

# IS THE CAPABILITY APPROACH COMPATIBLE WITH THE UNCONDITIONAL BASIC INCOME?

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## **ABSTRACT**

This paper argues that the most effective way to distribute capabilities, as part of a capability-based theory of justice, involves the implementation of an unconditional basic income. On the one hand, unconditional access to the means – external conditions – required by capabilities has a positive impact on capabilities’ robustness and security. On the other hand, income, as an external condition, enhances at least three important aspects in the distribution of capabilities: (1) it enhances the multiple realisability of capabilities; (2) it allows for changes across time in the sources of variation that affect the conversion of means into capabilities; and (3) it increases the effectiveness of other external conditions with which income is combined.

## **KEYWORDS**

Capabilities, metrics of justice, robustness, security, unconditional basic income.

## **1. INTRODUCTION**

In this paper, I argue that the most effective way to distribute capabilities, as part of a capability-based theory of justice, within a non-perfectionist liberal theory, involves the implementation of an unconditional basic income (UBI).<sup>1</sup> That is, an income paid by the state to its members in regular instalments. It is ‘unconditional’ inasmuch as it is destined for everyone simply on the grounds of them being a member of society, without any counterpart: that is, regardless of one’s working status and willingness to work, level of wealth, family composition, location of residence, etc. (Van Parijs, 1997, p. 35). It is ‘basic’, according to the interpretation adopted in

<sup>1</sup> By a ‘non-perfectionist liberal theory’, I mean a theory of justice that does not endorse a single conception of the good life, which would be imposed on everyone, but rather one that recognises the possibility of plural conceptions of the good, as defined by John Rawls in the book *Political Liberalism* (1996).

this paper, in the sense that it has to be a sufficient amount to meet everyone's capabilities for a good life. This point will be explored in 4.1.

The argument may be summarised as follows. On the one hand, unconditional access to the means – henceforth external conditions – that are a prerequisite for capabilities to exist has a positive effect on capabilities' robustness and security. On the other hand, income, as an external condition, enhances at least three important aspects in the distribution of capabilities: (1) it enhances the multiple realisability of capabilities; (2) it allows for changes across time in the sources of variation that affect the conversion of means into capabilities; and (3) it increases the effectiveness of other external conditions with which income is combined. Therefore, there are strong reasons to implement a UBI in order to undertake a capability-based metric of justice. For methodological purposes, which will be explained, I adopt a minimal list composed of four capabilities: *nourishment*, *health*, *education*, *practical reason*.

The paper proceeds in four parts. Following this introduction, part 2 describes why, according to the leading authors of the capability approach, capabilities are the most suitable metric of justice – the main point is that capabilities reflect what people are able to do and to be – and offers a more detailed conceptual clarification of what a capability means, from an analysis of what 'being able to do and be' implies. This results in two interpretations of the notion, in line with the division deployed by Ingrid Robeyns (2017, pp. 97–98): a strong interpretation – capability as an absolute notion; and a weak interpretation – capability as a gradual notion. For reasons that will be clarified, in this article preference will be given to the latter interpretation. The thesis of this paper is set out in part 3. In section 3.1, the importance of unconditionality in the capabilities' robustness and security is addressed, while in section 3.2, the advantages of access to income, instead of access to means of other sorts, are explained, with reference to the capabilities list mentioned. Finally, part 4 attempts to address two potential objections that are likely to arise in response to the arguments presented in part 3: unconditional access to income is not sensitive to human diversity, contrary to the spirit of the capability approach (section 4.1); unconditional access to income does not respect the principle of reciprocity (section 4.2).

## 2. CAPABILITIES AS THE MOST SUITABLE METRIC OF JUSTICE

The capability approach advocates for a capability-based metric of justice. According to proponents of this approach, capabilities are the most suitable metric of justice insofar as, unlike alternative approaches, they directly reflect what people are able to do and to be. That is, people's capabilities, as a whole, reveal what lives they are able to lead. In this regard, Martha Nussbaum's answer to the question 'What are capabilities?' could not be clearer: "They are the answers to the question, 'What is this person able to do and to be?' Capabilities are defined as the *real*, and not

merely formal, opportunities to achieve certain functionings” (Nussbaum, 2011, p. 20). Such functionings are the various states and activities (beings and doings) that a person can undertake over the course of a life. To illustrate this distinction, if playing the piano is a functioning, the *real opportunity* to play the piano is the corresponding capability.

The reasoning outlined in this part can be summarised as follows:

- A society’s level of justice is assessed according to the fulfilment of the principle by which *everyone should be able to live a good life*.
- A metric of justice is more appropriate the more effective it is in fulfilling the previous principle.
- The better a metric of justice reflects what people are able to do and to be, the more effective it is in fulfilling the principle – insofar as it better reflects the extent to which people are able to live a good life.
- The capabilities, contrary to the alternatives, directly reflect what people are able to do and to be.
- Therefore, capabilities are the most suitable metric of justice.

However, we need to make explicit what ‘being able to do and to be’ implies. In other words, we still need to understand what a capability implies, and how these implications may impact on the feasibility of a capability-based metric of justice.

Being able to x means having the option to choose x and the assurance of achieving x if x is chosen. If, on the path a person has to take between choosing and achieving x, there is any chance that the achievement of x will fail, then it is not possible to say that the person is able to x. So, in a literal sense, ‘capability’ is an absolute notion – what I call the strong interpretation of capability. Paraphrasing Robeyns (2017, pp. 97–98), either we have an option, that is a functioning, with 100% probability of being achieved, if we choose it, or if the probability is lower, it is implied that we do not have the capability at all. If the probability is less than 100%, the person may fail to achieve it, which means that this *opportunity* does not necessarily reflect what the person in question is able to achieve. Therefore, it cannot be classified as a capability.

Under this interpretation, the distribution of capabilities would seem to be too demanding for society. In many cases, it could be made impossible by the limitations imposed by reality, which would undermine the feasibility of capabilities as a metric of justice. These limitations could be epistemological, technological, economic/administrative, etc.: for instance, I cannot guarantee that I will not be hit by a meteorite just before I carry food to my mouth. Thus, given the limitations imposed by reality, the distribution of capabilities would seem, at least sometimes, unfeasible.

One solution to avoid this problem is to interpret ‘capability’ less as an absolute notion and more as a gradual one – what I call the weak interpretation. According to Robeyns, capabilities can be more or less robust (2017, pp. 97–98). Robustness means the probability of success in achieving the corresponding functioning, once it has been chosen. Imagine that John and Peter want to eat bread. While John lives on the same block as the nearest bakery, Peter is 20 minutes away by bike and is forced to follow a track whose characteristics are prone to cause tyre punctures. What distinguishes them is not whether they have the capability to eat bread, but the robustness of the capability. Peter’s capability is less robust since he is less likely to achieve the goal of eating bread.<sup>2</sup> The more robust people’s capabilities are, the better they mirror what they are able to do and to be. Society is thereby fairer. In this sense, it is the duty of society to promote the robustness of its members’ capabilities as far as possible, that is, bearing in mind the limitations imposed by reality.<sup>3</sup> Hence, this interpretation of capability is a better fit for real life, rendering a capability-based metric of justice more feasible.<sup>4</sup>

Robustness is not, however, the only indicator that must be taken into account to measure what people “are able to do and to be”. As Jonathan Wolff and Avner De-Shalit stress, the security of capabilities is a determining factor (Wolff & De-Shalit, 2007, p. 37). A capability’s security pertains to the person’s perspective of maintaining access to the functioning over time, and not just at a particular moment. Sometimes a capability can be quite robust in the present, but this does not automatically translate into robustness in the future: a good harvest can guarantee a farmer a livelihood for one year while offering little or no prospects beyond this timeframe. Moreover, the capabilities that matter for a good life must be understood as qualitatively distinct. Consequently, it is not sufficient for some capabilities to be very robust if this robustness is the result of the sacrifice, or increased risk, of other capabilities within a person’s capability set.

The simple threat of losing access to certain functionings, even if the risk never comes to pass, impacts on what people are able to do and to be in various ways. It limits long-term life planning; it freezes the will to make choices and take risks; it exacerbates states of anxiety and constant worry, which drain cognitive resources

<sup>2</sup> Nevertheless, even in a gradual interpretation like this, it is still necessary to set the robustness cut-off point, below which an opportunity is no longer a capability. This issue, however, will not be dealt in this paper.

<sup>3</sup> Society should not consider these limitations as inevitable. Increasing robustness also means trying to tackle these limitations.

<sup>4</sup> The level of a capability should not be confused with its robustness. The level concerns the quality of the functioning, whereas the robustness, as noted, refers to the probability of achieving said capability: the level of the capability to be nourished is lower when it only covers the minimum needs required for biological subsistence, and higher as the food becomes more abundant and sophisticated. A capability level might be quite high, but not especially robust, and vice versa.

from other aspects of one's life and lead to mistakes in decision-making, etc. (Wolff & De-Shalit, 2007, pp. 69–70; Dang, Xiao, & Dewitte, 2015).

To sum up, the answer to the question 'what does having a capability imply?' as a reflection of something that a person is able to do and/or to be, is as follows:

- Strong interpretation (capability as an absolute notion) – To have an option, i.e. a functioning, with 100% probability of being achieved, once chosen.

However, such an interpretation demands too much from society, undermining the feasibility of capabilities as a metric of justice.

- Weak interpretation (capability as a gradual notion) – Capabilities could be:
  - More or less robust: robustness = probability of achieving the corresponding functioning, once chosen.
    - More or less secure: security = a) prospect of sustenance over time; b) robustness of the overall capability set as a whole.

From this we can conclude that the latter interpretation is more adequate to real-life limitations and therefore more feasible. Consequently, the state is responsible for making people's capabilities as robust and secure as possible.<sup>5</sup>

### 3. HOW ARE CAPABILITIES DISTRIBUTED?

As defended in part 2, capabilities are considered here as the most suitable metric of a theory of justice. However, it is not immediately obvious how a capability is distributed; that is to say, how society ensures that a person has, from a given moment, a capability. To answer this question, it is first necessary to distinguish a capability's components. Applying Nussbaum's distinction, the capabilities result from the combination of two components (Nussbaum, 2000, pp. 84–86; 2011, pp. 20–25). On the one hand, the person's internal physical and mental faculties which would constitute the sufficient conditions for the achievement of the respective functionings – which Nussbaum calls internal capabilities. On the other hand, the external conditions – political, social, and economic – adequate for these internal capabilities to be exercised. Consider the functioning of playing piano. Christina possesses the internal capabilities needed to achieve this. In other words, if Christina were before a piano, she would have no trouble in playing a song. Nevertheless, internal capabilities by themselves may not be enough for Christina to be able to do so. Alongside these, she needs certain external conditions to be in place. Namely,

<sup>5</sup> The aspect of the choice itself was left unaddressed (Burchardt, 2009).

she needs to have access to a piano, not be prevented or coerced if she decides to play it, etc. As such, capability is the result of the combination of Christina's internal capabilities with those external conditions adequate for its exercise – what Nussbaum calls combined capability.<sup>6</sup> It follows that the distribution of capabilities is done indirectly through the provision of adequate external conditions – whether these be political, social, economic, etc. – both for the development or repair of internal capabilities and for their full-blown exercise, in order to achieve the corresponding functionings. As Elizabeth Anderson illustrates: “(...) the state can provide health care, but not health directly; food, or an income that can buy food, but not a well-nourished person immediately” (Anderson, 2010, p. 87).

For a complete answer, two further questions have to be addressed: (1) What kind of access to these external conditions does the capability notion require? (2) What are the specificities of these external conditions? I have assigned a section to each question, which I will now attempt to answer in turn.

### *3.1 Unconditionality of access to external conditions*

Before trying to identify the best candidates for external conditions, it is crucial to ask how the kind of people's access to them can already in itself dictate the (non-)existence of a capability. That is, whether the notion of capability itself requires a special kind of access to these external conditions.

Broadly speaking, access to something can be of two different sorts, on opposite sides: either unconditional or conditional. The political conception of (un)conditionality, which I will adopt henceforth, is inspired by Van Parijs' (2017, pp. 8, 16, 21). Society is a system of cooperation in which an array of benefits – outputs – are derived from the combination of inputs, including a range of burdens. Access to a share of these benefits – outputs – is unconditional when the beneficiary is not requested, by society, to provide any settled counterpart in return. Conversely, access is conditional when some counterpart is requested from the beneficiary: the obligation (or willingness) to perform a portion of the burdens of cooperation (working, or the willingness to do so); the requirement to prove some special feature – for example, that personal wealth does not meet an established threshold, that one is suffering from illness, etc. In short, unconditional access is defined as the absence of, socially settled, counterparts in exchange for that access.

To what extent does the kind of access to the adequate external conditions, whatever they may be, dictate the existence and preservation of a capability? The imposition of counterparts to access something means that this access is precluded if the

<sup>6</sup> The distinction between internal and combined capabilities is not sharp, since the development of the former already relies on adequate external conditions: for Christina to obtain the internal faculties to play the piano, she has likely needed some training, lessons to read staves, and an uncoerced learning environment.

person fails to fulfil the actions requested of him/her. Hence, conditionality always entails the risk of failing the access. That is, if one has to cross a minefield, or has to ask permission from a third party – whether an employer, a state bureaucrat, or an assembly – to access, for example, food, then the risk of failing to access is always there. In the latter case, where such external conditions are owned by some parties, the decision, and the terms demanded, to free them or deny them to others remains exclusively up to their will. Therefore, under the strong interpretation (capability as an absolute notion), if access to external conditions – in this case, food – to achieve a certain functioning – being well-nourished – is conditional, then the probability that it will be achieved, once chosen, is less than 100%. Consequently, this is not a capability. Therefore, in its strong interpretation, the capability notion per se requires unconditional access to the adequate external conditions. By contrast, according to the weak interpretation (capability as a gradual notion) adopted in this paper, it may be stated that the more unconditional the access, the greater the probability of the functioning being achieved, once chosen; therefore, the capability is more robust. Similarly, the greater the prospect of unconditionality over time, the more secure is the capability. Thus, in answering the question as to how the kind of access to external conditions of the capabilities affects the capabilities' robustness and security, we can say: it affects them positively the more unconditional the access; it affects them negatively the more conditional the access. In sum, a capability-based theory of justice favours as much as possible an unconditional access to external conditions.

### *3.2 Income as an external condition: the hypothesis of an unconditional basic income (UBI)*

As we have seen, the existence of capabilities depends not only on the presence of adequate external conditions, but also on the kind of access people have to them. Given how unconditional access to its adequate external conditions affects the existence of a capability, if income proves to be one of those external conditions, then does a capability require unconditional access to income? In other words, is the implementation of a UBI justified by a capability-based metric of justice? The argument can be summarised as follows:

- Capabilities are the most suitable metric of justice;
- Capabilities are distributed by distributing their adequate external conditions;
- Unconditional access to these external conditions reinforces the robustness and security of the capabilities (under the weak interpretation of capability);
- Income is an indispensable external condition;

- Therefore, a capability-based metric requires the unconditional distribution of income.

The first three premises have already been examined above. As to the last premise, pertaining to the necessity of income as an external condition, the assessment becomes somewhat more complex. Income, like any other kind of good, can or cannot be classified as an adequate external condition, depending on the specific capabilities to be distributed, the level of the capabilities, and people's characteristics, both internal and external (social, relational, and environmental) – that is, the sources of variation pointed out by Amartya Sen (Sen, 2009, pp. 255–256) that affect the conversion of income into these capabilities. As far as capabilities are concerned, and the level of their distribution, they vary in importance. Capability and functioning concepts are in themselves value neutral (Robeyns, 2017, pp. 41–45). Capabilities are the real opportunities to achieve certain functionings; functioning characterises every state or activity which might be carried out, whether good, bad, or merely trivial. Consequently, not all capabilities can fit into a metric of justice. It is necessary to select those that matter exclusively to justice, and to distinguish them from others.

However, the problem of capability selection is rather controversial and has prompted much debate among capability approach theorists (Robeyns, 2017, pp. 61–62). To summarise, any list of capabilities runs the risk of already representing, in itself, a univocal conception of a good life, imposed on everyone, or making it easier to advance some conceptions of the good life at the expense of others, thereby going against the pluralism of conceptions of a good life – the very pluralism which a non-perfectionist liberal theory of justice must respect (Rawls, 1996).

Having said that, a single list of capabilities can constitute the metric of a non-perfectionist liberal theory, as long as it complies with three rules: firstly, to be a list of capabilities and not of functionings. Despite people having a capability, they should not be forced to exercise it; secondly, it is the result of an overlapping consensus. Everyone should have the same weight on common decisions; thirdly, the list's capabilities should leave room for multiple realisability (Nussbaum, 2000, p. 105): a vegetarian realises the capability to be well-nourished in a different mode than another person who ingests animal protein.

Regarding the second rule, it remains to be proven, however, to what extent any of the already existing, philosophically developed, capability lists, such as Nussbaum's, would gather a consensus. In Robeyns' view, the possibility of a consensus seems highly unlikely, given the divergences prevailing in real life (Robeyns, 2005, p. 207). Another option would be to engage in a democratic consultation and use the resulting list. A full consideration of this option is beyond the scope of the present paper. In short, I mainly adopt a liberal anti-perfectionist view, without arguing for it as the most legitimate foundation to tackle this problem, since to do so would also exceed the paper's scope.

An alternative hypothesis, so as to avoid the difficulties entailed in the previous options, is to try to identify a minimum list of capabilities which, by their nature, any conception of a good life has to integrate regardless of any particular personal and/or philosophical choices and contextual circumstances. So, this is not a full list of capabilities, but only a subset. Hence, it does not assemble and assign the sufficient capabilities to a metric of justice, but simply identifies some necessary ones. That said, for practical purposes, in this paper I have adopted a minimum list of four capabilities:

- Nourishment;
- Health;
- Education;
- Practical reason.

The motive for including *nourishment* and *health* in this list relates to people's survival limits, ascribed to their biology and not to their choices. One person might opt for a vegetarian diet, while another might choose an omnivorous one. Meals are ritualised in the light of particular social, cultural, and religious traditions, etc. However, regardless of any existing differences, every person's survival, in virtue of their biology, is dependent on the fulfilment of a basic set of nutritional and caloric requirements. The same reasoning is applicable to *health*.<sup>7</sup> Living the life one might want to live, whatever it may be, is precluded by premature mortality and persistent morbidity.

The inclusion of education and practical reasoning is due to the non-perfectionist liberal view endorsed here as the most plausible candidate for a theory of justice. To acknowledge the particular interests of each person equally, embodied in the conception of a good life that each one upholds, implies that they all have equal weight in the collective decisions that affect their accomplishment. In the absence of a level of education, whereby everyone within the public space has a reasonable minimum of deliberative faculties (Bohman, 1997), some people will be at a clear disadvantage vis-à-vis others in the decision-making process. Regarding *practical reason*, it plays an architectonic role, that is, the role of organising the overall set of capabilities the persons have in agreement with their respective conception of a good life – namely, the specification of the modes of realisation of these capabilities (Nussbaum, 2011, pp. 34, 39).

Is income an indispensable external condition for this minimum capability list? The capability to be nourished depends, of course, on access to food. So, an amount of income that would cover the price of the food basket that is sufficient to meet the basic nutritional and caloric requirements of the person involved translates

<sup>7</sup> Furthermore, *health* cannot be dissociated from *nourishment*.

into the existence of the capability to be nourished, at least at an elementary level, and inversely the lack of income dictates its non-existence. Nevertheless, it is conceivable that one could access food through other means than income – for example, through direct assignment of the food basket, or food vouchers. Something similar applies to *health*. Although income enables the purchase of healthcare, there is nothing to prevent healthcare from being provisioned directly. *Education* follows an identical logic. School services, even though they may be contracted in cash, are susceptible to be directly distributed. Concerning *practical reason*, the analysis is more difficult, insofar as it is essentially the product of the whole set of capabilities at a person's disposal. Yet it seems unlikely that those capabilities could be organised in line with a specific conception of a good life without any use of income.

Having said that, it could be concluded that whereas income might, in certain scenarios, be an adequate external condition for this minimum capability list, it is not an indispensable one. This means that the existence of these capabilities can be brought about through access to other goods and services, besides income. Therefore, a capability-based metric does not necessarily require income distribution. It follows that such a metric is not sufficient to offer a justification for the implementation of an unconditional income. This is clearly summarised by Van Parijs, referring to Sen:

If, under given circumstances, introducing a basic income would help extend some of these capabilities in sustainable fashion to a larger part of population, his [Sen's] conception of justice would support it. But there may be circumstances in which, given the choice, some other policy [...] would be preferable to an equally affordable basic income. (Van Parijs, 2017, p. 117)

This passage from Van Parijs leads us to the thesis of the present paper. My intention is to argue that although it is not the only possible way, there are good reasons to implement a UBI, at the expense of other alternatives, in order to distribute capabilities within the context of a non-perfectionist liberal theory of justice. Therefore, the former argument should be revised in light of this new purpose:

- Capabilities are the most suitable metric of justice;
- Capabilities are distributed by distributing their adequate external conditions/preconditions;
- Unconditional access to these external conditions reinforces the robustness and security of the capabilities (under the weak interpretation of capability);
- Income, as an external condition, enhances some aspects, which are relevant to the distribution of capabilities, within the context of a non-perfectionist liberal theory of justice, that are hardly or simply not matched by alternative means:

- income enhances the multiple realisability of capabilities;
  - income allows for changes across time in the sources of variation that affect the conversion of means into capabilities;
  - income increases the effectiveness of other external conditions with which it is combined.
- Therefore, there are strong reasons to support the choice of an unconditional income, as an alternative to other possible measures, in order to distribute capabilities, within the context of a liberal theory of justice.

Following the above order, one advantage of income over other external conditions is its potential in enhancing the multiple realisability of capabilities. To illustrate this, take the capability to *nourishment*. As described above, a person's unconditional access to this type of in-kind goods grants the capability the same robustness and security as unconditional access to the same value in cash. However, the range of uses allowed for by in-kind goods is limited in a way that it is not by cash. Income, unlike in-kind goods, is fungible; it is a homogeneous means that enables a heterogeneous array of ends. As I described earlier, while people have recognised the cross-cutting nature of capability for *nourishment*, at its basic level they have different views on how to realise it, depending on the conception of life they wish to pursue. Again, a vegetarian's diet is different from that of a person who eats animal protein. Hence, the distribution of the capability for *nourishment* via in-kind food goods is liable to condition people's choice of the type of diet they are able to adopt. By contrast, cash allows one to choose what, how, and when to eat, in line with the full exercise of the capability for *practical reason* (Nussbaum, 2011, p 39; Widerquist, 2013, p. 66).<sup>8</sup> In other words, unconditional access to income leads to a wider range of modes to realise capabilities than unconditional access to in-kind goods. Therefore, the former option is more aligned with a liberal theory of justice.

The second aspect which unconditional access to income boosts is that of a greater sensitivity for temporal changes regarding the sources of variation that affect the conversion of external conditions into capabilities. As noted, the identification of adequate external conditions is dependent on the specific capability to be distributed, and the level thereof, but it is also dependent on people's characteristics. Given that people have different characteristics, they will also require different external conditions, both in quantity and quality, to attain the same capabilities. According to Sen's classification, these may refer to: the individual's physical and mental characteristics – personal heterogeneities (internal capabilities, in Nussbaum's terminology); the aspects which shape the external natural context in which one lives

<sup>8</sup> The degree of conditioning obviously varies according to the type of good concerned. A food basket conditions choices more than a voucher does.

- diversities in the physical environment; the features characterising the social context - variations in social climate; the behaviour patterns established within each society, or community - differences in relational perspectives.

Nevertheless, these interpersonal differences are not immutable over time. A woman who becomes pregnant will need more food to have the capability to be nourished, at an elementary level, than she needed before. With the outbreak of the COVID-19 pandemic, people's health capability became reliant on the wearing of masks and the use of hand sanitiser, in a way that was not so in the pre-pandemic period. In other words, a person's characteristics, both internal and external, are subject to change throughout one's life.

In this sense, the distribution of capabilities would entail society at every moment having to assess the characteristics of each person, so as to check for any changes, and consequently to adjust the set of external conditions to be provided. Such a task, besides being too invasive and paternalistic, seems, even from an epistemological and administrative point of view, to be extremely hard to enforce.<sup>9</sup> One way to overcome this problem would be to distribute at least part of these external conditions as income. Since income is a fungible means, and of unconditional access, it offers some flexibility to cope with the needs imposed by possible changes in people's characteristics. That is, it reinforces people's hope that their capabilities will not be affected by the latter. In other words, income fosters the security of their capabilities, as robustness over time. On the one hand, people can put more money into the capabilities that at a given moment require more means, at the expense of those that do not require so much. On the other hand, they can transform cash into the sort of goods that best match their characteristics at each specific moment. As a result, people would become less averse to making choices and more willing to engage in long-term planning (Standing, 2017, p. 88). It therefore increases the robustness of the capability for *practical reason*.

One way to try to reproduce a similar effect by attributing in-kind goods in place of income would be to attribute them not only according to the person's current characteristics, but according to a range of changes and risks likely to be experienced by someone during their lifetime. However, the possibilities for change seem limitless and thus very difficult to estimate overall, while, conversely, the uses that in-kind goods allow for are very limited, as has been shown. This mismatch is prone to lead to two problems. On the one hand, the goods available to a person, even if they are abundant, may not be suitable to cope with (some of) the specific changes that may arise. To give an example, it is worthless to be provided with burn ointments if society is plagued by a pandemic for which face masks would be necessary in order to avoid further contagion. Conversely, income is significantly more effective in relation to this problem. To promote the capability for *health*, income allows

<sup>9</sup> Although changes of a more general impact are easier to assess.

a person to acquire burn ointment in the eventuality of getting burned, or face masks in the case of a pandemic. On the other hand, there is a high probability that not all of these in-kind goods will be used, as the risks for which they are intended may not materialise. This would result in a waste of resources for society, entailing unnecessary costs both economically and environmentally. Income, in turn, is a perennial means that can be convertible into those goods that are strictly necessary. It therefore contributes to more efficient resource management.

Nonetheless, income is not a panacea. Take the capabilities for *health* and *education* as examples. These are linked to access to healthcare and schooling services, respectively. If only income were considered, then for everyone to have access to these services, even at an elementary level, it would probably be necessary to assign people a very high individual amount of income. So, it perhaps makes more sense to provide these services directly. However, even in these cases, these services sometimes tend to be more effective when combined with access to a certain amount of income.<sup>10</sup> This sums up the third, and final, aspect enhanced by income noted here. The degree of effectiveness of healthcare services for people is often associated with other factors such as maintaining good hygiene, undertaking physical exercise, having suitably protective clothing, taking medication, etc. Such factors seem to involve the control over some income: to buy, respectively, personal hygiene products, a gym subscription, warm clothing, medicines, etc. The same applies to schooling. How much each student can get out of the school service is influenced by access to books, school materials, school transport, etc., that is, goods purchased with income.

#### 4. TWO POTENTIAL OBJECTIONS

The thesis set out in the previous part can be subject to some objections. I will address two of them here, namely, the objection by which unconditional access to income is not sensitive to human diversity, and the objection of exploitation, by which unconditional access to income does not respect the *principle of reciprocity*. Section 4.1 covers the first objection, while section 4.2 addresses the second.

<sup>10</sup> The improvement in the effectiveness of other services through income is illustrated in *Just Give Money to the Poor: The Development Revolution from the Global South* (Hanlon, Barrientos, & Hulme, 2010, pp. 11, 175–176) and *Basic Income: A Transformative Policy for India* (Davala et al. 2015, pp. 113, 134–136). People may of course spend their income on the purchasing of superfluous, or harmful, goods, which goes somewhat against my statement. However, the experiences of cash transfers in contexts of relative scarcity, such as those reported in the books just mentioned, show that most people, subjected to these programmes, give priority to fulfilling the most basic needs.

#### 4.1 *Income is not sensitive to human diversity*

Despite the advantages of unconditional access to income, as stated in the previous part, some of which related to human diversity, people may still need different amounts of income to achieve the same capabilities. So, what is meant by a ‘basic’ income would vary to person to person. Thus, the idea of a UBI of a uniform amount seems to contradict the spirit of the capability approach.

One way to try to avoid this objection would simply be to reject the uniformity of the amount. One could imagine attributing varying amounts of income based on each individual’s particular features and needs. However, the practical feasibility of such an arrangement might jeopardise the unconditional nature of access to income. To access the income, each person would probably have to undergo a *needs test*. This would not be run by supercomputers. Instead, the applicants would probably have to submit to a series of procedures, defined by society, to prove their needs, before a group of civil servants. Against this background, access to income looks far from unconditional.

A second and more promising way would be to keep the uniformity of the ‘basic’ amount, but to specify it in such a manner as to cover the full spectrum of human variation. For instance, let us say that interpersonal differences in society can affect the degree of nourishment fulfilment, at the most elementary level, in a range of variation from 1 to 5 (1 being the lowest degree of satiation, and 5 the highest). So, the amount of ‘basic’ income should be estimated in such a way that, at the very least, people who fall into 5 will be able to meet their basic nutritional needs.<sup>11</sup> Thus, although the income amount is uniform, it can accommodate human diversity, i.e. everyone can have the same capabilities above a certain threshold, with the advantage of avoiding the troubles associated with needs testing.

In opposition, it could be argued that it is very difficult to conceive of the full range of interpersonal differences, especially regarding personal heterogeneities. There are at least three possible replies to this argument. The first is to note that interpersonal differences, although they are difficult to assess, comprise a limited range of variation. Whilst people may have different metabolisms, it is unrealistic to assume that someone could have one akin to a hippopotamus. Therefore, there seems to be some room to estimate the possible range of variation. The second response involves imagining two scenarios: one in which people’s access to income is conditional, as a result of a *needs test*, as described above; and another in which there is unconditional access to a uniform amount of income, resulting from an estimate of the full range of human diversity regarding people’s needs. In special cases, where the amount turns out to be insufficient, the state will add to it an income supplement tailored to the particular situation. Although in this second scenario the

<sup>11</sup> The example was inspired by Oosterlaken (2013, p. 212).

total income is not necessarily unconditional, with the risk of some stigma being attached to access, it is still incomparably better in this respect than the first scenario. There are therefore compelling reasons to choose it. Finally, the third reply consists in recalling that income is a means, but not necessarily the only one. What matters is not that income is sensitive to human diversity, but that the total set of external conditions for capabilities, as a whole, to which income is a part, is so sensitive. For example, if both Mafalda and Leonor possess identical amounts of income, but the former, unlike the latter, suffers from a chronic illness, then it seems false to say that the same income enables both to achieve the same ends. However, if Mafalda has free access, in addition to income, to medical care and treatment appropriate to her illness, this problem no longer prevails. In other words, this problem is easily solvable when combining the UBI with a strong welfare state.

#### *4.2 Unconditional access to income does not respect the principle of reciprocity*

The second potential objection to the argument defended in this paper corresponds to the *exploitation objection*. According to this view, an unconditional distribution of income is illegitimate insofar as it allows the *principle of reciprocity* to be violated. Under this principle, it is unfair to enjoy a share of the benefits of cooperation without having contributed, or being willing to contribute, to its generation (White, 2003, p. 63). Since access to income, being unconditional, does not demand any counterpart, it leaves room for such situations. Therefore, a UBI must be rejected.<sup>12</sup>

As I have shown, unconditional access to adequate external conditions of the capabilities that make up the metric of justice enhances the effectiveness of fulfilling the principle by which *everyone should be able to live a good life*. This is due to the fact that unconditional access to such external conditions positively affects the robustness and security of the capabilities concerned. However, following the objection, it could be argued that the previous principle, on its own, does not constitute a full-blown theory of justice. This principle regards the distribution of cooperation benefits (recipient-oriented). Still, justice is about not only the distribution of the benefits, but also the associated burdens - as is reflected in the *principle of reciprocity* (Pogge, 2002, pp. 204, 208–209; Nussbaum, 2006, p. 87; Robeyns, 2017, p. 157).

These two principles are not necessarily contradictory. The state may be committed to the duty of distributing the conditions which enable all its members to live a good life, on the condition that they, in return, are willing to contribute a share to the creation of those conditions, if they are able to do so. However, in this way the suitability of a capability-based metric of justice seems to be threatened. Given that

<sup>12</sup> Assuming that unconditional income is at least partly funded from taxes on income from work.

income is conditional, the risk of failing to access it is higher, thereby negatively affecting the robustness and security of the capabilities that rely on income. Thus, capabilities may not reflect as accurately as intended what people are able to do and to be. One route out of this problem would be to draw the distinction, as made by Stuart White, between the unconditional right to income and the unconditional right of reasonable access to income (White, 2003, p. 139) – that is, the unconditional access to a work whose performance entitles person to an income. Following this reasoning, abled-bodied people’s enjoyment of the capabilities, particularly those requiring income, is dependent on the exercise of the capability to work, which would have to be included in the capability set (Anderson, 1999, pp. 317–318). Likewise, the former capabilities’ robustness and security is proportionate to that of the latter. In line with what has been said so far, the more unconditional access to a work, the more robust and secure the capability to work is. Therefore, in compliance with the two principles of justice discussed in this part, the state should promote unconditional access to a work.

How can society guarantee unconditional access to work for all? Several hypotheses are commonly offered. Only some of them will be addressed here:

- 1. *Workfare* policies, without substantially modifying the existing labour market: subsidising wages, funding training, offering tax benefits, etc.

The problem here is that it is not enough to have unconditional access to just *any* kind of work. In line with what has been stated so far, the capability to work, along with all other capabilities, must also be in accordance with the threshold corresponding to a good life. By pushing people into a labour market whose terms of cooperation are already established and biased towards employers, society places the former in a position where their interests, and hence their conception of a good life, may be subordinated to the interests, and by extension to the conceptions of a good life, of the latter (Standing, 2017, pp. 115, 201–202). Reciprocity presupposes that there is a fair balance between the burdens imposed and the benefits received in return. So, violations of reciprocity relate not only to those who seize the fruits of cooperation without cooperating, but also to the unfair distribution of burdens and benefits among those who cooperate. As employers have much greater power to determine the terms of cooperation than workers, they would tend to dictate a disproportionate distribution between burdens and benefits to their own advantage and at the expense of the workers. The workers would be forced to consent, as they have no reasonable alternative to this option (Cohen, 1988, pp. 239–254; White, 2003, p. 48; Olsaretti, 1998, pp. 53–78). Turning down the work offer would imply being totally materially deprived. Thus, there is the risk of pushing people into unpleasant and low-paid work.

- 2. *Work-guarantee* policies attached to a decency threshold, set by society, to be met by the terms of cooperation: regulating the labour market; the state as *an employer of last resort* (Atkinson, 2015, pp. 144–147).

Despite the merits of some of these policies, their potential is limited by the same difficulty arising about the capability selection problem of defining, in a neutral and non-arbitrary way, what constitutes decent work. Moreover, whereas some of the terms of cooperation are set out at the macro level, many others are rather successively negotiated on a day-to-day basis, moment to moment, between immediate superior and subordinated.

- 3. *Work-guarantee* policies combined with an unconditional income

Suppose that everyone receives an unconditional income, which is sufficient for everyone to have the minimum list of capabilities adopted in this paper. Since people would already have their elementary needs safeguarded, they would have greater power to seek and bargain for work in line with what they understand to be a good life (Widerquist, 2013; Van Parijs, 2017, pp. 22–23, 103). In other words, they will have a reasonable alternative and be able to refuse the terms of cooperation offered by their employer/immediate superior. So, the latter might have to make some concessions to the workers: improve wages, reduce workloads, etc. Thus, a UBI fosters a more even balance between employers' and workers' interests, resulting in a fairer distribution of benefits and burdens (de-commodifying work).

Of course, nothing here invalidates the possibility that some people could do nothing. However, it is up to each society to judge whether it is more aligned to reciprocity that the terms of cooperation between those who work be fairer, even if some people choose not to work, or that these terms be less fair, but everyone is being 'forced' to work.

So, the right to a UBI and the unconditional right to work are not necessarily incompatible; on the contrary (Merrill & Neves, 2021).<sup>13</sup> In line with the core reasoning of this article, we can conclude that there are also strong reasons to implement a UBI in order to promote the capability to work in accordance with a good life.

## 5. FINAL REMARKS

In closing, two final considerations are in order. First, in this paper I have offered good reasons for the implementation of a UBI, within a capability-based metric of justice, but not a justification for it. While not necessarily impossible, any such justification would need to overcome two theoretical obstacles. On the one hand, even

<sup>13</sup> Cf. Standing (2012).

under the weak interpretation, one would need to set the robustness cut-off point below which we are no longer facing a capability. Only then is it possible to know to what extent unconditionality is required by the capability notion. On the other hand, there is the ongoing debate about the capability selection problem and how this might progress. Only once this problem has been resolved will it be possible to measure the degree of the income's indispensability. Second, the objection of exploitation, outlined in section 4.2, by its nature would demand a more detailed and in-depth examination. Here I have only explored one possible way to address this issue.

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