

# Why Surfers Should Not Matter: *Universal Basic Income, Unconditionality, and Democratic Equality*

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Should we feed surfers? Perhaps surprising to some, this is debated by political philosophers. The topic in question being universal basic income (UBI, for short). Popularized and strongly advocated for in recent years by Philippe Van Parijs, a universal basic income is “an income paid by a political community to all its members” (Van Parijs 2004, 8). It has the following distinguishing features: it is paid in cash, on a regular basis, to individuals, without any requirements related to a person’s level of income, wealth, or employment status (8–9).

*Why surfers?*, you might wonder. The answer goes back to a footnote by John Rawls. In a brief comment on leisure time, he says that “those who surf all day off Malibu must find a way to support themselves and would not be entitled to public funds” (1988, 257n7). As a nod to Rawls, in 1991 Philippe Van Parijs makes his case for universal basic income in a paper titled “Why Surfers Should be Fed: The Liberal Case for an Unconditional Basic Income”, making surfers a running example in the UBI debate. Plainly put, on Rawlsian terms we should not feed those who ‘surf all day off Malibu’, because they do not contribute to society. For Van Parijs, however, justice amounts to all members of a society having the means to pursue their own conception of the good (1991). If that happens to be surfing and not working, surfers should be fed.

Unconditionality, meaning the absence of work-related requirements, remains UBI’s most-contested theoretical component (Van Parijs and Vanderborght 2019, 99). The liberal egalitarian objection holds that a basic income should not be provided irrespective of whether a person works or not, as doing so opens the door to a serious violation of reciprocity. It would mean that some can ride waves all day in Malibu and live off the work of those who make a productive contribution to society. This figurative (and literal) free-riding makes the liberal egalitarian consensus unwelcoming towards UBI.

In her proposed theory of justice called democratic equality Elizabeth Anderson also takes up Van Parijs’ surfers. She shares the stance that surfers should not be fed, because doing so “effectively indulges the tastes of the lazy and irresponsible” (Anderson 1999, 299). Thus, her theory, too, seems to be in the ‘Against UBI’ corner. In the current essay, I challenge Anderson on this. I will argue that, within democratic equality there actually is a case for providing a basic income unconditionally. In what follows, I will suggest that UBI is not only a measure that is *permissible* under democratic equality, but that it could further be seen as a *necessary* measure to bring about democratic equality in a society. I make my claims for permissibility and necessity, respectively, along the following two lines. On permissibility, I point out that Anderson’s stance on the question of an unconditionally provided basic income is not consistent throughout her work. If we look at other statements by her, it emerges that unconditional state support is permissible within her framework. On necessity, I appeal to the theory’s primary normative commitment—to lift socially imposed oppression and to create a society in which people relate to each other as equals. I argue that, in transitioning from a society in which socially imposed oppression is present to one where it is not, a basic income that is not tied to any work-related requirements can be seen as a necessary measure.

The paper is structured as follows.<sup>11</sup> In Section I, I outline UBI and the objection against unconditionality. In Section II, I outline Elizabeth Anderson's theory of democratic equality and make the case for UBI's permissibility within it. In Section III, I make the case for UBI as a necessary measure in bringing about democratic equality. I close with a summary of the discussion.

### 1. UBI and Unconditionality

A universal basic income's core features are that it is paid in cash, on a regular basis, to individuals, without any requirements related to a person's level of income and wealth, or employment status (Van Parijs 2004, 8–9). This paper focuses on the absence of work-related requirements. This means that a universal basic income is not conditional upon current or previous employment, nor is it tied to one's willingness to work (Van Parijs 2004, 6). So when it comes to being eligible for the grant it does not matter whether one is currently employed, searching for work, a stay-at-home parent, or an unemployed surfer. This creates the possibility for some people who are able, yet unwilling to work, to live off the productive efforts of others. Such an outcome violates a principle of reciprocity, underlying many theories of egalitarian justice, Anderson's democratic equality included.<sup>22</sup> According to this principle, people owe their society a productive contribution in return for the benefits they receive from the collective efforts of their fellow citizens. A UBI, the criticism goes, would allow some people to benefit from society's collective efforts without contributing anything in return. Because of this, the absence of work-related requirements has been the most contested theoretical component of the proposal (Van Parijs and Vanderborght 2019, 99).

Despite having the same core features, proposals for UBI can vary in the amount of the grant, the source of financing, the recipients, and the implications for other forms of public spending.<sup>33</sup> Because of this, it is important to outline the features of the proposal I will consider here. This should block complications ensuing from different variations of the proposal, keeping the discussion as focused as possible on the absence of work-related requirements.

Firstly, I work with the assumption that the provision of a UBI is feasible, without discussing whether and how a UBI scheme could be financed. Regarding the size of the grant—I consider a level just sufficient to cover a person's basic sustenance needs. This includes food, shelter, and clothing, and assumes that all people could have these needs met with the same amount of money.<sup>44</sup> Additionally, I am considering UBI as a complement, and not a substitute to other social benefits, such as healthcare and education.<sup>5</sup> Furthermore, I work with a closed society, which has the institutions needed to implement a UBI, and where no migration goes on.<sup>56</sup> One detail about the society in question I would like to make explicit, as it is crucial to my argument later on, is the presence of workers who face poor working conditions and below-subsistence pay. This is not a farfetched assumption to make, as such workers are present, to varying degrees, in all economies worldwide (Keeley 2015, 3; Kühn et al. 2019, 6).

Having described UBI and set out its parameters, I turn to Elizabeth Anderson's theory of democratic equality. She states that a cash grant, not conditional upon work-related requirements, is not acceptable under her theory. Contrary to this, I will argue that it is not only permissible under her theory but can further be defended as a necessary measure in bringing about democratic equality.

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<sup>1</sup> Throughout this paper I will use the term unconditional to refer to the absence of work-conditionality, for the sake of being concise.

<sup>2</sup> For an overview of the reciprocity objection to UBI, see "Part III: Reciprocity and Exploitation." in Widerquist et al. (2013, 79–141).

<sup>3</sup> For an overview of the different features of a UBI proposal and their respective implications, see Bidanure (2019, 485–486).

<sup>4</sup> This assumption is highly unrealistic, but necessary to make for simplicity's sake in the current discussion.

<sup>5</sup> Doing away with all other forms of social spending, especially when the grant is set at a minimal amount, creates the risk of making some people even worse off than they were in the absence of a UBI. The reason being an inability to pay for such services on one's own.

<sup>6</sup> The last point is to avoid discussions on how citizenship is to be determined and what the effects of a UBI on non-citizens would be.

## 2. Democratic Equality and Unconditionality

Elizabeth Anderson's theory of democratic equality emerges from a critique of the distributive paradigm, which she labels luck egalitarianism (1999). A guiding idea within luck egalitarianism is that we should compensate people for accidents of so-called brute luck. These are unchosen circumstances which can significantly affect one's prospects in life. Examples include "being born with poor native endowments, bad parents, and disagreeable personalities, [and] suffering from accidents and illness" (288). What does not warrant compensation are the products of one's voluntary actions, also called instances of option luck. To grasp the difference between the two: consider getting in a car accident because one's car is struck by lightning versus getting in a car accident because one chose to drive while drunk. The former, an instance of brute luck, is the product of unforeseen circumstances the agent could not have prevented. The latter, (arguably) an instance of option luck, is the product of one's reckless actions.

Under luck egalitarianism, compensating people for the outcomes they are not responsible for and holding them accountable for the ones they are responsible for is meant to express equal respect and concern for all (295). For Anderson, however, the means of luck egalitarianism do not achieve this aim. According to her, refusing to assist the victims of option luck because they brought the negative outcome upon themselves fails to treat them with respect and concern. Additionally, the rationale for assisting the victims of brute luck—that they got the short end of the stick in life—expresses disrespect for them.

With her critique of luck egalitarianism laid out, Anderson concludes that "there must be a better way to conceive of the point of equality" (312). She suggests this better way can be found by looking into the causes championed by egalitarian political movements and the systems they have opposed. Namely, systems of hierarchy and oppression where people were ranked as superior or inferior based on some predetermined markers, such as race, social class, or gender. The problematic inequalities there were not in the distribution of goods but in the relations between people, with some standing as superior and others as inferior. This inequality of social relations is what brought about and was used to justify distributional inequalities "of freedoms, resources, and welfare" (312).

According to Anderson, what egalitarian political movements aim to achieve against this background is to "assert the equal moral worth of persons" (312). Which is something not determined by and holds irrespective of one's native endowments, family background, and other life circumstances.<sup>7</sup> The twofold aim of egalitarianism here is to end socially imposed oppression and to establish a social order in which people live in relations of equality (313). Ending oppression means putting an end to "forms of social relationship by which some people dominate, exploit, marginalize, demean, and inflict violence upon others" (313). Establishing relational equality means that "people seek to live together in a democratic community, as opposed to a hierarchical one" (313).<sup>8</sup>

These two aims—ending all forms of socially imposed oppression and ensuring that all members of a community stand in a relation of equality to one another—form the basis of Anderson's democratic equality (288). Three defining features set it out as a distinct theory (313–315). Its ultimate aim is to end socially created oppression; it is a relational theory; and it mandates that redistribution be carried out in a way that shows equal respect for all. Under this view, equality is measured not in terms of the possession of goods or attainment of well-being, but in terms of the relationships between people within a community. Equality between two people exists when both recognize the importance of acting in ways acceptable to the other and when both approach each other by engaging in consultation, reciprocation, and recognition. The

<sup>7</sup> Note the contrast with luck egalitarianism here. There, calls for redistribution are based precisely on these contingencies of life.

<sup>8</sup> Anderson defines democracy as "collective self-determination by means of open discussion among equals, in accordance with rules acceptable to all" (1999, 313).

redistribution of goods is seen as instrumental to relational equality. Even though it might be needed to achieve equal standing among citizens, the fundamental concern is the relationships within which distributions occur, and not the possession of goods itself. What is more, the proper driver of redistribution is a recognition of people's standing as equals, and not as inferiors. When carried out, it must not require people to demean themselves.<sup>69</sup> For Anderson, equality has been achieved in a community once its members are not subordinate to others as a consequence of being marginalized, dominated, and exploited. It is then that all can freely participate in a society's social, economic, and political life.

For Anderson "a person enjoys more freedom the greater the range of effectively accessible, significantly different opportunities she has for functioning or leading her life in ways she values most" (316).<sup>70</sup> With this conception of freedom in mind, a baseline requirement for democratic equality is that a society must provide its members with access to the means necessary for human functioning. This includes being nourished, housed, and clothed (317–18).<sup>811</sup> Crucial to note is that what is ensured is not unconditional provision itself. Instead, what is ensured is *access* to the necessary means for obtaining given functionings. Thus, Anderson holds that for those able to work and with access to work the attainment of the above-outlined functionings is contingent upon participation in society's productive system (321, 328).<sup>912</sup>

It is here that the permissibility of an unconditionally provided basic income under democratic equality comes into question. As mentioned in Section I, the absence of work-related requirements makes it possible for those who are able but unwilling to work to nonetheless have their basic needs met. This clearly goes against Anderson's requirement for participation in society's productive system. What is more, Anderson herself is explicitly critical of the proposal for a guaranteed income, stating that it "effectively indulges the tastes of the lazy and irresponsible at the expense of others who need assistance" (299). This seems to give a clear-cut case against an unconditionally provided basic income under democratic equality. Thus, under democratic equality surfers should *not* be fed.

However, I think that such a conclusion is rushed. Anderson's view on the matter is not consistent throughout her work. By considering other statements of hers, we can see a tension in her stance on unconditional support. In the same paper as the one cited above Anderson states that even if people decide to act recklessly or irresponsibly, under democratic equality they remain entitled to having their basic needs met (326–328). By calling Malibu surfers "lazy and irresponsible" (299), Anderson implies that a refusal to work counts as irresponsible behaviour. Hence, if a refusal to work (when one is able to do so) amounts to irresponsible behaviour and if under democratic equality the irresponsible should still have their basic needs met, then an unconditional, subsistence-level basic income appears to be permissible under her theory. What is more, in a separate paper on welfare benefits and work-conditionality Anderson states: "For the few who refuse to cooperate, although they can reasonably be expected to engage in paid work, I would oppose a complete cut-off of benefits" (Anderson 2004, 254). She adds that the level of benefits for those who refuse to work should be sufficient to provide for health care, housing, and adequate nutrition. From here I conclude that for Anderson, even if people are able to provide for themselves but refuse to do so, they could still receive assistance, sufficient to cover their basic needs. With Anderson's statements in mind, it follows

<sup>9</sup> One might wonder what it means to demean oneself in this context. This ties to Anderson's critique of appealing to brute luck as a rationale for redistribution. She illustrates with an imaginary State Equality Board that sends out letters to people who would be entitled to some sort of redistribution because they are victims of brute luck. The letters would read: "To the stupid and untalented: Unfortunately, other people don't value what little you have to offer in the system of production. Your talents are too meagre to command much market value. Because of the misfortune that you were born so poorly endowed with talents, we productive ones will make it up to you: we'll let you share in the bounty of what we have produced with our vastly superior and highly valued abilities." (1999, 305) I thank the ESJP editors for raising this point.

<sup>10</sup> Here Anderson draws on Amartya Sen's capability approach.

<sup>11</sup> The set of human functionings outlined by Anderson also includes access to medical care. I exclude it from the main body of the text purposefully because, as mentioned in the Introduction, I work with the assumption that publicly funded medical care is not replaced by a UBI.

<sup>12</sup> It is important to note that for Anderson participation in society's productive system includes both participation in the labour market and socially valuable work not performed in the market sphere, such as dependent-care. For further detail on this, see Anderson (2004, 243–256).

that a UBI would be permissible under democratic equality.<sup>1013</sup> To put it differently, surfers could be fed under democratic equality.

This, however, entails an internal tension for the theory. The requirement that those who can work should do so remains. At the same time, as I just argued, even if people do not contribute, we should still ensure that their basic needs are met. To resolve this, one of the two statements needs to be given up or somehow modified.

What I suggest is to revise the requirement that one's basic needs should be conditional upon being employed. To show why I think this is sound within democratic equality, in the next section I appeal to the theory's underlying normative commitment—to end socially imposed oppression and to create a society in which people relate to each other as equals (Anderson 1999, 313). I will argue that if we take this commitment to heart and if we consider the situation of oppressed workers, an unconditionally provided basic income is not only permissible, but also necessary for democratic equality to obtain.

### 3. The Case for UBI Under Democratic Equality

Democratic equality requires us to look at distributive issues by asking what social and distributional arrangements would lead to the establishment of a society where people relate to one another as equals (Arneson 2013). With this in mind, I would like to suggest that in assessing the provision of an unconditionally provided basic income, we need to consider two things. Firstly, whether making social assistance conditional upon being employed sustains socially imposed oppression, thereby undermining relational equality. And secondly, whether untying social assistance from one's employment status benefits those who face oppression in the presence of such conditions, thereby advancing relational equality.<sup>1114</sup> I will argue that the answer to both is 'yes'. That is, work-conditionality sustains socially imposed oppression and undermines relational equality. And its absence benefits those who are harmed by its presence. Because the unconditional aspect of a universal basic income unties social assistance from work-conditionality, I will conclude that it makes UBI a necessary means for bringing about democratic equality.

To address the first point—in discussing work-conditionality and welfare benefits Stuart White (2017) argues that, in order to be just, conditionality itself depends on the wider fairness of societal structures (186–187). An obligation to do one's bit ceases to hold if these are set up to one's disadvantage. He borrows the following example from Shelby (2007) to illustrate. There are people who can only attain jobs with poor conditions and below-subsistence pay because they lack the relevant skills and education. If this is due to a lack of access to training and education, then an expectation to do one's bit as part of society's collaborative effort cannot be seen as just. White adds that enforcing work obligations by making welfare conditional on employment in this context may have the effect of worsening people's disadvantage (2017, 186–187). The worst-off members of society find themselves under unfair societal structures, face poor work opportunities, and lack fallback options in the form of labour-independent sources of income. In such a context making people's subsistence conditional upon taking whatever work is available means weakening the bargaining power of the worst-off in society. And this weakening of bargaining power only worsens their already disadvantaged position. To illustrate: if a poor, unskilled person has to take on low-paying, exploitative work because no other option is open to them due to a lack of education and training and welfare assistance is conditional upon them being employed, they are faced with two options—take the job or starve. So, one layer of their disadvantage is their lack of education and training. However, work-conditionality adds a

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<sup>13</sup> Recall that, as stated in the Introduction, the level of UBI I discuss in this paper is set at an amount sufficient to cover just one's basic needs.

<sup>14</sup> These questions can be seen as two sides of the same coin. Yet, it is important to consider them explicitly as two separate issues because they help us highlight two crucial, yet distinct, points. Both of which are relevant to the conclusion I reach. I thank the ESJP editors for asking me to clarify this point.

further layer of disadvantage to this. It essentially forces them to take on the poor work option and deprives them of the bargaining power that would come with being able to withhold their labour.

Moving onto the second point of whether the absence of work-conditionality benefits those who are harmed by its presence. The discussion so far has only covered the negative side of unconditionality—that it opens the door to violations of reciprocity. However, there are also benefits to it. Related to the point above, untangling the coverage of basic needs from participation in the labour market is beneficial for the worst-off workers in society. The reason being that their survival no longer hinges on taking any available job, irrespective of the conditions and pay. This creates a third option for the workers mentioned above—that of withholding their labour power while being able to cover their basic needs. Van Parijs (2004) argues that the absence of work-conditionality would give the most vulnerable workers in society the necessary financial security to refuse jobs with exploitative and degrading conditions, to pursue job training, or to take on work in which they find intrinsic value (16). White (2006) argues that an added benefit of the absence of work-related requirements is that workers' ability to turn down low-paid, poor-quality work would exert pressure on employers to improve pay and work conditions (6).<sup>1215</sup>

I have argued that work-conditionality further reinforces socially imposed oppression and that its absence benefits those who are harmed by its presence. Hence, I conclude that the absence of work-related requirements makes UBI a necessary measure for bringing about democratic equality. An objection arises that some (think surfers) might still refuse to work, even in the presence of favourable work opportunities, and just free-ride on the productive efforts of others. Such behaviour clashes with the principle mentioned in Section II of approaching others by engaging in mutual consultation, reciprocation, and recognition and would therefore undermine relational equality. Should this risk lead us to rule against UBI under democratic equality? Given the benefits in terms of reducing oppression outlined above, I argue that it should not. In her critique of luck-egalitarian theories, Anderson points out that justice should not occupy itself with “beach bums” (Anderson 1999, 288). What she means is that egalitarian justice should be concerned not with trivial issues but with the claims of those who face oppression and suffer from inequalities brought about by “race, gender, caste and class” (288). With Anderson’s stance in mind, I would like to argue that our focus should not be on surfers. That is, it should not be on the few who might free-ride the wave of an unconditional cash grant. Instead, in assessing the absence of work-related requirements under democratic equality, our focus should be on the oppressed groups who would benefit from it. In this case these are the workers who face exploitative working conditions and poverty wages and who rely on conditional welfare benefits to have even their basic needs met. As I have tried to show above, the absence of work-related requirements would benefit this group. For a theory which is ultimately concerned with improving the lot of the least-advantaged members of society and distances itself from trivial issues, surfers should not matter.

But how can we be sure that, as I say above, ‘only a few’ will free-ride? Imagine that in the presence of a UBI everyone stops working and just lives off the grant. This would lead to societal collapse. We depend on others’ work to obtain the goods and services which make our day-to-day possible. What is more, if no one works, there would be no way to finance a UBI. Surely, the possibility of UBI bringing about such a doomsday scenario can be seen as a decisive argument against the grant. However, the extent to which this is likely to occur is an empirical matter. And a review of the literature on UBI interventions in both developed and developing countries shows that said risk is small, with the introduction of a UBI scheme and of unconditional cash transfers leading to either no reduction or a minor reduction in labour supply (Gentilini et al. 2020; Marinescu 2018). I take this to address the worry that free-riding would be excessive, as it appears that, when implemented, a UBI does not lead to such outcomes. In the case I am discussing this worry is

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<sup>15</sup> Adding support to the normative claim here is empirical evidence. Namely, a review of unconditional cash transfer programs, which reports outcomes consistent with the above-listed claims (Gentilini et al. 2020, 108–109).

further mitigated by the size of the grant, which only covers one's basic needs. If people would like to enjoy goods beyond the bare minimum needed for survival, then they would still need to work.

### Conclusion

When outlining her theory of democratic equality, Elizabeth Anderson expresses a stance against UBI. The reason being that the unconditional provision of a basic income, one that is not tied to any work-related requirements, “effectively indulges the tastes of the lazy and irresponsible” (299). My aim in this paper has been twofold. I have argued that the absence of work-related requirements makes universal basic income not only *permissible* but also *necessary* under Anderson's theory. To make the case for UBI being permissible under democratic equality, I highlighted passages by Anderson which suggest that her conception of justice actually allows for an unconditionally provided basic income. On necessity, I appealed to the theory's primary normative commitment—to lift socially imposed oppression and to create a society in which people relate to each other as equals. I have argued that, in transitioning from a society in which socially imposed oppression is present to one where it is not, a basic income that is not tied to any work-related requirements can be seen as a necessary measure. Because firstly, making the means necessary for one's subsistence conditional upon being employed weakens the bargaining power of the worst-off workers, further reinforcing oppression in a context where the underlying system is marked by injustice. And secondly, because the absence of work-conditionality grants better opportunities and increased bargaining power to society's worst-off.

It is important to highlight that I am in no way claiming that UBI, on its own, is sufficient for achieving democratic equality. My claim in this paper is that one of its aspects—the absence of work-conditionality—would make UBI a permissible and necessary intervention in advancing democratic equality. Nor am I saying that UBI would be *fully* justifiable, in all of its aspects under Anderson's theory. For a claim of full justifiability to hold, one would have to consider how the other aspects of the proposal—such as the absence of a means test, the fact that it is granted to individuals and not households, and the fact that the same amount is given to all—square with democratic equality. These caveats, however, do not take away from the strength of my conclusion. Namely that, contrary to Anderson's expressed stance, an unconditionally provided basic income is not only permissible under her theory, but it is also a necessary measure to achieve democratic equality in a context where some workers face socially imposed oppression.

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