

Freedom, Justice, and Work: Can Republicans Be Against Workfare, and Should They?

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Abstract

Consistence between normative principles and political options of institutional design seems an obvious aim when trying to put theories of social justice in practice. This paper will consider the relationship between republican normative principles and workfarist policies. First, I will provide some normative reasons to reject workfare. Second, I will show that all versions of republicanism are consistent with -or even require- some kind of workfarist policy. I will focus on contemporary republicans like Pettit and will argue that the reasons they provide to justify their socio-economic options would justify workfarist policies too if they were properly applied to that justification. Third, I will argue that this fact results either from three flaws in republican theory: Indeterminacy in terms of policy recommendation, an inadequate concept of freedom, and some perfectionist views about what justice requires from citizens. I will conclude that, if we are against workfare, we have to rely on liberal-egalitarian principles, not republican ones. Contemporary republicans only can reject workfare if they accept to dissolve their (alleged) conceptual difference with contemporary egalitarian liberalism.

Keywords: workfare, republicanism, egalitarian liberalism, freedom, non-domination, perfectionism, reflective equilibrium.

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0. Introduction

In this paper I will defend three different but interrelated theses:

- 1) There is something wrong with workfarist policies. Most precisely, workfare violates some basic intuitions of justice most of us share.
- 2) Republicanism (in any of its versions) is consistent with (at least some kind of) workfare. So republicans cannot be against workfare in a principled way.
- 3) If (1) and (2) are correct, it follows that there is something wrong with republicanism. I will argue that three features of republicanism make it consistent with workfarist policies: (a) its indeterminacy in terms of policy choice; (b) its rather unusual concept of freedom, and (c) its subtle perfectionism.

I will use here the term ‘workfare’ in a quite extended and broad sense, to refer to those kind of policy options and programs which make the entitlement to social benefits conditional on some kind of labour contribution, work record, occupational training, or job seeking activity. In a stricter sense, ‘workfare’ may refer only to those policies which forces the recipients of social benefits to participate in some subsidized or public job programs. However, it is not really important for my argument to use the term in one sense or another, cause the relevant issue to deal with is the establishment of a link between work and the right to monetary (or, eventually, in-kind) benefits.

The term ‘republicanism’ is less easy to define. There is not a clear consensus among the authors who claim to be republicans about what should exactly count as the ‘genuine’ contents of a republican theory or political philosophy. In spite of that disagreement, and for the sake of my argument, it will be enough to identify some ‘family resemblance’ between most versions of republicanism. This resemblance may include elements like civic virtue, freedom as non-domination, political participation, deliberation, public promotion of an idea of the good life or the common good, and similar issues.

In order to develop my argument, what I am proposing is an exercise in Rawlsian “reflective equilibrium”.¹ If we start with a set of principles (for example, those advocated by republicans) and we can derive from them some practical consequences which are intuitively unacceptable (for example, some kind of workfarist policy), then we should reject or modify such principles until they are consistent with our moral intuitions, *or* reject those intuitions and keep the principles. In this particular case, I will argue that the anti-workfarist intuitions (and the principles which are consistent with them) are stronger, and so we should keep them (therefore rejecting some republican principles). But for a republican thinker, the conclusion could well go the other way round. The point I want to make is, then, that *either* republicans embrace workfare as one of their possible (and justified) policy options, *or* they cease to be republicans in some important sense.

The point is relevant not only as an intellectual exercise in “reflective equilibrium”, but also because some republican thinkers are sometimes openly or implicitly critique of workfarist policies as a matter of principle, and even advocate a universal basic income, which is clearly at odds with the philosophy of workfare.² If I am right, they cannot consistently do so without rejecting some of the republican principles they appear to place at the core of their political philosophy.

Note that, in “reflective equilibrium” terms, all I have to show is that republicanism is *consistent with* some kind of workfare. It is not strictly necessary for my argument to show that republicanism *requires* workfare, although some of its varieties may do so. If it is the case that (a) workfare is wrong, and (b) our preferred political philosophy or set of normative principles is consistent with workfare, that is all we need in order to change something in that philosophy or set of principles, or even to abandon it. The question is not whether this or that republican thinker *says* that he is against workfare, but whether he *can* consistently do so on the ground of republican theory alone. What I suggest is that he cannot, and that to modify and/or add the relevant principles in order to be able to do it, would blur the main differences between

¹ Rawls (1971, 1993).

² For example, Philip Pettit has recently declared, in an interview with the electronic journal *Sin Permiso* (www.sinpermiso.info, May 2006): “I think [basic income] is an excellent institutional idea and I would love to see governments starting to experiment with its introduction”. See also Pettit (1997, 2002, 2006). In Spain, a significant group of advocates of basic income claim to be so on republican grounds. See, for instance, Raventós & Casassas (2004) or Mundó (2004).

republicanism and egalitarian liberalism as normative guides for policy choice. The issue I am interested in is, therefore, that of consistency between normative principles and policy options. I will conclude by pointing out that, unlike what happens with republicanism, there is some kind of liberalism which is consistent with an anti-workfarist position. If we are convinced that workfare is wrong, then the principles and “well-considered judgements” which may capture that intuition can only be integrated within a liberal-egalitarian framework, not a republican one.

Let us make clear, to finish with this introduction, that I am not implying here that every normative theory has a perfectly defined or invariable set of policy options which correspond to it “by essence”. Many factors may lead normative theories to be undetermined to some degree when choosing institutional designs in order to materialize their aims.³ As I have said, my argument is much weaker than that: I just claim that republicans cannot leave workfare out of their consistent set of policy choices (as long as they rely on republicanism alone), while egalitarian liberals can.

1. What is wrong with workfare

The first part of my argument is that workfarist policies and the principles that justify them are morally wrong, since they violate some deep intuitions which -so I defend- are basic shared components of the moral infrastructure of our kind of society.⁴ There are mainly four intuitions which are violated by workfare, and, therefore, four different reasons to regard it as a morally wrong policy option:

1) *Genuine solidarity*. Even when workfare policies are defended from a progressive and solidaristic point of view⁵, they have to rely on values such as reciprocity and contribution. This means ultimately that a ‘tit for tat’ model of social

³ These factors may be *conceptual* (such as the level of abstraction, or the precision of definitions) or *empirical*: as De Wispelaere & Stirton put it, “normative argument is *institutionally underdetermined*. (...) This is because policies are ‘bounded’ by the constraints of the bureaucratic context and environment in which they operate, and many factors intervene at different points in the causal chain that connects a particular desirable goal and its ultimate realization by means of a particular policy instrument. (...) normative theory is an essential requirement in determining legitimate or justified policy *goals* but has relatively little to say about policy *mechanisms*” (De Wispelaere & Stirton, 2003:15).

⁴ See Noguera (2004) for a more extensive treatment of this point.

⁵ For instance, see White (2003, 2004).

interaction (even if impersonal or deferred in time) is the one that should shape our relationships as social beings. A ‘something for nothing’ sort of interaction, which in my view equals to genuine solidarity, is excluded from this model. But to preclude giving something in exchange for nothing is to preclude some types of conduct we are constantly involved in throughout our daily life. It is to preclude society itself, understood as something different from a pure self-interested agreement. All of us often give without expecting anything in return, because we intuitively believe that doing so is our duty towards our fellow citizens, friends, or relatives. Workfare, on the contrary, is a policy option for selfish agents. Of course, giving unconditionally cannot be a principle which rules all social interactions, but only some of them, as for example the basic subsistence of free and equal citizens who may suffer from injustice or bad luck (be it social or natural).

2) *Freedom*. Workfare policies, directly or by the pressure of income lack, force free citizens to accept jobs they would not want to accept under ‘normal’ conditions (of course they may do this in a more or less stringent way, but the underlying logic does not vary). They violate a basic intuitive principle of freedom which impedes us to force citizens to do with their lives what they do not want to do.⁶ Under a workfare scheme, the decision to accept some life options is not freely taken, but forced by the threat to withdraw benefits which are essential for survival. Most of us would accept intuitively that we do not have the right to force anybody to accept a job he does not want to accept under the threat of condemning him to starvation. It has to be his decision, not ours.

3) *Basic needs*. We all tend to accept that nobody should live in poverty or economic starvation. However, a consistent workfarist design of social policy renders as a real and morally acceptable possibility to leave some citizens in poverty and starvation, and force the state to do nothing to fulfil their basic needs unless they accept some conditions and life choices. If consistently applied, this policy equals to allow some fellow citizens to be left on their own and die. I am not saying that workfare

⁶ Some written constitutions of democratic states include, for example, free choice of employment and occupation as one of the fundamental rights of citizenship. See also Widerquist (2004) for an interesting list of valid reasons a free person might have in order not to participate in a joint project like the labour market.

defenders would do that in practice (although maybe some would), but that they could not avoid to do it if they have to be consistent with workfarist philosophy. Even under the less stringent workfarist conditions we may think of, sooner or later the moment will arrive when we will have to withdraw or deny basic subsistence benefits to some citizens. Otherwise, workfarist positions would be nothing more than a bluff, and we would in fact be applying another different policy (for example, a guaranteed minimum income).

4) *Equal treatment*. Workfare entails a particular kind of discrimination and unequal treatment, since the entitlement conditions and labour obligations are only imposed upon the poor and disadvantaged, while rich or lucky citizens may live out of non-earned income and wealth without performing any work. It is hardly acceptable, in a context of scarce and unequally distributed opportunities, that those who do not need a job for living or who enjoy good jobs impose on the rest, in order to guarantee a decent income for them, the acceptance of jobs and working conditions that they would not be willing to accept, and that, in most cases, they can afford to refuse only because of good natural or social luck. Not everyone in society is ‘doing his bit’, but not everyone among them would be forced by workfare schemes to do it, only those who lack other options apart from social benefits or overt exploitation.⁷

To my view, these four reasons undermine the moral justification of workfare in a basic intuitive way, independently, to some extent, of the political philosophy or theory one may endorse. In other words, no one would be left intuitively indifferent by these claims, and if one defends workfare, one would try to find some arguments in order to show that there is some sort of workfare scheme which can avoid such accusations. I am aware that some arguments of this kind have been presented, but I remain unconvinced.⁸ Since my purpose here is to focus on the relations between

⁷ See, for this point, Segall (2005:333-335).

⁸ White (2004) even argues that the unequal treatment objection to workfare (which he labels as the ‘contextual’ objection) may probably be warranted, and that workfarist policies may be justifiable only on pragmatic grounds, where other alternatives are not politically feasible.

workfare and republicanism, I will not go through that discussion now.⁹ But let me make clear that my claim is not that any form of workfare always violates the four moral intuitions I mentioned. My claim is rather that no form of workfare can respect all of them, even if it may respect some.

2. Why republicans cannot be against workfare

2.1. Some previous remarks

My second thesis is that republicans cannot be against workfarist policies as such in a principled way. That is to say that, if one endorses a republican political philosophy or theory, he cannot consistently exclude (at least some kind of) workfare scheme from his set of possible and acceptable policy options, and so, he would be forced to accept some workfare scheme under usual circumstances.

It will be useful to make two remarks before arguing this claim.

1) First, it is worth insisting that, although some varieties of republicanism may *require* a workfare scheme,¹⁰ it will be enough for my purpose to show that all of them are *consistent* with some kind of workfare policy.

2) Second, of course one may be critical of some specific workfarist policies and not others, or may be against their implementation procedures but not against the policies as such, and still be consistent with his republican commitment. I am not saying that republicans should always accept *any* kind of workfare policy however it is implemented and irrespective of its specific design. I am just saying that, if they are consistent republicans, sooner or later they will be forced to accept *some* kind of workfarist policy. My point is that republicanism as a political philosophy cannot coherently exclude workfare from the set of possible and justifiable policy options, *as a*

⁹ Some of the moral and pragmatic problems of workfare and similar schemes (even in their most 'friendly' fashion) are analysed in De Wispelaere & Stirton (2006), Handler (2004), Noguera (2004) or Noguera & Raventós (2004).

¹⁰ Dagger (2006); White (2000, 2003).

matter of principle.¹¹ The emphasis is important. Republicans cannot be against workfare in a principled way, though some of them may do so on pragmatic or purely technical grounds. But in this case, it is not republicanism itself what makes them oppose workfare, but other considerations independent from their theory of justice, considerations which may prevail too in the case of other non-republican theorists or authors. If the opposition to workfare is based purely on technical reasons, then it has little to do with a specific republican commitment.

2.2. Pettit's neo-republicanism and workfare

Although, as I said before, there are many varieties of republican thinking, I will focus now in one of the more representative works of the republican 'revival' in present political philosophy: Philip Pettit's *Republicanism* (1997). Despite its high theoretical and political ambitions, the first thing to say is that the book is quite vague about the specific policies and institutional designs which are to be promoted from a neo-republican point of view, and this indeterminacy¹² is even more worrying in the field of welfare and social policy. Compared with other works by egalitarian liberals such as Rawls, Dworkin, or Van Parijs, in Pettit's work we can only find an abstract discussion, not on which policies are to be preferred by republicans, but on whether citizens' 'personal independence' (or 'socio-economic independence') should be an aim of the government or not.¹³ In order to give some operational content to that concept, Pettit relies widely on Amartya Sen's idea of 'basic capabilities', which are to be guaranteed to everyone in a just society.¹⁴

¹¹ For the distinction between *principled* and *pragmatic* arguments in political philosophy and policy analysis see Barry (2003) and De Wispelaere & Stirton (2003).

¹² On this point see McMahon (2005).

¹³ See Pettit (1997:208-214)

¹⁴ On this point, Halldenus makes an interesting question for republicans: "If the goal (...) is socio-economic independence and invulnerability to the arbitrary power of others, why does this not lead them to adopt the distributive criteria of equality instead of basic needs? Is 'the basic capabilities required for functioning in the local culture' not a rather lame prescription if the struggle is to rectify asymmetrical relations of social power?" (Halldenus, 1998:350). Similarly, see how Richardson (2005:6) asks "whether republicanism on its own has adequate normative resources to deal with the full range of problems of economic justice. A liberalism such as Rawls's, even if compatible with classical republicanism, does involve additional normative commitments -in particular (...), a most robust commitment to equality as an independent ideal". And he adds: "If even Pettit's relatively progressive and multi-layered version of neo-republican theory cannot account for this sort of issue without leaning on liberalism, then it is highly doubtful that any form of republican theory can do so" (ibid.:24).

The interesting point for my argument is that Pettit suggests that among these ‘basic capabilities’ one should count some kind of access to employment opportunities. For example, “to have access to information about such things as job opportunities”, “to enjoy the resources which make possible for potential employers to get in touch with you”, or “to have the means to provide job opportunities for yourselves” (Pettit, 1997:208-209). Similarly, Pettit argues that a republican government should be concerned about the level of employment *because* “when the employment rate is high (...) the opportunities to exploit and interfere with the people are lower and the prospects of freedom as non-domination improve” (ibid.:214). But I fail to see how all these aims and conditions could and should be accomplished if we are not thinking implicitly of giving some kind of workfarist orientation to our social policy. Pettit is sharing implicitly the common view that employment is the main source of socio-economic independence and self-esteem and, therefore, one of the basic aims in order to improve the level of freedom as non-domination enjoyed by citizens. So why should he ever oppose in a principled way to any conceivable kind of workfarist policy? And, perhaps more important, how could he consistently do so?

Pettit’s republicanism, then, offers a very vague justification for some broad economic and social policy options, in such a way that it would justify many imaginable workfare policies if properly applied to that task. But I am prepared to accept that this is a debatable issue, or, at least, subject to interpretation (mainly because of the same vagueness of the proposal, which have not disappeared in Pettit’s later works¹⁵). My point on the unavoidable compatibility between republicanism and workfare is not incidental or based on interpretations of some phrases here and there, but conceptual. It is the very theoretical structure of Pettit’s position which leads to keep workfare as one of the possible policy choices for republicans, and, particularly, his concept of freedom as non-domination (or absence of real or potential arbitrary interference).¹⁶ This is so because of two reasons:

¹⁵ See, for instance, Pettit (2006), where the only thing we learn about the policy implications of republicanism is that economic redistribution may be required to avoid situations of poverty or inequality which may produce domination. Did we need a republican revival to know this?

¹⁶ I will take here for granted the main concepts and thesis of Pettit’s neo-republican political theory, though I will say something more about them in the next section.

1) As we have seen, employment, and therefore workfarist policies, may be perfectly seen as a fundamental *means* to acquire the status of a free, non-dominated citizen. If you conceive having a job as the main basis of socio-economic independence, then a policy of guaranteed employment, or an active workfarist policy would be preferred options over, let us say, a minimum guaranteed income or a basic income. In fact, if a republican government should eliminate the mere *possibility* of arbitrary interference (as different from its real occurrence), then it would be legitimated to *force* individuals to engage in employment or job seeking activities even against their will in order to preclude them to behave as a ‘happy slave’ (that is, to preclude the existence of domination without real interference). So depending on the facts and the socio-economic diagnosis of the moment, workfare may be a required condition to have some minimum level of freedom as non-domination. (And if the republicans say that workfare should be rejected in the name of freedom as non interference or individual autonomy to chose a lifestyle, then they would not be republicans any more, but egalitarian liberals).

2) A workfarist policy may be not only the means to achieve freedom as non-domination, but also the *result* of exercizing that freedom by collectively (and deliberatively) promoting certain idea of the common good. A workfarist policy (even if very softly implemented) may perfectly be conceived by a Pettitian republican as a non-arbitrary interference in order to avoid the possibility of arbitrary interference. The only requirement we find in Pettit’s theory for an interference to be non-arbitrary is that the interests of those affected by the interference have been properly considered. But, is it not perfectly conceivable that a workfarist policy could be the result of that kind of decision process? For example, the citizens of a Pettitian republic may decide in a faultless democratic, contestatory, and deliberative way to adopt a workfarist policy, after taking properly into account the view or the poor, the unemployed, or the current recipients of social benefits, with justifications such as the public interest, national productivity, self-esteem of the recipients, fight against ‘dependency culture’, promotion of socio-economic independence, and so on. What would be the problem, for a republican, if the definition of the public interest made by the community of free citizens includes the duty to work for the community a certain amount of time every year? Why a republican government could not decide, in a non-arbitrary and non-

dominating way, to establish a compulsive civic service if the public good (somehow defined) requires it?¹⁷ Once again, if you exclude that possibility, you would have to do it on the grounds of some liberal principle. The concept of ‘non-arbitrary interference’ alone, as it is construed by Pettit, allows for many forms of ‘soft’ workfarist conditionality¹⁸ which may be justified in the name of some republican idea of the public good.

2.3. *Other republican views and workfare*

The point is even more clear if we go through the work of other contemporary political thinkers who have approached the republican philosophy, such as Richard Dagger or Stuart White¹⁹. Here we do find explicit policy options, but (as it was to be expected) they are favourable to some kind of workfare scheme. These views go beyond the *weak* claim that republicanism is *consistent* with workfare (as in Pettit’s work), towards the *strong* claim that republicanism *requires* some kind of workfare.

For instance, Dagger points out that the best policy choice for a republican in terms of distributive justice would be ‘property-owning democracy’ (defended also by Rawls, 2001). Note that ‘property-owning’ may be interpreted here in two different ways: It could mean that every citizen is provided with material means of production (for example, some rights over the land and means to cultivate it) in order to be economically independent, or, alternatively (and perhaps in a more feasible fashion today), that every citizen is entitled to some portion of the benefits of common property and heritage. In the first case it is clear that some work will have to be performed by citizens in order to obtain any utility from their right to some kind of material property. But in the second case, republicans also make clear that the ‘civic economy’ they have in mind would have to establish some kind of civic commitment or labour participation requirement for citizens, instead of a right to social benefits totally independent of work

¹⁷ As Van Parijs (1999) notes, “there can conceivably be non-arbitrary, and hence non-dominating, government interference in breach of the citizens’ self-ownership, for example in the form of conscription for the defence of the republic”.

¹⁸ As for example those described and criticized by De Wispelaere & Stirton (2006).

¹⁹ See Dagger (1997, 2006) or White (2000, 2004, 2005). See also Pixley (1993). For an excellent recent criticism of the republican workfarist position, see Segall (2005).

performance. This may be clearly seen in the way Dagger argues against an unconditional basic income (and a very similar argument is presented by White):

“Proposals for providing a basic income to all citizens themselves take two forms, conditional and unconditional. Neorepublicans will find it difficult to accept the latter, which would grant to all citizens a minimum income with no strings attached. (...) The neorepublican commitment to a *civic* economy that will encourage self-governing citizenship rules out such a requirement of neutrality and the unconditional basic income that (...) goes along with it. But neorepublicans can accept a basic income that imposes certain conditions on everyone who receives it. *These conditions might even go beyond the requirement that the unemployed try to find paying work to include the requirement to perform some kind of public service, broadly defined.* Such a program might warrant the title of ‘republican basic income’” (Dagger, 2006:166; my emphasis).

I think that these conditions and requirements which Dagger advocates would be unjust, and that a basic income should be an unconditional right. But, as it was said before, I consider as extremely difficult to show that without making use of liberal principles of justice.²⁰ And I think that doing it departing from republican principles is at least a doubtful enterprise.

But the republican arguments offered by Dagger and White are aimed to be ‘liberal-friendly’. They do not want to be ‘perfectionist’ claims in defence of some particular conception of the good life, but to rely on ‘neutral’ values such as reciprocity, equity, and deservingness. We have seen that even in that ‘weak’ version, to apply consistently republican principles requires some kind of workfarist policy choice. So that choice may be even more clear if one endorses ‘stronger’ versions of republicanism, which are based on perfectionist values such as some kind of ‘civic virtue’, orientation towards the ‘public good’, ‘responsibility’, ‘deliberative character’, ‘freedom of the will’ as opposed to *akrasia*, ‘self-realisation’, or similar. It is very doubtful that a right *not* to work (which in fact would be made possible by some non-

²⁰ Like Van Parijs (1995) does.

workfarist policy options)²¹ could be consistent with the pursue of those aims by public policies.

So my argument so far is quite simple. If you endorse the ‘perfectionist’ version of republicanism (like some of the classical authors in this tradition), then it seems evident that some kind of workfare is a preferred policy. If you are a ‘non-perfectionist’ republican but you rely on values such as reciprocity (like Dagger or White), then your version of republicanism requires some kind of workfare scheme. And, if you remain in an indeterminate republican position about your concrete policy options (like Pettit), then the best you can say is that your position is consistent with some kind of workfare.

3. What is wrong with republicanism

Following the method of reflective equilibrium, we arrive to the following conclusion: If workfare is wrong, and our preferred political philosophy or set of normative principles is consistent with (or requires) workfare, that is all we need in order to change something in that philosophy or set of principles. Of course, I do not intend here to criticize republican theory exhaustively, but only to suggest which are the theoretical flaws that lead this theory to necessarily accept a wrong policy option like workfare.

The three flaws of republican theory which I see as responsible of its ‘workfare-friendly’ nature have been already mentioned so far, but here I will try to identify them in a more definite fashion:

1) *Indeterminacy*. Republicanism is an underspecified political theory in terms of policy choice and implementation. Pettit himself admits openly the indeterminacy of his theory, when he points out that the type and intensity of social benefits defended by republicans will always depend on contextual factors such as how bad is the situation for the poor and unemployed, how solidaristic civil society is, or to what extent these

²¹ Such as a guaranteed minimum income, a negative income tax, a basic income, or a basic capital. See Van Parijs, Jacquet & Salinas (2000), Groot & Van der Veen (2000) or Noguera & Raventós (2004) for reviews of the differences between some of these policy options.

benefits are enhancing a ‘dependency culture’: “There are no arguments which, departing from a republican ideal, lead directly to these type of decisions on specific policy-options” (Pettit, 1997:13). I fully agree with that. But this means that republicanism cannot by its own means provide enough relevant reasons to reject some policy options which, like workfare schemes, seem to violate some deep moral intuitions.

As it has been argued by McMahon in a recent work,²² republicanism needs other values besides ‘freedom as non-domination’ in order to be able to make choices between specific policy packs: “The goal of promoting freedom as non-domination does not yield determinate conclusions about the policies that a state should adopt. To obtain such conclusions, this goal must be supplemented with other political values” (McMahon, 2005:77). And he adds: “The problem is not that freedom as non-domination is an elusive target. Rather it is too easy to hit” (*ibid.*:92). Indeterminacy is then one of the sources of the consistence between republicanism and workfare.

2) *Inadequate concept of freedom.* At this point one should ask how is it that a philosophy which gives such a central role to the concept of freedom can come to terms with a policy option as freedom-constricting as workfare. How is it acceptable for a republican that some citizens may be forced to work or to accept a job in the name of ‘freedom’? The answer is not very difficult to find. The republican concept of freedom, even in the contemporary sophisticated form of Pettit’s ‘non-domination’, relies on a semantic move which deprives the idea of freedom of its basic common-sense and intuitive content.

‘Non-domination’ is equated with a position in which nobody has the mere possibility of exercising ‘arbitrary interference’ with your own choices. This definition departs from the common-sense idea of ‘negative’ freedom in two ways: First, it takes into account the potential for interference beyond its real occurrence. This is not a problem for an anti-workfarist position, because it is in fact no more than a semantic extension of the ‘negative’ concept of freedom.²³ The problem comes with the second

²² See McMahon (2005).

²³ See Brennan & Lomasky (2006:240ss). List (2004, 2006) presents in a formalized fashion some of the problems this definition of freedom may arise. In fact, an egalitarian left liberal like Van Parijs (1995) includes also this extension in his concept of ‘real freedom’ when he defines it as the material possibility

claim, which requires the *arbitrary* character of the interference in order to count as a reduction of freedom. Freedom is then no more the possibility (material or formal) of doing what one wants (or may want) to do, but rather the possibility of doing it when that possibility is not defined by Pettit (or by the republican assembly, or by ‘the people’, or so on) as ‘arbitrary’. One may assume that, if Pettit’s point is not to become a trivial one, this goes far beyond of the well-known liberal claim that my negative freedom is constrained by the enjoyment of a similar level of freedom by my fellow citizens (the principle of equal liberty).

Instead of simply saying that sometimes it is just to reduce freedom, that is, instead of realizing that a just society may be justified to constrict freedom in some ways, Pettit constructs a concept of freedom which semantically equates ‘to be free’ with ‘to live in a just society’. So every free action a citizen may bring about, if it is not conceivable as a moral or just action, then it is not conceivable as a ‘free’ action either. This is clearly what Dowding & Van Hees (2005) call a *normative* concept of freedom, and the problem with it is that ‘to be free’ consists in living according to and institutionally constrained by some pre-given notion of what a just society is. I find this definition very counter-intuitive, and I do not think that counter-intuitive definitions of concepts such as ‘freedom’ are of much help in political philosophy and the social sciences. Definitions, in my view, should tend to capture the intuitive content of the (more or less) common use of the concept. ‘How free I *am*’ is not the same question as ‘how free I *should* be in a just society’, or ‘how just I am when I act’, or ‘how just are the interferences I suffer from others’. ‘To be free’ is not the same as ‘to be as free as one should be in a just society’. As put by Isaiah Berlin, “Everything is what it is: liberty is liberty, not equality or fairness or justice or culture, or human happiness or a quiet conscience” (Berlin, 1969:125). So the arbitrariness of the interference I suffer cannot be *constitutive* of the *freedom* I enjoy, but, if anything, of the *injustice* of my society or my position in it.²⁴

of doing whatever one *may* want to do (even if it is not the case he wants now). The possibility of the ‘happy slave’ (that is, of ‘adaptive preferences’ taken as ‘free’ ones) is then excluded.

²⁴ Another way of stating this claim would be, using List’s clarifying concepts, to say that the sacrifice in terms of *scope* that the republican concept of freedom is forced to produce is not compensated, in my opinion, by the eventual alleged gain in terms of *robustness*. See List (2006) for a formal analysis of this problem which compares republicanism and liberalism.

If we go back to workfare, the problem with this view is that it makes perfectly possible (although in a strongly counter-intuitive sense!) to say that someone is as free as he can, while he is being forced to make some ‘civic contribution’ or to meet a ‘minimum work requirement’ in order to be entitled to social benefits. Arguably there is something wrong in this picture. So the second source of the consistence between republicanism and workfare is a quite unusual definition of the concept of freedom.²⁵

3) *Subtle and concealed perfectionism.* The above-mentioned incapacity to define freedom in a non-normative way gives rise to another problem in republican theory: A subtle and often unthought perfectionism which, despite all declarations to the contrary, commits republicans with some concealed idea of the good life. The semantic move which leads to define freedom as ‘non-domination’ (as the absence of real or potential ‘arbitrary’ interference) involves a subtle perfectionist charge which creates a conceptual link between freedom and some kind of vaguely defined ‘virtue’. Since the republican concept of freedom aims to have normative force on their own, any interference required by justice cannot be defined as freedom-reducing. But this is to leave the definition of the principles of justice in a second term, concealed behind the veil of some beautiful words as ‘non-domination’ or ‘freedom’. And then the contents of justice itself (and therefore the type and content of the interferences which are ‘non-arbitrary’) are left indeterminate and to be defined contextually by the republican legitimate power (or assembly, or whatever). Obviously, this allows to define justice in a purely perfectionist way, as consisting in the pursue of some particular ideals of the good life. And workfarist policy choices may be then perfectly acceptable as part of the pursue of one of these ideals, and so defined as ‘non-arbitrary’ interferences.

In addition, there is a second perfectionist bias in the concept of freedom as non-domination, which has to do with the concern with *potential* interference as different

²⁵ Probably if Pettit had entered into open discussion with contemporary egalitarian liberals, this flaw would have emerged clearly. As Rosati puts it: “What Pettit’s book misses is a strong and close comparison with contemporary liberalism. Pettit maintains sometimes that his argument is against liberalism, both classical and left-of-centre liberalism. However, as Pettit says, liberalism is ‘a broad church’, and it is not possible to build an argument against Hobbes and Locke and to maintain that it works in the same way against Rawls, Dworkin, Ackerman and Van Parijs. The thesis that freedom from domination is only a republican concept, and that left-of-centre liberalism continues to rely on the classical notion of freedom from interference, would have to be further developed through a comparison with contemporary liberal thinkers. Pettit’s effort risks failure because of its caricatured image of left-of-centre liberalism” (Rosati, 2000:87).

from real one. The aim of this proviso is to exclude the possibility that *adaptive preferences* may count as free ones in a just society. People like the ‘happy slave’ may have adapted their preferences to a situation of domination they could not overcome if they wanted to. Then a republican state may be legitimated to ‘force’ some individuals to be free even against their actual preferences, if these are the result of that kind of adaptive distortion.

But in order to do that, a republican state would have to: (a) Identify in a reliable way which preferences are adaptive and which are ‘genuine’ ones. (b) Identify which would be the ‘genuine’ preferences for those who now have adaptive ones, and establish the material and institutional conditions which materialize those preferences (and hope that they *do* materialize as a result!). I fail to see how these operations are to be done without engaging in a paternalistic and perfectionist (and therefore ‘arbitrary’?) type of public policy. And, of course, it is easy to see how workfarist schemes may be justified in this way: Were the preferences of the poor, the idle and the unemployed ‘genuine’ and not ‘adaptive’, then they sure would want to have a formal job, so let us get them into that job in the name of their ‘freedom’ and their ‘genuine’ preferences (which, of course, are ultimately defined by us in a perfectionist and paternalistic fashion).²⁶

Fortunately, as Van Parijs (1995) has rightly pointed out, there is no need to engage in that *cul-de-sac* in order to avoid the possibility of the ‘happy slave’.²⁷ Van Parijs realizes that the adaptive preferences argument leads to an infinite regression which can only be escaped by arbitrarily deciding to stop in preferences of the n-order and by deciding that they are the ‘genuine’ ones. But which would be the difference between this and overt paternalism from the beginning? The proviso Van Parijs introduces in his concept of ‘real-freedom’ is much simpler than the republican mess. We only have to maximize the real freedom to do whatever the agent *might* want to do. We do not need a concept of freedom as ‘non-domination’, we can comfortably stay in the realm of ‘negative freedom’ and egalitarian liberalism while we say goodbye to the ‘happy slave’. At the same time, we may allow restrictions of freedom which are necessary to apply a conception of justice as *maximin* ‘real freedom’. There is no need

²⁶ Brennan & Lomasky (2006:241) go further to say that “A Pettit-type republican should, therefore, embrace the ascription of paternalism as a badge of honor. To the extent that this is resisted, it is because a lingering, un-acknowledged tinge of liberalism is distorting the natural implications of the theory”.

²⁷ See above, footnote 23.

to say, then, that this position can also impede to admit workfarist policies as freedom-enhancing ones. I conclude that the third source of compatibility between republicanism and workfare is the subtle perfectionism which this theory conceals.

4. Why anti-workfarist republicans should become egalitarian liberals

In this paper I hope to have showed that there is no version of republicanism that can exclude workfare in a principled way as a possible preferred policy option, at least without losing the specific character which differentiates it from other political philosophies. I have argued that, since workfare contradicts a set of strong moral intuitions, compatibility between republicanism and workfare poses a problem for republicans. But republican theory cannot overcome this problem by its own means, because the compatibility arises from three of its features: Its indeterminacy in terms of policy choice, a counter-intuitive definition of freedom, and a subtle and concealed perfectionism. Instead, there are some liberal-egalitarian views, like Van Parijs' theory of 'real freedom', that consistently exclude workfare policies without problems.

So I conclude that if one is against workfare (as I think one should) then one cannot be a republican, and should likely become an egalitarian liberal (plausibly of the Van Parijs' type). There is, in my view, an inescapable dilemma for republicans who realize that workfare is wrong: 1) Either they are consistent republicans, but then they cannot exclude workfare from their set of acceptable policy-options; 2) or they reject workfare, but then they have to give up republicanism and come very close to egalitarian liberalism. My claim is that to be republican and anti-workfarist at the same time is an inconsistent position. And for the sake of intellectual rigor, consistency should not be sacrificed in exchange of keeping emotionally charged political labels or identifications.²⁸

²⁸ As Brennan & Lomasky (2006:222) put it: "Either republicanism is non-threatening because it is little more than a somewhat archaic rethorical skin for a body of modern liberalism or, if substantively distancing itself from liberal precepts, is overtly oppressive to a troubling degree".

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