

The final version of this article was published in *Critique*, 50(1): 2022

Article Title: The Justice of Decommodification

Author: Justin P. Holt

Abstract: Decommodification is an important support for the development of our excellences and the pursuit of our conscience. In order to show this the paper will be structured as follows. First, it will be argued that a decommodified social threshold of goods and services is a necessary part of a free-standing politically liberal conception of justice. The authors to be reviewed in this section are Richard H. Tawney and John Rawls. The second section will discuss a compendium of possible decommodified goods and services. Finally, an alternative of partial decommodification and a brief comment on basic income grants will also be presented in the last sections.

Keywords: Decommodification, Political Liberalism, John Rawls, Richard H. Tawney, Welfare State, Equality of Opportunity

Introduction

The demands of a politically liberal society are structured by asking what should free and equal citizens enjoy and how should they contribute to the maintenance of a just society?¹ These are interrelated tasks since how people will be able to contribute is based on what they have enjoyed.

¹ This is elaborated by John Rawls as the fundamental question of political philosophy for constitutional regimes. J. Rawls, *Justice as Fairness: A Restatement* (Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 2001), pp. 7-8.

Of course, people's contributions provide material, financial, social, and psychological benefits to themselves, their friends, and society as a whole. This is generally a mundane point, but people's contributions are based on their skills, knowledge, and experiences which they have had the opportunity to enjoy. The importance of this point is that contributions are thus subject to policy decisions that provision which opportunities certain people may have access to. If citizens are free and equal, then there appears to be a set of opportunities that they should all enjoy. This should not be too surprising since this is a centerpiece of our democratic theory, even if a full consideration of what this means has not yet been exhausted. The addition to these ideas that this paper seeks to enunciate is that some of these opportunities take the form of goods and services that should be provided as part of a decommodified social threshold.

Decommodification is to be understood as the provision of in-kind goods and services and/or income without the prior performance of labor.² A social threshold is defined as institutions, goods, and services that are needed to assist in meeting the demands of a just society.³ A social threshold could include housing, food, education, social insurance, health care, public transport and parkland. There is no attempt in this brief list to provide a comprehensive tally of all that should be provided in a decommodified threshold. Due to the demands of justice citizens should be guaranteed to enjoy the goods and services that allow them to live freely

² For a discussion of the notion of decommodification in welfare state studies see R.E. Goodin, B. Headey, R. Muffels, and H. Dirven, *The Real Worlds of Welfare Capitalism* (Cambridge, UK: Cambridge University Press, 1999), p. 49.

³ A social threshold is meant to be more wide ranging than Rawls' conception of a social minimum. A social minimum 'covers human needs essential to a decent human life', Rawls, *Justice as Fairness*, op. cit., p. 132. A social threshold is a set of institutions, goods, and services that facilitate a just society. This includes a social minimum, but a social threshold is not reducible or identical to a social minimum. See also: J. Rawls, *A Theory of Justice*, Revised Edition (Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 1999), pp. 243-245 and 252. The idea of a social threshold in this paper has been influenced by Nussbaum's use of the term, see M.C. Nussbaum, *Women and Human Development: The Capabilities Approach* (Cambridge, UK: Cambridge University Press, 2000).

chosen just lives and to fully participate in their society - politically, materially, and socially. The absence of a decommodified social threshold will deny certain citizens the opportunities they should enjoy as being free and equal. This is the case because a decommodified good or service can always be enjoyed no matter your financial, social, or political condition. The absence of a decommodified item means there can be a failure to enjoy a particular opportunity that a good or service can help provide. A simple example is that a decommodified bus service allows for all people to ride the bus no matter their financial condition. Whereas if a fare is required, and a person does not have the fare, then people will fail to enjoy the service.

The conditions of decommodification should be provided so that people can enjoy the social bases⁴ to develop their excellences and pursue their demands of conscience. Excellences are our characters, abilities, interests, tastes, and friendships. The demands of conscience are the pursuit, contemplation, and practice of our beliefs, convictions, and aspirations alone and in association. Living in a society where people can develop their excellences and attempt to meet the demands of their conscience are approximate standards of why a society would be desirable for people who espouse tolerant, but distinct, comprehensive doctrines. Many comprehensive doctrines are religious convictions; but they can also include other tolerant nonreligious doctrines of ultimate value and other tolerant, even if novel and untraditional, conceptions of the good. Thus, political liberalism is a normative theory that is built around the goal of facilitating a society for those who hold tolerant and reasonable comprehensive doctrines.

The need for the decommodification of a social threshold, to protect our conscience and the development of our excellences, can be elaborated as having three desirable outcomes. First, it provides a means for us to participate in our society as equals so that we are not dominated by

⁴ On social bases see Rawls, *Justice as Fairness*, op. cit., p. 60.

those with economic power and political power. This includes the protection of the worth of our liberties. Second, it supports our inclusion in the reproductive labor of society. This is so we are not excluded due to our inability to enjoy the social bases to perform this labor. Third, it frees our lives from the accumulation of goods, services, and credentials that we find to be contrary to the development of our excellences and the pursuit of our conscience. The last two outcomes attempt to provide a suitable balance between, on the one hand, what is necessary for people to be full and effective members of society, with a focus on access to knowledge, experiences, people, places, and the performance of duties. On the other hand, there is a limitation of what a liberal society can place on its members, external of threats to the constitutional order.⁵ For example, requiring that people can participate and understand political affairs and the orchestration of the social reproduction of their society is allowable within political liberalism. Whereas, requiring that people do participate in these matters in all ways is, in general, outside of the boundaries of political liberalism.⁶

This paper will argue that a decommodified social threshold is necessary for a free-standing politically liberal conception of justice. In the first section, the relevant ideas of R.H. Tawney and John Rawls will be considered and applied to the topic of a decommodified social threshold. The second section will discuss a tentative compendium of decommodified services and goods. An alternative of partial decommodification and a brief comment on basic income grants will also be presented in the last sections.

⁵ On the related matter of toleration of the intolerant Rawls states: 'But when the constitution itself is secure, there is no reason to deny freedom to the intolerant', Rawls, *A Theory of Justice*, op. cit., p. 192. See also Rawls, *Justice as Fairness*, op cit., pp. 183-184.

⁶ This topic is discussed by Nussbaum as a required functioning. See Nussbaum, *Women and Human Development*, op. cit., pp. 89-90.

A Decommodified Social Threshold as Part of Political Liberalism

Brief reviews of the relevant ideas of R.H. Tawney and John Rawls will be conducted as a philosophic background and support for the moral necessity of a decommodified social threshold. Tawney's advocacy of communal consumption is constructed around the humanizing of society and the external goods needed for economic liberty. The main feature of Tawney's humanism is the consideration that the attainment of the human ends of dignity and culture are more important than the material ends of economic growth and material wealth.⁷ These notions provide a groundwork for the necessity of decommodification. The problem with economic wealth and economic growth is not that an individual considers them as being of the utmost importance in their own life (according to their comprehensive doctrine). Rather, the problem is when these ends are forced upon people beyond political necessity.

Rawls' well known argument for redistribution as just is only the slightest gloss on the far reaching reasons that can be built up from his work for the provision of decommodified goods and services. Of special importance, in this paper, is the existence of fair equality of opportunity as a means of class abatement and the provision of a social minimum to eliminate the exploitative and dominating elements of concentrated wealth. These considerations by Rawls can be reconceived as the need for a decommodified social threshold. It will be argued that this is

⁷ R.H. Tawney, *Equality* (London: Unwin Books, 1964), p. 85. Tawney expresses similar notions, but in a different terminology, in his earlier work, see R.H. Tawney, *The Acquisitive Society* (New York: Harcourt, Brace and Howe, 1920), pp. 29, 42-43, and 84.

commensurate with Rawls' system even given his disinclination to argue for a basic income grant.⁸

To begin, Tawney advocated communal provision and democratic oversight of the economy for the furtherance of economic liberty and the humanizing of economic society. Materialism, for Tawney, is the placing of economic life, in particular economic growth, as more important than the development of human excellences and the pursuit of our conscience.⁹ In contradistinction, Tawney defines humanism as such:

It is the attitude which judges the externals of life by their effect in assisting or hindering the life of the spirit. It is the belief that the machinery of existence – property and material wealth and industrial organization, and the whole fabric and mechanism of social institutions – is to be regarded as means to an end, and that this end is the growth towards perfection of individual human beings.¹⁰

Tawney's 'life of the spirit' and the 'perfection of individual human beings' are comparable with the terminology of this paper: pursuit of one's conscience and the development of one's excellences.¹¹ It follows that Tawney's humanism appears to be a form of political liberalism

⁸ On his comments that are critical of basic income grants see Rawls, *Justice as Fairness*, op. cit., p. 179. Rawls discusses his consideration of just economic regimes, *ibid.*, pp. 135-136. The political philosophic models of Tawney and Rawls are alternatives to economic growth as dominant end. This is commensurate with Rawls' disinclination to consider laissez-faire capitalism, welfare-state capitalism, and state a one party socialist state as just economic regimes, see *ibid.*, pp. 137-138. Thus, any society that subordinates principles of right to materialist ends, whether focused on consumerism, aggregate output, or other materialist goals, is an unjust society. There were two possible just economic regimes for Rawls: property-owning democracy and liberal socialism, see *ibid.*, p. 138.

⁹ Tawney, *Equality*, op. cit., p. 85.

¹⁰ *Ibid.*, p. 85.

¹¹ Also, pursuit of conscience allows for a more general approximation of the search for ultimate value and truth, without the use of a term that is, for some, theistic in tone. In addition, perfection conveys a notion of completion, which may be attainable within the outlook of certain comprehensive doctrines. The development of excellences, as part of a political conception, does not consider that the complete development of human ability is foreknown.

given his open ended support for these capacities.¹² Tawney's advocacy of individual perfection and the life of spirit is supported by his understanding of economic liberty:

In conditions which impose co-operative, rather than merely individual, effort, liberty is, in fact, equality in action, in the sense, not that all men perform identical functions or wield the same degree of power, but that all men are equally protected against the abuse of power, and equally entitled to insist that power shall be used, not for personal ends, but for the general advantage.¹³

What kinds of co-operation and protections did Tawney find to be needed for the protection of economic liberty and the development of a humanized society? He emphasized two policies: communal provision and economic democracy, the latter is the regulation and public direction of economic policy.¹⁴ This paper will only consider Tawney's comments on communal provision.

Communal provision is a means to maintain the well-being of people through a set of universally available goods and services. This is in order for people to be able to protect the development of their capacities from the vulgarities of fate. Unpredictability in the life course, such as the shifting of social outcomes that occurs in contemporary societies, is commonplace:

And individual happiness does not only require that men should be free to rise to new positions of comfort and distinction; it also requires that they should be able to lead a life

¹² For further discussion see *ibid.*, pp. 224-235.

¹³ *Ibid.*, p. 168.

¹⁴ *Ibid.*, p. 119.

of dignity and culture, whether they rise or not, and that, whatever their position on the economic scale may be, it shall be such as if fit to be occupied by men.¹⁵

Tawney's interest in limiting the effects of social stratification lends itself to the provision of communal goods and services. This is a decommodification that determines a minimal level of consumption in order to provide persons a life of dignity and culture. Tawney mentions many kinds of goods and services that should be provided communally. He lists pensions, minimum wages, public health, public amenities (Tawney discusses turning cities into 'regions of health, and even, perhaps, of beauty'), public education, and housing.¹⁶ Additionally, Tawney notes we all need 'light, fresh air, warmth, rest, and food'.¹⁷

It seems impossible to live a dignified life if we cannot pursue our conscience within the boundaries of liberal toleration. Also, a life of culture is synonymous with the development of our excellences. Decommodification is, thus, a protection of a life of dignity and culture from unpredictable changes in our prospects. Tawney is concerned with people being cared for due to illness, age, disability, and unemployment. Still, the pursuit of one's conscience should allow one to live a life not subject to demands beyond what is needed for the social reproduction of society. A dignified life requires bulwarks against increasing demands of consumption and against increases in the cost of necessary external goods. These increases result in continued demands for work even while society becomes on average wealthier in real terms. Protecting a person against such perpetual increased striving guards a person's conscience and the development of

¹⁵ Ibid., p. 108.

¹⁶ Ibid., pp. 123-124 and 136.

¹⁷ Ibid., p. 136.

their excellences from being subordinated to the lesser ends of economic growth and material wealth.

Decommodification is necessary to allow for a humane existence, which is a life not subordinated to materialism. Such communal provision leads to a change in the quality of life:

Their most significant aspect consists in the qualitative change in the character of a society which is produced when disabilities afflicting particular classes are diminished or removed, and advantages formerly restricted to a minority are made more nearly a general possession. ... It is the partial removal of certain of the essentials of civilization to a plane where the decisive factor is neither private wealth nor the absence of it, but the concern of a self-respecting democracy to meet the needs and develop the powers of all its citizens, irrespective of differences of financial means.¹⁸

The provision of such advantages transforms a society away from one centered upon concerns of economic growth and a person's command over money. Instead access to the goods and services that allow for the development of a humanized existence is morally more important. These are aspects of class abatement, where the distinctions of class become of little importance in the pursuit of a civilized life.

Similar to Tawney, Rawls also found that material external goods are of limited private use in the maintaining of justice. Rather, class abatement as a precondition for a just society is of great importance in Rawls' consideration of justice. Rawls found that the demands of justice, as prescribed within the conditions of the original position under the veil of ignorance, merited a

¹⁸ Ibid., p. 221.

leveling of the ownership of society's productive resources, fair equality of opportunity, the protection of liberties, the provision of a social minimum free from the demands of the market, and the orchestration of incentives for the benefit of the least advantaged. These measures promote class abatement to an extent beyond the usual outcomes found in welfare states:

By contrast, in a property-owning democracy the aim is to carry out the idea of society as a fair system of cooperation over time among citizens as free and equal persons. Thus, basic institutions must from the outset put in the hands of citizens generally, and not only a few, the productive means to be fully cooperating members of a society. The emphasis falls on the steady dispersal over time of the ownership of capital and resources by the laws of inheritance and bequest, on fair equality of opportunity secured by provisions for education and training, and the like, as well as on institutions that support the fair value of the political liberties. To see the full force of the difference principle it should be taken in the context of property-owning democracy (or of a liberal socialist regime) and not a welfare state: it is a principle of reciprocity, or mutuality, for society seen as a fair system of cooperation among free and equal citizens from one generation to the next.¹⁹

A society where people can be fully cooperating members of society requires the widespread distribution of wealth, dispersed individually and collectively.²⁰ This paper will focus on the provision of institutions, goods, and services that facilitate a social threshold; with the

¹⁹ Rawls, *A Theory of Justice*, op. cit., p. xv.

²⁰ This paper will not focus on distinctions between a property-owning democracy and a liberal socialist society in terms of control over non-personal property. For Rawls' discussion see *Justice as Fairness*, op. cit., p. 114. Also, for a reconsideration of the differences between the two economic regimes see J.P. Holt, 'The Requirements of Justice and Liberal Socialism', *Analyse & Kritik*, 39:1 (2017), pp. 171–194. J.P. Holt, 'The Choice of Economic Systems in the Rawlsian Original Position,' *Critique*, 39:3 (2011), pp. 393-405.

consideration that its provision is not within the purview typical of existing welfare states. In the scope of this paper, the relevant items for Rawls are the provision of a social minimum and fair equality of opportunity.²¹ The purpose of a social minimum is to meet needs, which are impossible to achieve via the market: ‘Since the market is not suited to answer claims of need, these should be met by a separate arrangement’.²² Rawls found that in order for a social minimum to meet ‘the claims of need and an appropriate standard of life ... it is rational to insure oneself and one’s descendants against these contingencies of the market’.²³ Fair equality of opportunity is to maintain ‘the usual kinds of social overhead capital, the government tries to insure equal chances of education and culture for persons similarly endowed and motivated’.²⁴ Also, the institutions of a society ‘should be designed to even out class barriers’.²⁵

The provision of education is illustrative for this paper’s purposes. Even if education is purchased privately (a case Rawls mentions²⁶), the provision of an education merits the collective orchestration of personnel, materials, and spaces, and whose effectiveness requires their development and organization long before an individual’s education begins. Thus, even the private provision of education necessitates the continued existence of educational institutions whose services are continuously available in order to meet the needs of educating a citizenry or a single person: there must be teachers already trained, materials for education, and standards in place for what is considered a suitable education. The development of institutions for the provision of fair equality of opportunity and a social minimum (such as income maintenance for

²¹ Rawls, *A Theory of Justice*, op. cit., pp. 57 to 73, 32 to 43, 245, and 252; Rawls, *Justice as Fairness*, op. cit., pp. 43, 44 and 130.

²² Rawls, *A Theory of Justice*, op. cit. p. 245.

²³ *Ibid.*, pp. 244-245.

²⁴ *Ibid.*, p. 243.

²⁵ *Ibid.*, p. 63.

²⁶ *Ibid.*, p. 243.

the sick and unemployed) are best achieved as generational in existence and in implementation. For example, people's need for a service can be partially anticipated. Children will need an education, many need to take the bus, all of us need to be adequately housed, and most of us will need retirement incomes.²⁷ This is the case even if the exact amount will always be unknown until needed. Nonetheless, the existence of these services has to be dependable and in existence for people to plan for their use.

A social minimum is provided to meet needs and an appropriate standard of life, not market demand. Similarly, fair equality of opportunity is for people similarly endowed and motivated. It is not dependent on an individual's circumstances of fate which allow their parents, or patrons, to purchase goods and services for them. Fair equality of opportunity requires that the institutional apparatuses be in existence and long lived. Essentially, the provision of fair equality of opportunity is an instance of decommodification. The opportunities that we should have accesses to in order to be fully cooperating members of society must be provided without the necessity of purchase or the previous performance of any task to merit the service as desert. As citizens are born, they must, reasonably, find themselves in a society that will allow for their social capital to be developed and maintained. This merits that such institutions be decommodified; in order to avoid burdens that are not fairly equal.²⁸

²⁷ This notion of need is from the perspective of an agent in the original position under the veil of ignorance. Thus, this is a consideration of what this agent would want given the fair conditions of choice in Rawls' system. For perspectives on difficulties in the use of the notion of need, see R.E. Goodin's discussion in his *Reasons for Welfare: The Political Theory of the Welfare State* (Princeton: Princeton University Press, 1988).

²⁸ The communal provision of essential decommodified goods and services does not require that they be publicly owned. Rather, as with Rawls' comments on private schools, the provision of these items can be entirely through private associations. We could conceive that all schools, health care, housing, and transport systems are provided by private associations. Of course, many of these goods are privately provided currently, but they are not provided as communal goods and services that are enjoyed by all.

The above shows that decommodified goods assist in achieving and maintaining fair equality of opportunity and a social minimum. A consideration of some of the more fundamental topics that a theory of political philosophy should cover can provide insight into the necessity of a decommodified social threshold for a just society. In *Justice as Fairness*, Rawls notes that since our existence in a society is not freely chosen political philosophy has to consider what are reasonable social institutions. Rawls called this the fundamental question of political philosophy for constitutional regimes:

That question is: what is the most acceptable political conception of justice for specifying the fair terms of cooperation between citizens regarded as free and equal and as both reasonable and rational, and (we add) as normal and fully cooperating members of society over a complete life, from one generation to the next?²⁹

Rawls argues that his two principles of justice are the most acceptable political conception of known alternatives.³⁰ These principles of justice are the equal enjoyment of political liberties and the fair equality of opportunity with inequalities of outcomes for the benefit of the most disadvantaged.³¹ As has been previously shown, the second principle merits decommodified goods and services for its enjoyment. The operation of the two principles are ‘in tandem and

²⁹ Rawls, *Justice as Fairness*, op. cit., pp. 7-8.

³⁰ Ibid., p. 95.

³¹ On the two principles see Rawls, *A Theory of Justice*, op. cit., pp. 53 and 266-267. In *Justice as Fairness*, Rawls states the two principles as: ‘(a) Each person has the same indefeasible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all; and (b) Social and economic inequalities are to satisfy two conditions: first, they are to be attached to offices and positions open to all under conditions of fair equality of opportunity; and second, they are to be to the greatest benefit of the least-advantaged members of society (the difference principle)’, Rawls, *Justice as Fairness*, op. cit., pp. 42-43.

apply as a unit'.³² Thus, the second principle is supportive of the first and vice versa. Education is supportive of equal liberties given the necessity for citizens to be able to have the knowledge required for public reason. Similar reasoning can be applied to other goods and services of a social threshold as they are necessary for effective citizenship. Being able to access them, not constrained by one's birth chances, or one's success in utilizing the labor market to gain a money income, allows for equality of liberty, and to enjoy liberties themselves.

An acceptable choice of a political conception bears on topics that involve the provision of goods and services that are of an essential nature. They are easily overlooked if we are only focused on class abatement achieved through the perpetual redistribution of wealth through progressive income taxation and inheritance taxation.³³ The provision of communal goods and services, as Tawney recommended, may be even more essential for the two principles to be enjoyed than the redistribution of nominal wealth:

It is not the division of the nation's income into eleven million fragments, to be distributed, without further ado, like cake at a school treat, among its eleven million families. It is, on the contrary, the pooling of its surplus resources by means of taxation, and the use of the funds thus obtained to make accessible to all, irrespective of their income, occupation, or social position, the conditions of civilization which, in the absence of such measures, can be enjoyed only by the rich.³⁴

³² Ibid., p. 46 note 10.

³³ Rawls, *A Theory of Justice*, op. cit., pp. 245-246.

³⁴ Tawney, *Equality*, op. cit., p. 122.

The creation of institutions to provide these communal items, which are perpetual in their operation, allow for people to reasonably consider their society as freely chosen. The absence of such communal items prevents the enjoyment of the two principles.³⁵

A Compendium of Goods and Services for a Decommodified Social Threshold

This paper will continue with a discussion of a possible compendium of decommodified services and goods. Also, there will be a short discussion of the alternative of partial decommodification and basic income grants in the next sections. The brief reviews of Tawney's and Rawls' work showed that there is room in their conceptions of social justice for the decommodification of good and services. A compendium of decommodified goods and services is part of a social threshold. Societies should provide a social threshold in order to address what Rawls called the fundamental question of political philosophy: a political conception of justice should specify fair terms of cooperation between citizens. A political conception of justice moves beyond considering foundational principles of justice; other matters of importance include what institutions facilitate fair equality of opportunity (a full employment policy), equal liberties (campaign finance laws), or income maintenance (a social minimum) for all citizens regardless of their class of origin. This paper has argued that these demands of justice require a decommodified social threshold. It is good to ask: what goods and services should be included in the social threshold?

³⁵ The inheritance, or redistribution, of nominal wealth or real wealth to individual persons or families is inadequate since its distribution is unpredictable and, with real assets, impossible to meaningfully divide. For example, will people inherit enough money to provide for the acquisition of essential goods and services? Or can we all share an inherited car or house? This consideration applies to any of the goods and services that appear necessary for the enjoyment of a just society.

As a starting point it seems that the goods and services that should be included are public transport, housing, food, education, health care, employment, care services, public spaces, and income support for the standard cases of families, retirement, sickness, disability, and unemployment. These items are meant to be universally provisioned in the sense described in Richard M. Titmuss' arguments for universal services. First, a universal service, open to all, allows for selective services to be built around it.³⁶ A 'foundation', as Titmuss considers them, of services that are universal allows for other services to be accessed that are selective. One can consider universal services as supports to other services whose entry and use will not and perhaps cannot be universal. In particular, these services would seem to include particular kinds of secondary and tertiary education, corrective health care, rehabilitative services, and socialization for particular societal members (the aged, the young, the infirm, the disabled, the sick, and those being rehabilitated). Additionally, there may be many services subsidized by the state that are publicly or privately provisioned that universal services help us enjoy. This is especially the case with the arts, lectures, museums, displays, events, private businesses, and leisure spaces and amenities. Second, universality does not depend on a means test of income; thus, universal services can be activated immediately when one's fortunes fluctuate. Titmuss notes that services which are means tested by income can be slow in their implementation, given that the data used to determine eligibility can be out of date.³⁷ A person may need no transportation voucher eighteen months ago; but today they need to use the bus and have no money for the fare. Thus, a decommodified service allows for people to effectively access services of all kinds and enjoy their liberties at any time.

³⁶ R.M. Titmuss, *Commitment to Welfare* (London: George Allen & Unwin, 1976), pp. 122-123.

³⁷ *Ibid.*, p. 119.

The importance of decommodification for a politically liberal society can be considered in greater depth by revisiting the three desirable outcomes, discussed earlier, which a decommodified social threshold provides. These outcomes of a social threshold are to protect the pursuit of our conscience and the development of our excellences: it facilitates a society of political and social equals; it promotes our inclusion into the necessary reproductive labor of society; and, finally, it frees our lives from forced consumption. First, a society of free citizens must allow for their inclusion into society as political and social participants. A decommodified social threshold of goods and services allows for people to acquire the knowledge, culture, and experiences that an effective citizenry depends on. The usual considerations of health and education apply here as well as transportation. A decommodified social threshold comes into play to allow people to acquire and use their abilities to be effective citizens. People having access to knowledge and culture give them the ability to understand why their society has become as it is. A historical understanding allows for people to grasp what is at stake politically in their nation. The acquisition of productive knowledge and of politics provides a useful framework for the integration of one's actions into the collective activity of reasonable self-governance. A society cannot govern itself if its citizens are unable to provide not only the necessary activity of governance, but also unwilling to engage in politics in a reasonable manner according to the standards of public reason.³⁸ Unreasonable societies are either undemocratic or are tending towards the unraveling of their democratic institutions.

Second, a politically liberal conception of justice seeks the inclusion of its members into the construction of the life of their society. Their education prepares them for participation in the formal and informal maintenance of their natural environment, built infrastructure, and the social

³⁸ On public reason see Rawls, *Justice as Fairness*, op. cit., §26.

structures to develop their excellences and pursue their demands of conscience. This includes participation in work inside the home, work outside the home, staffing official policy bodies, and productive engagement in unofficial organizations. A decommodified social threshold provides people with the knowledge, skills, organization, and rules to keep a just society operating. The most ordinary example of this is the education of citizens to staff the reproductive apparatus of home, industry, and government. There are more detailed aspects to the promotion of people's inclusion such as supports for people to raise children and to provide other forms of care. Also, the provision of stable communities for the wider creation of informal friendships is needed for a well-ordered society. A decommodified social threshold allows for people to become prepared to continuously remake their worlds even when they face personal hardships. For example, the provision of full employment allows for people to always find work. Or the provision of care services allows for people to be assisted when they cannot assist themselves or others.³⁹

Third, a decommodified social threshold provides a degree of freedom from compelled consumption.⁴⁰ Compelled or forced consumption is the consumption of goods and services when one would prefer not to consume. Also, these goods and services are not necessary for citizenship or the reproduction of society beyond the material level necessary for justice.⁴¹ There are many kinds of compelled consumption that correspond to standards of dress, presentation,

³⁹ Rawls discusses a similar idea: 'Thus, basic institutions must from the outset put in the hands of citizens generally, and not only a few, the productive means to be fully cooperating members of a society'. *A Theory of Justice*, op. cit., p. xv.

⁴⁰ Similar ideas were discussed in great detail by Fred Hirsch, as positional consumption, in his wonderful work *Social Limits to Growth* (Cambridge, Massachusetts: Harvard University Press, 1976). Also, Ellis and Heath provide a counter explanation to Hirsch's notion of positional consumption, which they call forced exchange, see A. Ellis and A. Heath, 'Positional competition, or an offer you can't refuse?' in A. Ellis and K. Kumar (eds), *Dilemmas of Liberal Democracies - Studies in Fred Hirsch's Social Limits to Growth* (New York: Tavistock, 1983), pp. 1-22. This paper uses terminology similar to that used by Ellis and Kumar. The authors of this paper find the notions between the two works to be basically the same. The term forced or compelled consumption was selected because its connotations are more apparent from the term itself.

⁴¹ Following a related notion in Rawls, *A Theory of Justice*, op. cit., p. 132.

housing, communication, transportation, and credentials. Transportation as an item of forced consumption is of particular concern given the high cost of owning and operating an automobile. The decommodification of transportation as a universal service can prevent the necessity of owning a personal car. This can be especially helpful in allowing people to live further away from their work, school, or other amenities. Also, decommodified urban transportation can make it easier for people to work less hours in paid labor, to stop working for schooling, or to provide care work. Decommodified transportation thus facilitates flexibility in one's actions. Similar considerations can be applied to the provision of other decommodified items such as care services, health care, parkland, and housing. Being able to access these items allows for a degree of protection from compelled consumption.

A decommodified social threshold is not meant to replace all consumption of these items through decommodified provision. As was discussed above, there is an attempt to provide a universal good or service that supplemental services can be built around. These universal goods and services can be provided directly or indirectly by the state. They can be regulated or subsidized by the state or paid for publicly but privately provided. There is no obvious necessity to replace the private or personal provision of these services. Thus, there is room for private and personally owned transport, housing, health care, education, income insurance, and other items discussed above.

The creation of a decommodified universal social threshold is to support citizens in the pursuit of their conscience and the development of their excellences. The above list is not meant to be arbitrary. Rather, it is an attempt to consider what universal provision of goods and services address the fundamental question of political philosophy. To ask this consideration as a question: what goods and services make our lives freely chosen under the reasonable limits of what can be

required of us as citizens? This reasonable limit has to facilitate social inclusion and the option to exclude oneself. This possibility to include oneself in society, and to exclude oneself, is to make actual the pursuit of conscience and the development of one's excellences. As has been discussed, the included goods and services allow for people to be effective citizens while meeting the demands of their individuality. Also, it allows them to withdraw from society by degrees. For example, leaving paid employment to return to school, to provide care, or to seek one's purpose (socially or ultimately) can all be supported through a decommodified social threshold.⁴² Also, to assist in the provision of this threshold, directly or indirectly, is part of the great good of living in a well-ordered society, in Rawls' sense of the notion.⁴³

Partial Decommodification

If it appears too involved to provide such a large set of universally provided goods and services, there are two considerations to keep in mind. First, we are used to thinking of matters in ways that Tawney would consider to be materialist, and Rawls would think of as perfectionist. Simply, we think of the world in ways that put aggregate accumulations of wealth and economic growth for its own sake as dominant ends. This has been justified under the assumption that these ends always result in improvements in well-being for all members of society. Recent literature has called such a consideration into question.⁴⁴ These materialist and perfectionist outcomes do not

⁴² Rawls provides a related consideration: 'Justice as fairness honors, as far as it can, the claims of those who wish to withdraw from the modern world in accordance with the injunctions of their religion, provided only that they acknowledge the principles of the political conception of justice and appreciate its political ideals of person and society'. Rawls, *Justice as Fairness*, op. cit. p. 157.

⁴³ Ibid., p. §60; Rawls, *A Theory of Justice*, op. cit., §86.

⁴⁴ A. Sen and J. Drèze, *Hunger and Public Action* (Oxford: Oxford University Press, 1989). A. Sen, J. Fitoussi, and J.E. Stiglitz, *Mismeasuring Our Lives: Why GDP Doesn't Add Up* (New York: The New Press, 2010). M.C. Nussbaum, *Creating Capabilities: The Human Development Approach* (Cambridge, Massachusetts: Harvard University Press, 2013).

address the moral demands of free persons. Thus, we should rethink how we make humane lives possible in respect to the economy and the availability of goods and services. In short, these economic aspects of our lives should be only the means to life and not the end of our lives. To do otherwise is to alienate our humanity from ourselves and contrary to the demands of political liberalism.

Second, partial decommodification through full employment, minimum wages, means tested income supports, and price controls could be a possible route to achieving similar goals without a focus on decommodification. Not all items could be truly decommodified, such as mass urban transport, housing, or food, whereas others could be, such as basic education. There are similarities between a total decommodification of a social threshold and a partial decommodification. The term partial is used because the need to obtain income for the goods and services that compose a social threshold is not dependent on market success and unregulated prices. This is very similar to many welfare states today, but with an important difference. Current welfare states crowd in people towards enjoying a social threshold through means tests, income transfers, supported wages, controlled prices, tax breaks, education subsidies, and some decommodified goods. The main difference is that there is not truly a commitment to full employment within any state that makes sure that employment is provided to any claimant, privately or publicly, through a combination of work sharing, wage subsidies, sheltered workshops, spending to increase demand, limitation of the work week, or public service employment. This means that currently not all people can find work within a very short period of time, a day to a week, at any point in the business cycle.⁴⁵ Thus, the scenario of partial

⁴⁵ Below are three recent reports that discuss how to move towards full employment, but with different emphasis. The report by Bivens and the one by Opportunity America provide a large set of policies, some demand focused others supply focused. The report by Wray et al. is focused on the provision of a job guarantee financed by the

decommodification would crowd in people towards enjoyment of a social threshold to a greater degree than current welfare states by maintaining full employment, in addition to income transfers. All people would have access to a money income, via work or transfers, in order for them to purchase goods and services needed to provide themselves a social threshold.

Nonetheless, there are two issues. First, is the income sufficient to purchase universal goods and services that should comprise a social threshold? This may not be the case. Let alone fares for mass transport, but for housing, food, education, health care, and items that comprise a social threshold. Second, partial decommodification fails to guarantee that those who do become unable to work have access to the goods and services of a social threshold immediately, as Titmuss was concerned with in respect to means tests.

A Comment with Basic Income Grants

One final notion to be considered: is a set of decommodified goods and services preferable to a basic income grant? To answer this, Philippe Van Parijs' definition of a basic income will be used:

An unconditional basic income, or, as I shall usually call it, a basic income, is a grant paid to every citizen, irrespective of his or her occupational situation and marital status, and irrespective of his or her work performance or availability for work. It is, in other

Federal Government. J. Bivens, *Recommendations for creating jobs and economic security in the U.S.* (Economic Policy Institute: Washington, DC, 2018). Opportunity America, *Work, Skills, Community: Restoring opportunity for the working class* (Opportunity America, the American Enterprise Institute for Public Policy Research and the Brookings Institution, 2018). L.R. Wray et al., *Public Service Employment: A Path to Full Employment* (Levy Economics Institute of Bard College, 2018).

words, an individual guaranteed minimum income without either a means test or a (willingness to) work condition.⁴⁶

A basic income grant is the provision of an income, not the provision of goods and services. The major issue with a basic income grant is its lack of focus on the enjoyment of certain essential goods and services. Is this basic income grant sufficient to provide people with what they need to be effective citizens, to pursue their conscience, and to develop their excellences? If no, then this is a moral problem. The moral problem is not the provision of an income to all people. This is desirable due to the widespread need for income by many people who suffer from various deprivations. The consideration is whether the basic income is sufficient to ameliorate these deprivations. Thus, the main issue here is to ask if a basic income answers the fundamental question of political philosophy. Seemingly, it does not necessarily do this because it is focused on the provision of income and not the consideration of what goods, services, and institutions are need for people to reasonably view their lives as freely chosen. If a basic income does not answer the fundamental question of political philosophy adequately, then the demands of political liberalism necessitate a decommodified social threshold composed of in-kind goods and services.

Conclusion

A politically liberal society is an attempt to address the fundamental problem of political philosophy: what conception of justice is fit for free and equal persons? A conception of justice has to take into consideration many topics from the general to the specific. How the economy is

⁴⁶ P. Van Parijs, 'Why Surfers Should be Fed: The Liberal Case for an Unconditional Basic Income', *Philosophy & Public Affairs*, 20:2 (1991), p. 102.

structured, and resources are distributed are both necessary components of a conception of justice. Accordingly, what goods and services a society should provide to its members, and how they are provided so that their cooperation can be considered free and equal is an inescapable part of our deliberations about justice. A decommodified social threshold allows people to become effective citizens by making it easier for them to educate themselves and engage in the reproduction of their society. Also, it protects people's humanity by allowing them to develop their excellences and to pursue their conscience.

The goods and services that comprise a social threshold should be decommodified in order for people to live lives that are as close to a freely chosen political existence as we can obtain. Focusing on merely formal liberties and rights prevents us from considering the worth of these liberties. Rawls noted in his discussion of this issue that:

If the public forum is to be free and open to all, and in continuous session, everyone should be able to make use of it.⁴⁷

Rawls appeared to have in mind here many concerns, including the influence of the private over the public, the cost of organization, the independence of political parties, and the distribution of wealth. The public forum is subject to the constraints of wealth and our success in economic and social matters. If this is the case, then the social supports of people within their nation is an issue related to the worth of liberty. Thus, decommodifying the social threshold is essential to the promotion and preservation of a politically liberal society.

⁴⁷ Rawls, *A Theory of Justice*, op. cit., pp. 197-198.

This analytical conclusion should bring our own circumstance into focus regarding our access to the goods and services that are needed to live a life of free and equal citizens. Concerns about equality of opportunity and democracy can only be successfully addressed if we think about the actual goods and services people can command and enjoy as citizens. Just as we would consider it outlandish and unethical to currently limit a person's access to the voting booth based on their wealth and property holdings; we should reappraise the necessity of the enjoyment of other institutions, and the goods and services that make our enjoyment of these institutions possible, as having the same inalienable enjoyment as our access to the franchise. Education, health care, public spaces, and social insurance are all instances where there have been strong, and sometimes, complete movement towards decommodification. Local mass transit, food, care facilities, and housing are the next areas that should be universally enjoyed. All of these, as part of a decommodified social threshold, will provide stability for our participation as citizens. A policy of true full employment would provide additional access to our participation in society that would not be subject to the fluctuations of private investment. All of these goods and services would help in meeting the demands of the fundamental question of political philosophy. They are all needed for us to be free and equal members of a constitutional democracy.