

A Little Water in a Glass of Wine or a Glass of Water with a Little Wine in it? Justice as Reciprocity and the UBI: A Possible Reconciliation of Two Enemies?¹

Pascal Couillard

Université catholique de Louvain & Chaire Hoover d'éthique économique et sociale

E-mail addresses: couillard@etes.ucl.ac.be ; couillardpascal@hotmail.com

Abstract

One important objection to the introduction of the unconditional basic income (UBI) states that it would introduce the opportunity for some to free ride, i.e. to live off the fruits of labor of others without providing anything in return or reciprocating. In this paper, I review the debate between the reciprocity theorists and the UBI advocates. My aim is mainly to show that although the objection is valid, it is certainly not fatal at least on pragmatic grounds. In fact, I contend that reciprocity theorists might favor the UBI since even an attractive conception of reciprocity and transfer policies it inspires has undesirable ethical and practical implications that doesn't apply to the former.

Introduction

In the recent years, the idea of introducing an unconditional basic income (UBI) in the context of reforming the welfare state is getting more and more support in the academic and political circles. Like many other propositions of transfers policies, the UBI faces many objections and criticisms that affect a wider support and his political feasibility. In this review article, I will discuss one the most important of them.

The UBI is generally understood as an (highest sustainable) unconditional grant paid *ex ante* by the state (from the cradle until death² or as a lump sum³) to each citizen.⁴ For Philippe Van Parijs (1995: 35), the unconditionality must be interpreted in the sense that the UBI is given to the persons: (1) whoever they live with, (2) independently of their wealth, (3) even though they demonstrate no willingness to work and (4) where ever they live in the country. For

which it is unjust for the able-bodied to live off the fruits of labor of others. Like a UBI opponent state: '[...] no member has an unconditional right to full support from society in absence of any return to society' (Torisky 1993: 296). Therefore the UBI, according to them, would institutionalize the possibility of (unjust) free riding because it would allow some able-bodied to receive a share of the benefits of social cooperation without any contribution from their part (Anderson 2000; Barry 1996, 2000; Carens 1986; Galston 2000; Gauthier 1986; Phelps 2000; Torisky 1993; Van Donselaar 1997; White 1997, 2002). As it is put forward by some reciprocity theorists, like Anthony Giddens (1998) for example, their should be 'no rights without responsibilities'. In short, the free rider or the undeserving poor would receive a gift from the workers while he voluntarily choose not to give anything in return. The free rider then would exploit the workers: 'most workers would, correctly in my opinion, see the proposal as the recipe for exploitation of the industrious by the Lazy' (Elster 1986: 54). We call this objection to the UBI the 'exploitation objection'.

We understand that the adversaries of the UBI believe that the able-bodied should give something in return of an income paid by the workers. The exploitation objection thus interpreted rests on a principle of reciprocity. The presence of a notion of reciprocity in some theories of distributive justice is not surprising since it is widely applied every else where. In games that have the structure of the prisoner's dilemma, it is argued that the best strategy to win is the strategy of reciprocity, i.e. cooperate when you face someone who has the reputation to cooperate and fly solo if he/she has the reputation of being selfish.⁵ In fact, one's life is filled with concrete applications of reciprocity. Friendship for instance is (partially)⁶ based on reciprocity. When you help your friend to paint her house, you don't expect anything in cash or in kind form her. The number of hours it took, the painfulness of the task, the number of time you helped before are irrelevant. You can do it for the pleasure that helping her brings you, but you also strongly believe your friend will be there for you in your time of need. In other words, you expect her agreement to reciprocate in the future.

In the section I of this review article, I will provide a definition of free riding and conditions under which it would not be considered as unjust or exploitative. Then, after presenting a general definition of the concept of reciprocity, different conceptions of this concept will be reviewed. In the section II, I present the core of the debate between the reciprocity theorists and the UBI proponents by clarifying their converging and diverging positions. In the section III, I review the ethical and practical difficulties related to the introduction and the enforcement of the reciprocity obligation. Finally, in section IV, I will comment the reciprocity friendly transfer policies proposed as alternative to the UBI. Basically, my aim is to show that although the exploitation objection is valid but not as fatal as it been argued

I- Free riding and reciprocity explained

What is free riding?

Lets start by developing more the widespread conception of free riding. Is a person who receives a UBI without making any contribution to society a free rider or, to put it otherwise, is the introduction of the UBI would institutionalize the opportunity to free ride? According to Garrett Cullity (1995: 22-28), *unjust* free riding in the morally significant sense appears when one takes advantage or depends on the benefits (that he voluntarily accepted or that have been conferred upon him nonvoluntarily⁷) that others are willing to pay for and deliberately refuse to pay for them. In other words, the unfairness according to him consist in an 'objectionably preferential treatment' which is the case when one allow himself '[...] not to pay for goods that she either does or ought to realize are worth paying for, and which she only receives because others are moved by the same realization to pay'(1995: 23).

This said, Cullity (1995: 18-19) explains that the free rider's refusal to meet the requirements of the scheme from which he enjoys the benefits does not necessarily express unfairness. The refusal is unfair only if the scheme satisfies three specific conditions. The first condition is the 'practice of participation':

it must be the case that the balance of the benefits and costs attributable [...] to others' participation in the scheme, plus the cost of my compliance with the scheme's requirements, but excluding from consideration any benefits attributable (in that sense) to others' *non*participation, is positive'. (Cullity 1995: 18)

He argues that if a person is treated worse than others are or if everyone is worst off in the balance of costs and benefits, a refusal to cooperate does not constitute an arrogation of privilege to herself. The second condition is that the '[...] fair generalization of the scheme's requirements not be to practically everyone's detriment' (1995: 19). If it is the case, it is fair for the free rider not to cooperate. Indeed, he is not arrogating privilege for himself because cooperating would be at the disadvantage of practically everyone else. The third condition is that the free rider most not raise any legitimate objection to the scheme. If this is the case, he his not arrogating privilege for himself since everybody else would refuse to cooperate for the same reason. Thus, if one or more of those three conditions are not met, there still is free riding but it cannot be qualified as *unjust*⁸

all without any requirements, Cullity's interpretation of free riding cannot be applied to this scheme. But the reciprocity theorists, of course, reject the UBI because they disagree with this feature. Consequently, the schemes they propose include the requirement to contribute in some relevant sense. In order to legitimately deny a share of the benefits of social cooperation to an individual who deliberately refuses to fulfil the requirement of contributing or reciprocate, the supporters of a conditional scheme must sustain that the latter satisfies Cullity's three conditions. They must demonstrate that the scheme (1) provides a net benefit to the free rider by giving him social assistance grants (assuming that the requirements aren't too harsh); (2) that the generalization of the requirements doesn't make practically everyone worse off and (3) that the free rider cannot, in their view, raise any legitimate objection to the scheme. If those requirements are met, the free rider would arrogate a preferential privilege for himself because, on the one hand, he would accept benefits he deems valuable and, on the other hand, he would deliberately refuse to fulfil the requirements. In addition, he still wishes that others will not follow in his footsteps since his benefits come from the fact that they contribute to produce them. For the opponents of the UBI, it would be a clear-cut case of *unjust* free riding if he is granted benefits with no strings attached. However, if one of those schemes is introduced and if it violates at least one of the three conditions, the individual who refuses to comply with the obligation to reciprocate is not acting unfairly and is entitled, like in the case of public goods, to the full benefits of the scheme.

What is reciprocity?

Trying to define reciprocity is not an easy task because this concept, like liberty or equality for instance, depends on one's conception of justice. As a starting point though, we should note that reciprocity is usually not understood as a comprehensive theory of justice but only as one of many possible principles that can be included in the latter. At this point, I will only define the concept by its mostly accepted characteristics. According to Serge-Christophe Kolm (2000a: 7), there are four types of modes of transfer: taking by force, exchange, reciprocity and giving. Comparing reciprocity with the three others will give us a general idea of this concept.

Following Kolm (2000a: 7-9) we can characterize reciprocity by at least four properties. A first property is simply that reciprocity (as exchange and pure gift giving) is voluntary, i.e. the individuals' freedom is respected in the sense that individuals are free to decide what to give and are free to accept or not the transaction. This said, a major difference distinguishes reciprocity (and pure gift giving) from exchange. In the case of exchange, each transfer is conditional on the other transfer. As Kolm (2000a: 8) puts it: 'each single transfer is not free

Table I. Characteristics of the four modes of transfer

Coercion	Exchange	Reciprocity	Pure gift giving
	Globally voluntary		
Individually coerced transfers		Independently voluntary transfers	
	Interrelated two-way transfers		Independent one-way transfer
Self-centered motivation		Other oriented	

In short, a reciprocity transfer takes place when two parties exchange voluntarily gifts chosen freely by themselves. Why not qualify this transaction simply gift giving? The difference between pure gift giving and reciprocity lies in the *a priori* motivations or more precisely the expectations: when I give you a gift, I don't expect you to repay me in cash the value of the gift or by giving me back another gift of the same value or not, i.e. to reciprocate. So in practice, a transaction to be qualified under the label of reciprocity as such is completed when the receiver of a gift give back something in return of it.

Basically, there are two types of reciprocity. Direct reciprocity, on the one hand, is a two-way gift giving between two individuals who are exchanging gifts or between individuals and society (in the latter case, we call this general reciprocity¹⁰). On the other hand, indirect or chain reciprocity is again a two-way gift-giving relationship but in this case the receiver will not reciprocate directly to the giver but to another individual or group: '[...] *a* gives to *b*, who gives to *c*, and so on, who gives to *a*, or infinite endless chains as with relations between parents and children [...]' (Kolm 2000a: 7-8).

Four conceptions of the principle of reciprocity

As mentioned above, the exploitation objection put forward by the adversaries of the UBI is basically the same but their interpretation of the concept of reciprocity differs. In this section I present and discuss some of them. As we shall see, they all have in common the general framework presented above but they differ essentially in the proportionality of the gift received one must reciprocate and the criteria (if any) that lessen the burden of this obligation.

But first, why include a principle of reciprocity in a theory of distributive justice? In general,

disadvantaged and ‘the obligation to make a reasonable productive contribution to the community in return for a sufficiently generous share of the social product [...]’.

So one could argue that reciprocity constitutes a principle of intrinsic ethical importance. White (2000: 513, 2002) agrees with this claim for two reasons. First, a

[...] suitably solidaristic (and therefore just) scheme of cooperation necessarily respects a norm of weak mutual advantage’ according to which ‘anyone who is a willing beneficiary of a cooperative economic scheme (a willing claimant on the social product) must make a reasonable effort, appropriate to his/her capacities, to ensure that other members of the scheme also benefit from and (the flip-side of this) are not burdened by his/her membership of this scheme. (White 2002)

According to him, each citizen has the right to expect others to make a reasonable effort that will depend in part on the share of the social product one appropriates and ‘[...] partly on one’s relative capacity to produce reciprocal benefits’. For him, the principle of reciprocity when, interpreted in an egalitarian sense, ‘[...] would seem to be a natural expression of this norm of weak mutual advantage’. Second, the principle of reciprocity prevents two inadmissible or unjust types of economic activities that violates the principle of ‘weak mutual advantage’ or creates what Joseph Carens (1986: 683-684) calls the ‘collective action problem’¹¹: economic free riding and parasitism.¹²

There can be also instrumental reasons to incorporate the principle of reciprocity in a public conception of justice according to White (2000: 513, 2002). Relying on an empirical study by Bowles and Gintis (1998/1999) in which the authors argue that individuals seem to conform to a norm of ‘strong reciprocity’¹³, White argues that ‘egalitarians must frame their reform proposals in a way that explicitly acknowledges and upholds the norm rather than being indifferent to it’. In other words, in a society where ‘homo reciprocans’ predominate, economic arrangements and social policies must respect this norm in order to be legitimized and maintained. In the same line of argument, Allan Gibbard supposes a ‘sense of fair dealing’, that can be explain in evolutionary terms, which ‘[...] prompts one to cooperate, and that elicits cooperation from others’ (1990: 261). According to some reciprocity theorists, in short, the reciprocity principle constitutes, ethically and instrumentally, an important ingredient ‘[...] in building and maintaining legitimacy for policies and institutions that pursue (other) egalitarian values’ (White 2002).

A first interpretation, inspired by Aristotle and St-Thomas D'Aquinas, is what we could call 'commutative reciprocity'. Basically, it states that one should give back a return in kind that is strictly proportional to what he received (Becker 1980a, 1980b). We find such interpretation for example in the French sociologist André Gorz's book *Critique of Economic Reason*: 'each citizen must have the right to a normal standard of living but every man and woman must also be granted the possibility (the right and the duty) to perform for society the *labor-equivalent* of what he or she consumes [...]' (1989: 205. Emphasis added). We can also find a more radical version in Lawrence Mead's definition of workfare: 'in workfare labor is enforced by guaranteeing recipients work in public or nonprofit agencies, unless they accept private jobs. Sometime they receive something extra for working, but usually they simply put in the hours necessary to "work off" the welfare they are receiving' (1986: 124).¹⁴

In an egalitarian perspective, this interpretation of reciprocity taken literally seems unattractive because it institutionalizes inequalities produced by social contingencies, luck and most importantly 'reflect brute luck differences in personal characteristics, i.e. in natural productive skill [...]' (White 1997: 318). Indeed, most egalitarian theories of distributive justice seek to reduce or neutralize the influence of those arbitrarily factors by introducing a principle of 'equality of opportunity'.¹⁵ Therefore, the adversaries of the UBI are unlikely to based their exploitation objection on the commutative interpretation of reciprocity because it '[...], reflect these brute luck differences, and will therefore violate the equal opportunity principle' (White 1997: 318). Defending such an interpretation would require one to defend the idea that inequalities engendered by brute luck are just or justified, and that would not be an easy task nowadays.

This interpretation is not understandably the one the UBI's adversaries usually rely on. That is why proponents of commutative reciprocity will bend their ideal in order to take those factors into account. Laurence Becker (1980a: 41), for example, explicitly states that reciprocity obligations must be scaled to competence, ability and the benefits one has received from the state. To those limits, who set a ceiling applied to the amount of work required by reciprocity, Becker adds that this ceiling '[...] will be set by the lower of the two relevant figures: No matter how high one's abilities, work out of proportion to benefits received (i.e., "above" those benefits) cannot be required. Similarly, no matter how high one's benefits, work beyond one's abilities cannot be required' (45).

Also to avoid those difficulties, Stuart White (2002) modifies the commutative interpretation of reciprocity to make it more compatible with other considerations of the solidarity ethic and demands elaborated by other egalitarian theorists. First citizens must be protected to some

independent considerations, White explains, we move from the simple principle of reciprocity to more egalitarian conceptions.

Baseline reciprocity

Thus, the adversaries of the UBI need to rely on a more ethically attractive interpretation of reciprocity, one compatible with some notion of equality of opportunity, that is one that take into account differences in productive capacities and opportunities available to the receiver of a gift. Stuart White defends such interpretation: ‘each person is entitled to a share of the economics benefits of social cooperation conferring equal opportunity (or real freedom) in return for the performance of an *equal handicap-weighted* quantum of contributive activity [...]’ (1997: 318. Emphasis added). White refers to this as ‘baseline reciprocity’. In this interpretation, the link between entitlement and the correlative obligation is clear and explicit as in the commutative interpretation of reciprocity but the former differs in the expected return since it introduces a notion of ‘reasonable work expectation’. In other words, the beneficiaries of a share of the economic benefits of social cooperation are not expected to give back in strict proportionality what they received, a decent minimum income for example, but they are expected to ‘contribute a bit’: ‘[...] each citizen has a corresponding obligation to perform a decent minimum of contributive activity, the size of this minimum varying with degree of productive handicap’ (White 1997: 319).

Interestingly enough, this conception of reciprocity is not incompatible with a partial UBI financed by a taxation on pure natural resources (and goods left without owners¹⁷). Indeed, White explains that since those resources are not the result of the effort of social cooperation, everyone ‘[...] is entitled to an equal share of them, or their value, [...] and that this entitlement carries no (or very modest) corresponding obligation to contribute productively to a given cooperative community’(1997: 320-321). Philippe Van Parijs (1997a) replied to White that the distinction he makes between resources produced by the effort of social cooperation (and therefore subject to the reciprocity requirement) and pure natural resources is problematic. According to Van Parijs, White cannot argue that pure natural resources are to be distributed unconditionally because their value doesn’t involve the effort of social cooperation since their value originate directly from the cooperative market where they are traded. White cannot hold either that it is because those resources haven’t been mixed with labor since if it is not the case eventually, the pure natural resources would have no value at all. To be ethically consistent then, I think that White would have to acknowledge Van Parijs argumentation and broaden the reciprocity requirement to all society’s resources.¹⁸

unacceptable implications and the fact that it was meant to be applied in the communist stage where resources are abundant. Interpreted literally, it could justify some form of ‘slavery of the talented’ and some limitation of the principle of freedom of occupation in order to force workers to occupy jobs for which they are more qualified.¹⁹ As for the second part of this conception, individuals needs are unlimited²⁰. In our world of scarce resources, a priority rule and explicit limits are necessary in order to determine which and whose needs are to be fulfilled first and at what extent. Even though this slogan have value as an utopia, its seems to be wrong:

we need utopias that clarify our values, that help us to think imaginatively about the problems and the best solutions to them. Full communism offers no such guidance. It fails to offer an ideal solution to questions about value conflicts and social organization. Instead it assumes such issue away’. (Carens 1986: 686)

To avoid such difficulties and gain adherence, a more liberal interpretation of reciprocity is required. This exercise would lead, I suspect, to an interpretation of reciprocity close to the one defended by John Rawls.

Fair reciprocity

A forth interpretation of the principle of reciprocity can be found in John Rawls’s (1971, 1993, 1999) work. Rawls (1993) defends a conception of society as a ‘system of fair cooperation’. This idea can be understood more precisely for him in three ways. First, social cooperation is guided by rules and process publicly recognized to which all accepts and considers as regulating their conduct. Second, it requires an idea of ‘rational advantages of each participants’.²¹ Third and most importantly for our purpose here, the idea of social cooperation implies the idea of ‘fair terms of cooperation’ that each participants can reasonably accept on the condition that all other participants accept them also. Those ‘fair terms of cooperation’, Rawls argues, specify an idea of reciprocity that he call ‘fair reciprocity’²²: ‘[...] all who are engaged in cooperation and who do their part as the rules and

¹⁹ The same objection seems to apply to Giddens statement that ‘a highly unequal society is harming itself by not making the best use of the talents and capacities of its citizens’ (Giddens 1998: 42). I’m not convinced, if this is what Giddens means, that a form of ‘slavery of the talented’ is justified even in a highly unequal and/or poor society.

²⁰ For a more restrictive interpretation of this communist slogan joined with a justification of UBI see Van der

procedure require, are to benefit in a appropriate way as assessed by a suitable benchmark of comparison' (Rawls 1993: 16).

We should also add that Rawls's view of society as a 'system of fair cooperation' is developed in conjunction with two other essential ideas (1993: 35). First, the idea that each citizen is free and equal. Second, the idea of a 'well-ordered society' as a society regulated by a public conception of political justice. A well-ordered society, Rawls explains, implies alternatively three elements: (1) it is a society in which each and everyone accepts, and knows that the others accept, the same principles of justice; (2) its basic structure, that constitutes its main political and social institutions and the way of organizing them into a system of cooperation, is known publicly or considered as respecting those principles of justice; (3) its citizens normally have an efficient sense of justice et therefore conform themselves to the basic structure of society that they consider as just. All those elements form the rawlsian conception of citizenship that states that each citizen, in relation with the basic structure of society from birth until death, is reasonable when:

[...] viewing one another as free and equal in a social cooperation over generations, they are prepared to offer one another fair terms of cooperation according to what they consider the most reasonable conception of political justice; and when they agree to act on those terms, even at the cost of their own interests in particular situations, provided that others citizens also accept those terms. The criterion of reciprocity requires that when those terms are proposed as the most reasonable terms of fair cooperation, those proposing them must also think it at least reasonable for others to accept them, as free and equal citizens, and not as dominated or manipulated, or under pressure of an inferior political or social position. (Rawls 1999: 136-137)

Therefore, one possible rawlsian objection to the UBI is that it would institutionalize the possibility for some to violate the principle of 'fair reciprocity' since its given no string attached or without minimum contribution requirements. Put in an other way, the problem of the free rider in this case is that he makes voluntarily the choice not to contribute, even though he is able to, to the benefits of cooperation and demand for part of it by accepting his UBI. To our knowledge, Rawls never objected directly and explicitly to the UBI so far but it seems clear that he would deny any distribution to the free rider. Indeed, the latter offers terms of cooperation that would reasonably not be accepted by all other participants, thus incompatible with 'fair terms of cooperation'²³:

if justice dictates as Van Pariis claims it does being neutral about those unwilling to

its recipients from the minimal cost of membership in society and thereby depriving them of the dignity and status of a member' (1993: 296).

In conclusion for this section, fair reciprocity seems the most attractive conception of reciprocity and the most likely to be accepted.²⁴ On the one hand, it avoids certain difficulties that plague the commutative and the marxist conceptions. On the other hand, it is justified in a broader perspective of a coherent theory of justice, characteristic that baseline reciprocity lacks. This said, fair reciprocity share, with all other conceptions, the same underlying framework idea: those able-bodied who don't reciprocate are denied any benefits of social cooperation. In other words, reciprocity in this context is a 'work-or-starve' principle.

II- The core the of the debate

Van Parijs's ethical justification of the UBI

Before entering into the core of the debate surrounding reciprocity and the UBI, it will be useful to briefly sketch Philippe Van Parijs's (1995) ethical justification of the latter since it is one of the most discussed in the literature. Van Parijs' idea of a just society is one ' [...] in which people's freedom opportunities are being leximin subject to the protection of their formal freedom, that is, the respect of a structure of rights that incorporates self-ownership' (1995: 27). For him, real freedom means roughly the ability to do whatever one might want to do. More precisely, he call his criterion of justice leximin opportunity in the sense that it is the real freedom of the least advantage that he seeks to maximize. For Van Parijs, this requires that everybody's income be distributed unconditionally however one decides to devote his/her life. Since the means to real freedom are external resources, which are unequally distributed, justice requires redistribution of those resources in the form of an unconditional basic income at the highest sustainable level.

A part of the UBI justified by this conception of justice would be financed by a tax on natural resources. Van Parijs main argument is illustrated by his Crazy-Lazy story: two characters trapped on a desert island. They are equally talented but their preference towards work are the complete opposite: Crazy is a workaholic while Lazy prefers to surf all day long. How justice requires to distribute the land between the two? For Van Parijs, the two are entitled to an equal (in quantity and quality) tradable²⁵ share of the land. If Lazy forfeit his right to his share of the land, he is entitled to a compensation (corresponding to its market value) paid by Crazy who prefers to work on both shares. Thus, according to Van Parijs, in our societies full of

clear, one cannot argue that two equally talented individuals have an equal access to the means necessary to their pursuit of the good life if one has a job and the other doesn't for reasons not attributable to him. So, in a context of involuntary unemployment, jobs constitute another type of resources. Using earlier argument, Van Parijs states that each is entitled to an equal tradable share of the jobs. In practice, he proposes to tax the employment rents²⁶ that would otherwise be monopolized solely by the workers. Taxation on external resources, including the jobs, could therefore finance, depending on the wealth of each country, a substantial UBI believes Van Parijs.²⁷

A axiomatic debate?

In a way, the debate between the UBI supporters and the reciprocity theorists can be seen as an axiomatic debate because the premises on both sides are the complete opposite. On the one hand, the formers assumption is that everyone is unconditionally entitled to an equal share of the external resources or its market value paid by those who possess them (Paine 1796; Steiner 1992, 1994; Van Parijs 1995). On the other hand, the latter firmly believes that redistribution, as entitlement or as compensation, is strictly conditional on actual and/or future contributions or at the least on the willingness to contribute of the recipients. Thus, reciprocity constitutes a prime rule in the distribution of external resources: '[...] while reciprocity is not sufficient for such a theory [of social justice], it is, I believe, necessary' (Galston 2000: 9). At first, the debate might look then like one about the existence of god: some are convinced that God exists and others don't. This point can be illustrated by a simple example. Consider Gijs Van Donselaar's objection to the UBI. He defines exploitation or parasitism as follow:

a parasitic (property rights) relation exists between two persons A and B if in virtue of that relation A is worse off than she would have been had B not existed or if she would have had nothing to do with him, while B is better off than he would have been without A, or having nothing to do with her, -or vice versa. (Van Donselaar 1997: 3)

Van Donselaar argues that Van Parijs's proposition of entitling everyone with an equal tradable share of the external resources is objectionable since it institutionalizes this form of exploitation. This can be demonstrated in the story of Crazy and Lazy. Remember that Lazy sells his equal share of land to Crazy in exchange of a compensation. According to Van Donselaar's definition of exploitation, this transaction makes Lazy a parasite: on the one hand, the transaction makes Crazy worse off than she would have been in the absence of Lazy since she could have worked on the entire land and kept all the proceeds for herself; on the other hand, Lazy is better off than he would have been without Crazy since he gets goods

principle.²⁹ That certainly seems to be the case in the last sentence of Van Parijs's reply to Stuart White's reciprocity objection³⁰: 'lets first get people's basic entitlements right, and then let reciprocity rule over the privileges' (1997: 330).

Thus, we see that the debate cannot carry on if adversaries stick to their diverging premises.³¹ Indeed, one could conclude that the ethical debate is far away to be settle satisfactorily for all since the ethical justifications of UBI rely on controversial values that vary depending on ones' theory of justice. So the site of the debate have to lie somewhere else and it does. In fact, I will use the rest of this paper reviewing the more fertile part of the debate and try to show that advocates of the UBI and reciprocity are not that far apart.

Does equality of opportunity justifies a UBI ?

It seems then that some proponents of the UBI and reciprocity egalitarian theorists agree that everyone has a right to an equal share of the external resources. The ethical debate is rather about the unconditionality in the access to those resources. Even though an egalitarian interpretation of reciprocity seems to be a very attractive principle, many theoretical and empirical problems needs to be addressed in order to make a strong case against the UBI.

In section I, I explained that reciprocity theorists must reject the commutative interpretation because of its unacceptable ethical implications. Doing that legitimizes the fact that reciprocity obligations must be introduced jointly with an idea of a fair background defined by some notion of equal opportunity. In this context, reciprocity is being interpreted this way: one who claims a share of the benefits of social cooperation has the obligation to contribute if he has the opportunity to do so.³² If it's not the case, one cannot be denied of benefits. In other words, the idea is not that one should not be a burden to his fellow citizen, but that he should not be a burden for reasons he can (reasonably) be held responsible for. For instance, an involuntary unemployed is deprived the access to paid employment and its advantages. Consequently, he is denied to possibility to make his fair share since his status results, by definition, from circumstances that are beyond his control.³³ Thus, his claim to benefits is justified. Therefore, a principle of compensatory justice³⁴ must be introduced. In theory, then,

²⁹ Andrew Levine (1995) for instance argues that in a context of affluence '[...] the fact that voluntary idlers free ride is not a consideration of sufficient weight to counter the case for a right not to work' (272). In such a

if one is denied access to external resources, he/she has a right to a compensation³⁵ on egalitarian grounds that both, the UBI and the reciprocity theorists agree on.

Similarly, one could complain that he is unjustly treated, on the ground of the first and third conditions of Cullity, if he is denied benefits in the case that the only jobs available don't pay enough for him to live by them and/or are extremely dangerous: 'if I choose unemployment rather than work under hellish conditions for extremely low wages, the "voluntary" character of my joblessness does not rule out the possibility that society treats me unjustly by failing to offer me better job options' (Arneson 1990b: 1129). In that case, it seems that there is a context of unequal opportunity legitimizing his claims for compensation.³⁶ Remember that one of the four characteristics of reciprocity is that the individuals must be free to accept or not the transaction. If we understand this liberty not only in its negative sense, but also in its positive sense, the reciprocity theorists must reject those 'work or starve' relationships: no one who has the choice between starve or endanger himself in a job is really free to accept the transaction. In those cases, reciprocity theorists, I contend, would compensate an individual without any fuss.

This said, the agreement between the two groups ends here. Jurgen De Wispelaere claims that:

[...] unless the reciprocity theorists advance the radical argument that the distribution of benefits must be proportional to effort in all circumstances – which brings them into direct conflict with the broad liberal-egalitarian principles to which most egalitarian reciprocity theorists generally subscribe – the case for a compensation that is not dependent upon any work requirement is won, at least in principle. (De Wispelaere 1999: 13)

This argument seems right to me and I contend that most reciprocity theorists would also. This said, reciprocity theorists could reply that such a state of affairs is unlikely to appear especially for the able-bodied that can always be useful in a cooperative society. Indeed, creating jobs is always possible by using the state as the employer of last resort for instance. As long as some (good) jobs are available, reciprocity theorists can argue, there is no justification for an UBI as compensation for able-bodied.³⁷ More drastically, they might '[...]

³⁵ Therefore, compensation can be required for lack of access to scarce external resources already privatized or destroyed: 'privatization and destruction of the remaining commons by industrial society have left whoever does

favor policies which ensure that *all* opportunities afforded by *any form of* cooperation are *open to all men and women* without arbitrary discrimination-and not policies which translate the benefits afforded by *some* forms of cooperation into monetary benefits for all' (Sturn and Dujmovits 2000: 215).³⁸

So the ethical justification for an *ex ante* equal claim to an equal share of the external resources is highly controversial especially in the case of the job rents. In a recent article, De Wispelaere (2000) argued against Van Parijs (1995) proposition of taxing the income individuals earn for working as a proxy for taxing the employment rents. For De Wispelaere, one has no initial or unconditional entitlement to job resources '[...] because the resource itself simply does not exist *unless one brings it into existence by actively engaging in an employment relation*' (2000: 250). Instead, he proposes a different approach. For him, the labor market plays a central role in the justification of the UBI. Roughly, the argument goes as follow. First, he assumes that whatever the social environment is, in which institutions plays a role or not, rational individuals will adjust their productive activity in order to realize their conception of the good life. This said, each individual has its 'preferred production word': 'the combination of background conditions and productive activity that best satisfies that person life-plan' (251). Second, he asks us to consider the introduction of a structure labor market in the sphere of production. His point is that there is no moral justification for the existence of institutions compatible to some individuals 'preferred production world' but incompatible with the preferences of others. Therefore, the introduction of particular institutions, he argues, '[...] can only be morally justified if those losing out receive some compensation' (253).

I still think that this other argument to justify the sharing of job resources is not incompatible with the reciprocity objection. Indeed, most reciprocity theorists, as we saw in the first section, contend that its implementation and enforcement requires a fair background defined by some notion of equality of opportunity. So whatever one's 'preferred word production' is, equality of opportunity provides equal 'tools' to pursue his/her conception of the good life. If this is not the case, one is entitled to compensation. This said, De Wispelaere's proposition seems to be plagued with some problems. First, compensation here justified would exhaust available resources '[...] which makes the criterion unusable without a crucial additional rationing rule' (Van Parijs 2001: 119). Second, it fails to show why Lazy's 'preferred world production' in which he would do nothing and get benefits from trading his 'equal share of external resources' or from owing slaves working for him would be legitimately entitled to a compensation simply because he claims to be disadvantaged in a world with institutions like the modern labor market³⁹ Is anyone unsatisfied with the real world compare to their

For the reciprocity theorists, once again, grounds for compensations are twofold. First, one must be denied the access to external resources. Second, one must demonstrate a willingness to contribute. Those two conditions must be met in order to justify their claim for compensation. Thus, a voluntary unemployed, Lazy for example, would be denied benefits since he violates the second condition.

III- Difficulties of application of the reciprocity principle

According to its advocates, the reciprocity principle must be introduced in the rules of justice that dictate how resources should be distributed in one society. In this section, I will review different ethical and practical difficulties that the reciprocity theorists have to juggle with and respond to if reciprocity obligations are to be introduced and most importantly enforced.

Can I wave my obligation to reciprocate?

When put in practice, the reciprocity principle implies different relationships between individuals and their entitlement to resources that need to be clarified. What about the shirking workers who, instead of performing their tasks, pass the time by counting the holes on the ceiling or by surfing the Internet? The reciprocity principle certainly justifies firing those Internet surfers or make sure that they do their job since they don't really contribute in the relevant sense. Indeed, contributing to the benefits of cooperation certainly means more than pay income taxes. Acknowledging this fact, would the reciprocity theorists agree to enforce demeaning and invasive controls to make sure that all employees work. If not, then what's the ethical difference between paying the Internet surfers for not performing their tasks and giving a UBI to the wave surfers?

More seriously, it is obvious that the obligation to reciprocate in order to deserve an access to the benefits of social cooperation must apply to all the able-bodied rich or poor. The background justification is that everyone should be treated equally whatever their wealth or their position in society. Can John buy his way out an obligation with money? Can Jane wave her obligation to reciprocate by contending that she doesn't claim any benefits of social cooperation since she live off her inheritance. Here two responses are available to reciprocity theorists. First, the opportunity to buy one's way out must be available to everyone.⁴¹ Although this argument would refute John and Jane claims in a society in which some individuals are denied the same opportunity, it is incomplete.⁴² The unfairness here is not only

unless they show that they live in complete economical or social autarky⁴³, they must provide minimum in kind activities and not simply buy their way out with money or by denying fellow citizens' contribution in their life. In the words of Cullity (1995), this sort of behavior amounts to according to oneself a 'objectionably preferential treatment'. In short, the reciprocity obligation of doing one's fair share cannot only exclusively be applied to claimants of social benefits, but also to individuals who have the luck to start their life with a significant initial stock of resources. Therefore, reciprocity theorists, to be consistent, should favor policies that enforce the obligation to reciprocate on the poor and the rich Malibu surfers.

Similarly, if justice requires the introduction and the enforcement of the reciprocity obligations in the distribution of benefits of social cooperation, why not apply it also within household? Feminists argue, and I agree, that justice requires that man and women share the caretaking responsibilities (Fraser 1997) and house maintenance tasks. If the husband refuses, would that make him a domestic *unjust* free-rider? In my view, the breadwinner of the household cannot, as I explain above, wave those obligations simply by sharing his income⁴⁴ by arguing that he contributes financially to the family. Sharing one's income seems fair because the parent who stays with the children also contributes to the benefits of social cooperation⁴⁵, but the breadwinner still has to do his fair share of family responsibilities since he enjoys the benefits provided by the activities of his wife, that is to say to reciprocate with in kind activities.⁴⁶ Consequently, it seems fair for parents to ask (and to require)⁴⁷ their offspring to also pitch in when they are old enough.

Another theoretical point worth mentioning is the consequences of the requirements of reciprocity and their enforcement on dependant persons of alleged free riders. Coherence requires, I contend, reciprocity theorists to sustain the principle that the benefits belong to the ones who reciprocate and them only. The reciprocity friendly transfer scheme must be designed so that the benefits are handed to the one who performs their fair share. This implies that the able-bodied who deliberately refuses to reciprocate will be denied of any benefits since reciprocity is a 'work-or-starve' principle. A first difficulty that appears is that single parents and parents who live with a breadwinner won't be treated the same way. The former are considered as parasites that don't deserve any benefits even though they have the same occupation as the latter lucky enough to live with someone who gets an income and is willing to share it. This said, one could argue that there is no difference between the two situations:

⁴³ Of course, John and Jane's claims also raise the question of legitimacy about the ownership of the resources

the parent without an income but lives off his/her mate's income is also a parasite in the relevant sense since he/she don't contribute financially to the couple's wealth.⁴⁸

In practice, reciprocity as a 'work-or-starve' principle raises also the problem of the consequences on the dependent of the able-bodied that refuse to comply with the obligation to reciprocate.⁴⁹ This second difficulty obviously needs an answer before enforcing such an obligation. There seems to be strong presumptions in order to design transfer policies regarding children in such a way that they would be entitled to benefits independently of their parents' wealth. If it is not the case, children could suffer in the situation in which their parents lose their benefits because they are not complying with the reciprocity obligation. Since many reciprocity theorists agree with the principle that one should not be disadvantaged for circumstances that are beyond his control, at least three solutions are available here. First, abolish the family in favor of the state so that children no longer suffer the undesirable consequences of their parents choices. Of course, our cultural context prevents us undoubtedly to think that abolishing the family is feasible or desirable. Plus, one would have to show that the alternative to the family would not introduce the same or worst inequalities between the children. A second solution is to accept strong infringement on the principle of the autonomy of the family when parents cannot provide financially for them. I don't have enough space to make a convincing case against this, but let's just say that it seems to me harsh and unjust to take away children from their parents for financial reasons (as it is sometime done in our modern societies).⁵⁰ So we have to look elsewhere. The third possibility could be to simply to grant (unconditional) in kind benefits targeted directly to children. For example, undergraduate schooling should be free (school materials and meals included).

Finally, De Wispelaere (1999: 9-16) denotes two other application problems. The first one is what he calls the determination problem. Roughly, in an unequal opportunity context, one has to determine a non arbitrary point between the level of retribution for one's effort she puts working on an external resource (a job for instance) and level of the compensation for the other who lacks the same opportunity: 'unfortunately, knowing that a fair solution lies "somewhere in between" does not help us find a single specified solution. Determining the exact level of compensation [...] remains extremely difficult' (1999: 12). The second problem is related to the first. For reciprocity theorists, one can claim compensation if he is denied access to external resources on the condition that he would have used his share productively. Therefore, the level of compensation would be calculated according to the potential effort, '[...] an index which measures the effort a person would have made if the opportunity has been made available to him or her' (1999: 12). Unfortunately, as De Wispelaere explains, an individual's potential effort is unavailable

participate in the formal labor market constitutes most certainly an uncontroversial way to reciprocate.

A first difficulty is that with this definition of ‘fair contribution’, the published author would be a contributor and the unpublished untalented author would not even though they both wrote a book with the same number of words or pages. But this implication must be rejected by the reciprocity theorists, as we saw above, since in the case of the unpublished author we wouldn’t take account his poor ‘productive handicap’ or poor ‘marketable talent’: ‘[...] the condition is that the individual must have at least some minimum threshold level of marketable talent in order to acquire obligations under the principle of baseline reciprocity’ (White 1997: 319, footnote 19).

But how about those who want to have a paid job but cannot get hold of one for whatever reason. The question is how can the involuntary unemployed realize their ‘reasonable work expectation’? If a person refuses the only job available to him because he judges it to dangerous for himself or if it doesn’t pay enough to survive or if it’s too demeaning, the reciprocity advocates cannot deny distribution of resources to that person as we explained in section II. Thus, the enforcing of the reciprocity obligation in a cooperative society requires a wide range of good jobs (in quantity and quality) defined by explicit conditions of acceptability.⁵¹ Of course, some of them can be dangerous, demeaning, low paid but individuals must be free to choose them or some others who are not: ‘[...] the work expectation may be regarded as reasonable only if the productively capable individual has some minimally adequate range of types of work realistically open to her (which implies access to a high minimum of education and training)’ (White 1997: 319). In order to provide a wide pool of opportunities to contribute, reciprocity theorists propose different transfer policies such as the wage subsidy scheme (that renders low paid job more attractive financially and maybe creates job that wouldn’t exist without the subsidy) and that the state should play the role of employer of last resort.

Of course paid work has the advantage for the state to know who’s contributing and it is possible to figure out how much workers are contributing. So this makes the redistribution of the benefits of social cooperation to the right persons easier. This said, there are many problems with those propositions (I reserve this discussion for the next section). But most importantly, we cannot exhaust the concept of contribution solely with paid work, even though it certainly constitutes a genuine contribution to the benefits of social cooperation. As Iris Young notes: ‘it is not hard to show that having a job and making a social contribution may or may not coincide [...] at the same time many unpaid or poorly paid activities

theorists to propose transfer policies that grant benefits to individuals who perform those activities recognized as contributive to society.

An important problem here is the question of where to put the fence. Is it possible to do nothing that contributes to the benefits of social cooperation? The question is no more what counts as a fair contribution, but what does not. Who can say that I am not contributing when I preach on a street corner or when I pick up a can of beer and throw into the trash can? Or what about if I do nothing and stay home? Couldn't we say that I'm still participating since I respect the law and rules of cooperation even though I don't act upon the obligation of making a positive material or welfare contribution to society? Brian Barry makes a surprising suggestion when he claims that:

justice for individuals requires them to be prepared to play their part in just arrangements and do what they can to bring them about. (*At a minimum, this means voting for the party most likely to move things in the direction called for by justice.*) And of course, where just institutions do exist, it requires individuals to comply with their demands. (Barry 2001. Emphasis added)

Is voting enough? Does 'passive reciprocity' gives a right to some benefits of social cooperation?⁵⁴

I believe that the advocates of reciprocity face some sort of vicious circle concerning what should count as 'fair contributions'. On the one hand, they could argue that in order to have rights to the benefits of social cooperation you must contribute materially to those benefits. But we saw above that this conception of contribution is too restrictive. So they have to expand the concept of cooperation to other activities than paid work, but this has the difficulty of determining what doesn't count as work. Then the conception of 'fair contribution' is so diluted that it loses all meaning since anything can count as one.⁵⁵

One available defense for the reciprocity theorists is that the difficulty of drawing a non-arbitrary line is very common in ethic. In fact, this difficulty is also present in determining what resources should be added to the pool taxable assets to finance the UBI.⁵⁶ If everyone has an unconditional right to a fair share of the external resources, why only marketable assets such as natural resources and jobs are taxed and non-market activities are not? One could argue that people who performs those kind of activities should be taxed because they enjoy scarce desirable non-pecuniary benefits from them? Those kind of benefits can also be enjoyed from living into a happy family being beautiful and so forth. Thus, Sturn and

some cases but not in others' (2000: 215). As Van Parijs concedes, '[...] family and other personal relations therefore escape taxation, not because of some ethical unsuitability, but for purely pragmatic reasons' (2001: 116).⁵⁷ Thus, reciprocity theorists might have recourse to the same justification in order to make up a list that determines what counts as 'fair contributions'.

Equal Opportunity problems

Another group of difficulty concerns the reliance of reciprocity on a conception of equality of opportunity. Elizabeth Anderson objects to the introduction and the maximization of the UBI because it would '[...] favors distributing income over direct in-kind provision of, or vouchers for, particular goods, such as health care or education' (2000: 16). She also argues that the UBI is not designed in order to adjust itself to the fact that '[...] some people are better able to convert income to freedoms than others' (16).⁵⁸ In my view those two objections are not threatening. First, I strongly believe that the UBI supporters don't see this form of redistribution as the only one that their theory of distributive justice recommends.⁵⁹ No UBI supporter would agree for example that the funding of the highest sustainable UBI have priority on adequate education system. The UBI can be seen by a large majority as one mean toward greater equality of opportunity, few would sustain that it's the only one. The same answer can be applied to the second objection. In *Real Freedom for All*, Van Parijs explicitly states that the maximization of the UBI is submitted to two constraints: the adequate protection of the formal freedom of all and the criteria of undominated diversity.⁶⁰

Another problem related to the reliance of the reciprocity on equality of opportunity is the choice of the right conception. Roughly, equality of opportunity is achieved within a group of individuals when all have the possibility to achieve the same specific goals when they deploy the effort required. Thus, an opportunity refers to '[...] the absence of a specified obstacle or set of obstacles, the absence of which leaves no insurmountable obstacles explicitly in the way of X's attaining y' (Westen 1985: 840-841). In contemporary political philosophy, it is well recognized that there are many obstacles responsible of the socioeconomic inequality. Thomas Nagel (1991: 102-103) groups them in three categories. First, the 'Intentional discrimination of the traditional kind': gender, religion, race and ethnic belonging, etc. Second, the socioeconomic background: '[...] hereditary advantage both in the possession of resources and in access to the means of obtaining qualifications for open competitive positions' (1991: 102). Third, the variation in 'natural abilities' that include physical and intellectual capabilities or more generally, talents. Nagel refers to these three sources of inequality as 'Discrimination' 'Class' and 'Talent'.⁶¹ The main argument justifying equality

There seems to be a lot of difficulty with all the conceptions of equality of opportunity. Not only the definition of what counts as an arbitrary obstacle is highly controversial, but consequentially a slippery slope problem arises. Accepting that discrimination, differences in the socioeconomic backgrounds and variations in natural abilities constitute obstacles that should be neutralized, where do or should we stop? This is an inevitable difficulty for any proponent of equality of opportunity: 'it is inhumane to deny that unequal circumstances create unfairness [...] but until we can find a clear and acceptable line between choices and circumstances, there will be discomfort at making these forms of unfairness the basis of enforceable claims' (Kymlicka 1990: 155). Not only, a substantial conception of equality of opportunity⁶² may justify major infringements of the principle of the autonomy of the family⁶³ but also one could more radically argue for the complete abolition of the family. Following the popular principle 'better to prevent than heal', one could also require massive utilization of genetic engineering in order to correct genetic defects before they could have an impact on individual's life perspectives or in order to make everybody alike for instance.⁶⁴

In order to enforce any contribution obligations, reciprocity theorists need to respond to those difficulties. On the one hand, most of them will reject a conception of equality of opportunity that only seeks to neutralize certain forms of discrimination. On the other hand, a world where no arbitrarily distributed obstacles affect individuals' access to position in the society is far away. So they have to justify satisfactorily where they draw the line. In my view, unless substantial equality of opportunity is achieved, there will be theoretically, so it seems, a case for justification of a UBI as compensation even for the able bodied.

IV– Reconciliation of Two Enemies

In light of our discussion so far, I will try to show that reciprocity theorists might admit that the UBI is the most appropriate transfer policy on both practical and ethical grounds than those they propose. Before entering into the core of the debate, I want to make clear that not all reciprocity theorists are in principle against the UBI. In fact we can roughly divide them into two groups. For the first group, the entitlement to an equal share of the value of the external resources and to the benefits of social cooperation are strictly conditional to one's contribution or willingness to contribute.⁶⁵ The second group is more lenient. Indeed, this group admits that even though the UBI has the ethical drawback of introducing the possibility to violate the requirements of reciprocity, there are strong pragmatic arguments that justify its

- A- *Insurance schemes* (IS): generally, in those kind of schemes one has to contribute in order to be eventually entitled to benefits in times of need.⁶⁷
- B- *The earned income tax credit* (EITC): the idea is supplementing the work income of the poor workers with dependant children [...] with a refundable tax credit the level of which grows proportionally with the level of earnings up to a point at which it stabilize, before being gradually phased out'.⁶⁸ (Ellwood 1988: 114-115).
- C- *The wage or employer subsidies* (WS): subsidies paid by the government to private enterprises to incite them to keep and hire low-wage workers. In practice, the gross wage of those workers would be paid in part by the enterprises and the government: the formers pay the wage measure by the private productivity of the employees' work while the government pays a bonus in order to make to jobs more attractive financially (Phelps: 1997; Schaller 1998).
- D- *The state as employer of last resort* (SELR): the government has an obligation to provide meaningful job to anyone who needs one (Arneson: 1990a; Kaus 1992; Rawls 1996: lix).
- E- *The participation income* (PI): an income is offer to those who engage themselves in activities that are considered as socially benefiting which include being employed, self-employed, in training, doing some care-work activities, approved voluntary work, etc. (Atkinson 1996).
- F- *The stakeholding* (SH): lump-sum cash grant given at majority conditionally on the holding of a high school diploma. The stake must be refunded with interests at the end of one's life (Ackerman and Alstott 1999).

The exercise here is to determine which of these policies, if any, reciprocity theorists should favor in order to implement the obligation to contribute in the process of the distribution of the benefits of social cooperation. For the purpose of this paper, the most important criteria is obviously that the policy retained must be immune to any legitimate complaint(s) from those who would refuse to reciprocate. If this is not the case, reciprocity theorists will have to admit that the free riding is not unfair to the net contributors of the scheme. In other words, the scheme would introduce the possibility for moral or just free riding. Let me remind the readers that willingly refuse to contribute doesn't necessarily express unfairness, according to Cullity (1995: 18-19), if the scheme violates one of these conditions: (1) if the costs of compelling to the obligation to contribute is higher than the benefits one receives, (2) if one's participation is at the disadvantage of practically everyone else, (3) if the scheme is unjust for some individuals, e.g. if everybody would agree with the motive(s) raised by them for refusing to participate.⁶⁹

and, conversely, the benefits belong to the claimants themselves. Third, the benefits should be distributed regularly within short laps of time. Indeed, the free rider would have a legitimate claim by arguing that some policy makes him (and his dependents) live into poverty for a long period of time because the benefits are paid at the end of the fiscal year when its income tax report has been processed for instance. Fourth, following our previous discussion on the nature of the contribution, reciprocity theorists must choose a policy in which non-market or volunteer work and care work⁷⁰ are recognized, i.e. the individual who performs one of those activities must be considered as contributing to the benefits of social cooperation and therefore is entitled to receive an income from the state. Fifth, administrative costs of the scheme, related to the controls required to make sure that beneficiaries are doing their tasks and/or related the process of calculating the benefits the claimants are entitled, must be low. If administrative costs are too high, making sure that some do their fair share is at the disadvantage of practically everyone else financially. Therefore, a scheme that requires such expensive controls is preferably to be rejected. Finally, since self-respect and the protection of one privacy are widely considered as of paramount importance⁷¹, any policy that tends to be too invasive in individuals' private life and/or demeaning must be rejected.

The table II summarizes the characteristics of each transfer policies propose by the reciprocity theorists in addition of the UBI.⁷²

Table II. Different alternatives of transfer policies in the UBI debate.

	Reciprocity friendly	Individualized	Close payments	Low adm. costs	Non-market work	Care work	Privacy friendly
IS	Yes	X	X	X			X
EITC	Yes			X			
WS	Yes	X	X	X			
SELR	Yes	X	X	X	X		
PI	Yes	X	X		X	X	
SH	Yes	X	X	X	X	X	X
UBI	No	X	X	X	X	X	X

The conclusion we can easily drawn from this table will certainly not please the reciprocity theorists. The table shows that even if one wants to introduce the reciprocity obligation into a transfer policy, ethical and pragmatic difficulties of reciprocity friendly policies seems to favor the UBI over them. An obvious introductory comment is that some reciprocity policies have arguably the characteristics to be potentially privacy intrusive since the state has to determine who is capable to participate actively in recognized contributive activities and who

This said, let's go through the different propositions. The structure of the IS, under which one gets benefits if he previously contributed enough to the monetized economy, make those schemes unfair to the reciprocity theorists because the opportunities to contribute are not taken into account.⁷⁴ Conceived as *ex post* benefit scheme, the EITC condemn individuals (and their families) to live off the low wage earned until their income tax report is being processed. This is definitely not an attractive feature. Also, under the EITC, as the WS scheme and the IS, non-market work doesn't qualify as a contributing activity, nor care-work. Thus, those schemes must be rejected by the reciprocity theorists because what is recognized as contributive activities is too restrictive.

The SELR can conceivably create jobs that otherwise would not exist and recognize voluntary work that the state would be in charge of monitoring, although this scheme must also be rejected by reciprocity theorists. Firstly, caring for one children seems to fall outside the scope of what is considered as contributing activities recognized in this scheme.⁷⁵ Secondly, two persons who do the same jobs, one in the private market and the other in the SELR scheme, may be rewarded differently. Thus, one could complain that he is not treated equally to the other. Therefore, his refusal to work and his claim to be fully compensated could not be considered as an 'objectionably preferential treatment' since, all things considered, the scheme violates Cullity's third condition.⁷⁶ Thirdly, in guaranteeing a job to everybody there is no guarantee that the 'last chance jobs' will be fulfilling and/or be a path to self-respect or be paid enough to counterbalance the unattractiveness of those jobs. Therefore, the possibility of this scheme to violate Cullity's first condition is quite high.

The next reciprocity friendly transfer policy, and the one that seems to appear as the most attractive scheme for reciprocity theorists, is the PI. Its strengths are the fact that it is an individualized scheme that recognizes non-market work and care work and in which individual would derive a constant and frequent income. Plus, it could also be appealing for some feminists who argue against UBI for instance because it fails to recognize in the relevant sense the status of caring for one's children. Indeed, they claim that the UBI fails to provide a status socially recognized to mothers since it is handed to them but also to surfers (Krebs 2000).⁷⁷ Unfortunately, it is widely agreed that the PI would involve '[...] a nightmarish scenario of an enormous bureaucracy entrusted with arbitrary monitoring powers' (Barry 2000: 15), thus violating Cullity's second condition and potentially the third one by leaving such discriminatory powers in the hand of public servants in charge of controlling the individual's work.

As the table shows the only reciprocity-friendly scheme that have all the desirable

guaranty that under this scheme individuals would reimburse their grant and this would be a violation of what Ackerman and Alstott (1999: 81-84) call the 'liberal trusteeship' which is a principle of intergenerational reciprocity.⁷⁸ So even the most promising scheme reciprocity theorists could favor is plagued with the possibility of introducing some sort of unjust free riding that appears when an individual, on his deathbed, cannot afford to pay the stake back. If one is willing to accept the possibility that some will spend it all, why not accept the UBI. Indeed, under this scheme, as with the SH, some able-bodied 'will do nothing of their life' (whatever that mean), but some other 'will do something of their life' (ibid). In other words, with a UBI, as with the SH, some able-bodied will 'eat potato chips and watch t.v. all day'⁷⁹, but some other (I suspect an overwhelming majority) will do their fair share of contributive activities interpreted in a broad sense.⁸⁰

Therefore, it seems to me that the choice of transfer policies is rather narrow for reciprocity theorists if they want to favor a scheme that wouldn't give a free rider a legitimate complaint, and that is immune to some unacceptable ethical and practical difficulties. In fact, the reciprocity theorists and the UBI proponents apparently are not that far away in this debate when one takes into account the ethical and practical difficulties involved with reciprocity friendly transfer schemes. This does not necessarily imply that there wouldn't exist any *unjust* free riding under the UBI scheme. As Barry mentions, one might indeed hold that the UBI have some ethical difficulties but could still argue that 'if basic income is second best to an unattainable alternative, that makes it the best feasible option' (1996: 275). It seems to be the case here.

Conclusion

The aim of this review article has been quite modest and one-sided. Indeed, its purpose was only to evaluate the exploitation objection to the UBI based on fair reciprocity and the policies proposed as alternatives. Not much attention was put on the ethical or pragmatic justifications of the UBI themselves. Thus, the conclusions I arrive to in the last section don't necessarily vindicate the UBI, but they demonstrate that this objection certainly lacks strength. In my view, the reciprocity objection, following White (2002), is still valid⁸¹ but not decisive for three reasons. First, my emphasis on the ethical and practical difficulties raised by an attractive conception of reciprocity and the policies it recommends demonstrates that reciprocity theorists might be tempted to favor the UBI. Second, we could justify also (part of) the UBI as a compensation required by equality of opportunity for brute luck disadvantages that affects individuals in their access to external resources that are not related

your field of competence, etc).⁸² Third, as Stuart White (1996b, 2002) argued, the UBI could introduce positive and desirable effects from the point of view of reciprocity: the UBI can encourage some to take low-paid jobs; it would constitute a monetary reciprocation for productive activities that are not adequately rewarded on the labor market; it could increase the bargaining power, for those who have less, in the labor market and in the household in a way that could reduce the frequency and the extent of capitalistic and domestic free riding.⁸³ Of course, reciprocity theorists might propose to modify some characteristics of their reciprocity friendly transfer policies in order to avoid ethical and practical difficulties previously mention in section III and IV. But doing that, I think, will change the reciprocity friendly propositions into UBI look alike. That is exactly our point: we argued that implementing the obligation to reciprocate leads, if one wants to avoid legitimate complaints of the free riders, to favoring the introduction of a UBI. By adding so much water in their wine glass, reciprocity theorists, instead of having a glass of wine with a little water in it, will have a glass of water with little wine in it.

References

- Ackerman, Bruce and Anne Alstott. 1999. *The Stakeholder Society*. New Haven: Yale University Press.
- Anderson, Elizabeth S. 1999. 'What Is the Point of Equality'. *Ethics* 109: 287-337.
- Anderson, Elizabeth S. 2000. 'Optional Freedom'. *The Boston Review* 25 (5): 16.
- Arneson, Richard J. 1982. 'The Principle of Fairness and the Free-Rider Problems'. *Ethics* 92: 616-633).
- Arneson, Richard J. 1989. 'Equality and Equal Opportunity for Welfare'. *Philosophical Studies* 56: 77-93.
- Arneson, Richard J. 1990a. 'Liberalism, Distributive Subjectivism, and Equal Opportunity for Welfare'. *Philosophy & Public Affairs* 19(2): 158-194.
- Arneson, Richard J. 1990b. 'Is Work Special? Justice and the Distribution of Employment'. *American Political Science Review* 84 (4): 1127-1147.
- Arneson, Richard J. 1992. 'Is Socialism Dead ? A Comment on Market Socialism and Basic Income Capitalism'. *Ethics* 102: 485-511.
- Arneson, Richard J. 1996. 'Should Surfers be Fed?'. *The Good Society* 6 (2): 38-42.
- Arneson, Richard J. 1997. 'Egalitarianism and the Undeserving Poor'. *The Journal of Political Philosophy* 5 (4): 327-350.
- Arneson, Richard J. 2002. 'Should Surfers be Fed? A Critique of Resource Justice'. In A. Williams (ed.), *Real Libertarianism: Essays on Van Parijs*, forthcoming.
- Atkinson, Anthony B. 1996. 'The Case for Participation Income'. *Political Quarterly* 67: 67-70.

Barry, Brian. 2001. 'Justice and the Individual'. Paper presented at Yale University to the philosophical Conference in honor of G.A. Cohen on his sixtieth birthday, May 11-12 2001.

Becker, Laurence C. 1980a. 'The Obligation to Work'. *Ethics* 91: 35-49.

Becker, Laurence C. 1980b. 'Reciprocity and Social Obligations'. *Pacific Philosophical Quarterly* 61: 411-421.

Bernstein, Eduard. 1996. 'What is Socialism?'. In Manfred Stegler (ed. and trans), *Selected Writings of Eduard Bernstein, 1900-1921*. New Jersey: Humanities Press.

Blais, François. 1999. 'Loisir, travail et réciprocité. Une justification rawlsienne de l'allocation universelle est-elle possible?'. *Loisir et société* 22 (2): 337-353.

Bowles, Samuel and Herbert Gintis. 1998/1999. 'Is Egalitarianism Passe? Homo Reciprocans and the Future of Egalitarian Politics'. *The Boston Review* 23: 4-10.

Carens, Joseph H. 1986. 'The Virtues of Socialism'. *Theory and Society* 15 (5): 679-687.

Cohen, Gerald Allan. 1989. 'On the Currency of Egalitarian justice'. *Ethics* 99: 906-944.

Cohen, Gerald Allan. 1997. 'Where the Action Is: On the Site of Distributive Justice'. *Philosophy & Public Affairs* 26 (1): 1-30.

Cullity, Garrett. 1995. 'Moral Free Riding'. *Philosophy & Public Affairs* 24 (1): 3-34.

De Wispelaere, Jurgen. 1999. 'Universal Basic Income: Reciprocity and the Right to Non-Exclusion'. *Citizen's Income Trust Occasional Paper*.

De Wispelaere, Jurgen. 2000. 'Sharing Job Resources: Ethical Reflections On the Justification of Basic Income'. *Analyse & Kritik* 22 (2): 237-256.

Ellwood, David. 1988. *Poor Support: Poverty in the American Family*. New York: Basic Books.

Elster, Jon. 1986. 'Comment on van der Veen and Van Parijs'. *Theory and Society* 15 (5): 709-721

- Fraser, Nancy. 1997. 'After the Family Wage: A Postindustrial Thought Experiment'. In N. Fraser, *Justice Interruptus*. New York: Routledge.
- Galston, William A. 2000. 'What About Reciprocity?'. *The Boston Review* 25 (5): 9.
- Gauthier, David. 1986. *Morals by Agreement*. Oxford: Oxford University Press.
- Gibbard, Allan. 1990. *Wise Choices, Apt Feelings*. Oxford: Clarendon Press.
- Gibbard, Allan. 1991. 'Constructing Justice'. *Philosophy & Public Affairs* 20: 264-279.
- Giddens, Anthony. 1998. *The Third Way, The Renewal of Social Democracy*. Cambridge: Polity Press.
- Gorz, André. 1989. *Critique of Economic Reason*. London: Verso.
- Gorz, André. 1992. 'On the Difference between Society and Community, and Why Basic Income Cannot by Itself Confer Full Membership of Either'. In P. Van Parijs (ed.), *Arguing for Basic Income*. London: Verso.
- Gutmann, Amy. 1988. 'Distributing Public Education in a Democracy'. In A. Gutmann (ed.), *Democracy and the Welfare State*. New Jersey: Princeton University Press.
- Hobhouse, Leonard T. 1911. *Liberalism*. London: Williams and Norgate.
- Kaus, Mickey. 1992. *The End of Equality*. New York: Basic Books.
- Kolm, Serge-Christophe. 2000a. 'Introduction: The Economics of Reciprocity, Giving and Altruism'. In L.-A Gérard-Valet et al. (eds), *The Economics of Reciprocity, Giving and Altruism*. London: Macmillan Press.
- Kolm, Serge-Christophe. 2000b. 'The Theory of Reciprocity'. In L.-A Gérard-Valet et al. (eds), *The Economics of Reciprocity, Giving and Altruism*. London: Macmillan Press.
- Krebs, Angelika. 2000. 'Why Mothers Should be Fed. Eine Kritik an Van Parijs'. *Analyse & Kritik* 22(2): 155-178.

- Moon, Donald J. 1988. 'The Moral Basis of the Democratic Welfare State'. In A. Gutmann (ed.), *Democracy and the Welfare State*. New Jersey: Princeton University Press.
- Nagel, Thomas. 1991. *Equality and Partiality*. Oxford: Oxford University Press.
- Nozick, Robert. 1974. *Anarchy, State and Utopia*. New York: Basic Books.
- Okin, Susan M. 1989. *Justice, Gender and the Family*. New York: Basic Books.
- Paine, Thomas. 1796. 'Agrarian Justice'. In P.F. Foner (ed.), *The Life and Major Writings of Thomas Paine*. New Jersey: Citadel Press, 1974.
- Phelps, Edmund S. 1997. *Rewarding Work: How to Restore Participation and Self-Support to Free Enterprise*. Cambridge: Harvard University Press.
- Phelps, Edmund S. 2000. 'Subsidize Wages'. *The Boston Review* 25 (5): 12.
- Rawls, John. 1971. *A Theory of Justice*. Cambridge: Harvard University Press.
- Rawls, John. 1993. *Political Liberalism*. New York: Columbia University Press, 1996.
- Rawls, John. 1996. 'Introduction to the Paperback Edition of Political Liberalism'. In J. Rawls, *Political Liberalism* (1996). New York: Columbia University Press.
- Rawls, John. 1999. 'The Idea of Public Reason Revisited'. In J. Rawls, *The Law of People*. Cambridge: Harvard University Press.
- Roemer, John E. 1998. *Equality of Opportunity*. Cambridge: Harvard University Press.
- Schaller, Walter E. 1998. 'Rawls, the Difference Principle, and Economic Inequality'. *Pacific Philosophical Quarterly* 79: 368-391.
- Schroeder, Doris. 2001. 'Wickedness, Idleness and Basic Income'. *Res Publica* 7: 1-12.
- Sen, Amartya K. 1992. *Inequality Reexamined*. Oxford: Clarendon Press.
- Smith, Steven, R. 2001. 'The Social Construction of Talent: A Defence of Justice as Reciprocity'. *The Journal of Political Philosophy* 9 (?): 19-37

Van der Veen, Robert J. and Philippe Van Parijs. 1986. 'A Capitalist Road to Communism'. *Theory and Society* 15 (5): 635-655.

Van Donselaar, Gijs. 1997. *The Benefits of Another's Pains. Parasitism, Scarcity, Basic Income*. Universiteit van Amsterdam: Vakgroep Wijsbegeerte, PhD thesis.

Van Parijs, Philippe. 1991. 'Why Surfers Should be Fed: The Liberal Case for an Unconditional Basic Income'. *Philosophy & Public Affairs* 20: 101-131.

Van Parijs, Philippe. 1992. 'Competing Justifications of Basic Income'. In P. Van Parijs (ed.), *Arguing for Basic Income*. London: Verso.

Van Parijs, Philippe. 1995. *Real Freedom For All. What (if Anything) Can Justify Capitalism?* Oxford: Oxford University Press.

Van Parijs, Philippe. 1997a. 'Reciprocity and the Justification of an Unconditional Basic Income. Reply to Stuart White'. *Political Studies (Oxford)* 45 (2): 327-330.

Van Parijs, Philippe. 1997b. 'Social Justice as Real Freedom for All. A Reply to Arneson, Fleurbaey, Melnyk and Selznick'. *The Good Society* 7 (1): 42-48.

Van Parijs, Philippe. 2000. 'A Basic Income for All'. *The Boston Review* 25 (5): 4-8.

Van Parijs, Philippe. 2001. 'Real Freedom, the Market, and the Family. A Reply to Seven Critics'. *Analyse & Kritik* 23 (1): 106-131.

Van Parijs, Philippe and Robert J. Van der Veen. 1993. 'Universal Grants Versus Socialism'. In P. Van Parijs, *Marxism Recycled*. Cambridge: Cambridge University Press.

Van Parijs, Philippe, Laurence Jacquet and Claudio Caesar Salinas. 2000. 'Basic Income and its Cognates. Partial Basic Income versus Earn Income Tax Credit and Reductions of Social Security Contributions as Alternative Ways Of Addressing the New Social Question'. In R. Van der Veen and L. Groot (eds), *Basic Income on the Agenda. Policy Objectives and Political Chances*. Amsterdam: Amsterdam University Press.

Westen, Peter. 1985. 'The Concept of Equal Opportunity'. *Ethics* 95 (4): 837-850.

White, Stuart. 1996a. 'Needs, Labour and Marx's Conception of Justice'. *Political Studies* 4.

White, Stuart. 2002. 'Fair Reciprocity and Basic Income'. In A. Williams (ed.), *Real Libertarianism: Essays on Van Parijs*, forthcoming.

Widerquist, Karl. 1999. 'Reciprocity and the Guaranteed Income'. *Politics & Society* 27(3): 387-402.

Young, Iris. 2000. 'New Disciplines of Work and Welfare'. *Dissent Magazine* 47 (3): 25-30.