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Toward a non-utopian theory of  
justice

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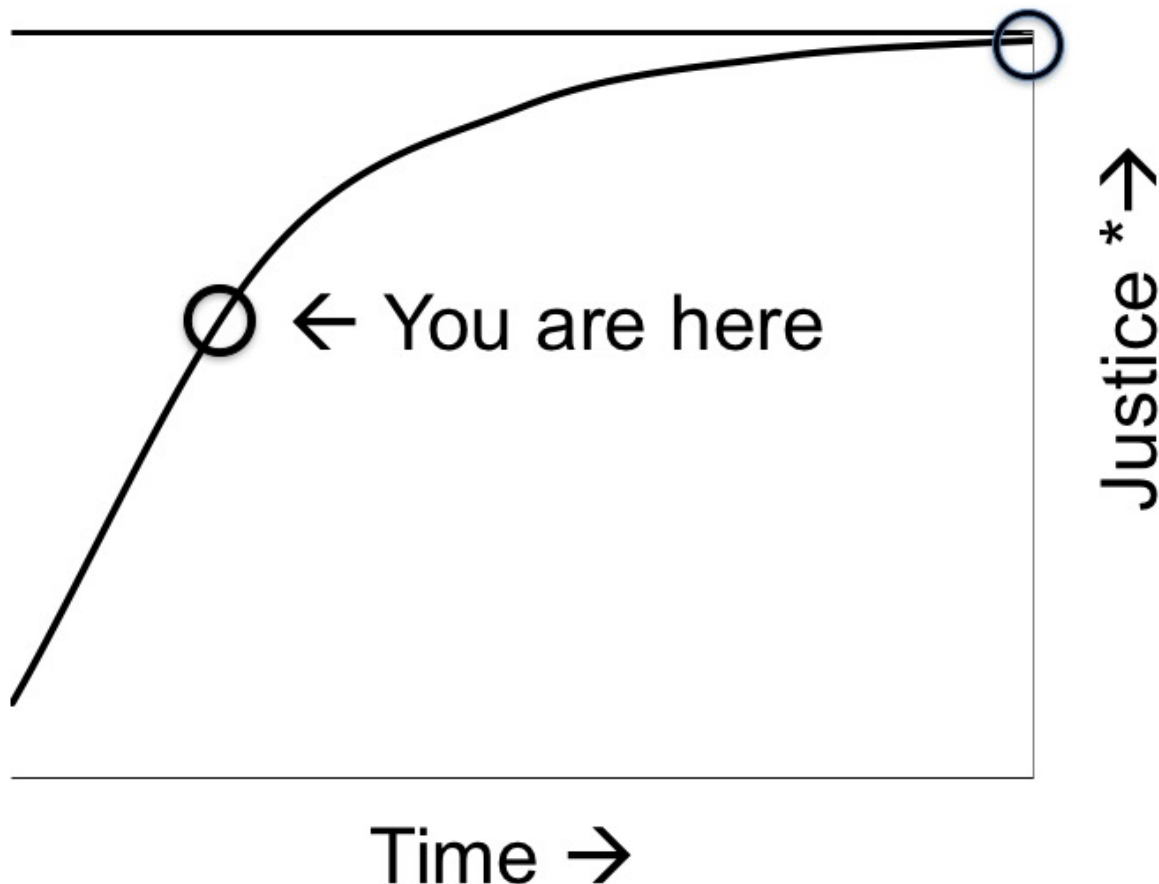
## Justice as the Pursuit of Accord: Toward a non-utopian theory of justice

Karl Widerquist

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The hardest thing for any society to do is to avoid oppressing its least advantaged people. This article argues that well-meaning theories of justice contribute to this problem by employing utopian assumptions that imagine solving unsolvable problems. They eliminate the disadvantages they know and understand, but their overconfidence leads to errors that systematically disadvantage the least powerful people in political, social, and economic terms. This article previews a theory of justice, I call “justice as the pursuit of accord” (JPA), which by attempting to eliminate these unrealistic assumptions, creates a fundamentally different framework than most prevailing political theories of justice. In this sense, JPA attempts to be an “agathatopian” theory with far more tentative assumptions about what is achievable. The essay introduces JPA as I have outlined it in past works, contrasts it with prevailing theories,<sup>1</sup> and previews JPA property theory as I will outline it in much greater detail in the forthcoming book, *Justice as the Pursuit of Accord*.

The following graph is an attempt to illustrate the difference in approach between JPA and what I see as the more typical approach. It shows “time” on the horizontal axis and “justice,” for lack of a better word, on the horizontal access. Justice can be thought of as the percentage of people with no reasonable, rational, or fully informed objection to the prevailing social structure or the percentage of people who can claim genuine, substantial rights violations.



We all find ourselves at the point marked “you are here,” far from justice, but hopefully on a path toward it. No one expects society can reach a point of perfect justice. We imagine the path to justice as an asymptote that gets closer and closer to justice over time but never quite reaches it—and even that is in the far-off future.

Most theories of justice focus not on the path we are on but on that imaginary end-point where the curve and the line virtually come together and our position approximates justice. They theorize little about the path itself, except perhaps in the sense that it involves introducing the reforms in their endpoint theory. Doing so they abstract away from the inherent problem of being on the path rather than at end endpoint. This is the wrong approach because in reality, all we have is the path. We are always pursuing justice, never quite managing to find the ideal approximation of it. Theories that jump to the imagined endpoint miss some of the most important barriers in the path toward a more just society.

Social contract theorists tend to think: if the right basic structure is in place all rational, reasonable, fully informed people would agree to the social structure (as if they signed a social contract), and any irrational, unreasonable, or insufficiently informed people could be treated as if they were signers. Natural rights theorists tend to think: if the just natural rights system is in place, it would be just whether or not people agree. But if the one just natural rights system is in place, those who reject it must be irrational, unreasonable, or insufficiently informed.

Therefore, both approaches provide reasons to dismiss all disagreement, even though throughout history and at “you are here,” our basic structures are far from attaining the moral authority to make that dismissal. Although existing theories greatly conflict in their vision of that endpoint, virtually all of them think they have the one that attains that moral authority. Therefore, I feel confident in grouping both approaches together in so much as both assume there are no reasonable objections to the basic structure they propose.

JPA is an attempt to refocus attention on the path toward justice, the point where we are now with significant disagreement and injustice. JPA is a more tentative theory because it is not built on the confidence that any of the proposed structures—including the JPA structure—can have attain the of moral authority needed to dismiss all objections as unreasonable.

At “you are here,” hopefully, a large majority of people have signed on to the social contract. That is, they have no rational, reasonable objections to the social structure. But there are also a lot of people who do object to this structure. I call them “dissenters:” people with rational, reasonable (principled), well-informed reasons to believe that the structure treats them unjustly. Endpoint-focused theories abstract away from the problem of dissenters. And if you ask an adherent to one of these theories, “how does your theory treat dissenters?” Their only possible answer is to say that (they assume) dissenters don’t exist; their theory supposedly solved all the problems that could possibly motivate real dissent. The remaining objectors must be “recalcitrants” or “intransigents”—people with only unreasonable, irrational, or insufficiently informed objections.

There are several reasons to believe that no practical theory can eliminate true dissenters. First, informational problems might make it impossible to know enough about everyone’s needs and everyone’s concerns to build a basic structure that is just to everyone. And a structure based on incomplete information will be systemically biased against the least advantaged, because both theorists and policymakers are more familiar with their own situations than those of others. Relatively advantaged people control the dialogue, and they have an imperfect ability to compensate for their own perspective even as they attempt to adopt a neutral perspective. Even if theorists and policy makers originate in disadvantaged groups, once they obtain the power to make decisions, they

establish a new status quo where they are advantaged. You can't always tell dissenters from recalcitrants, and informational problems make it more likely that you, I, or anyone else in the position of decision-maker will more often mislabel dissenters as recalcitrants than the reverse.

Second, theorists and policymakers suffer from self-serving bias. Not only will they know less about the systemically disadvantaged, but they will make biased decisions in favor of themselves and other advantaged people. They will be biased in thinking that status quo that advantages them is more reasonable than it would appear if they could really see the view from nowhere. Compounding the informational problems, biases will increase the problem that you will more often mislabel dissenters as recalcitrants than the reverse.

Third, any theory that wants to eliminate reasonable disagreement has to deal with the problem of reasonable disagreement over *both* the good and the right. Theorists take an enormous and unwarranted shortcut dismiss anyone who disagrees with their basic structure or their rights system as "unreasonable." Reasonable positions about justice issues need to be understood as all those that are both principled and not (obviously) self-serving. If you abstract away from the problem of principled disagreements about what justice is, you assume far more agreement than exists—perhaps more agreement than is possible. Bargaining agreements don't always have a core, especially when multiple people are involved. Principled political beliefs are so diverse that a theorist is unreasonable to assume their system has found the core or that any core exists where everyone has good reason to sign on to a social contract or believe in a system of natural rights. A structure that brings one group of people into agreement often alienates other people from the agreement. For example, probably every principled person would have to agree to prohibit murder, but there are principled disagrees about whether such prohibition should apply to apes, fetuses, infants, and so on.

Fourth, many decisions that are basic to the structure of society have no other character than what people want. Not all elements of the social structure are like murder. Should the transit system be based more on busses, train, cars, airplanes? How much environmental damage should we tradeoff for greater production of goods? What part of the Earth's land should be private, public, or common? The answers to these questions depend largely on how we *want* to live—what laws do we *want* to live under? If everyone agreed, they would have limited justice implications, but because people disagree, almost any decision amounts to one group of people imposing their way of life on others.

Fifth, principled people are likely to move in and out of agreement overtime, making the contract unstable. This is why JPA uses the word "accord," rather than "agreement" or "contract." Theories take an unwarranted shortcut ignoring people's current disagreement while imagining that they would have agreed in some original position.

Sixth, beyond the factual informational problems and beyond the problem of disagreement about both the right and the good, ethics has to be conducted under uncertainty about ethics itself. No matter how carefully the theorists have studied the issue and thought it over, they must know that they are fallible human beings, and they must know that the theory of justice they have built up could be wrong. This knowledge should give them reason to pause before assuming that all objections to their social contract is irrational or unprincipled. Certainly, a more tentative theory is warranted, one that considers minimizing the maximum loss that would be created if the basic structure is not as ethically sound as its adherents supposed.

Seventh, in practice, the claims of universal assent helps justify oppression by giving policymakers permission to assume away dissenters.

Like contractarianism, JPA takes on the goal of getting as many people as possible to sign on to the social contract, but for the above reasons, JPA is not based on the assumption that any social contract can eliminate all rational, principled objections. And it does not assume any natural rights system can fairly dismiss all principled competing systems as simply a rationalization for unethical rights violations.

Theories of justice that abstract away from the problem of dissent (and that is most theories) by imagining unanimous agreement, thereby reduce their efforts to strive for the widest *literal* agreement. If you've already assumed that out-groups are unreasonable, you're not really striving to make an accord with them.

JPA is in this sense stricter than social contract theory because it requires literal accord (actual current agreement rather than the hypothetical past non-withdrawable agreement common to most contractarian theories). But it is less strict in the sense that it does not assume universal accord is possible and therefore does not demand the structure achieve unanimity. Yet, JPA becomes stricter again because relaxing the unanimity requirement brings in a new responsibility that is not considered by most contractarian or rights-based theories: JPA requires a theory of the just treatment of dissenters. JPA has three requirements to justify the social structure: the widest-possible accord, the minimum negative impact on dissenters, and constant striving for greater accord.

Before discussing those requirements in more detail, I will explain my dissatisfaction with three board strategies to eliminate all genuine dissent.

1. Splitting: some theorists (including anarchists and both left and right libertarians) suggest splitting as solution the lack of agreement.<sup>2</sup> Differently minded people could group into communities based on full agreement. I not optimistic that splitting is a realistic solution, because emigration does not work for everyone. People develop ties to other people and to places. Asking them to leave is not always offering them freedom; it can be punishing them with banishment. And many conflicts about justice are also conflicts about who has the right to be on this particular stop and what should the laws be over in this particular place. Splitting should be tried when possible, but for the most part, we are all stuck here together for a while; we have to find a way to get along—and to avoid oppressing the disadvantaged.

2. A "thin" structure: liberals including both libertarians and liberal-egalitarians claim to create a thin social structure with minimal demands on people, one that will allow everyone freedom to pursue their own goals to the greatest extent possible. Therefore, supposedly, the thin structure provides a core (either a system of rights or a hypothetical contract) to which no one can reasonably object. The six reasons discussed above suggest doubt that any system can be both thin enough to eliminate dissent and thick enough to create a working structure. An additional reason for doubt is the obvious incompatibility between the many different thin structures, all proposed with such confidence with such confidence that this is the one to which no one can reasonably object. I have argued elsewhere that right-libertarianism works a bunch of one-sided and onerous duties into their supposedly thin and freedom-promoting structure.<sup>3</sup> One group gets to own the entire earth and pay no compensation to those who therefore own nothing outside their own bodies. Those made propertyless by this process are effectively forced to work for the owners, following their orders, often for their whole lives. Surprisingly, liberal-egalitarians work in a similarly onerous duty. Although John Rawls wants to maximize the advantages of the least advantage person, that person has to earn a claim to those advantages by contributing. Assuming that there are no reasonable objections to working for—and following the orders of more powerful and wealthier people—Rawls assumes that

the unwillingness to take employment under the current conditions is nothing more than a selfish desire to consume more leisure than others. He compares those who refuse employment to lazy surfers and affords them no claim to resources.<sup>4</sup> Ronald Dworkin similarly labels those who don't want to contribute to his version of the social project as beachcombers.<sup>5</sup>

3. Imagining a horrible alternative: many contractarian and libertarian theories take another shortcut to assumed agreement. They imagine a natural starting point that happens to be horrible, and declare that everybody consents to the structure because it saves them from that horrible alternative. Hobbes was apparently the first to use this strategy in social contract theory. Locke applied it to property theory in his "proviso." Most contractarian and natural property rights theories have used it ever since.<sup>6</sup> My most recent book, *Prehistoric myths in modern political philosophy* (coauthored by Grant S. McCall) criticizes both applications of this approach. Some social contract theories say something to the effect of, *every rational person prefers just about any state to stateless, except the rare persons who just loves violence and death and insecurity*. Many Right-libertarian theories say something to the effect of, *all rational people—even the propertyless—prefer a society with private property except maybe the rare person who loves poverty*. The book goes through the history of these literatures to show that they really do need these counterfactual claims to be true. Although philosophers have been making these claims over and over again for 350 years, they have offered little or no evidence for it, relying on presumed obviousness.<sup>7</sup>

The book spends several chapters looking at the evidence showing that the least advantage people among us are not any better-off than our brethren in indigenous societies that have gotten by with no government and no private property system. The least advantaged are worse off, not because it is impossible to make everyone better off, but simply out of neglect and mistreatment. And this myth we tell ourselves—that every rational, principled person benefits and consents—makes it easier for the advantaged people to carry on that mistreatment. This belief that we are at or close to a point where society really is in everyone's interests so that there are no dissenters only recalcitrants is a destructive myth.<sup>8</sup> Belief in it could be an example of our self-serving bias.

Of course, the reasons for dissent multiply if one believes—as many philosophers do—that the social structure must not simply be a little better than a stateless society, but it must be better than all other alternatives. Principle people can rationally disagree about which structure is best.

JPA attempts to build a theory that not only rejects the assumption of universal agreement, but uses the working assumption that universal agreement is probably impossible. In situations in which dissenters exist (the social contract has less-than universal support), the ruling coalition is akin to a club: a group of like-minded people doing things their way. But it is a special club that can't exist without its way of doing things on everyone in the region. The closest we can get to a social contract is an insider-outsider contract, the kind talked about by Carole Pateman and Charles Mills.<sup>9</sup> The standard response to the existing reality of insider-outsider contracts is to admit the need to create a truly inclusive contract, unusually followed by the confident proclamation that the author's theory is the one that finally eliminates the outsider problem.

Under the presumption that all contracts and all rights theories have the insider-outsider problem, what justifies the ruling coalition (which is just one of many possible clubs) taking power, determining the social structure, and making rules over the objections of dissenters? That is the first problem for JPA: what are the criteria for justifying a government—or any social system—when all social systems have this inherent insider-outsider character?

The answer is the three criteria. The first is maximum support, the literal consent of the largest number of people, which in practice is usually majority support, because super-majority rules tend

not to protect minorities but to protect those who benefit most from existing arrangements.<sup>10</sup> The second is minimum negative interference with or minimum negative impact on dissenters. That is, the ruling coalition's right to rule come both from the fact that they constitute a majority and that they impose less on dissenters than any other potential ruling coalition—any other club.

Of course, these two principles can come into conflict: what if a smaller group would treat dissenters better while a bigger group would treat them worse? This is a problem is difficult, but it's not unique to JPA. Any democratic theory of justice faces problems like this unless the theory defines justice that which the majority decides.

The third criterion is that the ruling coalition must continually strive to bring dissenters into accord. I hesitate to treat this as a separate criterion because it overlaps so much with both of the others. One can hardly reach the widest possible accord without continually striving to bring more people into agreement. The kind of things the ruling coalition can do to minimize their negative impact on dissenters might also be the kinds of things they can do begin to bring them into accord. But the effort to widened the accord stresses the positive rather than the negative. Minimum negative impact is the requirement to forever ask as little as possible from dissenters. Striving for wider accord is the requirement to forever listen to everyone's complaints (especially those most outside the centers of power) and to look for new ways to accommodate their concerns. The effort to reach unanimous accord might be a hopeless endeavor, but the continual pursuit of it is necessary to justify any insider club presumptuous to rule over the objections of dissenters.

The JPA project began with my 2012 book, *Independence, Propertylessness, and Basic Income: A Theory of Freedom as the Power to Say No*.<sup>11</sup> It focused on one aspect of JPA: its theory of freedom. The book argues that the maintenance of every individual's status as a free person is essential to minimizing the negative impact on dissenters and to decent treatment of everyone. It argues that that status freedom should be understood as effective control self-ownership, essentially freedom as independence or freedom as the power to say no. People have a responsibility to stay out of each other's way sufficiently that no one is directly or indirectly forced to do someone else's bidding.

Humans need resources to survive. If any group of people maintains control over resources so that a person cannot access enough of the Earth's resources to meet their basic needs, that group has taken power not only over those resources, but also over that person. She has no effective power to refuse whatever they demand she does to get access to the resources she needs to survive. Although the force compliance is indirect, it is no less coercive, no less a violation of negative liberty. Only force can establish control over an environment that was here long before humans. To maintain a property right over resources and things we make out of them is to impose a duty on others, and it can be a duty so onerous at threatens their status as a free person. It does matter whether the group controlling resources is a king, a democratic government, a group property owners, or some other grouping of people. People in a world where others control the resources necessary for survival are unfree to refuse to do whatever at least one member of that group demands.<sup>12</sup>

Any group that imposes this duty on other people, therefore, must compensate them at least enough that they can meet their basic needs so that they remain free in their interactions with others. Any pervasive property rights system requires a sufficiently large basic income if it is going to be consistent with respecting every individual's status as a free person.<sup>13</sup>

That theory of freedom imposes one very major constraint on any property rights system, but it is not a fully laid-out theory of property. My forthcoming book, *Justice as the Pursuit of Accord*, discusses the basics of JPA and more fully develops a theory of property consistent with JPA. The rest of this article previews that theory.

The resources of the universe were all here before humans. And human society has a wide range of options of property rights regimes. Resources could be a commons, for everyone's use but no one's ownership. They could be public property, centrally managed for public purposes. They could be divided into private property. Any portion could be common, public, and private. Public property could be used in an infinite number of different ways, and resources could be privatized in an infinite number of different ways depending on the terms of privatization—length of tenure, regulations, taxation, and so forth.

One way JPA is distinct from many other theories is that it does not privilege any of these possibilities as the right property rights regime. In liberal-egalitarian, social democratic, and socialist theories, resources are naturally the property of all. In left-libertarianism, everyone naturally owns an equal share of the value of resources. In classical liberalism, right-libertarianism, and/or propertarianism property supposedly naturally belongs to “appropriators,” which in their application amounts to in belonging to private but not public entities that have held property for a while.

In JPA theory, the property right regime is a matter of preference. If we're all in accord we can do whatever we want. But the justice implications of one group imposing their preferred property rights regime over the dissent of others are extensive. Therefore, in a first-best scenario, JPA property theory is a matter of striking a compromise between competing preferences, and in a second-best scenario, it is a matter of striking a compromise between many competing preferences and minimizing the negative impact on people who cannot be brought into the compromise.

Consider a first-best property rights accord in two-person example. If you and I find ourselves on an island, we can treat the whole thing as a commons. We can use it for a joint (and therefore public) project. We could divide it in half and privatize it. More likely, we'll choose some mix of all three. We could make this part mine, that part yours, this part common, and that public and jointly operated. As long as we both agree (and we are able to know our best interest), any combination is first-best. But if I impose my will on you, I deny human equality, and I can starve you to death or use that power to make you my effective slave.

As the number of people involved increases, the likelihood of reaching any first-best property rights accord rapidly approaches zero, especially in the light of the complexity of the available options. Some group will impose its will on dissenters. How can a society establish any regime and pursue accord at the same time?

For one thing, all duties have to be reciprocal. The obvious example is a rule in favor of autonomy, self-ownership, or something similar: I have control of my body, you have control of yours. Even if some people would rather have some form of mutual control of each other's body, that rule is clearly reciprocal. Being reciprocal is not sufficient to ensure an obligation is free from oppression, but it is necessary.

Yet, most or all of the world's property rights regimes distinctly lack reciprocity. Governments coercively enforce a situation in which one group of people controls all the resources of the Earth, and the rest own nothing unless they do what the government and/or at least one member of the property-controlling group demands. Neither the division of resources nor the effectively forced labor are reciprocal.

The most obvious reciprocal privatization rule is equal division, but equal division, at least in physical terms, is not necessarily what many people want and not easy to maintain over time as population changes or in a trading economy, which many people do want.



Left-libertarians suggest taxing away the market value of the return on resources leaving the rest of the monetary value of the world's property to owners and employees as the market determines. They replace literal resource equality with equal ownership of the market value of privatized resources by distributing the value of the revenue from this tax equally or using it for some public project designed to benefit everyone. Although this idea is a great step forward, it is simplistic. It amounts to a forced sale. There is no negotiation of price and terms of sale. The market price of resources is passively accepted as if it somehow established the moral value of the contributions of resources and human effort to production.

Market prices are social constructions. They depend on morally arbitrary market conditions and policy-determined background conditions, and people with little property have the least input in determining those market valuations. Governments have a monopolist's price-setting power over the resources in their territory. Rather than the passive acceptance of whatever the market price happens to be, JPA involves using that monopoly power to find prices and terms of privatization that approximates an agreement between those who pay to own the resources and those who accept payment for being denied like access to resources. Once the government uses price-setting power over resources, there is no longer a dichotomy between the return on resources and on human effort. All property is made out of resources; all wealth is a claim on resources and the things we make out of them. Some taxes are better than others but all taxation of property stems from the government's control of the resources within its territory.

To understand how unequal resource ownership might be made consistent with the pursuit of accord, it is important to understand what property is. Private ownership is the imposition and maintenance of a duty on other people. The government or some other authority forcibly holds everyone else to the obligation of leaving it alone so that only the owner can use it and make decisions about it. When people trade the title to a piece of property, its price reflects how much the two owners value holding other people to do the duty to respect their control of it. But the price does not necessarily reflect how much everyone else values being held to that obligation.

What do you do if you want other people to voluntarily accept an obligation? You purchase it by paying them what it is worth to them to be put under duty. Ideally, a property rights accord would involve negotiation between the prospective owner of each resource and the nonowners of that resource (everyone else), so that they agree to a price and terms of ownership (the taxes and regulations on that property). In a nonideal approximation of a property rights accord, taxation and regulation are part of the purchase price of property rather than some infringement of the property "right" itself, as it is commonly viewed even by many people who consider it a necessary infringement. Actually, it's the other way around, unequal resource ownership without compensation to nonowners is an infringement on the equal freedom for all. Therefore, then one person assumes ownership of property, they must also assume the duty to pay the taxes and to obey the regulations that are necessary to get others to accept the duty of respecting that property right. Imagine a system in which everyone pays for the property they own (taxes or fees) and everyone receives a payment for the property they don't own (in cash or services).

This theory also implies a different view of a citizen's role in decision-making of government. It comes not from being a taxpayer as Americans often stress, but from the fact that they are actually owners of the things the government is selling to other people—not the resources per se but the duties that the want-to-be owners intend to impose on nonowners. The reward for paying taxes is the right to hold property.

A first-best property rights accord is one in which all sellers and buyers come together to settle on the price and terms of sale, to which all purchasers (the prospective property owner) and the sellers (the nonowners). “Agreeing” does not mean they like it, only that they willingly accept it. Sellers might believe that they should have been paid more, and buyers might believe that they should not have had to pay so much (as buyers and sellers often do even after both agreeing to a price), but as long as they willingly accept it when they could reasonably have done otherwise, they agree in the sense relevant to most economic and ethical theories of transactions.

An ideal first-best property rights accord requires that a core exists and that society has some mechanism to solve all the informational barriers to find it. In it, everyone in the political community would agree to all of the following: what resources will be held privately, publicly, or as a commons at what prices and other terms of sale (such as regulations and the length of tenure); what portion of the revenue from privatization will be used to compensate nonowners; how much of it will be used for other public services, and so on. Additionally, in a first-best accord, the current negotiators would act as perfect fiduciaries for future generations so that the agreement would not need to be revisable to bring future people into accord.

Of course, this first-best accord is so improbable, it’s impossible. The government will have to try establish a political process to approximate it through participation and voices from various sides. Dissenters will exist. Individuals will have principled reasons to disagree with virtually every aspect of the accord.

To minimizing negative impact on dissenters, the second-best property rights accord requires the highest sustainable basic income. It gives the maximum possible compensation to those who object to the agreement and gives them the maximum flexibility of what they can do with their lives. It also asks as little from them as possible: they have to obey the laws and accept that they have less property than any other person in society. But they are not asked to contribute actively and they have as much or more than dissenters would in any other system. Society has a responsibility to give this much to dissenters because any property rights regime with all its imperfections, inequalities, and questionable goals impose onerous duties on people that they might have good reason to oppose.

In a second-best property rights accord, people living off a basic income might be dissenters; they might be just satisfied resource sellers; or they might be people with special disadvantages who might want to participate more but are for some reason unable or unrecognized. Therefore, JPA has two parallel arguments for basic income. The respect for status freedom motivates at least a sufficiency-level basic income, and the second-best property rights accord motivates the highest sustainable basic income.

By minimizing the negative impact on dissenters, asking as little from them as possible, and constantly trying to bring them into accord, the ruling coalition does their best to justify prevailing social arrangements to them. But the theory does not assume (as contractualists usually do) that any system can successfully be justified to everyone. When decision makers tell themselves they have succeeded in justifying the system to everyone, even though they have literal agreement of only a majority, they give themselves permission to ask more from them and to listen less to them.

The existence of dissenters, the entrance of new generations, and the reasonableness of revised beliefs all imply that the accord must be revisable, but this provision must be balanced against property holders’ needs for secure tenure and reasonable expectations. My forthcoming book, *Justice as the Pursuit of Accord*, explores in much greater detail the motivations, workings, and implications of the property theory introduced here.

The hope of JPA is simple. By bringing the majority into accord, by minimizing the negative impact on those left out of accord, and by constantly trying to bring more people into accord, we move forward on the path toward a more just society. And moving forward on the path with the awareness of our deficiencies is probably the best a theory of justice can offer.

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<sup>1</sup> Karl Widerquist, *Independence, Propertylessness, and Basic Income: A Theory of Freedom as the Power to Say No* (New York: Palgrave Macmillan, 2013).

<sup>2</sup> Michael Otsuka, *Libertarianism without Inequality* (Oxford: Oxford University Press, 2003). Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974)., 297-334.

<sup>3</sup> Karl Widerquist, "A Dilemma for Libertarianism," *Politics, Philosophy, and Economics* 8, no. 1 (2009). *Independence, Propertylessness, and Basic Income: A Theory of Freedom as the Power to Say No*.

<sup>4</sup> J. Rawls, "Brief Comments on Leisure Time," in *Basic Income: An Anthology of Contemporary Research*, ed. Karl Widerquist, et al. (Oxford: Wiley-Blackwell, 2013)., 85-86

<sup>5</sup> Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality* (Cambridge, MA: Harvard University Press, 2000)., 330-331

<sup>6</sup> Thomas Hobbes, *Leviathan* (Cambridge: Cambridge University Press, 1996 [1651]). John Locke, *Two Treatises of Government* (Cambridge: Cambridge University Press, 1960). Jean Hampton, *Hobbes and the Social Contract Tradition* (Cambridge University Press, 1988). David P Gauthier, *Morals by Agreement* (Oxford: Clarendon Press, 1986). Nozick.

<sup>7</sup> Karl Widerquist and Grant McCall, *Prehistoric Myths in Modern Political Philosophy* (Edinburgh: Edinburgh University Press, 2017).

<sup>8</sup> Ibid.

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<sup>9</sup> C. Pateman, *The Sexual Contract* (Cambridge: Polity, 1988). Charles Mills, *The Racial Contract* (Ithaca, NY: Cornell University Press, 1997).

<sup>10</sup> Jeremy Waldron, *Law and Disagreement* (Oxford: Oxford University Press, 1999).

<sup>11</sup> Widerquist, *Independence, Propertylessness, and Basic Income: A Theory of Freedom as the Power to Say No*.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.