**Routes from Responsibility to an Unconditional Safety-Net[[1]](#footnote-1)♣**

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One important set of arguments relevant to the justification of the welfare state comes from individual responsibility. Often these arguments are put forward by those who want to cut back or abolish the welfare state as it undermines individual responsibility, encourages laziness, and generates a dependency on hand-outs that is bad for everyone. Some of them also argue that the welfare state is an unfair re-distributive mechanism. The basis of such an argument is that it cannot be fair for some individuals to be compelled to pay for something that is for the benefit of others, who could have reasonably avoided their disadvantage.

However, those who want to defend the welfare state may also appeal to responsibility. They may claim that, for the most part, individuals who get sick or become unemployed do not do so through deliberate and informed choice. Their disadvantage is therefore a matter of bad brute luck and should be compensated. However, it does not seem that all such disadvantage must be a matter of brute bad luck and so this argument fails to provide a general justification for the welfare state.

Instead defenders of the welfare state may advance a different argument, which claims that unless certain provisions and goods are freely accessible it is not *fair* to hold those individuals responsible for the costs of their actions and choices. To support this claim they may appeal to the persistence of poverty and a lack of decent education as putting individuals in situations where their actions cannot justify liability for disadvantage because they don’t have reasonable alternatives. This sort of argument aims to justify the welfare state as a requirement of responsibility itself.

One way of understanding a welfare state is as an unconditional safety-net, below which no one should fall. One influential objection to the responsibility-sensitive theories of justice that lack a kind of unconditional safety-net, comes from Elizabeth Anderson and it is known as the Harshness Objection, which can be stated as follows.

*Harshness Objection*: if responsibility is a fundamental requirement of distributive justice then we will treat individuals very harshly indeed.

For example, it will mean leaving reckless motorcyclists at the roadside and omitting to help those who, through their own choices and actions, end up in extreme deprivation. Such outcomes, Anderson claims, are not consistent with the basic commitment of any humane normative theory or social ideal: the basic commitment to equal social standing. A society of equals, it is implied, is a society where, when the worst happens, we do not ask how, we do not make insidious judgements about character nor do we ask whether the disadvantaged deserve what has happened to them. Instead, we help get them back on their feet.[[2]](#footnote-2) One might imagine that something like a welfare state as an unconditional safety-net would be a key aspect of any society approximating such an ideal. Furthermore, others are also drawn to the idea that people have very strong claims to avoiding certain sorts of disadvantage and deprivation that may override or render invalid concerns about responsibility. One such group are sufficientarians, who, in different ways, claim that securing enough is an especially weighty demand of justice. As such, there is a large group of philosophers who lend support to the idea that safety-nets should not be conditional, and certainly not on responsibility.

I am moved somewhat by the idea that ensuring that people are sufficiently well off is a very important demand of justice and am attracted to a welfare state as a practical matter. But I also believe that responsibility will have a fundamental role in any satisfactory theory of justice and, more specifically, one needs a very powerful argument to explain why it is that conscientious and prudent people should pay the costs of the actions and choices of other people when those others could have avoided generating those costs. Moreover, the belief in responsibility’s tight link to fairness is amongst the strongest and most common convictions about fairness outside of the academy. For these reasons it is worthwhile considering whether it is possible to argue for an unconditional safety-net consistent with a fundamental commitment to individual responsibility.

The structure of the paper is as follows. In Section One, I clarify the idea of an unconditional safety-net and the idea of responsibility that I am working with. In Section Two, I consider two arguments for an unconditional safety-net as a requirement of this account of responsibility and a further argument for thinking our commitment to the safety-net is stronger than our commitment to responsibility. I show that these arguments face powerful objections and conclude that an unconditional safety-net can be defended only at unacceptable cost. In Section Three, I consider two arguments from this account of responsibility to a conditional safety-net.

Throughout this paper, I set aside arguments from efficiency or practicality for an unconditional safety-net. It may well be more practical or likely that the welfare state will continue in some form and micro-level judgements of responsibility may be difficult and incredibly costly to make. Our political vision, however, should extend beyond the likely and the easy.

***SECTION ONE***

In order to explore how an argument might support an unconditional safety-net consistent with a commitment to responsibility, I need to say more about what I take each component to be.

*What is an unconditional safety net?*

I define an unconditional safety-net as a set of services or provisions that remain for people regardless of their actions, choices or status. One possible rationale for the particular services and the extent of provisions that are provided is that individuals do not fall below some threshold of capability or welfare. Examples of such provisions include: free at the point of use healthcare that is not conditional on how poor health was brought about and certain unemployment benefits that everyone who is unemployed is entitled to.

Of course, when we reflect on these aspects of the welfare state we notice straight away that they are not unconditional in a broad sense. Receipt of unemployment benefit, for instance, is conditional on being out of work. Means-tested benefits depend on earning less income or having less wealth than some amount. Receipt of free education or a state pension depends on being a certain age that gives you a distinct status. So, there’s a sense in which these benefits are sensitive to actions, choices and status. The only exception would be a truly unconditional basic income but defining an unconditional safety net *exclusively* in those terms would be a quite limited welfare state. Moreover, I don’t think that a basic income intuitively captures what is attractive about a safety-net. It is a one-off payment or a series of periodic payments, not the provision of basic goods and services, and as such is consistent with a life led below a minimum level of welfare or capability and without access to those goods.[[3]](#footnote-3) This is not to say that a basic income is not a good idea, or that it is not necessary for people to be held properly responsible. It is just to say that if we are attracted to the idea of the welfare state as an unconditional safety-net, the basic income will not be the only or most important provision.[[4]](#footnote-4)

Focus on the *safety-net* aspect can help us to explain a different sort of unconditionality that makes sense of many of the provisions of the welfare state and is for this reason the most appropriate. The safety net is supposed to be unconditional for anyone who would otherwise fall below some basic level of welfare, broadly construed. If you are rich or employed you won’t receive some of these unconditional benefits, but you never lose the claim to them if you need a safety-net. It is the safety-net rationale for policy and not the actual policies or provisions that are themselves unconditional. The result is the following definition.

*Unconditional Safety Net:* a set of services or provisions intended to prevent individuals from falling below, or to restore individuals to, some threshold regardless of their actions, choices or status.

*What is Responsibility?*

The kind of responsibility we are concerned with here is liability for the costs linked to one’s choices or actions such that no one else is obligated to pay those costs other than the person liable.[[5]](#footnote-5) This is distinct from being prospectively responsible, in the sense that one has an obligation to perform some task, perhaps as part of their job. It is distinct from being virtuously responsible in the sense of trustworthy or capable. These forms of responsibility, and corresponding irresponsibility, don’t seem capable of conflicting with an unconditional safety-net. It is also distinct from being attributively responsible and therefore blameworthy or praiseworthy. This type of responsibility may be thought relevant to an unconditional safety-net, but it is possible to blame people for their cost generating behaviour without denying them assistance.

When an individual is responsible in the liability-relevant way then other people are not (enforceably) obliged to pay those costs and it would be a violation of their rights to compel them do so through a system of law. This would include paying taxes used to help restore that person to a certain position or to pay into a compulsory insurance scheme to cover those costs. We end up with the following definition of liability-relevant responsibility-sensitivity.

*Responsibility Sensitivity***:** individuals relinquish entitlement to compensation from others for disadvantages[[6]](#footnote-6) that are the result of actions/choices for which they are **responsible**.

Our question is whether an argument for an unconditional safety-net can be consistent with this conception of responsibility, but we need to say something about the conditions under which it is appropriate to hold someone liability-responsible for disadvantage.

I pick out what I think is a plausible view, which leaves open the possibility that responsibility and an unconditional safety-net might be compatible. Some views, for instance, that take consent, no rights violations or control as sufficient conditions for liability responsibility will be incapable of being reconciled with the unconditional safety-net. I think voluntariness provides both a plausible account of when a person may lack such an entitlement and an account that offers a better possibility of reconciliation with an unconditional safety-net than other accounts.

The account of the conditions under which one can be held liability responsible is derived from the work of Serena Olsaretti on voluntariness.[[7]](#footnote-7) Put simply, Olsaretti claims that “a choice is voluntary when it is not involuntary. A choice is involuntary when it is made for the reason that there was no reasonable alternative.”

On this view, we can say that a person is liable for some costs if she generates those costs through an action or choice that is made for reasons independent of there being no reasonable alternative. So, wherever an individual chooses to act in a way that is cost-generating and she recognizes that there are reasonable alternatives, she is not entitled to support from others for covering that cost. However, an individual who participated in cost-generating activities for the reason that there was no reasonable alternative, for example by needing treatment for a genetic disease, is entitled to compensation and therefore not liability responsible. The view needs some fleshing out, particularly with respect to what is and is not a *reasonable alternative*, but I set that aside for now and take up that issue in the following section, since much of the tension resides in ways of determining an account of a reasonable alternative.

To lend support to this view, consider that it has both an objective and subjective component, which enables it to capture considered convictions about cases where it is plausible to think people are and are not liable. Reference to the will means that when one is credibly mislead about some threat, one can still be said to have acted involuntarily and therefore have avoided liability for the costs of one’s actions or choices. Consider the lying highwayman.

*Lying Highwayman****:*** A credible local newspaper reports that highwaymen are operating on a certain stretch of road. These reports detail that initial non-compliance from victims was met with force and that the Highwaymen possessed weapons that could kill easily e.g. a loaded gun or a big sharp knife. Alan is riding down this stretch of road and a highwayman jumps out. Holding a gun to Alan’s face, he asks him to decide between giving up his money or his life. Believing it to be a genuine threat Alan hands over his money to the highwayman. Unbeknownst to Alan, the highwayman he encountered had not loaded his gun and was not a genuine threat.

It is clear that, in this case, we should not think Alan liable for his loss. He is entitled to compensation, ideally from the highwayman, but if not from everyone else. The reason for this is that he acted out of the reasonable belief that he had no reasonable alternative.[[8]](#footnote-8) Alan’s reasons for acting, and how he would have acted differently if given a different option set, are relevant. If, for instance, the highwayman had given him three credible options i) your money, ii) your life or iii) this lovely hat, then we would think that his choosing to give the money may render him liable. An account of voluntariness that doesn’t allow for the individual’s reasoning, but only the facts of the case, would hold Alan liable. Such a view might take the following form.

*Voluntariness II:* an action is voluntary just in case it is made when there is a reasonable alternative, regardless of what the agent may reasonably believe.

I think this view is implausible since it will hold individuals responsible when they are credibly threatened with an unloaded gun, as in the case involving Alan. This seems implausible.

However, while the subject’s reasons seem to matter, as the following case illustrates, one cannot have a wholly subjective account. To see this consider the following case.

*Spoilt Brat****:***Spoilt Brat wants a new car. She considers all of the alternatives, including public transport, bicycling, quitting her job, asking friends for lifts, and judges these to be unreasonable alternatives. In fact, she considers many of the cars that are for sale to be unreasonable alternatives. The only reasonable alternative, she thinks, is a top of the range sports car.[[9]](#footnote-9)

In such a case we would not want to say that Spoilt Brat is entitled to share the costs of such a car with us. This is because she has false beliefs about what is a reasonable alternative.

Wholly objective accounts are problematic because they do not let people like Alan off the hook when he is threatened with an unloaded gun that he believes, with good reason, is loaded. Wholly subjective accounts are problematic because they let people like Spoilt Brat, who have unjustified beliefs about what a reasonable alternative is, off the hook too easily. As such, it appears that we need an account of liability that has both objective and subjective elements. The voluntariness account I set out above does have both of these elements and so this much recommends it.

*Summary*

My aim is to examine the relationship between two claims.

*Responsibility-Sensitivity*: Individuals relinquish entitlement to compensation from others for disadvantages that are the result of *voluntary* actions/choices.

*Unconditional Safety Net*: An unconditional safety net is a set of services or provisions intended to prevent all (relevant) individuals from falling below some threshold regardless of their actions, choices or status.

To put things plainly, the unconditional safety-net implies redistribution and that individuals are entitled to support from others in keeping her above some threshold of welfare. Responsibility, on the other hand, implies that there are conditions under which a person can fall below that safety-net, namely conditions pertaining to whether a person was responsible for falling below that safety-net. In my case, the conditions of voluntariness. The tension resides in the fact that responsibility promises to introduce a condition attached to the safety-net: responsibility itself.

***SECTION TWO***

Despite the two claims clearly being in tension, there are two strategies open to those who want to defend an unconditional safety-net consistent with a fundamental commitment to responsibility. An *Internal Strategy* aims to show that responsibility itself demands the unconditional safety-net. An *External Strategy* aims to show that our reasons for favouring an unconditional safety-net are weightier than our reasons to hold people responsible so, all things considered, responsibility should never prevent someone from use of the safety-net.

There are two arguments we could make following the *Internal Strategy*. I consider each argument in turn and show that neither is acceptable before considering the *External Strategy*.

*Background Authenticity of Choice*

This first argument from the *Internal Strategy* holds that unless there is an unconditional safety-net in the background against which people choose, they do not choose voluntarily and therefore are not responsible for the costs of their choices, including those costs that place them below the safety-net. An implication of this is that a commitment to an unconditional safety-net piggy-backs on our commitment to responsibility.

In response to this, consider that it seems that people in very bad situations can make voluntary choices. For example, think of those who are very seriously ill. They may choose to undergo a dangerous or risky operation to improve their well-being or they may, it seems voluntarily, undergo invasive and painful procedures that shorten their life in order to benefit other people. An example can illustrate that the fact that one is in a bad situation need not imply that one cannot act voluntarily.

*Last Chance*: Consider that the individual in the above case is now offered a final chance of a possibly life-saving operation. Without it she will likely die in 6 months. With it she will either die in 3 months, but endure great agony, or be totally cured and out of hospital in a week.

It appears that she would choose the second option but we do not think that she chooses non-voluntarily or that she cannot choose voluntarily. If she does not choose voluntarily then it may seem that one could not perform the procedure, which seems incorrect. Moreover, to accept this approach would be to accept that even when an individual is offered two easy routes out of their currently bad condition their choice to make things no better for themselves would not be voluntary. People are responsible for some of their choices, even when they have a number of poor options available to them, so long as they also have other good options available to them. We always have a number of poor options available to us, such as stabbing ourselves in the face, taking up dangerous hobbies or gambling all our money away. The view would imply that we are never acting voluntarily and would thereby fail to take responsibility seriously.

*Stakes and the Consequences of Choice*

The second argument from the *Internal Strategy* holds that it is unfair for any individual’s choice to lead to their being below the safety-net because the cost of being below the safety-net is too high and so unfair. This view is inspired by recent work on stakes fairness of the consequences of choice. Serena Olsaretti and Lesley Jacobs note that an account of responsibility leaves open a number of ways of defining what the type and extent of the costs should be and suggest that some ways of specifying those costs are going to be unfair.[[10]](#footnote-10)

Two examples are used to illustrate their point. First, we can say that in societies like our own, having better qualifications resulting from a better educational opportunity can make a huge difference in the expected standard of living one enjoys because many further benefits that are also scarce are attached or related to education. It does not follow from the fact that one did not work so hard as others, even ignoring compulsory schooling of children, that one must bear any costs that one happens to incur. Whatever else we want to say about competition or markets in education we can say here that the stakes are too high, or so it goes. Second, recall Anderson’s motorcyclist example. If someone drives a motorcycle recklessly and crashes harming no one else but herself, it does not necessarily follow that she must pay for her healthcare treatment, that she must pay for any damage to the roads or that passers-by can steal her bike and other property or even harvest her organs. It is an open question from the point of view of responsibility which of these costs are fair and a theory of stakes fairness or the consequences of choice will address this. Moreover, such a theory of stakes will have to draw on an underlying notion of fairness.

One way of arguing for an unconditional safety-net would be to say that when the stakes of some actions or decisions are that one could end up below some threshold, the stakes are not fair. Note that this does not amount to relegating liability responsibility to a trivial role in our theory of justice. For instance, it is consistent with a commitment to responsibility excusing and justifying large losses and large inequalities. To illustrate the first point, note that it is compatible with a person’s gambling their very valuable home in a poker game and losing it, making them much worse off than they were before, so long as they do not fall below the safety-net. Billionaires becoming millionaires, or their welfare equivalents, would not necessarily count as unfair, though these costs would be huge in absolute terms. To illustrate the second point, note that it is compatible with a person’s gambling and losing to someone else and the winner being much better off than the other person with others remaining fairly well off. As such, there is plenty of scope, consistent with limiting the possible consequences or stakes attached to the various choices and actions, for individuals to be liable for huge losses and huge inequalities. If one can defend the view that people should not be responsible for the costs of their choices *if* they would fall below a certain level of welfare because the stakes would be too high, then one will have an argument for an unconditional safety-net that is consistent with a serious commitment to responsibility.

The first thing to note is that it is not clear why *falling below the threshold* is always something for which a person cannot be held responsible for. Usually, our intuitions about stakes unfairness tend to centre of either the proximity of the costs to the action, our reasonable expectations or being extremely large in absolute terms. But it is possible for a person to fall below a threshold by experiencing a tiny loss, as much as huge loss, and it is possible for a person to experience a tiny loss that is both a reasonable expectation and proximate to a particular action. So, for instance, if I repeat an action that has a tiny cost to me enough times, perhaps buying sweets, this would certainly be capable of pushing me below the threshold, but none of these individual steps need involve violations of reasonable expectation, huge costs or not be proximate to my action. The compatibility of this view with the above examples, seems very odd. How can losing huge amounts of wealth leading one to just above the threshold be fair, or not unfair, while losing a miniscule amount that pushing one below the threshold is unfair?

A further worry is that the idea that anyone who in fact ends up very badly off, or otherwise in conditions that would, in some cases be an unreasonable alternative is very hard to reconcile with intuitions about fairness itself. This is because it is possible to end up very badly off even if one has very good alternatives, is very well informed and has had several chances. For instance, a potential investor has the choice not to invest in risky ventures and certainly not to invest more than she can afford to lose if she is very well off. If she does invest more than she can afford to lose, it isn’t because all the alternatives were unreasonable, as the objective element requires, or it need not be because she believed that all the other alternatives were unreasonable, as the subjective element requires.[[11]](#footnote-11) It seems perfectly possible such pay-offs to be fair. These sorts of cases seem very different from the case of education, which is a highly valuable and positional good, and the case of the motorcyclist where the costs are not even proximate to the action. Consider one particular case.

*Substance*: An individual decided to imbibe some substance that is well-known to cause serious illness, pushing them below the level of welfare that the safety net is supposed to secure. The choice was voluntary and now some remedial costs arise.

Are we to say that the cost of imbibing substances should never be the cost of expensive medical treatment to restore one to health? Now, consider that these costs are very high and/or that the individual, or several individuals repeatedly do this draining whatever the fixed budget was for other people. This may drag down the general welfare to levels just above the minimum. It can’t be right to think that there are no costs to others that would be unacceptable, when such costs are unavoidable through voluntary action. Whether we should restore this individual, repeatedly, depends on the costs to others as well as responsibility. It certainly doesn’t seem that our reasons for improving the worst consequences of our option sets are to do with responsibility more than they are to do with promoting welfare more generally.[[12]](#footnote-12)

For these reasons we should reject the idea that any stakes that put one below a threshold must be unfair. This doesn’t mean we should reject any account of stakes fairness. We can still accept that the motorcyclist shouldn’t be liable for loss of his kidneys or his property, but we cannot accept that the mere fact that there is an option with an unreasonable alternative is sufficient to make a choice against that background involuntary and the individual non-liable just in case they would fall below some threshold.

One might object to my critique of each other these views by saying that if individuals are in a position where they do not have their just share of benefits and burdens already, for instance and equal distribution then it would be wrong to hold them responsible. However, one can run my arguments based on the agents in them being any particular level of advantage, and with any particular pattern of benefits and burdens, and moving from that by transactions for which they are responsible in the sense that I have stipulated can generate at least some liability. Indeed, one can run these arguments with varying specifications of the threshold that the safety-net is supposed to secure, whether based on an objective list of basic services rather than a particular level of welfare.

*The External Strategy*

The external strategy aims to show that though a commitment to responsibility and a commitment to ensuring people do not fall below a safety-net are independent claims, the latter commitment is so important that, where the two clash, we should always decide in favour of the safety-net. Again, this is still consistent with responsibility having a significant role to play in judging inequalities and large losses as just.

The strategy is inspired by work on sufficientarianism, which is the view that it is especially important that individuals secure enough of some important goods. Such a position could straightforwardly support the idea of a safety-net and, if of primary importance for justice, it could support an unconditional safety-net, or at least one not conditional on responsibility.

To support such a view one would have to show that this sufficientarian principle was weightier than our commitment to responsibility, but also consistent with a serious commitment to responsibility. However, I think that in order to support an unconditional safety-net, the version of sufficientarianism we would have to support would succumb to powerful objections that have historically been made of the view.

Consider that one of the implications of an unconditional safety-net is that it would be extremely costly to others. There is a finite set of resources and these resources would be spent on raising someone up to the safety net, thus diminishing the overall set of resources available for other projects. Of course, if you insist that securing enough is very important, then you will effectively level everyone down to the sufficiency level before you hold people responsible for their choices, which you may eventually do. This objection is similar to the indifference objection, which is levelled at Upper-Limit Sufficientarianism. Alternatively, one could prefer a slightly modified version of what I have elsewhere called Shift-Sufficientarianism, which holds that while further benefits are not irrelevant, then are less weighty or are weight in a different way. But versions of this view that were capable of defending the safety-net against responsibility would be hostage to fortune of repeat offenders and as such would be vulnerable to the same levelling down.

In attaching a sufficient level of weight to ensuring people do not fall below the threshold, a level of weight that does not diminish in line with the responsibility one has for one’s predicament, one will leave oneself open to counter-examples like the above. I think this gives us good reason to think that the sufficientarian route is not a plausible one. This means that, in summary the *External and Internal Strategies* are no good.

*SECTION THREE*

I will now consider two further ways in which responsibility may require a robust, though not unconditional, safety-net. These views offer a more plausible reconciliation and can support some attractive features of the welfare state.

A position is available that gives people a certain amount of chances before they lose their entitlement to be restored to a position above the safety-net. Call this the *Three Strikes Safety-Net*.

On this view, we may share the costs of providing a safety-net for people two or three times but not an unlimited amount of times. This view is more generous than the views that the harshness objection targets but avoids the objections above since there are principled limits to the costs we can bear for others. However, as stated the view appears *ad hoc* and lacks rationale, which is necessary to establish whether it can be grounded in some more intuitive notion and to help support a particular number of strikes as most appropriate. Note also, that if we insist that individuals have an entitlement to two or three strikes this doesn’t pay any attention to the cost to others of restoring them to above the level of minimum welfare. So, Betty could make voluntary choices that lead her to being very expensive to bring up one time and Carla could make voluntary choices that are very cheap to bring her up one time. Since the extent of costs on others are highly relevant to the justification of externalising them, some deeper explanation should also address this counter-intuitive implication.

The motivating thought behind the *Three-Strikes Safety-Net* is that we would accept that we all make errors of judgements, our beliefs and ambitions change and we come to reject some of them. It would be highly limiting to have to be in a dire situation, even if one is so voluntarily, and to have one’s life prospects diminished. It is an inherent hazard of exercising one’s moral powers to revision and rational pursuit of a conception of the good that we end up later rejecting our choices, not because of their consequences but for other reasons. We may agree that it is better to give people a few chances than to give them no chances and let them live by the responsibility of their choices, but how do we determine how many and what value or interest is this protecting?

One approach would be to use hypothetical insurance. In an *ex ante* situation knowing relevant information such as “people often come to regret their choices”, not merely their dire circumstances, and so we would want to insure against being below a certain kind of threshold. It is highly unlikely that the average insurer would choose to buy insurance that would bail them out under any circumstances or that there would be no limits to the amount of times they could be bailed out. The premiums for such a safety net would similarly tend towards unlimited. This isn’t going to be a very good deal at all and we can be sceptical that the average insurance policy would look like this.

One way of making the answers more determinate is to allow citizens to decide by democratic decision making the kind of conditional safety-net they would prefer. I can’t speculate as to what kind of measures would be favoured but it seems that, in spite of the attractions of leaving things to democratic vote it may lead to a kind of tyranny of the majority with regard to essential goods.

The hypothetical insurance mechanism can just be a heuristic for certain sorts of values or interests that people have that would motivate them to purchase some kinds of insurance rather than others. So, what reasons could we have and why would this support a limited safety-net? It’s not terribly clear other than more general reasons that don’t seem to settle on a particular number of times we can appeal to the safety-net. We might reflect on the idea that we have a capacity for a conception of the good, which includes the capacity to revise and rationally pursue a plan of life. The capacity to revise our plans at less than the full cost is something we may wish to exercise and as such, we may insure in accordance with our inclination to revise balanced against our inclination to rationally pursue and advance our aims further. However, it is not clear that this would support an unconditional safety-net. It may be quite different.

A fourth position where we maintain a currency of opportunity rather than of outcome. Call this the *Unconditional Opportunity Safety-Net*. On this view, we should offer a safety-net that is not designed to give people a specific level of welfare or outcome but to always ensure that individuals have a decent opportunity to live above that level. As commonly understood, an opportunity is a relationship between an agent and a goal that is mediated by obstacles, none which are insurmountable, for that agent to that goal. So, for instance, my goal of having a driving license is mediated by obstacles such as passing a driving test. In the case of the welfare state, what I have in mind is the goal of securing a specific level of welfare, or state of being, and that obstacles can vary according to the opportunity costs to others of restoring one to that level. The idea is that we should try to ensure that everyone always has an opportunity, mediated by obstacles, none of which are insurmountable, to live either a minimally decent life or a life at the level that they would otherwise enjoy had they not been responsible for their choices. It avoids the counter-intuitive implications of the Three Strikes Safety Net because set out in the example of Betty and Carla because we can apportion the obstacles to the cost to bringing them up to the safety net.

This view may fall to some form of bottomless pit objection as it places no principled limits on the costs that should be born to ensure there are no insurmountable obstacles, but the nature of the surmountable obstacles that constitute the opportunity can be changed. For instance, an individual may be required to take certain steps themselves in order to secure the opportunity. What those steps are can vary in accordance with some other principle of fair costs. However, the main principle that we always ensure that everyone has an opportunity is in principle vulnerable to a bottomless pit objection. I believe this option seems to find a better compromise between our interest in rationally pursuing and revising our conception of the good. It always keeps open the interested in rationally pursuing the conception even once we revise it. It seems plausible to think that in some rational position of choice we would be willing to accept significant costs in order to keep a minimally decent life for ourselves a real possibility, even if there are obstacles to overcome.

*CONCLUSION*

I conclude that one cannot argue for an unconditional safety-net consistent with a commitment to taking responsibility seriously in a plausible way.[[13]](#footnote-13) However, we might be able to defend a robust safety-net, and thereby many aspects of the welfare state, by appeal to our interests in planning our own lives. At this point it is worth asking why we were ever interested in an *unconditional* safety-net in the first place.

I think what underlines much of our intuitions about the welfare-state concerns those who are badly off through no fault or choice of their own. These cases are covered by voluntariness and responsibility would not deny those individuals entitlement to support. However, even among those who are badly off as a result of voluntariness we believe that individuals should always be able to make something valuable of their own lives, they should have, if not the actual capacities and material means to make their life a success, they should have some reasonable pathway to those things. Part of the rationale for this is that we recognize that we sometimes revise our conceptions of the good and the cost of that revision or the cost of pursuing our previous, authentic, conceptions of the good may gravely inhibit our ability to rationally pursue another one. I have suggested that hypothetical insurance provides us with a helpful heuristic but it is hard to see how insurers would choose in this case. However, it is reasonable to think that they would prefer to either allow themselves a few chances at the safety-net or would select the opportunity view rather than an unconditional safety-net or no safety-net whatsoever. Between the opportunity proposal and the Three Strikes proposal I suspect that the opportunity proposal would be preferred since we would always want to keep open the idea that it is within our own agency to live a decent life, whereas the other view would offer them better, perhaps more expense, rescue options but could leave them in seriously dire circumstances without an opportunity to live a decent life.

Of course, something resembling the bottomless pit objection seems to arise, which is why the level of support and the quality of the opportunity has to be sensitive to the costs to other people, but we can now be a little clearer about what it is that is in the balance. It appears that it is our insistence that people always be in a position to make something of their lives and that other people cannot be compelled to restore individuals who are badly off voluntarily to their previous position. What we need to think about is how exactly to make these trade-offs, but I don’t think that this would necessarily come down on unconditional benefits. In some kind of original position we would want to weigh these two considerations and offer some kind of safety-net that is not unconditional.

And what does this mean for the welfare-state? Many illnesses and disadvantages are not in any sense linked to voluntary choices, understood in the way I endorse here. Much of our welfare-state is justified even if it is conditional on responsibility. However, it may appear that other policies, such as those who refuse to take reasonable job offers and endanger their health in important ways, assuming a fair background and authentic preference, could be treated harshly by a conditional system. But the harshness objection can be avoided only at too high a cost for those genuinely committed to responsibility. It implies bottomless pit objections and implausible understandings of the background conditions under which one can be held responsible. There may be other reasons to think that we should not favour a system like this. They may include promoting the general welfare, especially the least advantaged, or reasons of efficiency and practicality, but responsibility itself does and will tell against their being entitled to help. This may suggest programs like workfare or charging people for healthcare. I think we should pay a lot more attention to the conditions that are acceptable rather than accepting the binary choice between conditional and unconditional safety-nets.

1. ♣ This paper is prepared for a workshop on Reassessing the Unconditional Safety-Net, which is part of a series on Responsibility and the Welfare State taking place at Glasgow University. I am very grateful for helpful comments from and discussion with my colleagues at the MANCEPT staff research seminar and comments on a previous draft from Nici Mulkeen. [↑](#footnote-ref-1)
2. Anderson herself does seem to endorse some conditionality on benefits as they are required to maintain relations of social equality. [↑](#footnote-ref-2)
3. There may be other ways of thinking of an unconditional safety-net. The conditionality of the safety-net could be understood either in terms of the range of persons it applies to. I would call this a universal safety-net rather than an unconditional one, since it is compatible with the view that one could lose entitlement to it due to one’s actions or choices. I do discuss a view similar to this below in section three. [↑](#footnote-ref-3)
4. I think this is the correct way of thinking about the welfare state in the UK. [↑](#footnote-ref-4)
5. Other notions of liability would invoke a duty to pay the costs for which one is liable. For instance, when one builds up a debt or harms another person we believe that the debt or compensation is obligatory. However, what we are interested in here are cases where an individual acts in ways that render themselves worse off and so, rather than invoke an obligation to oneself, it is better to say that no one else is obligated, in a way that in enforceable, to pay those costs. It seems more sensible in self-regarding cases to say that if someone who is badly off through their own fault and does not restore themselves to their former position is not failing in some duty or wronging themselves. I think this sounds peculiar. [↑](#footnote-ref-5)
6. It is important to be neutral about whether disadvantage or burdens is the correct term because many take it that only relative differences, such as inequalities, call for redress but absolute short-falls, interpersonal or not, may also require redress. [↑](#footnote-ref-6)
7. It also strikes me a one of the more promising accounts of responsibility for reconciling the safety net with responsibility since there is an account of reasonable alternatives. Rights-based accounts typically do not have this feature. Cf. Nozick, *Anarchy State, Utopia*, Basic Books, (1974). [↑](#footnote-ref-7)
8. I assume that being murdered is not a reasonable alternative [↑](#footnote-ref-8)
9. I take it for granted that these cases *can* arise when the preferences are authentically formed. Having such preferences are not incompatible with any plausible account authentic preference formation, which is better understood in terms of the process of deliberation than the outcome beliefs. [↑](#footnote-ref-9)
10. Jacobs, Lesley A. *Pursuing equal opportunities: the theory and practice of egalitarian justice*. Cambridge University Press, 2004. Olsaretti, Serena. "IX—Responsibility and the Consequences of Choice." *Proceedings of the Aristotelian Society (Hardback)*. Vol. 109. No. 1pt2. Blackwell Publishing Ltd, 2009. [↑](#footnote-ref-10)
11. This assumes the safety-net is not subjectively defined. Note that if it were the other arguments would still apply and a subjectively defined unconditional safety-net would not [↑](#footnote-ref-11)
12. An interesting strategy to promote welfare, and not responsibility sensitivity, might be to keep removing the possibility of bad or costly choices, leaving only good choices that individuals can responsibly make. However, many people consider this sort of thing to be problematic and it has a close relation to nudging. [↑](#footnote-ref-12)
13. Since voluntariness is more hospitable to the unconditional safety-net than other accounts of responsibility, such rights based views, this supports the idea that we cannot reconcile non-instrumental responsibility more generally with the safety-net. [↑](#footnote-ref-13)