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In Company of the Funny Sunny Surfer off Malibu: A Response to Michael Howard (and Some Others)

Abstract: In ‘Exploitation, Labor, and Basic Income’ Michael Howard undertakes to defend an Unconditional Basic Income (UBI) as non-exploitative, and on a revised conception of what Marx called ‘exploitation’. Without taking issue with the revision itself, I point out that Howard, like many others, fails to defend UBI as non-exploitative. All his arguments fail to establish that the so-called ‘Surfer off Malibu’, a figure who is full-time dedicated to leisure, is not an exploiter in receiving UBI. The strategies to include him as a rightful recipient of a labor-free income rely on the (sometimes far-fetched) attribution of certain contingent features to him that would entitle him to compensation or reward, but that he might also not have. I argue that the best strategy for UBI-advocates is to admit that ‘slackers’ should be merely tolerated as non-deserving recipients, because the UBI-policy will otherwise have good effects. Finally, I raise some questions about these good effects, as they are conceived by UBI-advocates such as Howard.

1. Introduction

In ‘Exploitation, Labor, and Basic Income’ (Howard 2015), Michael Howard, after a thorough revision of Marx’s concept of exploitation, attempts a defense of Unconditional Basic Income (UBI) as being non-exploitative.

“As we shall see, without abandoning Marx’s radical critique [of capitalism], there are good reasons not to require incomes to be proportional to work, and consequently to reject the charge that a UBI would be unjust because exploitative.” (Howard 2015, 284)

In my discussion of Howards arguments for Basic Income, I will not take issue with the plausibility of the remarkable revision of Marx that leads to the conclusion that

“The whole issue of whether BI is exploitative would need to be worked out on the terrain of the liberal egalitarian theory where, as we shall see, there is a reasonable defense of UBI.” (289)

And

“[...] if the critique of capitalism is better framed as a critique of inequality of resources, then there can be no principled objection to endowing everyone with a basic income [...].” (293)

So I will start off my discussion simply where Michael Howard has landed half way his article, that is: with the argument that the liberal egalitarian doctrine of equality of resources should issue in the provision of a labor-free income to all, and that such an income would not be exploitative. Of course, that idea has been put forward most forcefully by Philippe Van Parijs in *Real Freedom for All*, and Michael Howard seems to take sides with him, as he remains unconvinced by my own earlier critique of Van Parijs’ doctrines (Van Donselaar 2003; 2009).

As a touchstone for the subsequent arguments I will assess the moral position of a by now notorious figure in the debate on BI: the Surfer off Malibu. That person was called to enter the stage by John Rawls as someone who is *not* entitled to income support; next that person was paraded through Philippe Van Parijs’ work, sometimes under the nickname of ‘Lazy’, as someone who *is* so entitled; since then that person is a frequent companion in the many meetings on BI, he is always present at BIEN-conferences, and he is often referred to in the literature.

But who is this figure? The only thing we know is that it is a person who greatly prefers spending all available time on a leisurely activity: surfing off Malibu. For my later arguments’ sake let me add some relevant features. Without BI there would be no income from other sources, but the Surfer off Malibu we are considering is a talented and well-educated white young male. If you have worries about him having red eyes or pointed ears, be at ease: but for his conception of the good life he is fairly ‘normal’. As far as concerns his physique he is quite like he is depicted on the cover of Philippe Van Parijs’ book. My point is: he is unlikely to suffer from any of the familiar obstacles if he would try to enter the labor market. Indeed, let me stipulate that if he made an effort, he could easily find a decent and well-paid part-time job that would allow him to finance his sunny pastime for the remaining days of the week, and on a welfare level well above subsistence—say as a professor of Leisurology (there is such a chair in The Netherlands).

I will distinguish a couple of arguments as to why the Surfer off Malibu should receive a labor free income. Michael Howard touches on all of these but on some more thoroughly than others. But as he frequently refers to the work of other advocates of BI (notably Van Parijs, Widerquist, Birnbaum, White) I hope he will not mind that I take the opportunity of this discussion to sometimes address certain arguments a bit more general than they are presented in his text. Here are the justifications for the Surfer’s claim to a BI.

Compensation for loss

- 1a. Others use his (equal) share of productive resources and for this he should be compensated.
- 1b. Others spoil the natural beauty of the world and for this he should be compensated.

Reward for contribution

- 2a. By respecting the law he passively contributes to the social surplus and for this he should be rewarded.
- 2b. He contributes to the social product in other ways and for this he should be rewarded.

Toleration

3. In fact he is not morally deserving of a basic income but he should be tolerated as a beneficiary because the BI-policy has socially and morally desirable effects otherwise.

2. Compensation for Loss

In his discussion of the so-called Crazy-Lazy challenge—Lazy loving leisure, Crazy with a crush on cash—Van Parijs defends BI because natural resources are means of production, not having been created by the present generation (or any). Lazy, on his way to Malibu beach, will be giving up his share of those productive resources for the others to use them productively and for that he ought to be compensated through BI. Or perhaps we may put it in a slightly different way: Lazy, though living off the productive contributions of others, already reciprocates by contributing his share of the productive resources. He does not need to make a further productive effort of sorts in order to be rewarded. My critique of this argument (adequately represented by Howard) was that it rests on a distorted view of what a contribution is. In effortlessly giving up ‘his’ share of the resources Lazy is not making anything available to the others that would not have been available if Lazy had not been around in the first place. The resources are already there. So what is his contribution? Allowing Lazy to claim and sell a share of the productive resources for which he has no productive interest is on a par with allowing him to make a nuisance of himself to others and then negotiate a benefit for removing the nuisance. Indeed, in this sense that I dared call Lazy’s behavior ‘exploitative’: cashing in his nuisance value.

Michael Howard (2015, 297) finds my response to Van Parijs’ defense of BI unconvincing. What is the trouble with my response? It is that I have ignored the interests of Karl Widerquist’s Hippie (we find Hippie restyled as an ‘ecocentric’ in Birnbaum 2012). I have overlooked the non-productive direct benefits of unspoiled nature, such as, say, its beauty or its scientific interest. Such aspects of nature fall outside the scope of reciprocation since the value thereof is, as Birnbaum (2012, 79) puts it “relevantly unrelated to the labor input by currently active ‘fellow citizens’”. Hippie may not have a productive interest in nature and indeed he may not be reciprocating anything in receiving BI, but he nevertheless should be compensated by Crazy, (restyled by Birnbaum as an oil drilling ‘Ewing’), who violates the integrity of the earth to Hippie’s dismay.

But there is something confused about the exchange of arguments here. Van Parijs argues that lazy persons are unconditionally entitled to compensation *whether or not* they (also) happen to be Hippies or ecocentrics. I argue they are not unconditionally so entitled. And then Howard, Widerquist and Birnbaum, hoping to refute me, come up with the suggestion that some Lazies might be Hippies or ecocentrics in which case they are entitled to compensation. But is, on their view, anyone unconditionally entitled to compensation, as Van Parijs claims and as I deny? I mean what, according to my critics, is the moral position of the other Lazies, not the ecocentric Hippies, but the *lazy* Lazies, the ones who, but for the beach, do not care for nature and instead greatly admire the skyline of New York or the Dutch river landscapes? Have they not introduced a certain conception of the good life, ecocentrism, Hippiehood, as a *condition* for being entitled to an *unconditional* BI?

Therefore, it is also a bit of a puzzle what the position of my critics is with regard to the status of Van Parijs' original argument that I criticized. Evidently they feel the need for a rescue operation by moving from argument (1a), that people are to be compensated for giving up their share of productive resources, to argument (1b), that people are to be compensated for losing the direct benefits of nature. But does this mean that they have abandoned argument (1a)? In that case I must have done something right, and Van Parijs cannot be entirely happy with his rescuers. He says: "Even if people have no productive interest in resources, they are entitled to BI" whereupon they answer, in order to protect him against me: "But only if they are affected by the loss of nature's beauty."

Nonetheless, let me hasten to admit that in arguing against Van Parijs I have not challenged the productivism that is inherent in *his* view of natural resources.¹ However, let me also hasten to explain that if we do include the direct non-productive benefits of nature, its beauty and scientific interest, as a source for BI, we will not fare any better and we will not escape the productivist menace. Greenpeace should not like this argument (1b) at all.

From the ecocentric post-productivist point of view, to include the direct non-productive benefits of nature as a source for BI is problematic. We cannot preserve nature and also compensate for its loss. So would not BI (at the highest sustainable level, as Van Parijs advocates) excuse the continued annihilation of the integrity of the earth? After all, those who have complaints are financially compensated for their loss. They may find fault with me, but it is my critics themselves who want even the non-productive features of nature to be productive of cash value, because they need it for BI. So who are the productivists here?

Marketing nature's non-productive value will not be the solution of the ecocentric's problem, because such a market will result in an ugly collective action problem: if only one ecocentric Hippie sells her share in nature to the Crazies, natural beauty will be preserved so it is rational to sell; if many others sell their shares, natural beauty will not be preserved anyhow, so she might as well ratio-

¹ It is not true however that, as Michael Howard suggest, my argument against exploitation crucially depends on productive ('Lockean') interests, in the sense of labor investments, in natural resources. I give examples of exploitation that merely consists in the exchange of commodities (Van Donselaar 2009, 125-7).

nally sell her share too. At equilibrium all ecocentrics will sell to the detriment of all (and for a pathetically low price at that). Cashing out the integrity of the earth in the form of BI as a correlate to the outcome of such a market is a disastrous idea. How are we going to drill for oil off Malibu, dump the chemical waste in the Pacific, and compensate our beloved Surfer?²

Here is the alternative for ecocentric post-productivist Hippies (and this an advise free of charge): they should organize themselves as a solidaristic collective that can struggle politically with the Crazies so as to snatch substantial parts of nature from their greedy productive jaws. But if the Hippies are successful at that, nature will be preserved to such an extent that there will be no justification for BI as compensation for the loss of it.

Finally, there is this. You cannot throw the productivist accusation at me, as my critics do without exception, and then include *jobs* as the really substantial part of the pool of common assets to support BI, unless you take the Surfer off Malibu to reason as follows: “The spectacle of this desperate employer being unable to hire someone was an important source of aesthetic value to me, but now that Mary has occupied the vacancy, including the part of it that was originally mine, she has robbed me of its beauty, so she owes me my pastime in the sun.” Funny Sunny Surfer! Certainly, unspoiled nature is appreciated by many, but what on earth is the non-productive value of an unfulfilled job?

Michael Howard gives a response to this that I do not understand. I quote his note 2 in its entirety.

“Here Van Donselaar may have a stronger case against jobs as assets than in the original Crazy—Lazy case involving land. What possible interest could Lazy have in a job, other than to work in it? Then his only claim on the asset is the parasitic one of wanting it solely in order to extract a benefit, that in the absence of Crazy, Lazy would have no interest in. But just as Hippy (!) can have an interest in land, without wanting to work on it, so he might want a position in order not to have the work done. He would prefer the space on the island to be undeveloped. And he would prefer that no one be digging, pounding and drilling. Putting up with work is a cost, and Hippy deserves compensation.” (2015, 298)

Now, would Hippy be opposed to digging, pounding and drilling because it spoils nature, or would he be opposed to these kinds of work independently of the results? In the former case Hippy would be entitled to compensation twice, once for the spoilage of nature, and once for work that spoils nature. That seems uncalled for. In the latter case, Hippy having to put up with certain kinds of work ‘going on’ per se, the argument should be extended from work to all kinds of *activities* that people may object to. Boy, will some of us become rich! Blessed are the hordes that are opposed to dancing and music or to theatre or sports or playing cards or to swimming or indeed *surfing*, or to reading Darwin or reading

² Those to whom the condition as introduced by Howard, Widerquist and Birnbaum, really seems to apply, namely indigenous peoples whose traditional ways of life are in jeopardy, usually demand to be left alone, rather than compensation.

at all, or to philosophizing for or against BI. They have to put up with all that, and should collect piles of compensation.

So yes, my case is strong, and no, jobs as such are not plausibly included in the tax base for the compensation of Lazy, not even on the type of condition that is introduced by Howard, Widerquist and Birnbaum: a crush on undeveloped assets. But what this little discussion really highlights is that they indeed *need* to introduce a contingent condition on Lazy's entitlement to compensation—and it proves a rather far-fetched condition in the particular case of jobs as assets. I conclude that as Van Parijs has not given an argument for an Unconditional Basic Income he is simply not supported by my critics. They merely point out that there may be persons who have a claim to some sort to compensation, but that observation cannot be generalized to an argument for non-conditionality. And, as I offered as a bonus, it is a claim the claimants would wisely be reluctant to cash in if the preservation of nature is really what they care about.

3. Rewards for Contributing

Having encountered no substantial opposition yet, I should move on to address the claim that all are 'passive contributors' to the social product and therefore are entitled to a reward in the form of BI. Let me begin with the variety, the political argument (2a), that I find most deeply question-begging. For this Michael Howard again relies on the work of Karl Widerquist who is quoted as saying "Passive contributions also include acceptance of law [...]" (Widerquist 2006, 445).

Earlier, I depicted Lazy as an exploiter, standing in other people's way in order to negotiate a benefit for stepping aside. But this particular argument turns him into something else: a downright extortionist, a Mafioso who wants protection money or else. . . Should we really be rewarded for not murdering and molesting? How about Van Parijs' assumption that the notion of self-ownership is presupposed in the argument for BI? It seems that the choir of BI-advocates by now faces really prohibitive obstacles to singing in harmony.

So what is wrong with this argument? Fortunately we are provided, not intentionally I presume, with a clue by Simon Birnbaum, who also argues that by obeying the law, and thus upholding it, a person contributes to the stability of the social conditions that enable the productivity of others. Birnbaum thinks we are reminded of this by Thomas Hobbes, but he forgets to bring a long spoon. In *Leviathan* Hobbes himself already briefly considered the idea of buying compliance with sociability instead of enforcing it, but then he responds: "Malice increaseth by being vendible", and he rejects it (Hobbes 1996[1651], 214). As we know, Hobbes offered something of the following sort as an alternative: you are already rewarded for obeying the law because you will live securely under its protection. Obey the law, or wear a wolf's head,³ that is: you will be outlawed, and find yourself alone in the state of nature, at war with all the others united.

³ 'Wearing a wolf's head' is a Medieval expression for being outlawed, nicely fitting Hobbes' image of men without law.

You will be swiftly eliminated, and once dead you will contribute exactly as much to our productivity as when you still obeyed the law, namely nothing. I think the spirit of Hobbes' response is correct. We all contribute to each other's safety by upholding the law. So if, besides safely, we want to live *well*, further contributions are required. From all. Why should the Surfer off Malibu benefit twice from his law-abidingness?

And even if it may be, as Hobbes thought not, that we are only required to uphold the law if the law broadly satisfies certain principles of social justice, it does not follow that BI will be part of such principles. Worse: justice and stability are simply not the same things. All laws, including unjust laws, will stabilize social conditions and may create productive opportunities if they are near-universally upheld. This means that according to the political argument all upholders of a law would be entitled to BI whether or not that law is just. Worse still: according to this argument all upholders of the law are entitled to BI even if BI would not otherwise follow from a principle of social justice. Whether justified or not, BI is justified. Odd philosophy.

We should steer clear of it. I move on to a somewhat more plausible observation (2b) about contributions. Here is how Michael Howard (2015, 294) argues against Rawls' neatly dichotomized distinction between paid employment and leisure.

“[It] suggests that when one is not engaged in paid employment one is enjoying free time. But this neglects the necessary but unpaid work that roughly half the adult population, usually women, do when they take care of children or the elderly, or maintain a household. Political engagement is another form of work that is often initiated not as pleasant leisurely pursuit but as a necessary response to injustices. UBI is way a way of supporting people engaged in these pursuits, without subjecting them to supervision and monitoring, [...]”

The message is clear, and the list can be extended: many people who are not formally employed are engaged in necessary and useful activities and contribute to society for which they are not independently rewarded. Of course, neither are they left without any income at all; otherwise we would find them starving by the thousands while caring for others. And we don't. Usually they share in a household income that is generated through the formal employment of family members, so the real objection must be that they are not *independently* rewarded, as BI would allow. This is not the place for thorough speculations about what non-BI alternatives there could be that would meet this objection, but elsewhere (Van Donselaar 2000) I have suggested that compulsory working time reduction, inducing parents to share both formal work and care, might perform better for various reasons, at least from a gender-political perspective.

But what do these observations have to do with our Surfer's supposed right to an Unconditional Basic Income? As far as stipulated he is not engaged in child care, housekeeping, or care for the elderly, nor is he politically active against injustice, and, as we saw, for strategic reasons he is not even a member of Greenpeace. What is his contribution for which he deserves an (independent)

reward? Howard (299) says that “[...] most advocates of UBI believe that there will be few people who receive a UBI but do nothing useful with their lives.” Then the Surfer of Malibu appears to be one of those few who should not get a BI to begin with.

Or are there other ways of turning him into a contributor? One of the founding fathers of the modern BI-discussion, Robert van der Veen, once remarked during a meeting on the topic that indeed the Surfer off Malibu was a contributor because he had his picture taken, and that picture was now very functional on the cover of Philippe Van Parijs’ book *Real Freedom for All*. He waved the book above his head for the audience to see. A joke, and I admit a good one. But there is no end to such jokes. If all who have their pictures functionally published are contributors then many ‘wanted’ criminals (though they do not uphold the law) are deserving of BI.

No, there is nothing in the activities of the Surfer off Malibu that turns him into a contributor to the social surplus. In fact, he was *designed* not to be a contributor by Rawls, and then happily accepted in precisely that capacity by Philippe Van Parijs. So here is how the company of the Funny Sunny Surfer off Malibu upsets the BI campaigning trip: if you want to argue for thesis (a1) you need the Surfer off Malibu as essentially a non-contributor in terms of ‘efforts’; if you want to argue for thesis (2b) he is a great embarrassment as such, and you need to picture him as somehow an ‘informal’ contributor, however incredible that picture is. But he cannot be both, and therefore you cannot argue both.

What remains is Michael Howard’s annoyance with the supervising and monitoring that would be required to draw the line between those who informally deserve and those who do not. But that brings us to a different argument altogether (3), that I will discuss shortly.

4. Non-conditionality out of Contingency?

The exchange of arguments between me and my critics until now has turned into an annoying game, and one that I am bound to win. When I say: Lazy has no independent productive interest in resources, and he need not be compensated for anything, my critics can say: but he may be a Hippie. Whenever I say: but what if he is not a Hippie, they can say: but he may hate society for other reasons (digging, pounding and drilling going on). And when I then say: but what if he does not hate society for other reasons? What if he is lazy, and only lazy? Then what other possible preference or value can they come up with as a feature of Lazy, about which I cannot ask: but what if he does not have that feature? All possible features that my opponents may want to attribute to the rightful receiver of a labor free income introduce that feature as a *condition* for the right to receive it. And therefore these attributive strategies, however fanciful, will never result in an argument for an *unconditional* right to BI—as Van Parijs attempted.

And they can try to restart an equally annoying game by switching the issue from interest to contribution. It can be rightfully pointed out, and I have no

wish to deny it, that very many persons are contributing very essentially to child care or care of the elderly but do not receive an independent income. But then I can ask: what if one does not contribute to that kind of care? And then it may be replied that so many are involved in other useful and good activities. And then I can say that the Surfer off Malibu happens not to be involved in either care or voluntary good work or political activism or whatever. He is surfing! And then they can say that he has pictures taken and published. OK, Robert, funny, but seriously. Then he can be turned into a ‘passive contributor’ because he is not a regular molester of other people’s lives and property. And then I say: *Sigh*... that is why he deserves not to be killed.

So the attributors of either the interests or the contributions of the receivers of BI may cast their net as wide as they want, they will never bring in the one who was designed to escape: the Surfer off Malibu. And now follows the most annoying observation of all. In their zeal to identify the many that are deserving of income on whatever ground—those who carry burdens of loss or contribution—the advocates of BI have identified *as* many who will be required take on the additional burden of keeping the Surfer off Malibu afloat off Malibu. One way or the other, they will receive lower income because of him.

The defenders of BI have only one way to go. They should abandon their sometimes questionable attributions of grounds for desert (either reward or compensation) to the Surfer off Malibu. Instead they should admit that he is not a deserver, and that Van Parijs is as wrong as I say he is, but that his lazy Surfer should nonetheless be tolerated as a beneficiary of a BI-policy because a BI-policy will cure some urgent social ills elsewhere. They should play down their philosophical ambitions to a so-called ‘proxy-argument’, to which I shall now turn.

5. A Pragmatic Turn to Proxy

In an interview (2013), Stuart White, author of *The Civic Minimum* (2003) and my former fellow in combat against BI, apparently in the grip of the recent *Folie ré publicaine* among political philosophers (Goodin 2003), justifies his present position in favor of BI as follows: “An argument [against BI] can be *valid* without being *decisive*.” That, it seems to me, can be a respectable position, and let me make my own concession right away: If BI in Bangladesh were feasible, and allowing all a ‘moderate but decent’ standard of living, leaving the sweatshops to collapse without casualties, and ending child labor in a single stroke, good! I would be all in favor of it, even if there were a thousand Surfers off Bangladesh’s beaches (there are!).

A clear distinction as introduced by Van Parijs is helpful here. There may be arguments that BI is a good proxy for justice, but in *Real Freedom for All* it is argued that BI is justice itself. And it is against this position—BI as justice itself—and against this position *only*, that I have argued.

A good and early example of defending BI as a proxy for justice is provided by Robert Goodin (1992) who argued that BI is ‘target effective’, the target

being poverty relief. White's neo-republicanism, then, is another example of BI as a proxy: BI would counter the way that workers are dominated by capitalists.

Meanwhile we should note that in shifting from BI as justice itself to BI as a proxy for justice the non-conditionality of the right to BI is altered from straightforwardly moral to politically pragmatic. If one defends BI, as Van Parijs does, as a fundamental right it follows that all are unconditionally deserving of it. If, however, one defends BI as a proxy for justice, as being target effective, that conclusion does not follow, however urgent or lofty the target. It merely means that we should adopt a BI-policy, extending an income to all without strings attached, even though we know that there will be recipients who are in fact not morally deserving of it. In that case, then, there are conditions to deservingness but we happen to have reason to ignore them at the policy level. But not at the level of our social and personal morality (Van Donselaar 2009, 174–5). Indeed, some advocates feel the need to have a 'contribution-oriented ethos' implemented through education alongside the BI-policy (Birnbaum 2012, 165–70).

Despite his insistence that the Surfer off Malibu's exploitative nature is a mere 'appearance', Michael Howard seems to resort to this pragmatic defense of Basic income as well, at least as a kind of fallback position. He says: "If we were to accept the conclusion that a UBI is exploitative in the sense that it violates reciprocity, then a 'participation income' (PI) will be one alternative." But then he argues that such a participation income would be 'hopelessly bureaucratic and arbitrary' and therefore will end up as a 'bitter joke', and he concludes that

"It would be better to promote UBI, and accept that there will be a few 'parasites', than try to eliminate them in this way. [...] A better way to deal with a slacker is through shaming and moral persuasion."
(Howard 2015, 298–99)

So, as an agent of the PI-bureaucracy would not be able to identify you-know-who, without arbitrariness, a fellow citizen, driven by the proper social ethos, might be quite effective at it: "Hey there, you worthless beach bum! Shameful slacker! Why do you not contribute something useful to society once in a while? Help me doing the dishes, OK?"

6. Questions about the Target

I believe the pragmatic argument for BI has much better papers than its rivals that somewhat schizophrenically try to derive unconditional entitlements to income by attributing contingent grounds for desert to the recipients. As I said, for the case of Bangladesh I would be turned around myself. But that does not mean that I also think that the Basic Income policy will unequivocally achieve the target that its advocates have espoused. Michael Howard's principle concern is with the least well off in society and he thinks that UBI will best take care of their interests in the freedom to pursue their own conception of the good life (Howard 2015, 292–93). This concern is shared by Simon Birnbaum

(2012). Likewise Karl Widerquist and Stuart White share a republican concern for the opportunity of workers to say ‘no’. These concerns are of course largely overlapping. And I share them too.

In the following remarks I will continue my somewhat polemical style, but they are not meant as decisive criticisms of the pragmatic defense of the BI-proposal. Rather they are meant to draw attention to certain issues that I think are insufficiently addressed in the debate.

Will really all who can be counted among the least well-off have greater freedom with BI? The expectation is that not only those among them who dislike ‘onerous’ formal work can chose to live off BI or just to top it with some additional income from part-time low-paid but rewarding work, but also that those who want to top their BI substantially through formal employment will have a better bargaining position in the labor market. That latter part of claim is problematic. As is suggested by both Birnbaum and Van Parijs, alongside BI the labor market will have to be largely deregulated, which means that wages (and also secondary labor conditions such as working hours) will have to be renegotiated. At present the bargaining position of workers is constrained because (but for a temporary strike) they cannot afford to walk away from their job if they don’t like it, or its pay. On the other hand the bargaining position of employers is constrained because they cannot enforce lower wages than the legal minimum. With BI reservation wages will be at BI. Setting economic miracles to one side, a feasible BI will be substantially lower than present minimum wage at full employment, so the question is: what will be the *net* income position of those who are fully employed but paid lowest, once BI is introduced? Will BI plus the wages of full-time employment at the lowest level be higher or lower than present minimum wages at full-time employment? In the end this will be an empirical matter but I think there is reason to believe that it will be lower.

The BI of all, including those who do not formally contribute will have to be financed. Either the wages of the laborers themselves or the profits of their employers and their investors, or all of them, will have to be taxed and that means that, one way or the other, the available resources for the net remuneration of the formally employed will be reduced. Indeed, if you say ‘yes’ to a job you will be taxed in order to enable the (better situated) Surfer off Malibu to say ‘no’ to a (better) job. So let us not be easily tempted by the expectation that BI will realize something like a Pareto-improvement within the ranks of the least well-off. BI will add some options that do not presently exist and that some may prefer—living off BI—, but it also may take away some options that others may prefer—to be full-time employed at a net income as good as under present minimum wage legislation. The opportunity sets provided by both regimes may merely intersect, and that would make it a false claim that BI will allow for more freedom for the least well-off.

Compared to present policies BI will be redistributive, in some cases from the better off the least well-off, in some cases among the least well-off themselves, *and* in some cases from the least well-off to the better off, witness the case of the Surfer off Malibu whose leisure is co-financed by full-time factory workers who simply want to earn as well as they can.

Something similar can be said about the independence or non-domination of the least well-off. With BI the labor market will especially attract those who are most desperate to make compromises in terms of pay and conditions: those who aspire for something better than a ‘moderate but decent’ living standard, who want to pay for their children’s music lessons or sports training or prolonged education, or alternatively: those who lost their houses during the latest crises, or those who have special financial burdens—will alimony persist with BI? It will be them on whom dependency will be concentrated, and for them it is of preciously little comfort that the moderate and decent Surfers off Malibu are so grateful that they can say ‘no’. Now concentrating on the first category, those who prefer to earn well on little leisure, the Van Parijsian style analysis would count these workers as being immoderately production hungry Crazyies, and as the ones with ‘expensive preferences’ who are merely required to compensate the modest and decent. But if, as I argued, such qualifications completely miss the mark, and therefore can no longer figure in the pragmatic defense of BI, and so if we are merely concerned with the notion of *dependency* as an evil, then we should conclude that this evil is visited on some of the least well-off, and not on others, as a function of their respective conceptions of the good life.

Finally: when confronted with the worry that production might fall sharply with BI, defenders of it sometimes point out that people will continue to be motivated to work, or otherwise contribute, by non-instrumental, that is intrinsic, values. Sociality and professional satisfaction in the exercise of skill and talent, or feeling part of a purposeful whole, might be such intrinsic values of work. It follows that involuntary unemployment will remain a source of distress for those so motivated, even with the income security of BI in place.

And this should raise a concern: in speculating about the liberally (or otherwise) good effects of BI, we should of course begin to ask: who can we expect to become almost exclusively dependent on it? Will it be the well-educated white young males with a preference for unproductive full-time hobbies, who figured so prominently in this article? Hardly. We know that the labor market, although theory predicts that it will be (color)blind as a bat and function without bias, and although current legislation prohibits discrimination in hiring, does not fail to exclude certain social groups. Women, the ‘infirm’, the so-called 50-plussers (at least so-called in The Netherlands), and the members of ethnic minorities have difficulty finding rewarding work.

Let us call them, after Kosinski’s novel, the ‘painted birds’ of society. The painted birds seek participation and community but are received as hostile intruders, with bias and contempt. For them this is a source of frustration and humiliation, and it would be scandalous to picture them as having (or being bound to have) ‘low earning capacity’. But among the least well-off they certainly are. For some of them, I mean ethnic minorities, their exclusion is even a disturbing source of social and political alienation. Assuming that the exclusionary mechanisms will not change overnight with BI, will it enhance their self-respect and sense of inclusion? Presently there is at least one important agent that will not accept that the painted birds comply with their status and give up on themselves (or their society), e.g. that they drop out of school too soon and

reach maturity without any participatory capacities *or* with sour-graped ambitions, or that they stop fighting their involuntary ‘retirement’ at fifty-five. That agent is their government. Fortunately it does not apply to me, but naturally I would appreciate it as an insult if some employers felt at liberty to consider me redundant; however, I would *insist* that my government contradicts them. This is simply the other side of the coin of respect.

So the concern is that BI might not remove but concentrate to an even greater degree the distress of unemployment to some in the very weakest positions in society. The question is: what *if* we find Malibu Beach crowded not with Sunny Funny Surfers, but with the abandoned and isolated painted birds of society? BI may be a relief to many who have difficulty finding work or do not want it, but in itself the policy does nothing to address the *social* sources of this difficulty for many others who want to work. Let there be no doubt: current conditional income support policies do a far too poor job in actually integrating minorities, but they at least signal faith in the participatory capacities of all.

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