-determination of nations.

First, according to some theorists, national membership matters because it grounds the identities of their members (Miller 1995). A good way of understanding this claim is that identities are in part grounded in culture, and that nations provide the culture from within which individuals shape their identities.

Second, some theorists argue that nations matter to individuals because they provide them with “contexts of choice” on the basis of which alone they are able to exercise their capacity to determine what “the good life” will be for them (Kymlicka 1995).

And third, it has been argued by some that a sense of shared national identity is instrumentally important in order to motivate redistributive policies that can be justified on independent moral grounds (Miller 2006).

These properties are taken to ground a claim to metajurisdictional authority because, very roughly, they have to do with the kinds of things that nations *are* rather than more limitedly with what they *do*. The claim is that they could not ground identity, agency, and the motivational grounds for morally admirable policies if the range of issue areas over which they were able to claim authority was determined solely by others. The functions require a certain degree of immunity from the decisions of others. Let us grant this claim for the sake of argument in what follows.

Identifying the properties that ground the ascription of metajurisdictional authority allows us to examine whether other political entities possess these properties as well. Thus, for example, many theorists following Kymlicka have argued that national minorities possess the requisite properties just as much as do nations that happen to have control of a state.

Considerations of space prevent me from arguing that some cities possess all of the properties just mentioned. Let us assume, again for the sake of the present argument, that these properties are not jointly necessary for the claim to metajurisdictional authority to be justified. Let us assume in other words that any one is sufficient for that end.

It seems clear to me that many cities are identity-conferring in a robust sense. First, many cities possess distinctive cultures. As Daniel Bell and Avner de-Shalit have pointed out, cities develop over time a shared sense of what they are “about”. Thus, to employ Bell and de-Shalit’s categorization, Jerusalem is a city of religion, while New York is a city of ambition, and so on (Bell & de-Shalit 2011).

To be plausible, their claim cannot be that these characterizations work because all or most Jerusalemites are religious, or that all or most New Yorkers are ambitious. What I take their claim to mean is that religion (in the case of Jerusalem) and ambition (in the case of New York) create a context or backdrop of intelligibility within which people in these cities lead their lives. To be a New Yorker is not necessarily to be ambitious, but rather to live in a city in which the organization of space and time, the functioning of institutions, and the like, can best be accounted for by invoking the notion of ambition.

Putting aside the details of the way in which de-Shalit and Bell characterize the cultures or “spirits” of this or that city, the general account strikes me as plausible. There are central issues, debates or ideas around which the lives of at least some cities are organized, such that one could not function competently in the city in question were one not at least to some degree attuned to this central organizing feature.

If the claim that I have extracted from Bell and de-Shalit is true, then cities shape the identities of at least their long-term residents in quite a deeper way than do other forms of membership. This is because regardless of whether they would form part of the subjective account of their identities that people might (or might not) explicitly avow, cities shape the way in which people live their lives in time and space, the ways in which they expect to interact with other individuals, and the like. The claim here is that cities shape the identities of their members in a manner that is at least in part immune to the kinds of sources of illusion that attend self-ascription in the area of identity. People are prone to all kinds of romantic self-delusion in the accounts they provide of their identities. They often claim to identify with political entities, with traditions, and the like, even where reference to these political entities or traditions would not figure in the best account that could be provided, third-personally, of their behaviour. I claim that in virtue of the embodied, spatial nature of their relationship to cities, cities ground identities in a more robust manner than does, say, appeal to nation, because it does so in a manner that is less likely to give rise to subjective self-delusion.

To the extent that the fact that a political entity possesses an identity-conferring culture grounds its claims to metajurisdictional authority, it

would seem to follow that at least some cities (those that possess an identity-conferring culture) should possess a measure of such authority.

A second argument for metajurisdictional authority follows one developed by Kymlicka in defense of group-differentiated rights for national minorities. The argument is, in a nutshell, that such entities need the protection that such rights afford in order to resist the corrosive impact of the broader nation-state within which they are incorporated. According to Kymlicka, allowing majoritarian democratic processes to hold sway in an undifferentiated manner across a multinational territory risks giving rise to a myriad of situations in which members of the minority lose out with respect to values and issues that are important to them, even if no malevolent intent is assumed on the part of members of the majority.

Some cities are subject to a particular kind of corrosive impact from the broader society. The cities I am thinking of become pawns in larger national political debates, and have policies imposed upon them that reflect the way in which individuals who are not residents of cities think that these debates should be played out. For example, Montreal is a bilingual city (in fact, a riotously multilingual city), and bi- and multilingualism is better for the city than an imposed multilingualism would be. It makes the city culturally richer, and possesses significant economic advantages for the city as well, in a global context in which trade and commerce (that increasingly link cities together directly, as Sassen (2001) has pointed out in the case of “global cities”). Yet the province that it is a part of has for a long time enacted language policies premised upon the assumption that bilingualism is a threat to the sense that many Quebecers have of their society being a unilingual, francophone one (Levine 1991). Policies have thus been enacted to stifle the linguistic diversity that has resulted from the historical imprint left by the city’s two founding peoples, and by successive waves of immigration. Many theorists accept that subnational units should be able to defend themselves against the corrosive impact of majoritarian decision-making processes occurring in the larger society. They should by parity of reasoning also accept that cities ought also to be at least partially immune from the corrosive impact of the political processes that occur in the broader societies that they are part of.

Conclusion

Cities have been off the radar of political philosophers. The purpose of this paper is to provoke them into redirecting their radars towards these entities that are, after all, so central to humanity’s past, present, and – most probably – future. My claim has been that some cities, those that are characterized by

one or the other of the properties articulated here, are appropriate sites of self-determination. I expect that some will react negatively to this claim. Their arguments, and the debates that will ensue, are precisely what is needed to launch normative philosophical reflection on the place of cities in the global distribution of sovereignty.

In closing, and as an indication of the kinds of issues that would have to be taken up in a more thoroughgoing exploration of the themes that have only been sketched here, let me briefly flag two questions begged by the arguments provided here. The first has to do with the *distinctiveness* I am claiming for the self-determination of cities. After all, it might be asked, is what I am claiming about cities not also true of non-cities? Can country-dwellers not claim the same jurisdictional and metajurisdictional authority as the inhabitants of cities?

In order to answer this question, we would need to determine whether there exists some identifiable political entity, neither city nor nation, that satisfies the criteria laid out in this paper for jurisdictional and metajurisdictional authority. To the degree that they do, then perhaps the arguments contained in this paper have broader scope than that claimed here, and actually underpin a position we might term *localism*, which could be defined as involving subsidiarity, but with a longer list of political entities among which jurisdiction should be distributed. I have what are at this stage intuitive doubts about whether this more ambitious claim actually follows from the arguments made here, but thankfully cannot possibly substantiate them within the confines of a short paper.

A second concern has to do with whether self-determination for (some) cities, or the even more ambitious thesis of localism that I have just mooted, undercuts national solidarity in a morally unattractive way. I want to suggest that it need not. On the contrary, the institutionalization of national solidarity that involves the illegitimate suppression of claims for the self-determination of cities puts a strain on solidarity that might be eased were urban dwellers able to exercise the authority over matters pertaining to the city that their moral and epistemic position warrants.

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Why we demand an unconditional basic income: the ECSO freedom case

Karl Widerquist

Abstract (in French)

Dans cet article, j'explique pourquoi la notion de "liberté réelle" forgée par Ph. Van Parijs ne permet pas de saisir les raisons fondamentales pour lesquelles une protection sociale adéquate doit inclure un revenu inconditionnel. La "liberté réelle", la liberté de faire tout ce que l'on pourrait vouloir faire, n'est ni la liberté la plus importante dont devraient bénéficier les individus, ni une liberté qui justifie nécessairement des allocations inconditionnelles permettant de couvrir les besoins de base d'une personne. Il n'est peut-être tout simplement pas possible de déterminer le type de redistribution qui fournit aux individus le plus de "liberté réelle". La société devrait plutôt se focaliser sur la protection des libertés les plus importantes, à commencer par la liberté d'entrer volontairement dans une interaction, et celle de refuser les interactions non-souhaitées: le pouvoir de dire non. Cette conception de la liberté fournit une justification convaincante du caractère inconditionnel de l'allocation universelle.

Philippe Van Parijs's (1995) *Real Freedom for All: What (If Anything) Can Justify Capitalism* makes a very thorough and challenging philosophical argument for basic income. But I believe that it has two important limitations that inhibit it from giving a compelling explanation why basic income supporters believe that support for the disadvantage must be not only universal but also *unconditional* and enough to meet an individual's basic needs. This essay briefly discusses those limitations and then proposes an alternative argument for basic income that I believe relies on a more compelling concept of freedom, defined below as "Freedom as Effective Control Self-Ownership" (ECSO freedom). This concept of freedom provides a stronger explanation why basic income must be universal, unconditional, and large enough to meet a person's basic needs.

Two limitations to the real freedom defense of basic income

Van Parijs's (1995) justification of basic income is founded on the notion of what he calls, "real freedom," the freedom to do whatever one might want

to do. Van Parijs argues that the more resources people have available, the freer they are to do whatever they might want to do. The highest sustainable unconditional basic income gets everyone access to as many resources as possible and leaves them free to do whatever they might want to do with those resources—even if what they want to do is to pursue leisure. One difficulty with this concept is that “the freedom to do whatever one might want to do” might not be the most compelling conception of freedom for society to promote and protect. But even as it is, the contention between the real-freedom-based argument and basic income has two important limitations.

The first limitation is that the concept of “real freedom” is so broad and hard to measure that it is unclear what kind of policy it supports (Barry 2003). Everyone in a “real freedom” promoting society is entitled to something, but it is not clear whether that something is unconditional, basic, or an income. Van Parijs (1995: 35) specifically rules out any connection between basic income and basic needs, opting for the highest sustainable basic income, which can fall short or exceed the amount necessary to sustain a decent existence depending on various economic factors.

The highest sustainable unconditional basic income makes people free to do some things that they might want to do but other kinds of government spending make people free to do other things they might want to do. A smaller income combined with other government services makes them free to do other things they might want to do. Devoting the highest sustainable level of taxation entirely to the provision of government services makes people free to do things they might want to do; a guaranteed job makes people free to do other things they might want to do; infrastructure makes people free to do other things they might want to do; conditional welfare programs make people free to do other things they might want to do.

It is difficult—and perhaps impossible—to measure which policy gives people the “most” real freedom (Barry 2003). To give a definitive argument that the highest sustainable basic income provides the most real freedom, Van Parijs would need some theory of how to measure freedom and how to weigh one type of freedom against another. He would then need to give a definitive answer that the freedoms provided by the highest sustainable basic income add up to “more” than the freedoms provided by other government spending. I’m not convinced that it is possible to do so. If this can be done, it could turn out that real freedom justifies an unconditional basic income, but it could also turn out that it justifies a very restrictive, conditional welfare state with strong funding of public infrastructure and services.

The second limitation of the real libertarian argument for basic income follows from the first. Because it does not give a compelling reason to show

that individuals are unconditionally entitled to a cash income large enough to meet their basic needs, it does not provide a compelling reply to the reciprocity or exploitation objection to basic income. According to this objection, workers are needed to produce the income that will be distributed unconditionally. If recipients are not held to a reciprocal objection to help produce that income, they supposedly exploit the workers who do (White 1997; van Donselaar 2009). Although Van Parijs argues that basic income does not violate several definitions of exploitation, his central response to this objection relies on the concept liberal neutrality. Basic income gives people the opportunity to choose to work or not to work. These choices reflect two different notions of the good life, and a liberal government should be neutral between different individuals' notions of the good life.

This response is not sufficiently compelling because the reciprocity objection is not simply based on a desire to promote one version of the good life. It is based on a moral claim to resources. If one party has earned the right to use resources while another party refuses to do what is necessary to earn that right, neutrality is no reason to treat them both equally. Society should not be neutral between thieves and non-thieves. A more compelling argument for basic income has to explain why an unconditional basic income does not violate—or why it is important enough to override—the reciprocity objection.

The following section explains a conception of freedom that I believe is intrinsically more compelling than real freedom. It shows how this conception of freedom can be used to make a clearer case that individuals are entitled to an income that is unconditional and sufficient to meet their basic needs. The final section shows how this argument for basic income provides a stronger reply to the reciprocity objection.

The ECSO freedom defense of basic income

My argument is based on a concept I call, “freedom as effective control self-ownership” (ECSO freedom). ECSO freedom is the effective power to accept or refuse active cooperation with other willing people (Widerquist 2006). I believe that it is more compelling in itself than real freedom and that a case for basic income premised on ECSO freedom does not suffer from the two limitations in the real-freedom-based argument discussed above. ECSO freedom is defined in relation to self-ownership but it is a separate concept. It is narrower in some ways, and broader in other ways than self-ownership. It is narrower in that it concerns only the control aspects of self-ownership (as opposed to the income aspects). It is broader in that it involves the effective power (not merely the nominal right) to exercise “control self-

ownership" (the control rights of self-ownership). I passively cooperate with other people if I simply stay out of their way. As long as any two people disagree about whether they're willing to get out of each other's way at any particular time, it is impossible for all passive cooperation to be voluntary. But it is possible for all active cooperation to be voluntary, if we each have the power to refuse interaction. It is not a certainty that some people must be forced to actively serve the interests of other people. If all people have an exit option, and the benefits to cooperation are sufficient, it is possible for all active human cooperation to be voluntary.

ECSO freedom is a theory of what I call "status freedom" as opposed to what I call "scalar freedom" or "freedom as a continuous variable." Although we do not have different words for these two meanings of freedom, the distinction is well understood in ordinary English. Scalar freedom is the absence of impediment, restriction, or interference. It treats freedom as a continuous variable, as a matter of degree as on a scale or a continuum. Status freedom captures another common definition of freedom: the absence of slavery, detention, or oppression. A conception of status freedom tries to capture the crucial distinction between whether an individual fits into the category of a free or an unfree person. Real freedom, along with freedom as noninterference, is a scalar freedom, under which a person can have more or less freedom, but it does not identify a cutoff between categories of free and unfree. A theory of status freedom is meant to identify the most important aspects of what it means to have the status of a free person. A theory of status freedom is not about counting the (possibly uncountable) number of freedoms a person has, but identifying the most important freedoms, those that divide a free person from an unfree person such as a slave, a serf, or a subject of a totalitarian regime.

ECSO freedom has two components. A free person can interact with other willing people as they choose. A free person cannot be (directly or indirectly) forced to serve the interests of others. To have the first component a person must have the familiar civil rights of freedom of speech, movement, association, political participation, and so on.

To have the second component, the effective power to refuse unwanted cooperation, people need unconditional access to resources. Human beings are biological creatures who need a sufficient amount of food, water, and air to survive. They need shelter, a place to sleep, a place to stand, and a place to interact with other willing people. If someone can come between you and the minimum amount of resources you need to survive, not only do they directly interfere with your ability to live a decent and free life; they can also force you to do just about anything.

These basic needs are defined in an absolute and physical sense but they include the human need for interpersonal interaction and fulfilling them will require access to different goods at different times and places. See “the Physical Basis of Voluntary Trade” (Widerquist 2010) for discussion of what level of basic income is required to meet basic needs. This argument also implies that society has a responsibility to make sure that a basic income high enough to meet basic needs is sustainable. See *Property and the Power to Say No* (Widerquist 2006) for discussion of how to do that and what to do if it turns out to be impossible.

For millions of years, our ancestors had unconditional access to the resources they needed to survive. They were free to hunt and gather for themselves or with other willing people as they pleased, and no one would interfere with them. The Earth was their exit option.

The rules we live under today do not make most people free to refuse unwanted active cooperation with others. Land that was once free for all to use is now claimed by governments, businesses, and individuals. Most people reach adulthood with no direct access to the resources they need, they can only obtain resources by meeting conditions set by others—by employers or governments. They have the nominal right to refuse but they do not have the effective power to refuse; someone will interfere with anything they might do to support themselves (alone or in groups). They cannot work for themselves; they must work for a property owner or a government.

The preservation of this second component of ECSO freedom explains why individuals need an income that is unconditional and large enough to meet their basic needs. Such a policy is not simply desirable because taking leisure time to surf is something someone might want to do. It is needed because the power to refuse is essential to ensuring that *all of us* who work for others do so voluntarily.

People with an unconditional basic income still have to buy things from property owners, but they are not forced to serve them. Government taxes property, distributes revenue to everyone, and presumably the propertyless use their money to purchase things from property owners. But this cannot be called a form of service *to* property owners. Suppose you agree to give me \$50 and I agree to spend all of it in your store. Obviously, the whole of this transaction does not involve me serving you.

The power to refuse to work is important because working in a cash economy is very different from working for oneself directly with resources. With direct access to resources, a person works directly for her own goals. Without it a person must work for her employer’s or her clients’ goals all day to receive the cash to pursue her own goals when work is over. There is

nothing wrong with working for cash as long as it is voluntary, but if the laws of the state put anyone in the position in which they have no direct access to resources, they give that person no choice but to work for someone who controls resources.

In a free society, with an economy built on truly voluntary trade between truly free individuals, it is unacceptable for any group of people to force others to serve them by taking control of all resources. That this force is indirect and systemic (rather than direct and individual) makes it no less powerful and threatening to freedom. It is not any particular employer's fault that the laws interfere with any independent use that propertyless people might make of resources. The government, which has the ultimate responsibility for making the rules of resource ownership, has the responsibility to make those rules in a way that respects the free status of each individual. That is, in a way that respects ECSO freedom. I argue elsewhere that although direct access to resources and in-kind benefits could conceivably provide the access to resources necessary to maintain this aspect of ECSO freedom, it is best protected in a modern market economy by an unconditional, in-cash basic income (Widerquist 2010).

It is easy to see how this argument provides a much more compelling reason why benefits must be unconditional and at least enough to meet a person's basic needs. Basic income is not about providing leisure for those who might want to pursue leisure. Basic income provides an exit option that is an important component in protecting all people's standing as a free individual. It protects a worker from an unacceptable job. It protects a parent from a spouse who controls the family's access to resources. It protects a disabled person from an overly intrusive welfare state.

ECSO freedom and reciprocity

This argument for basic income is also better able to address the reciprocity objection. Rather than relying on a weak application of liberal neutrality, an argument based on ECSO freedom can show that the reciprocity objection is misplaced entirely. All able-bodied adults with the right knowledge can meet their own basic needs without working for property owners, if they are sufficiently free from interference. All an able-bodied individual needs from others to have ECSO freedom is a negative duty, a duty of forbearance. Others need only refrain from interfering with a sufficient amount of resources so that individuals can provide for themselves.

Our societies are badly failing in that duty. All the resources that a person might use to secure their own needs are claimed by property owners and

governments. Basic income, in this sense, is a replacement for the direct access to resources that our ancestors enjoyed. Basic income is not “something for nothing:” individuals who receive it are held to the reciprocal obligation to respect other people’s property claims.

Rather than relying on the neutrality principle to trump reciprocity, this argument employs the reciprocity principle *in defense* of basic income. Those who control resources are currently held to no reciprocal duty to compensate the propertyless for the loss of freedom created by the assignment of property rights over natural resources to some individuals and not others. Unless all property owners pay a rent sufficient to maintain an unconditional basic income for everyone, they violate the reciprocity principle by indirectly forcing the propertyless to work for some member of the very group whose property claims interfere their efforts to provide for themselves. To satisfy reciprocity the assumption of private property rights has to come with an obligation to contribute to an unconditional basic income large enough to provide a reasonable exit option for everyone.

Conclusion

This chapter has argued for basic points. First, Van Parijs’s real-freedom-based argument for basic income does not fully explain why unconditional basic income must be unconditional, basic, or an income. Second, the real-freedom-based account doesn’t present a compelling response to the reciprocity objection. Third, the ECSO-freedom-based argument provides a compelling reason why all individuals are entitled to an income that is unconditional and large enough to meet their basic needs. Fourth, the ECSO-freedom-based account provides a stronger response the reciprocity objection.

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Linguistic protectionism and wealth maximization

Andrew Williams*

...the best state for human nature is that in which, while no one is poor, no one desires to be richer, nor has any reason to fear being thrust back by the efforts of others to push themselves forward... I know not why it should be a matter of congratulation that persons who are already richer than anyone needs to be, should have doubled their means of consuming things which give little or no pleasure except as representative of wealth...
John Stuart Mill¹

Abstract (in Catalan)

Imaginem que un estat ha d'escollir entre fer que els seus membres menys rics siguin el més rics possible i protegir una llengua determinada com a mitjà primari de comunicació a la vida pública. Si es donés aquest cas, es trobaria l'estat en qüestió davant d'una elecció entre deures morals en conflicte? Aquest article explora dues formes diferents de donar prioritat els interessos econòmics dels membres menys avantatjats de la societat que proporcionen respostes també diverses a aquest interrogant.

Many states have an established language, which they deliberately protect from competitor languages in order to ensure that the favoured tongue is widely shared amongst citizens and enjoys primacy in their common life. A range of public policies are available to secure such protection, such as requiring that publicly funded services, including children's education, be provided largely via the established language. Unfortunately, however, when only a small minority of humanity speaks the established language, and it competes with an emerging *lingua franca* originating from wealthier states, the economic costs of linguistic protection are likely to exceed those of a less protectionist regime. This might be true for various reasons including

* It is a great pleasure that this paper helps in celebrating the birthday of Philippe Van Parijs, whose personality and work have inspired me so often since I first encountered them in 1989. For instructive discussion related to the paper, I am very grateful to Paula Casal, Matthew Clayton, Axel Gosseries, José Luis Martí, and Peter Vallentyne. Experience suggests the paper would also have greatly benefitted from discussion with Philippe but, alas, that might have spoiled the surprise.

¹ 1848, *Principles of Political Economy*, Book IV, ch. VI, sec. 2, p. 127

the greater difficulty for firms to induce highly skilled foreign workers to relocate to protectionist regimes, and the lower economies of scale involved in teaching a minority language.

Suppose then that a society's members face a choice between protecting some cherished language and maximally promoting their own income and wealth, or 'wealth' for reasons of brevity. How are the reasons governing such a choice best understood?

In this too brief foray into the political morality of language policy, I shall address just one aspect of a complex and important topic. More specifically, I shall examine whether the choice between linguistic protection and wealth promotion involves weighty *conflicting* requirements or whether a more harmonious interpretation of those concerns is available. In addressing the issue, I shall assume that at least under some conditions there are sound reasons to use political means to protect an established language. My concern focuses instead on wealth promotion and with whether that goal is a countervailing requirement that conflicts with any reasons for linguistic protection.

Two conceptions of priority to the least advantaged

To address the issue I shall consider just two types of principle governing the distribution of income and wealth. Both are types of non-aggregative principle that deny maximizing the sum of wealth is of value and instead assume that what matters is the distribution of wealth across individuals. Both types of principle also attach priority to the interests of the less advantaged when resolving conflicts of interest between individuals. What I shall term *maximinimizing principles* favour making individuals wealthier, and when conflicts of interest arise such principles attach priority to individuals who have less rather than more wealth. In contrast, *non-maximinimizing egalitarian principles* endorse no such requirement but merely prohibit increasing inequality in ways detrimental to the least advantaged. The latter principles ground a complaint only against decisions that expand inequality at the expense of the least wealthy; they ground no complaint against policies that fail to make them as wealthy as possible.

For illustration, it may be helpful to note how, at different points, John Rawls appears to affirm both types of principle.

Stating the core requirement of his famous difference principle in *Justice as Fairness: a Restatement*, Rawls (2001: 42-43) writes that 'social and economic inequalities...are to be to the greatest benefit of the least advantaged.' Rawls (2001: 59-60) later explains that to

... say that inequalities in income and wealth are to be arranged for the greatest benefit of the least advantaged members of society simply means that we are to compare schemes of cooperation by seeing how well off the least advantaged are under each scheme, and then select the scheme under which the least advantaged are better off than they are under any other scheme.

In interpreting these statements, we should note that the difference principle expresses a *defeasible* requirement that it is permissible to infringe when it conflicts with the more stringent requirements to protect basic civil liberties, including the fair value of rights to political participation and to secure fairness in the competition for a society's positions of authority and influence. We should also recall that Rawls is sensitive to the possibility that sufficiently large economic inequalities can undermine the social bases of self-respect by threatening citizens' possession of a "lively sense of their worth as persons" and ability "to advance their ends with self-confidence" (Rawls 2001: 59). Furthermore, he believes that the plausibility of a distributive principle diminishes if it permits economic inequalities that generate various antagonistic attitudes, including excusable forms of envy, which jeopardise the principle's capacity to generate its own support when institutionalized.

Setting aside these complications about conflicts with more stringent liberal egalitarian principles and the risk of inequality-generating wealth-maximinimization having undesirable consequences for self-respect and stability, suppose (very unrealistically) that they never materialize.

If so, Rawls's recommendation that institutional designers "select the scheme under which the least advantaged are better off than they are under any other scheme" affirms wealth maximinimization as a demand of justice. If the demand is sound, then there is a stringent moral requirement to choose social institutions that maximally promote the economic expectations of the least advantaged.

Whilst the content of such a maximinizing requirement needs some refinement to demarcate the least advantaged group and deal with the absence of "close-knit" expectations (Rawls 1999: 70-72; 81-86), it represents the most common interpretation of the difference principle, and the one most frequently apparent in Rawls's texts. Nevertheless, a quite different non-maximinizing egalitarian requirement does occasionally make an appearance.

One such appearance occurs when Rawls explains the intuitive appeal of the difference principle by comparing the arrangement of expectations in a *perfectly just* distributive scheme with that in a scheme that is a *just*

throughout but not perfectly just. Describing the two types of scheme in *A Theory of Justice*, Rawls (1999: 68) writes

The first case is that in which the expectations of the least advantaged are indeed maximized... No changes in the expectations of those better off can improve the situation of those worst off. The best arrangement obtains, what I shall call a perfectly just scheme. The second case is that in which the expectations of all those better off at least contribute to the welfare of the more unfortunate. That is, if their expectations were decreased, the prospects of the least fortunate would likewise fall. Yet the maximum is not yet achieved. Even higher expectations for the more advantaged would raise the expectations of those in the lower position. Such a scheme is, I shall say, just throughout, but not the best just arrangement. A scheme is unjust when the higher expectations, one of more of them, are excessive. If these expectations were decreased, the situation of the least favored would be improved.

Here Rawls's description of the two schemes relies on the contrast between a wealth maximimizing requirement and a non-maximinimizing requirement that merely prohibits increases in inequality detrimental to the least advantaged but does not require any particular level of inequality or wealth promotion. To be perfectly just a scheme must satisfy both requirements but to be just throughout a scheme need only satisfy the second less restrictive requirement.

Having drawn these distinctions, Rawls then suggests that it is more important for a scheme to meet the non-maximinimizing requirement and be just throughout than to meet the maximimizing requirement and be perfectly just. He also implies that the plausibility of the difference principle stems in part from its condemning expansions in inequality detrimental to the least advantaged, and so meeting the second requirement. Thus, referring to the difference principle under the label 'democratic equality', Rawls (1999: 68) writes that

... while the difference principle is, strictly speaking, a maximizing principle, there is a significant difference between the cases that fall short of the best [i.e. maximimizing] arrangement. A society should try to avoid situations where the marginal contributions of those better off are negative [i.e. detrimental to the less advantaged], since, other things equal, this seems a greater fault than falling short of the best scheme when those contributions are positive [i.e. beneficial to the less advantaged]. The even larger difference between classes [i.e. the difference arising when increased inequality becomes detrimental to the less advantaged] violates...democratic equality.

Rawls returns at several points in *A Theory of Justice* (1999: 89 – 90) and *Justice as Fairness: A Restatement* (2001: 62, 64) to make similar remarks, emphasizing that one of the difference principle's main virtues is that it satisfies a requirement to avoid inequalities in wealth detrimental to the less advantaged, and so secures a valuable form of *harmony* or *reciprocity*.

To summarise, then, Rawls's statements suggest that there are at least two ways to attach priority to the economic interests of the less advantaged. We might affirm a more restrictive maximinimizing requirement that, like his difference principle, favours making the least advantaged as wealthy as possible or a less restrictive non-maximizing requirement that does not favour any specific level of wealth maximization but merely prohibits increasing inequality in ways to detrimental to the least advantaged.

Why protectionists should renounce maximinimizing requirements

Returning now to our initial question, how does this distinction between two types of distributive principle suggest we should understand the above choice between costly protections for some threatened language and the maximal promotion of wealth?

Whilst the maximinimizing and non-maximinimizing principles both converge in focussing our concern primarily on the interests of the least wealthy there is a clear difference in how they suggest we should understand the choice. If we assume there are reasons to protect the language whilst also affirming the wealth maximinimizing requirement then we must understand the choice as one involving conflicting reasons for political action. Suppose this conflictual understanding is sound. Those who hope to justify a protectionist regime must then establish not only that there are some reasons to protect the threatened language but also a requirement to do so that is at least as stringent as the maximinimizing requirement. If instead we affirm only the non-maximinimizing egalitarian requirement then we need not assume there is any reason whatsoever to maximize the wealth of any group, even the least advantaged. We consequently can avoid the need to show that the reasons favouring linguistic protection are undefeated by countervailing considerations that favour wealth maximinimization. As a result, if only the non-maximinimizing principle is sound then it is less difficult to justify a protectionist regime.

To assess the prospects of justified linguistic protectionism, then, it is worth addressing at least two questions. We need to decide whether there are grounds to reject the more restrictive maximinimizing principle and rely only on the less restrictive non-maximinimizing principle. If we fail to find such grounds and retain the maximinimizing principle, we also need to

decide whether there is a sufficiently weighty case for protectionism that the requirement to protect the mother tongue defeats any requirement to make the least fortunate as wealthy as possible, or at least remains undefeated by the latter rival requirement.

It is well beyond my powers to provide adequate arguments that answer to these hard questions but it may still be useful to venture some hesitant opinions.

Addressing the questions in reverse order, it is worth distinguishing *partial-compliance* arguments for protectionism that respond to past wrongdoing from *full-compliance* arguments that do not respond to any wrongdoing but instead appeal to the personal or the impersonal value of language. For illustration via anecdote consider my grandfather, Tommy, and his younger siblings, Davey and Myfanwy, who were born in Swansea, an industrial town in south Wales, at the start of the last century. As children they were beaten by their teachers for speaking their native language, Welsh, in the school playground. In later life, they agreed that the extinction of Welsh would be bad, and supported measures to preserve the language, including speaking it themselves and with others from their generation. But Tommy, unlike his more nationalist and pious chapel-attending siblings, gave no indication that the displacement of Welsh as the primary means of communication was in itself a threat to his dignity, and welcomed his son and my father, Lynn, being taught English as his primary language because of what Tommy then believed were the economic advantages of doing so.

My conjecture is that if Tommy were still alive then he would think that past wrongdoing and the impersonal value of Welsh give us reasons to prevent its extinction. I suspect, however, that on reflection he would deny that there is a very weighty requirement of justice to secure a language's primacy when threatened by cleanly generated displacement, arising from individuals exercising their basic liberties against a fair background distribution of wealth. Moreover, even if he granted such a requirement, I suspect he would deny that it was of sufficient stringency that, like the requirements to protect basic liberties and equality of opportunity, it defeats a conflicting valid requirement to maximimize wealth. I am unaware of any arguments that would make me reject my grandfather's view. As a result, I worry that in the absence of rights violations and distributive injustice in the historical background the justice-based case for linguistic protection will fail *if* we must grant the wealth maximizing requirement, and consequently view the requirement to protect the primacy of a language as conflicting with the appropriate construal of priority to the less advantaged. Of course, this worry may just indicate my ignorance of the range of arguments for protectionism rather than any weakness in the case

supporting such a policy, a deficiency I hope to correct by studying the forthcoming Van Parijs (2011).

Closing on a note more optimistic about the prospects for protectionism, it seems to me that when we turn to the first question we should conclude that the maximinimizing requirement is far from unassailable. Here Rawls's reference to a prohibition on inequalities detrimental to the less advantaged appears to explain the appeal of the difference principle to a very large degree. Having eliminated such inequalities, the further argument for maximizing the expectations of the least advantaged, as the difference principle officially demands, seems much less persuasive once we realize that it uses the currency of *wealth* rather than *well-being* or *preference satisfaction*. Such a currency may well be the appropriate basis on which to formulate a egalitarian principle but it is less obvious that a political community has even defeasible reasons to promote wealth maximally, especially when so few of its members pursue such a goal in their own lives. Having guaranteed a decent social minimum, and eliminated economic inequalities detrimental to the less advantaged, it might instead be more plausible for the society to rely on a preference-based paretian principle, at least assuming there are sound anti-perfectionist reasons to refrain from appeal to sound but sectarian judgments of well-being when engaged in political activity.

Perhaps, then, eschewing the maximinimizing requirement and relying only on the less restrictive non-maximinimizing requirement, thereby producing a more harmonious account of the relationship between the values of distributive justice and linguistic protection, is an option worth considering more fully.

Conclusion

Returning finally to John Stuart Mill, it is worth recalling that Rawls became convinced that Mill's *stationary state economy*, to which my opening quotation alludes, is a reasonable option, and appealed to the non-maximinimizing requirement in an attempt to show how the difference principle can accommodate that conviction. Thus, in *Justice as Fairness: a Restatement*, Rawls (2001: 63 – 64) writes that

A further feature of the difference principle is that it does not require continual economic growth over generations to maximize upward indefinitely the expectations of the least advantaged (assessed in terms of income and wealth). That would not be a reasonable conception of justice. We should not rule out Mill's idea of a society in a just stationary state where (real) capital accumulation may cease. A well-ordered society is specified so as to allow for this possibility.

What the difference principle does require is that during an appropriate internal of time the differences in income and wealth earned in producing the social product be such that if the legitimate expectations of the more advantaged were less, those of the less advantaged would also be less...Permissible inequalities (thus defined) satisfy that condition and are compatible with a social product of a steady-state equilibrium in which a just basic structure is supported and reproduced over time. (cp. Rawls 1975: 545; Pogge 1989: 197)

Assuming the difference principle satisfies the maximinimizing requirement, as Rawls expressly states elsewhere, as well as the non-maximinimizing principle, to which he appeals here, it is puzzling to me why that principle does not favour economic growth *within* generations, and thus also across generations, assuming such gains will not always be lost. If the difference principle does have this implausible implication, then in order to accommodate the stationary state as an eligible option perhaps Rawls needs not merely to affirm the non-maximinimizing principle but to explicitly eschew the maximinimizing principle. Mill's wise remarks about the stationary state, therefore, may provide some indirect support for the case for linguistic protectionism by supplying additional grounds to doubt that wealth maximinimization is a sound countervailing consideration.

In a world like ours where the misuse of arguments for wealth promotion has lead to a consumption arms race and the unprecedented human destruction of nature, it is very tempting to conclude that linguistic patriots should unite under a red and green banner declaring a resounding "Non!" to the maximinimization of wealth.

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In defense of genderlessness

Erik Olin Wright

Abstract (in French)

Bien que la réduction des inégalités associées au genre aille dans le sens d'une société plus juste, ce que la justice sociale exige réellement, c'est une société sans genre. L'idée-clef est la suivante : les relations de genre sont fondamentalement coercitives, au sens où elles imposent des contraintes - auxquelles sont associées des sanctions sociales - sur les choix et les pratiques des hommes et des femmes. Voilà ce que signifie le fait de dire que le genre est socialement construit. De telles contraintes vont à l'encontre de l'idéal égalitariste d'un monde dans lequel tous ont un accès égal aux moyens sociaux et matériels nécessaires à une vie accomplie.

When egalitarians think about the normative issues linked to economic inequality, no one says that their deepest moral aspiration is for a world with "class equality". Indeed, the expression "class equality" is an *oxymoron*, for the very concept of class implies some kind of inequality. One can certainly advocate a reduction in the inequalities between classes or the inequalities associated with class, but the normative ideal is usually specified as a "classless" society, not a society of class equality. This was canonized in the Marxist tradition as the emancipatory vision for communism: a classless society governed by the distributional norm "to each according to need, from each according to ability."

When egalitarians think about gender, on the other hand, they typically specify the normative ideal as "gender equality." The concept of gender is not taken to inherently identify an inequality, but simply a set of socially constructed differences which only contingently are linked to inequalities of power, opportunities, wealth, status or income. The idea of a *genderless* society would seem to many people to be almost nonsensical and certainly not a necessary condition for the full realization of egalitarian ideals of social justice.

In this paper I will defend the idea of genderlessness. I will argue that while reducing inequalities associated with gender constitutes movement in the direction of a just society, ultimately social justice requires genderlessness. The core idea is this: Gender relations are inherently coercive in the sense that they impose socially-enforced constraints on the choices and practices of men and women. This is what it means to say that gender is socially constructed. Such constraints, I will argue, thwart

egalitarian ideals of a world in which all people have equal access to the social and material means necessary to live a flourishing life.¹

The Sex-Gender Distinction

To show that egalitarianism requires genderlessness we must first discuss in more detail the concept of gender and its relationship to sex, and the relationship between gender roles and biologically-rooted dispositions.

A standard distinction is made in sociology between the concepts of sex and gender: sex is a biological category distinguishing males from females; gender is a social construction that transforms this biological distinction into a normatively enforced set of expectations about how men and women should behave and what roles they should fill. The key here is that for gender relations to exist there must be socially recognized norms that enforce these relations through various kinds of affirmations and sanctions.² In some times and places these norms are enforced in extremely coercive ways, so that people pay a very heavy price for deviating from the prescribed roles. In other times and places the norms are much looser and the sanctions weaker. But in all cases enforcement exists: men and women, boys and girls, are expected to behave in specific ways and there are costs associated with significantly deviating from these expectations. If there are no normative pressures to behave in particular ways because of one's sex, then gender relations do not exist.³

This distinction between sex and gender becomes especially complex when we add the issue of *identity* to the equation. In a stable, well-integrated gender order, gender norms and expectations get broadly internalized as gender identities. This makes in practice the distinction between sex and gender more difficult, for most people experience their gender identities as intimately connected to their biological sex. The issue of sexual orientation, as distinct from gender roles, adds a further complication. While sexuality

¹ A fuller elaboration of this formulation of an egalitarian ideal social justice can be found in Wright 2010, chapter 2.

² The "affirmations and sanctions" couplet comes from Göran Therborn (1980)

³ One other point of terminological clarification: Strictly speaking one could describe the absence of normatively enforced gender-specific roles as itself a form of gender relations, since this absence is certainly a "social construction". In a society without gender-defined roles it would still be the case that the distinction between biological sexes is transformed through a social process into a structure of social relations among people, even though in this case those social relations do not specifically assign differentiated roles to males and females. The resulting relations could thus be awkwardly called genderless gender relations. (This is analogous to calling the social relations in a classless society, "classless class relations").

and sexual orientation are certainly also shaped by social practices, there is considerable evidence that they are to a significant extent directly anchored in biologically-based mechanisms. These mechanisms interact with the social processes that transform sex into gender to produce gender and sexual identities.

To talk about the possibility of a genderless society is clearly not to talk about a sexless society. Nor is it to suggest that everyone would be androgynous in their identities and practices in the absence of gender relations. There would still be behaviors and dispositions that correspond to what we now view as feminine and masculine, and the mix of these would vary across persons. What would disappear is any systematic normative expectation that these traits and dispositions closely correspond to the distinction between males and females. And no costs would be associated with males and females having whatever pattern of “masculine” and “feminine” traits, dispositions and behaviors they might have.

A full degendering of family life would mean that norms around family roles would be connected to parenthood rather than to specific gender roles. In any given heterosexual family there might well be differences in the extent to which the father or mother took on particular responsibilities as a result of differences in dispositions, preferences, and contingent constraints, but there would be no *normatively backed expectations* about who should do what. This does not imply that there would be no correlation between a person’s sex and their social roles. For example, for biological reasons it is inherently easier for a single woman to become a mother than it is for a single man to become a father, and as a result there will almost certainly be more women who are active parents than men even in the absence of gender-coercive norms. But again, this correlation between sex and roles would not be backed by normative sanctions.

One final point on the idea of genderlessness: In the case of struggles for racial justice the point is often made that even if the ultimate goal is the dissolution of race as a salient social category, this does not imply that public policies in a world of racial discrimination should themselves be “race-blind”. It may take affirmative action now to move us towards a world in which race becomes irrelevant. The same is true for gender: it may take gendered policies now to combat gender-enforcing practices and thus move in the direction of genderlessness.

Gender roles amplify differences in biological dispositions

Among both biological males and females there is a distribution of masculine and feminine *dispositions, preferences and behaviors*. As I will use

the terms, behavior refers to what people do and preferences refer to what people consciously want. Dispositions include unconscious psychological processes which affect preferences and behaviors. Preferences typically closely correspond to dispositions, but this is not always the case. What is sometimes called “consciousness raising” is precisely concerned with changing preferences in ways that potentially enable people to change their dispositions. Assertiveness training in the women’s movement, for example, would be an example where a preference to be more assertive precedes a change in the unconscious disposition to act in an assertive manner in certain kinds of social contexts.

In a society with strongly gendered norms of behavior it is impossible to know exactly how underlying masculine and feminine dispositions vary among biological males and females. What we observe are behaviors: for example, women tend to behave, on average, in more nurturant ways than do men; men behave, on average, in more competitive and aggressive ways than do women. But since behaviors are simultaneously shaped by the interactions of dispositions, preferences and norms, it is impossible on the basis of the behaviors alone to infer how different are the distributions of the dispositions themselves between men and women.⁴

What we can say with near certainty is that in a world in which gendered norms are strong, there will be larger observed differences in the modal behaviors and preferences of men and women than in a world in which gender norms are weak. Figure 1 illustrates this idea for one particularly salient gender norm and disposition: nurturance.

⁴ There is also a further, deeper complication: growing up in a world with strong and consistent norms around gender affects the underlying dispositions, not just preferences and behaviors. Dispositions are not pure pre-social biological facts, but are themselves the product of the interaction of biological processes with social processes. There are thus five terms in play here: genetically-rooted biological facts that affect such things as hormones and neurological structures; dispositions; gendered preferences; gendered behaviors; and socially-enforced gender norms. These additional complexities, however, do not alter the basic point here that there are large variations among men and among women in masculine/feminine dispositions.

WORLD WITH STRONGLY DIFFERENTIATED AND EFFECTIVELY ENFORCED GENDER NORMS

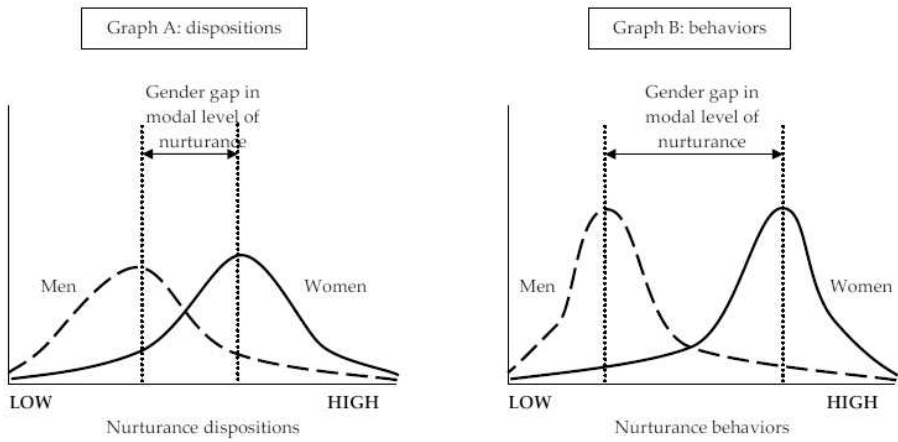
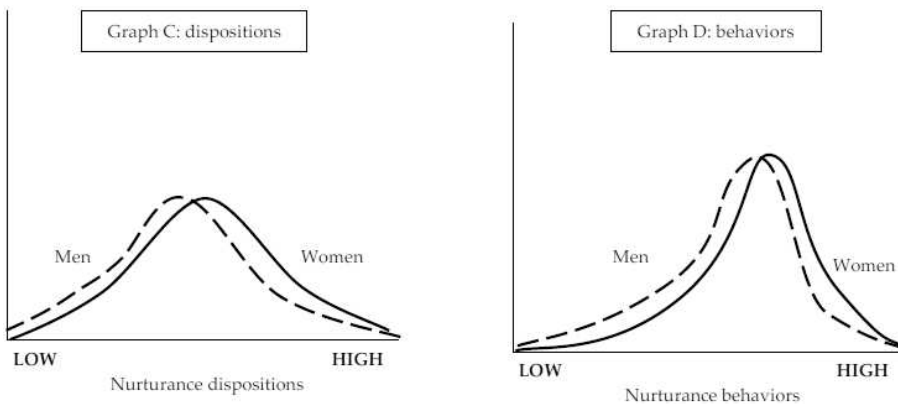
WORLD WITH *DEGENDERED* NURTURANCE NORMS

Fig. 1: Male and Female distributions of nurturance dispositions and behaviors under strong gender norms and degendered norms

There are four basic ideas in this figure. First, in a world with strong gendered norms around nurturance there will be a bigger difference between men and women in the distributions of nurturance *behaviors* (graph B) than in the distributions of nurturance *dispositions* (graph A), and the distributions will be more peaked around the modal behavior. A significant number of people conform to a given norm not because of its

correspondence to their dispositions, but simply to avoid the sanctions of deviation.

Second, even in a world with strong gendered norms around nurturance, there are men who are more nurturant than the average woman, and women who are less nurturant than the average man. This is especially true for the distribution of dispositions, but it will also be true for behaviors.

Third, in a world with degendered norms, the distributions of both nurturance dispositions and behaviors for men and for women (graphs C and D) much more strongly overlap than in the world with strongly gendered norms (Graphs A and B). I have drawn these distributions as still having slightly different peaks on the assumption that there is likely to be at least some difference in nurturance dispositions linked to underlying biological mechanisms, but this gap could be quite small.

Finally, if we assume that in a degendered social world there will be strong positive norms about the general desirability of nurturance for everyone, then it would be expected that the distribution of nurturance behaviors will move to the right for both men and women (i.e. on average people might have less nurturant dispositions than behaviors). This, of course, is not a logical necessity: a degendered world could be one in which current masculine models were generalized to all people. My expectation, however, is that the social processes which push for egalitarian ideals are likely also to embrace caregiving values.

These graphs are not based on actual data and thus they should be regarded as hypotheses. They have also been drawn in what may be an exaggerated way in order to highlight the central ideas. The key point is that in a world with degendered nurturance norms – a world in which there was no normative expectation at all that women should engage in nurturance behavior more readily than men – the degree of overlap of male and female distributions for both dispositions and behaviors should be much greater than in a world with strong gender norms.

Back to the problem of equality and gender

We are now ready to address the question of whether the goal of egalitarians with respect to the problem of gender should be framed as *gender equality* or *genderlessness*. The aspiration for “gender equality” imagines a world in which gender norms remain effectively enforced – a world in which there are normatively backed expectations about the roles and characteristics of men and women – and yet in which it is also the case that the probability of having access to the necessary social and material

means to live a flourishing life would be the same for men as for women.⁵ This implies that the potential inequality effects of the normatively enforced gender role differentiation can be neutralized through various institutional devices. The aspiration for genderlessness, in contrast, is for the dissolution of normatively backed gender differentiation in social roles.

My basic thesis in what follows is that while promoting gender equality moves us in the direction of egalitarian ideals, ultimately these ideals involve the dissolution of gender. I will make two arguments. The first focuses on the dynamic effects of policies that promote gender equality: policies which effectively neutralize the inegalitarian effects of the gender relations will also tend to undermine the norms which reproduce those relations. In the long term, therefore, serious gender egalitarian policies will also undermine gender. The second argument focuses on the ways gender norms, because of their coercive quality, directly constitute obstacles to human flourishing for many men and women.

There are three especially important ways in developed capitalist societies in which normatively enforced gender differentiation contributes to gender inequality in access to the conditions of flourishing: the care penalty in labor markets; gender discrimination in workplaces, especially around job promotions; and the gendered caregiving division of labor within the family. For each of these there is an array of institutional proposals for promoting gender equality.⁶

1. The care penalty

Studies of gender inequality in labor market earnings have repeatedly demonstrated that even after controlling for experience, skills and education, the average wage of women is less than that of men. One of the sources of this differential is what has been called the care penalty associated many of the jobs women tend to do in labor markets (England, Budig & Folbre 2001). This penalty is due in part to what economists refer to as “overcrowding” effects – wage depression because of a chronic oversupply of people for these jobs – and in part to the cultural devaluation of carework as “women’s work”. Both of these mechanisms are connected to the continuing salience of gendered norms and practices that shape both the kinds of jobs women seek,

⁵ This need not imply the full realization of the conditions for social justice, since there could still be inequalities in access to these conditions among men and among women, but gender equality would be achieved if there were no gender inequalities in the probabilities of access to these conditions.

⁶ These policies are generally viewed as *gender* equality policies rather than *sex* equality policies because they do not aim at dissolving gender, but merely eliminating some disadvantage or inequality linked to gender.

the array of jobs that are available to them, and the cultural value assigned to those jobs. Public policies that transform wage norms for jobs on principles of “comparable worth” – equal pay for work of equal skill, complexity and responsibility – would help erode the care penalty and thus reduce the associated gender inequality in earnings. But such policies would also erode the gendered character of the jobs themselves. In the absence of a financial penalty in jobs associated with care, more men would be willing to take such jobs, and this would contribute to undermining the norm that such jobs were women’s work.

2. Job promotions

Women do not only seek employment in stereotypically female-coded jobs; many are employed in jobs historically dominated by men. Here existing gender norms undermine their prospects in a variety of familiar ways, including such things as direct discrimination, statistical discrimination, sexual harassment, and gendered social networks. Strong anti-discrimination rules within workplaces have proven at least modestly effective in counteracting some of the processes. Just as eliminating the care penalty would increase the number of men in historically female jobs and thus erode gendered norms around carework, effective antidiscrimination efforts that increase the frequency in which women are in workplace authority over men would help erode gendered norms about power and authority.

3. Caregiving responsibilities

Lurking behind the statistical discrimination problem connected to caregiving responsibilities of women is the actual reality of the unequal gender division of labor in caregiving responsibilities. This caregiving gender division of labor is translated into gender inequality through several related mechanisms: women are much more likely than men to have interrupted careers; they are more likely to work less than full time and overtime; and their labor market choices are more constrained than men’s by issues such as commuting distance and travel obligations. Taken together, these processes contribute to gender inequalities in earnings and careers.

While it is unambiguous that gender differentiation in family caregiving responsibilities contributes to gender inequality in labor markets, it is less transparent what this has to do with gender inequality in “access to the material and social means to live a flourishing life.” Women may on average earn less when they have family responsibilities, but they flourish in other

ways through their roles as mothers. If they experience a time bind from the dual demands of paid work and family roles, a gender traditionalist would argue that this is because of the *weakening* of norms backing strong gender differentiation, not because of the persistence of such norms: if women still embraced the traditional norm of being a fulltime housewife and mother, then they would not experience the flourishing deficit that comes from being torn between careers and family. And furthermore – now we are listening to the neoclassical economist – having children is a choice and many choices involve trade-offs. People aren't forced to have children; they choose to do so. If a woman wants to flourish in this way, then because of the inevitable constraints of scarce resources she probably has to give up some flourishing in other ways.

These are tricky issues. It is certainly the case that many – perhaps even most – people experience the decision to have children as not simply a response to external normative pressures, but as an autonomous choice that is an essential part of a life plan. This is true for both men and women. And life does involve trade-offs. The “equal access to the means to flourish” criterion does not mean “equal access to the means to flourish without ever facing trade-offs.”

Nevertheless, under conditions of the unequal gender family division of labor, the costs involved in these trade-offs are not born equally by men and women. And certainly in the case of single-parent families, which are overwhelmingly single-mother families, women bear a vastly disproportionate burden of raising children. So, even if it is the case that it would be consistent with an egalitarian view of human flourishing for *parents* to experience some trade-off between earnings and having children, the strong gender inequalities in such trade-offs are not consistent with egalitarian principles.

Because gender inequalities in burdens of caregiving responsibilities are forged within the private domain of families, it is more difficult to devise institutional solutions to neutralize their inequalitarian effects than it is to neutralize disadvantages women face in the public world of the workplace. Gornick & Meyers (2009) have outlined a package of proposals that attempt to encourage a more equal gender division of labor within families. The key proposal is generous programs of parental caregiving-leaves designed in such a way as to not simply enable but also encourage fathers (through use-it-or-lose provisions) to take time off of work for early infant childcare.⁷

⁷ Van Parijs & Vielle (2001) have proposed a tax on men to fund a “virility premium” paid to fathers as an extra benefit when they take leave to take care of their kids. This amounts to a highly gendered policy designed to erode gender inequality: only men pay for it and, when they take parental leaves, they receive more money than do women.

Even in the absence of such policies, there has been some erosion in recent decades of the traditional division of labor in families over both housework and childcare as married women have entered the labor force (Wright and Rogers 2011: 314). Over time, if such policies were vigorously in place, this erosion would be likely to accelerate.

Strong caregiving family leave policies to reduce the inegalitarian effects of the gender division of labor also have the potential to contribute to the erosion of the norms implicated in gender relations. The idea here is that social norms and patterns of behavior mutually affect each other: the prevalence of a norm, especially when internalized, shapes behavior; but also, patterns of behavior we observe in the world either reinforce or undermine the existing norms, depending upon the extent to which the behaviors are congruent with those norms. Policies which change gender-relevant behavior, therefore, potentially undermine the associated gender norms. The more people see men in public taking care of small children – pushing baby carriages, changing diapers in airports, supervising kids at playgrounds, having them in shopping carts at grocery stores – the more such behavior will be seen as “normal” in the purely statistical sense, and the more it is seen as normal in the statistical sense, then, over time, the more it is likely to be viewed as normative as well. Gender equality policies that affect gender differentiations in patterns of behavior are thus also likely to constitute policies in the direction of degendering gender itself.

To argue that advances towards gender equality would also create movements towards a less gendered society is not the same as saying that the goal of egalitarians should be genderlessness, but merely that degendering would be a side effect of the pursuit of gender equality. There are, however, other reasons for egalitarians to directly pursue the goal of a genderless society. In particular, gender norms impose real costs on people who violate those norms and this restricts access to the social means for a flourishing life for people whose gender-linked dispositions do not correspond to those normative expectations. Consider the closely related issue of norms and dispositions around sexuality and sexual orientation. In a world with very strong heterosexual norms about sexuality, homosexuality is stigmatized and homosexuals often feel forced to hide their sexual orientation. This obviously creates significant deficits in flourishing. Gender norms pose the same general issue.

The full achievement of *gender* equality, but not genderlessness, would mean that inequalities in income, power, and status would no longer be associated with gender. But it would not mean that gender would lose its normative, regulative force, and thus gender relations would still undermine equal access to flourishing for those people, males or females, with the

“wrong” dispositions. The ultimate goal of egalitarians, therefore, should be to transcend gender altogether.

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The capitalist road to communism: are we there yet?

Almaz Zelleke

*Right can never be higher than the economic structure of society
and its cultural development conditioned thereby.*

Karl Marx¹

Abstract (in French)

Vingt-cinq ans après la publication du texte provocant de Van Parijs & van der Veen 'A capitalist road to communism', l'économie mondiale a atteint l'abondance nécessaire à l'avènement du communisme. L'évolution des moyens et rapports de production rend possible l'élimination de la division du travail, de la propriété privée et des divisions de classes – conditions essentielles dans une vision marxiste du communisme. Une allocation universelle dans le contexte d'une économie mondialisée, en réseau, portée par une nouvelle avant-garde, pourrait donner corps à l'affirmation originale et ambitieuse de Van Parijs & van der Veen.

Introduction

One of Philippe Van Parijs' earliest articles on basic income, co-written with Robert van der Veen, was the provocatively titled 'A Capitalist Road to Communism'. (van der Veen & Van Parijs 1986a and 1986b). Motivated by the growing recognition of the economic and political failures of most of the world's socialist regimes, which were soon to collapse, Van Parijs and van der Veen asked whether socialism was a necessary stage in the transition to communism. They argued that the necessary conditions of communism could be approached in capitalist societies by the institution of an unconditional, universal grant at the highest sustainable level. In this view, communism arises from capitalism as the universal grant grows to meet everyone's basic needs, the quality of work improves because workers are no longer forced to accept unrewarding or unpleasant work out of need, and paid work and leisure are more widely distributed than they are now.

Van Parijs and van der Veen did not claim that a universal grant was *all* that would be required for communism to be achieved in capitalist societies, only that a universal grant makes it *possible*, and without the intermediate

¹ Marx (1978a: 531).

step of socialism. They rejected the claim that social ownership and control of productive forces is necessary to reach the level of abundance required for communism, and they also rejected the argument that socialism is necessary to reshape man into an altruistic being in order for communism to succeed. Their vision proposed “tak[ing] persons and their preferences as they are,” but altering the nature of paid employment through the shift in the incentive structure brought about by the universal grant. By removing the compulsion to work out of necessity, work would be transformed into something indistinguishable from leisure, and instead of being forced, it would become, in Marx’s words, “life’s prime want.” (van der Veen & Van Parijs 1986a: 638; Marx 1978a: 531).

Their argument was exactly as provocative as one expects Van Parijs and van der Veen intended it to be, inspiring a raft of critiques at the time of its original publication and again on its reprinting 20 years later in the inaugural issue of *Basic Income Studies*.² The launch of an entire journal devoted to exploring the idea of basic income—an unconditional, universal grant at the highest sustainable level—can be said to mark the coming of age of the contemporary debate on basic income launched by Van Parijs and van der Veen’s inspired volley. Now 25 years after the publication of the original essay, Van Parijs and van der Veen must be groaning at the thought of yet another commentary on that ancient piece—Van Parijs especially, who has not only written a book-length argument for basic income on grounds of liberty and social justice (Van Parijs 1995) but has now moved on to other projects in political theory (Van Parijs 2011). But I hope they will indulge one more brief comment on their piece, one that touches on the historical materialism of the argument, and asks whether the material conditions and relations of production have evolved in the intervening years in such a way as to support their original, ambitious claim.

The human capital economy

In 2011, there can be no doubt that globally we have achieved a state of advanced capitalism and a level of production that makes possible the elimination of absolute need for all people, while simultaneously rendering the vast majority of the world’s population not only propertyless but abjectly poor—a paradox predicted by Marx in *The German Ideology* (Marx 1978b: 161). The material condition of abundance has been achieved, but the condition of the working class in developed nations has become more precarious, and the dire conditions of the poor in developing nations have

² See van der Veen & Van Parijs (2006) for their reply to the critics.

now, with our global communications network, become impossible for the West to ignore. We are also now unable to ignore the West's complicity in economic and political institutions that have worsened the conditions of the global poor. Poverty can no longer be considered a problem of scarcity, but of the underlying relations of production, class structures, and political institutions generated by our capitalist economic system. A basic income could certainly improve the material conditions of the poor and the working class, but the more interesting question is whether material conditions have paved the way for a basic income instituted now to abolish the division of labor, private property, and class divisions—conditions critical to Marx's vision of communism.

I want to suggest that they have, for three reasons. *First*, advanced capitalism is undergoing a shift to the greater importance of human capital, as opposed to financial capital, in the post-industrial economy, a development that highlights the importance of the basic income's promotion of human capital investment. This is not to ignore the vast profits that still accrue to the financial industry, nor the need for many enterprises to have access to significant financial capital, but to highlight the shift from manufacturing to knowledge and information industries as the drivers of economic growth and development. This is indicated both by the fact that the financial industry no longer makes the bulk of its profits from providing capital investment funds to industry, but by financial arbitrage, and by the increasing importance of wage disparities over capital income in income inequality today (Saez 2006).

Second, the global communications network increasingly allows individuals to find each other and groups to associate without the traditional intermediary organizations of firms, states, or NGOs. The economic advantages to those connected to this network and able to manipulate it effectively are high and almost certain to increase.

Third, digital technologies continue to transform the capitalist economy by undermining existing business models, providing the kind of economic upheaval that just might open the door to new means and relations of production.

When Marx wrote at the height of the industrial revolution, the transformation of the Western economy from an agricultural to a manufacturing base was heavily dependent on financial capital-intensive plants and processes. In the 21st century, the greatest economic advances are human capital-intensive, not through unskilled labor inputs, but through knowledge, education, and technology transfer. This economic transformation highlights the importance of human capital investment, and yet national governments are constrained in their ability to make such

investments as they compete in a global marketplace for investors with a preference for low taxation and lenient regulatory regimes. This crisis of internal contradiction is clear in the U.S., for example, where the business community regularly bemoans the poor education and workplace preparedness of American workers while its lobbyists simultaneously oppose increased taxation and government spending to improve school preparedness and educational outcomes. The U.S.'s open borders to talented foreigners and capital mobility forestall the crisis by poaching talent educated elsewhere and by moving production or outsourcing services to nations with under-utilized educated workforces. But we may already be seeing the limits of outsourcing and capital mobility as solutions to this conundrum, in part because of the expanding global communications network.

Digital globalization

The same global communications network that makes outsourcing and distributed production possible makes it increasingly difficult for global firms to shield their business practices in one country from their consumers in another. Firms now have to compete among their educated and networked consumers not only on price but on corporate social responsibility—on factory conditions, environmental impact, sourcing of raw materials, and overall corporate citizenship. Global communications tools restore some of the regulatory power lost by national political regimes to digitally-savvy consumer groups, which now require less formal organization and coordination than they once did (see Shirky 2008). While it is true that empowered consumers could use their power to drive down prices rather than to expand corporate citizenship, they can no longer do so in ignorance of the harm they are doing—to farmers, child laborers, or the environment. Our own consumerist choices face the same transparency and accountability as those of corporations.

Moreover, we have seen over the past dozen years how the internet and the larger global communications network allow digitally-savvy individuals not only to become more empowered consumers but to become independent producers, and to find consumers and markets outside of traditional corporate structures. Digital technologies give individuals the ability to self-organize across national or linguistic boundaries to cooperate on projects for pay or, in Marx's terms, simply to express one's humanity as a producer. Ironically, in a world in which most of the means necessary to preserve life—access to land and water—are increasingly privatized, global communication among individuals has become virtually free, despite the

private ownership of the most common social media tools. Among its many features, the global communications network can put individual or small-scale producers in direct contact with consumers, who together become “co-producers,” in the words of the Slow Food movement (Botsman & Rogers 2010).³ While such unmediated capitalist exchanges are admittedly a fraction of global capitalism today, they can only increase as internet technology continues its spread across the globe and deeper into all societies.

Beyond such unmediated capitalist acts between consenting adults, digital technologies also disrupt longstanding business models based on scarcities of information and barriers to distributed cooperation. Not only do the entertainment and publishing industries have to create new business models to contend with the digital reproducibility of their products, these and many other industries—including journalist, software, and educational enterprises—must now compete with self-organized networks of individuals who provide their products for free.

A new vanguard?

All of these changes hinge on the fact that a new class has emerged since Marx’s time, a class that is neither quite worker nor capitalist, but shares features of both: professional knowledge workers. Like capitalists, they capture some of the social surplus for themselves through the salaries they are able to command for their education and professional skills—undeserved employment rents, in Van Parijs’ terms. As Van Parijs argues in *Real Freedom for All*, regular, paid employment has become a scarce resource whose benefits ought to be subject to redistribution (Van Parijs 1995: 89-132). In fact, the most significant class distinction today is not between workers and capitalists, as in Marx’s time, but between the regularly employed and the chronically un- or underemployed. For the educated and professional class of knowledge workers in Western nations, it may not be too much to say that employment rents already constitute a form of basic income that allows knowledge workers to overcome the imprisoning division of labor and to have multiple identities and play multiple roles, only some of which are for pay. They can take time for education, for parenting, for social relations and civic activities, and also for unpaid activities that may be little different from their paid employment—blogging, contributing to open source projects, and buying, selling, or trading services or products directly with others, with little or no mediation by traditional for-profit firms. Knowledge workers are able to invest their portion of the social surplus in

³ See also: www.slowfood.com, and <http://collaborativeconsumption.com/>.

traditional ways, in their and their family's education and well-being, but also in ways that are disruptive of traditional economic models.

Despite the leading role these knowledge workers play in the modern capitalist economy, they nevertheless share a degree of economic precariousness with the chronically unemployed. In the end, they remain workers, and globalization and the rise of educated workforces in the developing world have stripped knowledge workers in the West of their monopoly on knowledge-based professions, while retrenchment in the realm of social safety nets and defined pensions leaves even these privileged workers more exposed to economic downturns. Furthermore, the disruption of traditional business models by digital technologies affects the job security of professionals in many fields: it may be easier to become a "published" author than ever before, for example, but harder to be paid a living wage for it.

Knowledge workers may not conform to Marx's idea of the proletariat as the vanguard of the communist revolution—rather, the thought no doubt has him rolling over in his grave—but their experience does provide a roadmap for how a basic income, at this particular stage of economic development, could not only resolve the economic precariousness of all workers, but also abolish the division of labor, class divisions, and private property in the means of production, while not only maintaining but potentially further increasing productivity.

The salaried knowledge worker with sufficient leisure time to engage in voluntary creative production with like-minded collaborators across the globe has already escaped the imprisoning division of labor Marx described as an essential feature of capitalism, even if she still spends part of her day working for her wages. This is not only because her skills allow her more choice in her waged labor than low-skilled workers, nor only because she has sufficient leisure time to develop her productive capacities as she chooses. She has escaped the division of labor because she owns some of the means of production—her knowledge and skills—and has easy access to other means of production—the global communications network. As long as the advantages enjoyed by knowledge workers are limited to this class alone, the full potential for economic transformation brought about by new technologies will be unrealized. How could the interests of this class align with those of all workers?

The common resource on which knowledge workers depend for their emancipation is access to the global communications network, and the critical importance of this resource remaining part of the commons is not lost on them. They are likely to resist—and because of their socio-economic standing and networked advantages, likely to successfully resist—

privatization of this commons more than of those already lost, such as land, water, clean air, minerals, oil, and gas. Can this class be convinced to advocate for a universal resource dividend in return for the commercial development of the airwaves—and other common resources too? As speculative as that may be, a universal dividend financed by rents on common resources is more likely to win the support of this privileged class of workers than one financed by taxes on resources experienced by them as individual, such as income, employment rents, and personally accumulated wealth. Not only can a resource dividend financed from rents on resources they recognize as common help to preserve those commons for public benefit, it can also serve as a hedge against their own economic precariousness as economic cycles take their inevitable toll, and business plans based on new technologies and models of collaboration succeed or fail in turn. Moreover, a resource-financed dividend avoids the exploitation objection often leveled against an income tax-financed basic income, allowing the interests of this class to align with those of the chronically un- or underemployed. Furthermore, the successful capture as a dividend of the rents from this commons might also lead to a new look at previously privatized commons. Is it time, then, for the basic income movement to declare its allegiance to the financing of a basic income via resource dividends, rather than income taxes? Is this the key to mobilizing this new vanguard in support of a basic income for all?

Are we there yet?

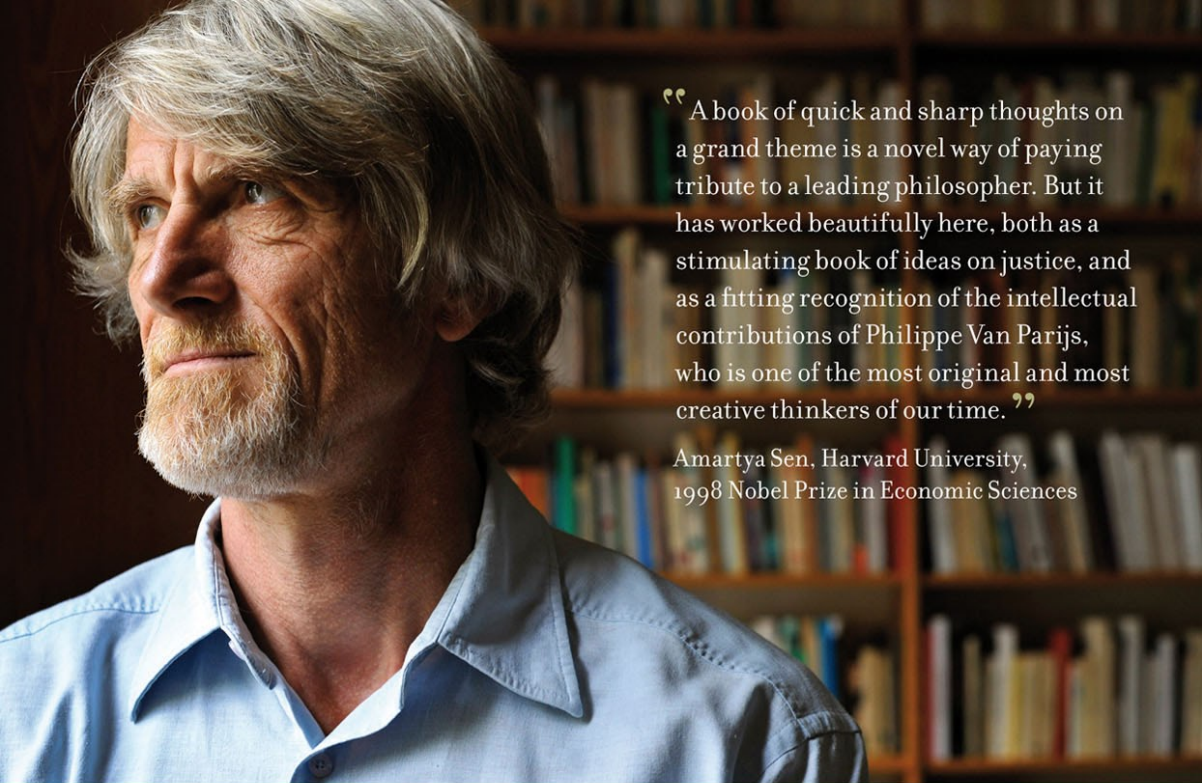
My country, the U.S., is the land of the road trip. Every parent who sets out full of optimism about the wonders to be found at the end of several hours or days behind the wheel hears the familiar whine from the backseat much sooner than they ever expect: are we *there* yet? After 25 years on the capitalist highway since Van Parijs and van der Veen's provocative challenge, shouldn't the exit sign for communism be near?

Like Van Parijs and van der Veen, I cannot claim that the rise of a new potentially revolutionary class is sufficient in itself to bring about communism without the unlikely (and frankly unappealing) intermediary measures indicated in the *Communist Manifesto*—dictatorship of the proletariat, establishment of industrial and agricultural armies, etc. (Marx & Engels 1978: 490). I agree that it is only possible. Critical, however, is that arguments for an alternative path to communism address not only the distributive criterion of communism—"from each according to his abilities, to each according to his needs" (Marx 1978a: 531)—but also the means and relations of production. If, as I have argued, the growth of the contemporary

capitalist economy is based on the development and exploitation of a new commons—the global communications network—through the intensive and widespread human capital development of its users, we must ensure that its ownership and exploitation benefit all members of society, and do so in a way that promotes access for all. A resource-financed basic income that secures the means necessary for all people to develop their human capital allows all to free themselves from the division of labor, and all to become co-owners of the increasingly dominant means of production in the 21st century. If we seize the opportunity provided by the appearance of this unexpected revolutionary class and guide them toward the means by which the free development of each is truly the condition for the free development of all (Marx & Engels 1978: 491), we may find ourselves further along the capitalist road to communism than we thought.

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Amartya Sen, Harvard University,
1998 Nobel Prize in Economic Sciences

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