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Why Basic Income is needed for a Right to Work

by

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1. Introduction: Recalling a Theory of Distributive Justice

Most people who think about such matters have a rudimentary theory of justice, and every worthwhile theory of justice postulates the equality of something, be it income, wealth, opportunity or something else. As argued extensively elsewhere, I believe that what should be equalized in the good society of the 21st century is basic security, which encompasses basic income security.¹ This should be a right.

Before discussing the claims made for a right to work, much discussed over the past 150 years or so, it may be useful to reiterate what is meant by the key terms used by mainstream proponents of a basic income, and to reiterate the two policy principles that I believe should be associated with it.

Let us start by considering the claims for equal security. The brief answer is that everybody needs a sense of basic security in order to function rationally, in order to be responsible, in order to develop competencies and capabilities. Without basic security, it is not fair to expect too much from anybody.

Basic security is the essence of real freedom. The term ‘real’ is inserted because freedom requires Isaiah Berlin’s famous two liberties – negative and positive liberty. The former is the absence of unchosen controls over us. Liberty is enhanced by the removal of controls, whether they be exercised by a boss, the state or tyrants. By contrast, positive liberty is security in which we have self-control, a sense of autonomy in which to develop ourselves as human beings, within a community.

Most importantly, we are talking about basic security as an economic and social right. This is essentially a republican or claim right, developed by Rousseau, Thomas Paine and others. A claim right implies that policies and institutions should move *towards a realization* of that right. A right – and this is important given the way social policy debates have evolved in recent years – is unconditional in behavioural terms. You do not have a right if you have to do x, y and z in order to have an entitlement. That is not a right. A right is a right.

Second, we are talking about basic security. Basic means it must be meaningful, not a gesture, but not so much that it leads to indolence and loss of motive to function. But above all it must be enough in order to be able to make rational choices. It must be basic and it must be meaningful.

Third, for basic income security, the income must come in a form that is non-paternalistic. It should not be given to you as a discretionary gesture, in the goodness of somebody’s heart; it is not charity. It must be in a form that you can decide how to use it. It must be individual and must be equal, with supplements for those with special needs, for disabilities or frailties. It must be in a form to enable people to make rational choices.

¹ G.Standing, Beyond the New Paternalism: Basic Security as Equality (London, Verso, 2002).

With those definitional points in mind, there are also two policy principles that should guide us in thinking about re-distributive and protection policies. The first, drawing on John Rawls, is what might be called “the security difference principle”: A policy or an institutional change is socially just only if it improves the security of the least secure groups in society.

The second principle is what I call “the paternalism test principle”. This has been seriously neglected by social policy advisers and politicians in the last ten years in Europe and elsewhere. The paternalism test principle goes like this: A policy or an institutional change is just only if it does not impose controls on some groups that are not imposed on the most free groups in society. That, of course, relates to workfare and a number of other policies that have been evolving.

Finally, the primary reason for advocating a basic income is that it should be seen as part of a more general redistributive strategy, recognising that such a strategy is required for the new challenges of globalisation, flexible labour markets and the considerable inequalities and insecurities associated with these global trends.

2. What is a Right to Work?

The “right to work” is a peculiar “right”, if it is one. Presumably, a right must be universal and equal. Given that work is an infinitely variable and unequal set of actions and activities, it is hard to define what is meant. Karl Marx was scathing about it, dismissing the notion as bourgeois dogma. It is likely to be preached by middle-class well-wishers, moralists, employers and others who, while comfortably well-off and able to indulge in leisurely pursuit themselves, wish to instill a labouring ethic in those expected to do the menial jobs and hard labour in the fields, mines and factories.

The difficulties, intellectually, begin with the terms used. Engels was among the first to make the distinction between *work* and *labour*, hinging the difference between exchange value and use value. Hannah Arendt and others took the debate forward. I have tried to synthesise the issues by differentiating between labour, work, jobs and employment, pointing out that historically labour, jobs and employment all had negative connotations.

If one strips away all the rhetoric of most of those who champion the right to work, they are saying that they want as many people as possible to be in “jobs”, in “labour”. Philip Harvey gives the game away when he refers to the desirability of a “job guarantee”. He marvels at the efforts of FDR in boosting emergency public jobs in the early 1930s, doing so as a means of saying that governments can do a great deal. While the short-term response to the onset of the Depression may have been an impressive achievement, it should not be regarded as impressive as supporting the right to work.²

One may even be prepared to concede, for the sake of argument, that it is possible to create something close to “full employment”, if one is prepared to drive down wages and impose onerous working conditions. In the UK, browbeaten by the

² Incidentally, the achievement was not all that impressive. The jobs were short-term, and the projects scarcely cured the depression, which only ended with the onset of the Second World War.

defeat of the General Strike and the years of the Great Depression, my father's generation desperately accepted jobs that paid a pittance (my father receiving two shillings and six pence (about a quarter of a dollar) per week). To talk about the right to work with such images in mind prompts anger and sarcasm, rather than gentle applause at a great achievement.

Yet *work* in its rich sense is what defines the human being, conveying a restless, creative, reproductive energy. Unfortunately, social thinkers have not been able to make up their mind on what should count, and what should not. Looking back at the history of thinking about work (a project on which I am currently embarked), it is fascinating to trace the dramatic reversals in how mainstream thinking has evolved.

For the ancient Greeks, paid labour was unfreedom, whereas ennobling dignified work was what was unpaid and was mostly what is now regarded as 'housework', or what orthodox 'right-to-work' advocates would dismiss as non-work. For the political economists, including one father of modern economics, Adam Smith, many of the activities that workers do as 'jobs' nowadays were dismissed as unproductive and unworthy of being called work. Among those Smith included was being a hairdresser. And Alfred Marshall, the other father of modern economics, noted that if he employed a housekeeper national income would rise, whereas if he married her national income would go down. What is the "right" to?

A reasonably intelligent Martian visiting planet earth might find all this rather mystifying. On one side, you have a group of earnest scholars, politicians and activists saying that maximizing jobs should be the means of supporting a fundamental human right, and on the other you have a lot of distinguished people, from Aristotle through Adam Smith to Arendt and beyond, saying that many of those jobs being lauded are unworthy of the human condition.

The reality is that the right to work is a fudge. It will remain that way until we define what is the objective. It is surely meaningless to think progress is being made if an extra 10,000 young men and women are labouring down coal mines or spending twelve hour days cleaning sewers. To look at the latest US figures on the number of jobs that were "created" last month and leap with excitement because the total has gone up by 10,000 or take valium because it has gone down by 10,000 is an exercise in false consciousness, not one justifying a belief that the right to work in the United States has been strengthened or weakened.

The main problem lies in the haziness of the idea of work, which seems to be causing much of the confusion and angry exchanges between 'right-to-work' proponents and most skeptics. Elsewhere, I have tried to present the idea of work in terms of *occupation* and *occupational security*.³ Without reiterating that here, there are several premises on which there would probably be widespread agreement.

For instance, we may agree that "great work" – the creation of something fine and artistic – counts as a pinnacle of human achievement. Much of the great work handed down to us through the millennia was created through unpaid, or under-paid, activity. Nevertheless, we see it as noble and ennobling. Further down the scale, we

³ Standing, 2002, op.cit.

may say that even humble craftsmanship is both dignified and creative, enriching the individual and the community in which it is undertaken. Then there is the work of teaching and caring for those dear and near to us. It was only in the 20th century that such work was denigrated as non-work. We should resurrect its nobility, as the ancient Greeks did in their time. How many parents look back and wish they had spent more time “working” on the care of their children and their other loved relatives? There is no reason for thinking that pouring tea for a boss for 100 Euro a week is something worthy of being promoted in place of that work.

Then there is the issue of work as *dignifying* because it is socially recognized as dignifying. I have referred before to what a young Jamaican told me in the slums of Kingston many years ago. “Man”, he said, “I want a work, not a job.” I think and hope that what he wanted was a set of activities, an occupation, that led to him being secure and respected in his community and family, with a status, with a sense of dignity, with the possibility of self-improvement.

One can believe in a right to all that sort of work. We simply should not mix up such work with labour in jobs, which was traditionally a pejorative term and which often involve demeaning, short-term, inconsequential tasks. Maximising jobs may actually be counter to the advance of a right to work, simply because many of the activities that people want to do as *work* would be blocked off by the need to perform labour in ‘actually existing’ jobs.

Another point about work is that, while most adults may have a desire to do various forms of work activity, we usually cannot say what they want to do in advance, in part because the action of working changes the person doing it, for better or for worse. A craftsman or an artist sees a piece of raw material and interacts with it, changing it and in the process changing herself. A person writes a book and changes herself. I work on cleaning a stream and in the process develop an anger that makes me want to work as an ecological activist, to do something to reverse the ecological decline that commercialization and a “jobs” culture have done so much to accelerate. By contrast, if you send me down a sewer or to dig the road in tropical heat for a modest wage for ten hours a day for month after month, not only would I be unimpressed by talk of my right to work being strengthened but my horizons and creativity would wither, probably into bitterness, alcoholism and hatred for my fellow citizens, especially those talking about the right to work.

So, ideally, work is *good opportunity to pursue occupation*. It is the promotion of the claim right to this that should preoccupy social policy, and as such one could speak positively about promoting a right to occupational work, or something like that. Philip Harvey claims that I, among others, am “critical of the right to work”.⁴ This would be correct if the ‘work’ in question was largely to do with “jobs” or “labour”, but is not true if the broader Promethean-Aristotlean ideal of work is being considered.

Where does this relate to the advocacy of a basic income? The main reason I, and probably many others, support a basic income as a claim right is not that it would

⁴ P.Harvey, “*The right to work and basic income guarantees: Competing or complementary ideas*”, paper for the Tenth BIEN Congress, Barcelona, September 19-21, 2004, p.2.

be a solution to “poverty”, as Harvey seems to believe, but rather because it would help to secure the right to basic security, in which women and men could pursue a creative working life of occupation. It would be one part of a strategy to provide real freedom in which individuals could make rational choices about how to work and how, from time to time, not to work. For this, as in other respects, a basic income would not be a panacea. It must be seen as part of a package of policies and institutional changes that would redress the maldistribution of income, the unequal access to resources and the multiplying unequal insecurities in modern society.⁵ Basic income security would help individuals to make longer-term decisions on work, lessening fear and increasing a sense of self-control or autonomy.

It is erroneous for ‘right-to-work’ advocates to imagine that all jobs would achieve that goal, even ‘decent jobs’. Indeed, one can argue that many jobs undermine the right to work in the sense just defined because they involve controls and disciplines that are not “freely chosen”.⁶ An irony in the debates over the right to work over the past 150 years or so is that mainstream social democrats began by opposing the labour relationship, wanting an end to labour, because it was unfreely chosen and because it was inherently exploitative and oppressive, and yet their successors ended the 20th century wanting as many people as possible in labour relationships, in jobs. There is no reason to think that this re-orientation has strengthened the right to work.

3. Would a Right to Work Impose a Duty to Provide Work?

One of the problems with the notion of the right to work is to know *how* and *by whom* work would be provided.⁷ Would it be an obligation on governments, or on employers, or on local authorities instructed by central government or by some international body to ensure that the ‘right to work’ is respected for everyone residing in the area? This would be a form of unfreedom imposed on some bodies.

To whom would a person appeal if she felt that her ‘right to work’ was not being respected? “Mr.X did not give me a job!” “The Government left 5% of us unemployed because of its stupid or erroneous macro-economic policies!” Those are only possible claims, one could think of many others, just as one could think of numerous defences that employers or governments could put up. An economist could plausibly argue that by not creating short-term jobs today and by using the resources for long-term investment instead, more jobs would be generated in five years time. One may not believe that to appreciate that it would be very difficult to impose an obligation to uphold a right to a guaranteed job, short of locking an economy into a rigid and ultimately stagnating mess.

⁵ In my view, economic democracy, and the general strengthening of other economic rights, is also essential for dealing with the distributional crisis and for strengthening incentives to be productive and socially responsible.

⁶ Those who cite the ILO Convention No.122, relating to government commitment to ‘full employment’ usually give little attention to the idea of “freely chosen” mentioned in its key commitment.

⁷ This issue is dealt with in greater detail in Standing, 2002. Harvey does not discuss this aspect in his paper for the BIEN Congress.

In short, one would need a very complex evaluative and judgmental apparatus to hold governments and employers to some obligation to provide jobs, if the ‘right’ were to be made more than a political gesture.

4. The Notion of the “Inability to Work”

Another type of problem arises from administrative procedures. Right-to-work advocates typically find themselves in difficulty when they talk about the *capacity to work*. Thus, Harvey states, “*To provide income security for all members of society, the right to work must be accompanied by a right to income support for persons who cannot work.*” (Harvey, 2004, p.4, emphasis added) This implies a dichotomy that is not only arbitrary but steers thinking towards selectivity, conditionality and discretionary administrative procedures in the provision of transfer payments that basic income advocates normally reject.

A distinction between those “able” and those “unable” to work is certain to be socially determined, and probably politically manipulated. Even if a majority of voters could be persuaded that a particular group should be designated as ‘unable to work’ and thus made eligible for conditional income support, there would be Type A and Type B errors, excluding some people who were just as ‘unable’ and including some who were ‘able’. But that is not the worst of the problems. The device is one means of dividing people into the deserving and undeserving poor, correctly a much derided, arbitrary and unjust way of designing social policy.

Another, less-noted aspect of any distinction between ability and inability to work is that it treats people and work as rigidly determined, whereas even for a highly-impaired (handicapped) person accommodating modifications to work places could transform a barrier into an opportunity. And by establishing a sharp distinction, a policymaker would set up moral hazards, giving an incentive to some people to become or stay ‘unable to work’ in order to gain or retain conditional benefits. The distinction is a threat to fairness and to neutrality of social policy.

5. The Right to Income Security and Job Creation

Some commentators seem to believe that basic income advocates have shown a “*failure...to distinguish between the right to work and the right to income support*” (Harvey, 2004, p.5). I do not know of anybody who has failed in this respect; the comments Harvey cites merely relate to the use of public works, direct job creation and workfare. The historical fact is that when governments reach for “active labour market policies” they invariably slip from claims about strengthening the right to work to claims about the evils of dependency and the duty to labour. In the process, the state becomes more ‘active’, while the citizen becomes more ‘passive’, directed to a job or a training place that the state benevolently or otherwise seeks to provide. This paternalistic twitch is a matter of empirical history. Using such schemes, even in the peculiar circumstances of the Great Depression, may have a Keynesian effect on aggregate demand, but scarcely strengthens a right to work or a right to income security.

Harvey claims that “Standing ignores” the role of “direct job creation” (Harvey, 2004, p.9). Having worked on evaluations of these over many years, I find this claim

mildly amusing. All I can add is that in various books I have tried to show that direct job creation and other active labour market schemes have inherent failings, being both chronically inefficient and inequitable. As well as generating huge *deadweight* effects and *substitution* effects, they have been shown to have a corrosive effect on attitudes to work, on “dependency” and on attitudes to fellow workers and citizens. The literature has given too little attention to the adverse social and work effects of selective ‘active’ policies, probably because the literature has been dominated by labour market economists.

Most of the schemes designed to promote jobs, including public works and the increasingly widespread use of employment and wage *subsidies*, are distortionary. For instance, if a government gives a subsidy to assist start-up small businesses, it is discriminating against older businesses and those who have worked hard to sustain them. Suddenly, new boys are given an advantage over the others. In what way is that fair? Similarly, if a direct job creation scheme is set up, not only are other organizations providing similar services or products put at a disadvantage – probably taking work away from them – but a signal is passed to potential suppliers of those goods or services that they too may be subsequently disadvantaged.

Public works schemes are inherently inefficient, in part because efficiency is not the primary motive for them. Defenders of public works sometimes retort that they are justifiable because of *market failure* or because of *externalities* that preclude private schemes. If that were the case, then governments could take steps to overcome the causes of those failings, rather than resort to public works. None of this should be taken to imply that the public sector should be downgraded or that it is intrinsically less productive than the private sector, merely that the criteria for justifying more public sector jobs should be the need for the services or goods, not social policy for job creation to strengthen some vague ‘right’ to work.

By contrast with the direct job creation perspective, the view of a typical basic income advocate is that everybody should have an unconditional right to basic income security, without anybody being required to do some kind of “work” that the state regards as legitimizing the right to basic security. Some supporters of a basic income have proposed that some community work should be a condition for entitlement, but have usually proposed this for pragmatic reasons, believing that this would help to legitimize the introduction of a basic income.

Harvey claims that all basic income advocates, including this writer, have seen the right to work and the right to a basic income as “competitors” (Harvey, 2004, p.6). I cannot speak for others. However, in none of my writings on the subject, beginning in the early 1980s, have I regarded these ideas as competitors. Indeed, I regard a basic income as a *necessary condition* for a progressive version of the right to work. The absence of a right to basic income security – unconditional, individual, regardless of status, etc. – makes a right to work impossible in the real world.

Note that a basic income should be seen as a *necessary* condition, but not sufficient to realize any such right to work. Thus, as argued elsewhere (e.g., Standing, 2002, chapter 12), a right to work as occupation would also require strong and equal Voice representation security, as well as institutions to provide avenues for developing a flexible working life.

6. The Right to Work and the Right to Paid Work

When right-to-work advocates speak of work, it is usual that they are talking about a right to *paid* work. This seems to imply two rights, a right to *pay* and a right to *work*. What is the ‘pay’? Are they saying that everybody has the right to receive a minimum wage, or a family wage, or a wage equal for all kinds of labour, or a wage adequate for some notion of subsistence?

Harvey claims that I advocate “*a right to work for free*” (Harvey, 2004, p.17). This is not the case, and he should take note of his own claim – it “substitutes hyperbole for reasoned argument” (p.11). What is at stake is whether the right to work can be conceived separately from the right to income. If, as I believe, one can only make sense of a right to work if one has a Promethean-Aristotelean view of work, as creative humanizing activity, then whether it is paid in money or not paid in money is secondary. The form of compensation for any activity should be treated separately.⁸ I am writing this paper “for free”. As a human being, I have the right to write this paper. If somebody banned me from writing it (such as Phil Harvey), I would regard that as interfering with my right to work for free.⁹

Let us be clear that a basic income would not “*realize*” the right to work as defined by the sense of occupation. This is not the claim, contrary to what Harvey contends (p.15). It is claimed that it would lower the costs of making efforts to pursue occupation as we have defined it, because in the event of failure a person would at least have a survival income on which to fall back upon. It would undercut the risks and thus encourage people to take a longer-term less opportunistic perspective.

A basic income would help, but there is no need for any belief that all forms of work should be compensated by equal monetary rewards. Rather, it rests on the acknowledgement that ways need to be found to enable people to combine various forms of paid and unpaid work. There should be no reason to pay me to look after my child, whereas it may be sensible to pay me if looking after somebody else’s child. The ‘compensation’ for looking after one’s own children may come in altruistic form or in longer-term psychic and financial returns. One cannot be sure. But the objective is to allow a greater degree of freedom in choosing the amount and forms of work. It should not be presumed that work that is “unpaid” is “uncompensated” and thus resulting in “disadvantage”.

⁸ Many of us would subscribe to the principle of “equal pay for equal work”. But is the work of caring for one’s own children “equal” to the work of caring for a stranger’s children for pay? Most people would be more than happy to be unpaid in money terms for the one work, but would expect something ‘decent’ for doing the other.

⁹ Incidentally, philosophically, while agreeing with much of what they wrote, I disagree with Noguera and Raventos’ claim, cited approvingly by Harvey, that it is “not necessary” to defend the right to work for free. It is particularly important to do so in societies where people are banned from writing what they think. J.A.Noguera and D.Raventos, “*Basic income, social polarisation and the right to work*”, paper presented at the 9th BIEN Congress, Geneva, Sept.12-14, 2002, p.13. See also the same article in G.Standing (ed.), Promoting Income Security as a Right (London, Anthem Press, 2004).

A basic income should not be criticized because it does not offer to solve all society's problems. Of course, someone who chooses to do unpaid work rather than simply paid labour is likely to receive less income. If governments wished to provide direct payment for care work, that is another matter; there are good arguments for that.

A similar argument applies to the situation of "involuntary unemployment". Why should a basic income be criticized because it does not directly compensate someone for losing a job? This is a criticism made by Harvey. Of course, a person who loses a job suffers relative to someone who retains such a job, presuming that the job is desired and rewarding. The way to deal with that is through insurance schemes and labour market policies. But it is quite wrong to think that a basic income would not reduce the costs of job loss and the cost of anticipated job loss. To know that one would not be made destitute would surely have a positive psychological effect on someone threatened by job loss, and would not only make unemployment more tolerable but also make it more feasible to take time to find an alternative satisfactory form of work.

Finally, a basic income may also help in facilitating *community work* that would otherwise be left undone, either because the persons living there could not afford the time or because they were labouring so long that they did not have the energy or inclination to do it, or because there was no money available to act as a market stimulant to that type of activity.

Harvey is too hasty in dismissing the dynamic properties of a basic income, claiming that it "*doesn't provide communities or society as a whole any additional latitude in deciding what kinds of non-market activity deserve collective support, nor does it provide a means of subsidizing those activities.*" (Harvey, 2004, p.18) One could take the opposite view. One of the reasons for advocating a basic income in Africa is that it would help (not solve) in the challenge of regenerating the productive and reproductive capacities of communities blighted by HIV/AIDS.¹⁰ If all residents in such communities received a regular basic income, there would almost certainly be a tendency to monetise many basic services and a tendency to use funds to increase the demand for local goods and services, thereby bringing some of these into existence. This is precisely what the social pension (essentially a basic income for the elderly) has achieved in South Africa.

In sum, providing a basic income as a right may assist in promoting both paid and unpaid work, allowing greater choice in the combination of activities that individuals want to develop as their work portfolio and enabling low-income communities to have a somewhat greater control over the community of work.

7. Concluding Points

Giving more people the right to dig holes in the road while the exhaust fumes of passing cars fills the lungs is scarcely a right worth having. The practicalities of implementing a 'guaranteed job' society are daunting and one finds it impossible to

¹⁰ This argument is extended elsewhere. See, e.g., G.Standing and M.Samson (eds.), A Basic Income Grant for South Africa (Cape Town, University of Cape Town Press, 2003); N.Nattrass, The Moral Economy of AIDS in South Africa (Cape Town, University of Cape Town Press, 2003); ILO Socio-Economic Security Programme, Economic Security for a Better World (Geneva, ILO, 2004), ch.14.

imagine such a society without a directive regime that did not oblige many of its citizens finding themselves in such positions.

This leads to one final point. Harvey refers to van Parijs' stated reason for being drawn to a basic income, namely mass unemployment (p.7). Later, Harvey attacks me, claiming that I "*merely observe*" that "*the only way to reduce unemployment is to increase labour market flexibility*" (p.9). This is not the case. In the 1980s and 1990s, I wrote a series of monographs (on the UK, Finland and Sweden) arguing that the newly orthodox policies of labour market flexibility were not the appropriate response to unemployment, and that only if a basic income were introduced would a certain form of flexible labour system become justifiable and feasible.

The primary rationale for a basic income seemed to me then, and still does, to be that it would be a means of promoting an egalitarian work-based society, not a sufficient means but a necessary condition for it. The inspiration for supporting a basic income drew on William Morris and Thomas Paine, seeing it as an instrument for social justice and citizenship, a means of providing equal basic security necessary for a work-based society. Morris in News from Nowhere displayed an idyllic utopian vision of a society of cooperative individualism, in which income security generates and supports a lifestyle of conviviality, fraternity and civic friendship. Good work stems from basic security, as do those other attributes of a good society, including social solidarity, tolerance and social responsibility.