

## David Jenkins Denying reciprocity

Article (Accepted version)  
(Refereed)

**Original citation:**

Jenkins, David (2016) *Denying reciprocity*. [European Journal of Political Theory](#), 15 (3). pp. 312-332. ISSN 1474-8851

DOI: [10.1177/1474885115569513](https://doi.org/10.1177/1474885115569513)

© 2015 The Author

This version available at: <http://eprints.lse.ac.uk/67443/>

Available in LSE Research Online: August 2016

LSE has developed LSE Research Online so that users may access research output of the School. Copyright © and Moral Rights for the papers on this site are retained by the individual authors and/or other copyright owners. Users may download and/or print one copy of any article(s) in LSE Research Online to facilitate their private study or for non-commercial research. You may not engage in further distribution of the material or use it for any profit-making activities or any commercial gain. You may freely distribute the URL (<http://eprints.lse.ac.uk>) of the LSE Research Online website.

This document is the author's final accepted version of the journal article. There may be differences between this version and the published version. You are advised to consult the publisher's version if you wish to cite from it.

## Denying Reciprocity

'Some men, faint hearted, ever seek  
Our programme to retouch,  
And will insist, when'er they speak  
That we demand too much.  
Tis' passing strange, yet I declare  
Such statements give me mirth,  
For our demands most moderate are,  
We only want the earth'

We Only Want the Earth,  
James Connolly (1907)

In this paper I do two things: First, I argue that reciprocity remains a valid concept in non-ideal circumstances. It is not something which only becomes relevant once ideal conditions are met. Second, though relevant, I want to challenge the idea that reciprocity should be considered a central part of justice in non-ideal circumstances: It is instead activity which intentionally *disrupts* and *challenges* practices within which reciprocal exchanges take place that is of far greater relevance to discussions of justice. My focus is thus, on the one hand, the appropriateness of using this particular concept in circumstances that are sufficiently far from ideal, and on the other an attempt to both answer the question of what individuals owe to each other and clarify how these obligations relate to reciprocal relations, in those same non-ideal circumstances.

While reciprocity can be generally described as the exchanging things with others for mutual benefit, the currency of those exchanges depends on the context within which it takes place, i.e. the goods that are received and the obligations that are triggered cannot be specified separate from the context. What is appropriate for reciprocal relations between friends, for example, is different to that which would be appropriate for benefits accrued through schemes of social cooperation. Importantly, in the context of those 'schemes' the receipt of benefits also goes some way to describing the justness of the schemes that produce them. In other words, where the receipt of the relevant kinds of benefits is high enough, it forms a threshold against which we can assess the reciprocal obligations that are triggered on the part of beneficiaries. The focus of this paper is primarily on the status of reciprocal obligations when the benefits produced by ongoing social cooperation do *not* cross those thresholds.

This question of status is complicated in light of the considerable personal costs assumed by the producers of benefits, even – perhaps especially – when those thresholds are not met. Social cooperation and productive practices might be far from perfect, but the limited goods that *are* produced are nevertheless the consequence of extensive social cooperation between a great many people accepting the burdens that accompany involvement with that imperfect institutional background. In light of both the burdens assumed in the production of benefits, and the fact that these benefits are the relevant kinds of goods for the particular context, if only in some limited way, I argue that reciprocity remains the correct description of individuals' ongoing productive effort even in (potentially severely) non-ideal circumstances.

In spite of the conclusion that reciprocity remains relevant even when benefits are limited, reciprocity should ultimately be rejected as a central component of justice in non-ideal conditions: Responding to reciprocal obligations in situations characterised by injustice becomes akin to the following of a personal preference or a particular cultural imperative. People who suffer from injustice – or who wish to side with those who suffer from injustice – are permitted the refusal of demands for reciprocal productive effort. However, as a complement to that refusal there emerges an alternative set of demands.

These alternative demands are grounded in the development of disruptive and oppositional strategies which take aim precisely at the practices and institutions within which reciprocal exchange takes place and which are responsible, at least in part, for the perpetuation of injustice. While demands to reciprocate productive efforts of the wider community *can* be ignored when the benefits produced are insufficient and the situation remains too deeply permeated by injustice, these alternative set of demands cannot be so easily dismissed by those who are sufficiently motivated by justice: They are a consequence of a duty to promote just institutions and to refuse to promote unjust ones.

### *Relevant Benefits*

Reciprocity is an aspect of our involvement with others which is deeply woven into all parts of our everyday, social life. Lawrence Becker suggests that 'the mere recognition of a benefit seems to generate a sense of obligation to repay' (Becker, 1986:73). In receiving goods or benefits that are the result of efforts made by others we are expected – should there be sufficient capacity on our part – to contribute an appropriate good or an effort of similar intensity in return. By accepting benefits that require others to assume costs of some kind, people simultaneously provide the grounds that make sense of the demands of reciprocity (Simmons, 1979: 118 – 136).

While I do not wish to limit the overall scope of reciprocity to any specific set of issues or type of goods, the way reciprocity functions within, for example, friendships and families is not relevant to my purposes here. Rather, I will be focussing on a specific *subset* of relations of reciprocity: Namely, reciprocity as it pertains to the kinds of benefits produced by our wider social, economic and political involvement with one another.

John Rawls' idea of primary goods is one such account of the relevant kinds of good. Primary goods are things 'citizens need as free and equal persons living a complete life'. They thus offer a general account of that which people require in order to adequately develop the capacity to form, revise and execute their 'plans of life'. These goods can be divided into five categories: The basic rights and liberties; freedom of movement, and free choice among a wide range of occupations; the powers of offices and positions of responsibility; income and wealth; the social bases of self-respect, i.e. the recognition by social institutions that gives citizens a sense of self-worth and the confidence to carry out their plans (Rawls, 2001: 58 – 59). Measuring to what extent these goods are available for the members of a community is a necessary part of determining the justice of those schemes of social, economic and political cooperation.

A different way of understanding the relevant kinds of benefit is provided by Stuart White's description of justice in terms of the alleviation of the 'proletarian condition' (White, 2003: 87 – 97). Rather than being a description of goods produced by social cooperation, the proletarian condition describes the harms individuals can be said to suffer under capitalism. Schemes of social cooperation are thus to be assessed in light of their ability to alleviate this condition, something to be achieved via institution of the following set of conditions: non-immiseration (the elimination of 'brute luck poverty in income or, more generally, in (a person's) capability for core well-being and/or ethical agency'); market security ('each citizen should enjoy adequate protection against market vulnerability and the exploitation and abuse to which it can lead'); work as challenge (the opportunity to have work become a 'site of intrinsically valuable challenge'-also framed as opportunity for 'self-realisation in work'); minimized class division (reduction of inequalities in educational opportunities and initial access to wealth to a 'reasonable minimum'); non-discrimination (protection against discrimination in areas such as education and employment on the basis of morally arbitrary characteristics).

In this instance, justice is not then specified by reference to the production of particular goods, but is derived instead by the absence of the effects of *injustice*. In contrast to the goods described by Rawls, White thus offers a description of circumstances which serve to *undermine* the ability of individuals to form, revise and execute their plans of life. For justice to be instituted or

approximated, the conditions that produce this proletarian condition need alleviation to some minimally acceptable degree. From White's account we thus gain a sense of both the kinds of harms injustice produces – specifically, injustice under capitalism – alongside the conditions which a more just situation will produce and protect.

Importantly, over and above any specific rendering of the kinds of goods that are produced or conditions that are instituted by schemes of social and economic cooperation, is the following more general point: When the relevant goods are produced as a consequence of different people 'doing their bit' to contribute and sustain those schemes, the presence of those goods or conditions must also go some way toward signalling that both the institutional background and the practices which function against that background are minimally just: The presence of those goods/ conditions is supposed to contribute to the assessment of the overall *justice* of the scheme. Conversely, the absence of such goods signals a lack of justice at that background level.

In this way, justice cannot be entirely described by reference to the concept of reciprocity alone: We need an account not only of the goods produced and conditions established by schemes of social cooperation, but also an understanding of how the goods produced/ conditions established contribute to a just institutional background (Barry, 1996: 50 – 51). There thus needs to be a separate account of the ways in which the presence of the relevant benefits contributes to the justness of a situation. It is with this in mind that the specification of thresholds necessary to measure the *extent* of the benefits produced by social cooperation becomes crucial.

#### *Thresholds for Benefits*

Understanding the relevant benefits by reference to either the *presence* of primary goods or the *absence* of the proletarian condition provides inescapably objective standards, to be used as a means of assessing the extent of the benefits people receive independent of any individual appraisal or subjective recognition (Rawls, 1999: 153 – 158). Moreover, appealing to such standards is also a crucial part of defining the presence and extent of any reciprocal obligations.

Referring to primary goods and the prevention of the proletarian condition as possible grounds of reciprocal obligations is not without its problems. Rather than rely on people's subjective appreciation of the goods they receive, it instead posits a set of standards which determine in what ways and how much individuals can be said to benefit. By doing so, it can be accused of imposing on people a sense of what they enjoy and how much they owe. However, the subjective recognition of benefits is simply unable to deal with the sheer extent of benefits which people enjoy as a consequence of their membership to schemes of ongoing cooperation.

A quick example should make this point clear: If my local council persistently prevents a neighbour from playing loud music but does so without publicising that persistence, then I receive a benefit – a quiet estate – without knowing it (cf. Becker, 1986: 107; Nozick, 1974: 93). Moreover, I could actively avoid any efforts at publicity the council makes precisely to minimize my awareness of what I owe and thus my reciprocal obligations. As a consequence, it becomes necessary to specify particular standards that can be used to measure the benefits enjoyed by different people and determine the obligations they have to others who are involved in their production.

Where the institutional arrangements serve, as a consequence of people's ongoing efforts, to alleviate the proletarian condition or produce primary goods – or whatever the relevant benefits and particular standards we prefer to use – reciprocal obligations emerge. When such goods are enjoyed and concomitant costs are assumed by other agents, to *refuse* to honour those reciprocal obligations becomes an injustice – it is a failure to do one's bit in the sustaining of just institutions from which one nevertheless benefits (Rawls, 1999: 293 – 294). The reference points for people's reciprocal obligations are not, from this perspective, the efforts individuals make taken separately from the *kind* and *extent* of the goods that are produced as a *consequence* those efforts: A great deal of effort can go into the sustaining of unjust institutions. Given the distinction between 'effort made' and 'benefits produced', the status of those efforts that do not contribute to ideal specifications of justice remains vague within these accounts. In other words, where ideal conditions are not met, there is no immediate answer as to what is expected of individuals in terms of their reciprocating effort.

There are two ways in which people's reciprocal obligations can be qualified. First, underlying a reciprocal obligation is the assumption that recipients of benefits are *capable* of responding to the efforts others make toward reproducing and sustaining a just institutional structure. Where a person lacks any *capacity* to reciprocate for benefits received because of extreme frailty or disability for example, she is also excused from any concomitant *obligation* to make productive efforts or contributions to match those made by others. We would struggle to describe this relationship as reciprocal given that the incapable person is unable to match benefits received with the assuming of productive costs of her own. Instead of appeal to reciprocal obligations, there emerges a separate and more general concern with the welfare of the vulnerable. Even if what we understand as disability, frailty and thus contribution can change over time, the assumption that the presence of reciprocal obligations is dependent on the capacity to meet them is, I believe, uncontroversial (Smith, 2001; 2002: White, 2003: 49 – 50).

Another means by which the duty to reciprocate might be qualified is when the benefit received or conditions achieved as a consequence of ongoing social and economic cooperation, fail to count as either relevant or high enough against an appropriately defined threshold. It is not just the presence of goods or the alleviation of conditions that is important, but the *extent* of their presence and that alleviation. To explore this idea of a threshold, Stuart White's idea of the civic minimum – which acts as a counterpoint to the proletarian condition described above – is a useful starting point.

The civic minimum defines a situation where the proletarian condition has been sufficiently alleviated, which further determines whether or not the demand that people take part in productive activity is just. If the proletarian condition remains in force, and the background conditions fail to reach a minimum threshold of fairness then the demand that individuals involve themselves in productive activity cannot be fully just: The lack of justice at the background level mitigates the demand that members of a community may legitimately make of each other *vis-à-vis* their reciprocating efforts (*Ibid.* 19). White makes the point that this is to be considered a matter of degree: *Reduced* contributions can still be demanded against backgrounds of incomplete economic and institutional fairness (*Ibid.* 87 – 91). As a result, unless injustice is sufficiently degrading or unfair to persons, individuals might nevertheless bear some limited reciprocal obligations for goods received.

Where the institutions governing economic life are otherwise minimally just, and by virtue of this provide citizens with both adequate opportunity for productive participation and a sufficiently generous share of the social product, they have a corresponding obligation to make appropriate productive contributions to the community (*Ibid.* 59). Because it alleviates the proletarian condition and thereby protects people's most basic interests and rights, the institutional background against which individuals are expected to expend their effort is legitimised. In establishing these standards it is fair to expect people to contribute to the cooperative efforts of their community in order to sustain the justice of those institutions and share the burdens which their on-going stability and efficacy imply. To do otherwise in such a situation is considered, conversely, unacceptable: Reciprocating effort becomes a moral requirement in light of the goods that others produce for our use.

#### *Benefits below the Threshold*

It is important to note here that my concern is not with considering reciprocity as an exhaustive description of justice. Nor does my argument depend on reciprocity having some

lexicographic priority in an account of justice (Smith, 2001: 34). My concerns are rather with first determining whether reciprocity is the correct description of our relations to one another at the non-ideal level and, secondly, whether it can form part of the demands of justice at that level. The function of reciprocity at the *ideal* level of theorising is only my focus insofar as it relates to this other set of concerns. I can therefore accept Brian Barry's argument that the language of reciprocity incompletely specifies justice, requiring an additional and complimentary account of *fairness* in order for it to count as a relevant consideration at that ideal level (Barry, 1996, 50 – 51; see also Arneson, 1997: 340).<sup>1</sup>

The problem with theorising reciprocity exclusively at the ideal level is its inability to assess the status of reciprocal demands when the standards, as specified by whichever account of fairness we might favour, are *not* met. Indeed, determining that which is owed in non-ideal circumstances by drawing exclusively from considerations that are appropriate to ideal theory obfuscates the issue of reciprocity as it pertains to those other circumstances. Underlying this tendency is the assumption that 'ideal theory either tacitly represents the actual as a simple deviation from the ideal, not worth theorizing in its own right, or ... that starting from the ideal is at least the best way of realizing it' (Mills, 2005: 168). The complexity and peculiarity of the 'actual', real world is thus marginalised by this kind of theorising.

White is someone who recognises this obfuscating tendency. He acknowledges that benefits which do not meet relevant thresholds – whether specified by the civic minimum or some other plausible rendering – can nevertheless classify as the relevant *kind* of benefits: A quantitative reduction of a benefit does not *necessarily* issue in a qualitative one. So primary goods can still be supplied to some degree, the proletarian condition alleviated in limited ways, even though we would hesitate to describe the institutional background as just. In other words, the receipt of benefits and the ideal specifications of justice are distinct issues. But do benefits that fail to meet the relevant thresholds generate reciprocal obligations?

White recognises the importance of this question and seeks to develop a plausible description of the transition between ideal and non-ideal levels of theory: 'One important issue concerns how our specification of the basic work expectation should be adjusted to take account of the residual injustices that will characterize a society that satisfies fair reciprocity only in its non-ideal form.' In some circumstances, when these 'residual injustices' are particularly intense, the basic work expectation, i.e. the demand for contributory labour, disappears: 'if the disadvantage is great enough, such that the effort to make a contribution is likely to expose individuals to risk of



substantial harm, then these individuals have no moral obligation to make a productive contribution to the community' (*Ibid.* 91).

White fills out this idea of substantial harm, in a footnote, by the idea of a slave's perfect entitlement to revolt against his master (*Ibid.* 247, (24n)). This is a very low threshold to specify what harm can entail. There is a large gap between the harms slaves suffer and the harms people can be said to suffer in contemporary Western societies for instance. Indeed, it is interesting that what the slave suffers seems, in light of the extent of his/her suffering, to surpass the terms of that proletarian condition which White takes such pains to describe. Are the harms faced by some in the context of contemporary capitalism 'substantial' enough to disrupt *any* reciprocal obligations a person would make in situations more closely proximate to justice? Or do these obligations remain in effect, in some more limited way, until a certain level of immiseration is reached, at which point total withdrawal can be legitimated?

Beyond the starkness of slavery lies a vast grey area. Consider, for instance, the wide-ranging, systemic changes which have occurred in industrial cities across America since the 1960's, adversely affecting vast swathes of the American poor, especially African Americans (Wilson, 1996, Ch. 2; Shelby, 2007a). Rapid deindustrialisation, under investment in federal housing programmes, mass migration to the suburbs, shortages of employment in poor areas and chronically underfunded infrastructure have all conspired to make it increasingly difficult for residents of certain urban districts – ghettos – to find employment. The work that remains has moved out to the suburbs, so those without the means to leave the ghetto have to rely on a car (itself expensive to buy and run) or public transport, often requiring several changes which mean commuters have to get up several hours before work begins.

The accumulation and mutual convergence of these factors, combined with various other injustices suffered by ghetto residents, amount to obstacles impeding realisation of the thresholds that trigger reciprocal obligations. Extensive immiseration, discrimination in the labour market and society more widely, the availability of only dull, dangerous and dirty work, and wide-ranging insecurities all permeate the living conditions of such communities: In other words, their circumstances register as fairly obvious instantiations of the proletarian condition.

Nevertheless, there remain important differences between the situation of ghetto residents and that of the slave versus his/her master. This latter is an example of an especially simple relationship where no reciprocal obligation exists. Here we have one party whose rights are utterly unprotected, whose interests are profoundly violated and who receives nothing that could be

described as a relevant kind of benefit, i.e. benefits that perform functions similar to primary goods as described above.<sup>2</sup> The master, on the other hand, benefits enormously from the work of the slave and the system that both permits and cements that relation. There can be no basis for establishing reciprocal relations within these terms and, as a consequence, slaves have no obligations to their masters and are indeed permitted to violently free themselves from such tyranny.

While both are instances of injustice the ghetto residents can still be said to benefit in ways the slave does not and cannot. Neither situation need be described as tolerable, but one situation is more tolerable than the other precisely because of some of the benefits it produces (Shelby, 2007a: 144).<sup>3</sup> While those benefits might not closely approximate the relevant thresholds, they can nevertheless still be seen as benefits that *do* perform the relevant kind of functions if only in a limited way. In White's language, extensive 'residual injustices' remain but that should not blind us to the existence of *some* benefits: Social housing, some forms of social security and unemployment insurance, public transport, the ability to vote for their representatives, rule of law, freedom of speech and religion, access to public goods and office are all formally available to some limited extent. The presence of the relevant kinds of benefits can survive the fact that the institutional background fails to meet the thresholds specifying justice. This is something that cannot be said for the conditions that are suffered by the slave, who's most basic interests are violated by the very fact he or she is a slave, who is put at constant risk of physical abuse and the invasion of his/her bodily integrity and who has no access either to the rule of law or to even those most basic of public goods.

Ghettos, moreover, are not a fixed set of conditions remaining constant over time. At certain moments, the benefits ghetto residents receive will be so paltry that large-scale social revolts will occur. Another example is the American antebellum south of the post-reconstruction era, a situation corrupt to its very core and approximate to outright slavery (Marable, 2006: 43 – 46). It is here inappropriate to speak of such revolts as denying reciprocity to the wider community; the situation too closely approaches one of irredeemable injustice. At other times though, ghettos can enjoy periods of (an only ever) relative prosperity where primary goods and the interests they serve are better protected, and where the 'comforting banalities' of everyday life are comparatively secure (Piven and Cloward, 1979: 11 – 12). While I do not want to suggest the situation is not serious or even somehow approximate to a situation of justice, to deny that there is any benefit accrued to ghetto residents is to overlook the relative standard of living 'enjoyed', as well as the profound contributory efforts made by certain members of their own group and the wider community to which they belong.

### *Costs of Production*

Those who produce the benefits, however minimal, 'enjoyed' by ghetto residents might also themselves be ghetto residents: That is, they might also suffer from living in a society that fails to fulfil the appropriate thresholds. The convergence of those factors and institutional shortcomings described above do not prevent certain individuals from joining the workforce and contributing to the goods enjoyed by others. Benefits that are received in unjust situations are produced via the concerted efforts of a great many people: Social workers, government officers, bureaucrats, community organisers and politicians, local employers and large swathes of the wider community generally will all have to assume considerable burdens in order to provide the goods that *attempt* to provide and protect the relevant benefits for the members of their community: Just because a society is unjust and that provision and protection is limited, does not mean it is any the less effortful for a great many of its members.

Indeed, in such difficult circumstances failed attempts to produce benefits sufficient enough to be able to describe a scheme of cooperation as just, can be a far more demanding task than success in a radically different – because more just – one. When these people produce benefits, are they also to be denied in the same way as the master? Do people in the ghetto who refuse to navigate those difficulties – not those, I stress, who are *unable* to so navigate – and who make no attempt to contribute, owe these workers nothing in the way of reciprocal activity? Indeed, when one considers just how difficult are the obstacles to finding and keeping employment, are not these working ghetto residents *especially* demanding of reciprocal attempts at contribution on the part of those individuals who benefit, even minimally, and yet do nothing in the way of contributing to the institutions that make that (minimal) benefit possible?

There thus develops a problematic relationship between the different kinds of (non) producers and recipients of benefits. There are those who do not work or do not work hard, i.e. who do not spend a great deal of time and energy – or any – in productive labour, who do not assume the costs associated with production, but who nevertheless benefit a great deal from the current institutional arrangements. These people perhaps come closest to approximating the position of the master. Similarly – if only in this one respect – there are those who do not look for work or refuse it but who benefit in only quite limited ways. Despite the restricted nature of the benefit, they can nevertheless be said to benefit without assuming any of the burdens associated with production.

There are then those who *do* assume considerable burdens as they work and also benefit considerably from their involvement in the production of benefits. For example, doctors might work

60 hour weeks but also enjoy high and secure wages, meaningful work and high status. Further along this continuum there will be some people, for instance, ghetto residents who all things considered work as hard or harder than doctors, but who accrue far less in terms of the relevant benefits – lower security, lower wages, less meaningful work etc. Indeed, for ghetto residents, any involvement in the labour market is likely to involve doing more than one's bit, given both the difficulty of accessing work and the limited goods that are consequent to that access. It is the costs assumed by this last group in particular which makes difficult the claim that the receipt of benefits does not issue in any demand for reciprocal effort.

The role the costs of production play in determining reciprocal obligations is also considered by Richard Arneson. Where Smith receives a large benefit from Jones who has assumed little cost in producing that benefit, Smith cannot be expected to assume huge costs – if her capacity is limited for example – in returning a similarly sized benefit to Jones. An alternative construal could take as its reference point the extent of the costs accrued in the course of production, rather than the size of the benefit produced. But Arneson makes the point that 'someone who confers slight benefit on me at huge cost to himself does not plausibly trigger an obligation of my part to pay him back a comparable benefit at comparable huge cost (Arneson, 1997: 340).

Arneson is right that cost, when framed like this, cannot specify the *precise* terms of reciprocal obligation, i.e. huge costs assumed by Smith do not necessarily issue in a huge reciprocal obligation for Jones. As a consequence, Arneson argues we cannot allow cost onto the scales for determining reciprocal obligations because there exists no way to effectively calibrate the exact terms of exchange between the costs assumed by differently capable parties. It is therefore necessary to reject the notion that costs can have *any relevance* so far as determining reciprocal obligations. But this simply goes too far.

Ghetto residents who work in the call centre or in the factory *are* being reciprocal when they assume the large costs that are unavoidably assumed in order to produce even these (potentially) limited benefits. But to suggest that because for some costs are huge and benefits produced small, that other parties who produce large benefits at small costs can no longer be said to relate to each other in ways that can be described as reciprocating, is to misconstrue the nature of reciprocity: These people are still 'doing their bit', still contributing to the benefits enjoyed by others in return for benefits they have received. It is just that alongside 'being reciprocal', the assumers of large costs that accompany injustice are also doing *far more* than reciprocity demands. The response that Jones should make to individuals assuming huge costs to produce small benefits need not be to suffer similarly large costs. But to suggest that Smith (or the ghetto resident) is not thereby being

reciprocal – as well as suffering injustice – is to ignore an important part of the picture: There *is* reciprocity, but there is *also* injustice. The two can exist in one another's presence and the language of reciprocity remains relevant even when that injustice is potentially quite extensive.

This insight acts as a correlative to Iris Marion Young's description of the complex ways in which individual actions and interactions combine with certain institutional imperatives to produce, contrary to any specific intention, situations of often profound injustice. Young draws on the ways in which all the different interactions and imperatives which feed into housing provisions operate to the detriment of, amongst others, single mothers in low paying work. As part of this story, she also includes reference to estate agents who go 'beyond what can be expected of them morally, taking extra time with Sandy (the single mother of her example) at some inconvenience to themselves' (Young, 2011: 46).

The fact that the agent's involvement in the processes and interactions surrounding the housing market ends up producing a situation within which people suffer injustice is not something she herself has *chosen* or *intentionally* produced. Of course, other individuals and groups will benefit hugely from the sustaining of these injustices. But there are others like the agent who are simply working hard in difficult circumstances to do their bit in answering the needs of their community. To suggest such effort neither registers as reciprocating nor triggers any reciprocal demands on the part of recipient others, is to overlook the often tremendous burdens such effort produces for individuals

As a complement to this point, reciprocity *is* being denied by both sets of the non-contributors considered above. Individuals who work hard, even against a background of possibly substantial injustice, behave in a reciprocal fashion. The receipt of benefits, however limited, is being paid for by the return of contributory effort. It is true that in light of the extensive costs assumed in the making of that contributory effort there is also *more* than reciprocal effort being made – there is more being contributed than is owed. Nevertheless, where there is *no* contributory effort being made by some party, it is right to describe this as a failure to reciprocate: Benefits are accrued without any assumption of the costs involved in producing those benefits in the first place.

This problem will remain even if society engages in what Steven Smith calls a program of diverse 'talent-spotting' in which more and more talents are recognised as reciprocating (Smith, 2001: 33, 36). Smith argues that both contemporary political theory and society have a narrow view of what can count as reciprocating activity, failing to appreciate the contingency and socially constructed nature of talent. As a consequence, people described as disabled or untalented are

being unfairly marginalised, their talents unrecognised where in other situations they might be considered both contributory *and* reciprocating (*ibid.* 35). Where we expand our understanding of talent we are able to include more people within the scope of reciprocity.

However, Smith's account is incomplete because he fails to explain the means by which the 'spotting' of talents can be converted into contributions. Our understanding of talent might expand, but how these talents are to be understood as contributory – and thus meeting reciprocal obligations – is left unexplained. A great many people have a great many talents which are not considered reciprocal precisely because they are not used in a productive/contributory setting: The football 'skills' of those down at the park for instance. Those currently considered disabled might also have talents borne directly out of their disability, but the question as to how these talents are *contributory* is not clear: Is merely teaching/ learning about others' experiences an expression of reciprocity? (cf. Smith, 2002: 57). If so, then there still needs to be a sense of precisely what this teaching/learning involves, what the practices that constitute them will look like and how people are to engage with them.

We might have an expanded understanding of talents which includes a great many people previously excluded, but if individuals lack access to productive or contributory practices which allow for the use of those talents, then its simple *possession* fails as that by which reciprocal obligations are met. Indeed, this problem of access holds for contributions made by the ghetto residents as well: Where the local community is absent opportunities through which talents can be employed, so too are opportunities for reciprocal contribution. What I have been describing by recourse to the ghetto resident is a situation where both the possibilities and costs of access to productive/contributory practices are extensive and the goods accrued limited, but which, in spite of this, still allow for the possibility of reciprocating effort.

We can make a choice here that denies the suitability of using the language of reciprocity in these kinds of situations: Until benefits are produced in such a way as to cross the threshold – established by something like the civic minimum – we must refrain from using the language of reciprocity. Any return for benefits registering below this level do not qualify as reciprocal, including those contributions made by ghetto residents who successfully – and with great effort – confront the above confluence of injustices. The benefits which they produce as part of this massively imperfect system are simply not good enough. Such efforts can count as productive perhaps, but ultimately they cannot count as either reciprocating or as a trigger of reciprocal obligations because the benefits that emerge from the scheme of social cooperation in which they are involved are

simply inadequate. The alternative is to retain the language of reciprocity and challenge the notion the status of reciprocity as an *obligation* in non-ideal conditions.

It is the *source* of the minimal benefits 'enjoyed' by the non-contributory members of a society which proves crucial in animating this question of what is owed. The master benefits enormously from the labour of the slave, assuming no relevant cost of his own *vis-à-vis* the slave.<sup>4</sup> In contemporary capitalism however, the line between producers and recipient of goods is more blurred, the costs assumed by both sides of that line far more difficult to assess. However, notwithstanding this complexity, to suggest that the failure to approximate some minimum threshold grants individuals permission to access benefits without having to make reciprocating efforts in their turn, is to have the often intense effortfulness of producers count for nothing. But it is not the fault of hard-working individuals that their efforts are implicated in a massively imperfect system. Why, then, should their efforts be so easily dismissed as insufficiently productive?

As has already been mentioned, the problem for people like the ghetto residents is that involving oneself in the productive practices necessary to make contributions also involves incurring significant costs and suffering from injustice. However, so long as benefits of the relevant kind are accrued – for example, primary goods, alleviation of the proletarian condition – the refusal to contribute – or attempt to contribute – remains a failure to reciprocate for similar efforts made by others. The choice is thus between effortful, reciprocating expenditure combined with offering oneself up for potentially extensive exploitation in the workplace; or the effortless – in terms of productive contribution – receipt of benefits, where no corresponding burdens are assumed. There is no option that allows an individual to join the workforce in such a way that would allow for reciprocation for *only* the paltry benefits received.

To sum up: Even where the benefits produced and received by individuals do not amount to a situation where the thresholds specified by the civic minimum are met, there nevertheless remains the possibility that benefits of the relevant kind are being produced. The justice of a situation and the presence of these benefits are distinct issues. In addition, these benefits are a consequence of a great deal of effort on the part of at least some subsection of producers, some of whom will themselves suffer significant injustice in the process of making their contributions. When these benefits are received by some effortlessly they are done so in a way we can describe as non-reciprocal. That is, there will be some subsection of *non*-producers who refuse to engage with productive labour but who nevertheless continue to receive some level of benefits which can be said to, for instance, promote their interests in being able to plan, revise and execute their plans of life to some limited extent.<sup>5</sup>

### *Demands of Justice*

While I want to retain the implication that these other ghetto residents are indeed refusing the demands of reciprocity when they refuse to contribute, I do not want to suggest they are unjustified in doing so. Indeed, I want to argue that justice demands a very different kind of activity to that which reciprocates productive efforts made by the wider community. My argument is only that there should be recognition that it is reciprocity being denied and not something else. The failure to reach certain thresholds *legitimises* the refusal to reciprocate, but it does not change the fact that it is reciprocity being refused. In other words, I want to change the status of this kind of reciprocity as a central component of justice in circumstances that are not ideal.

In light of the considerable burdens assumed by others to produce even limited benefits, reciprocity thus remains the correct description of the demands to which people can respond in non-ideal circumstances: It is not something that simply vanishes from the ethical categories and vocabularies of people in situations characterised by injustice. Ghetto residents – and sufferers from injustice more generally – when they so choose to work hard and productively, despite the often intense costs to which this throws them open, can be described as reciprocating – and then some – for the limited benefits they receive from membership to schemes of social cooperation.

However, there are two reasons why reciprocity is not a demand derived from considerations of justice in non-ideal circumstances. First, reciprocal relations provide the means by which political and economic communities sustain the production of goods (Goodin, 1992: 23 – 24). However, along with the sustaining of these productive practices, is the sustaining of their shortfalls and injustices. Second, and related to this first point, there are alternative obligations that emerge in non-ideal conditions for those appropriately motivated by justice. This alternative set is not only unmotivated by reciprocity to the wider community's productive efforts, but is indeed partly grounded by the intention and attitude to *disrupt* and *challenge* the very practices and structures that are currently responsible for the (all too limited) production of benefits.

Reciprocity makes sense from within the current terms of exchange and production. As Becker has it: 'reciprocal exchanges are typically meant to sustain a particular practice or institution'. (Or elsewhere: reciprocity is 'the maintenance of the sort of social equilibrium that makes productive social exchanges possible' Becker, 1986: 106). In order for a person to contribute and reciprocate others' contributions she is expected to work in ways that answer the needs of those others: Effort plied into the provision of market and public goods are possible means by which these needs are answered even if, as we have seen, it is an imperfect and incomplete provision.



Working and acting productively always occurs from within an already existing set of institutions and practices, from a particular location in space and time. Our contributions are thus defined by the contingent contributory practices surrounding us in our communities. As Iris Marion Young puts it: 'The accumulated effects of past actions and decisions have left their mark on the physical world, opening some possibilities for present and future action and foreclosing others, or at least making them difficult' (Young, 2011: 53). These 'marks' and the constraints they generate extend to the productive practices and schemes of distribution as they current exist, and which are thereby treated as objective parts of reality allowed 'to condition contemporary possibilities for action' (*Ibid.* 55). Reciprocal efforts occurring within these practices thus allow business to 'go on as usual', and imply a tacit acceptance of those constraints, the kinds of action they make possible and the relations they establish.

This sustaining function performed by reciprocal activity is problematic in light of the 'residual injustices' that are simultaneously sustained (White, 2003: 118). First, in so far as the current ways of doing things involve, for example, unjust productive practices, reproducing them is also unjust. However, people's very *participation* in different parts of those practices sustains injustice. For example, the salesperson in an electronics store is selling products full of materials extracted using illegal or dangerous mining practices and assembled within factory regimes that are oppressive and extremely toilsome. By selling this product both the salesperson and the consumer, while not altogether responsible for the consequence of their actions, nevertheless contribute to the sustaining of those injustices by their actions. Buyers, producers and everyone in between who are involved in the complex web of production and exchange are thus preserving these processes by contributing to them. This process of 'sustaining' extends to those ghetto residents who manage to navigate the difficulties of the labour market in order to gain employment.<sup>6</sup>

Because of the large residual injustices produced and then *reproduced* by reciprocal exchange, responding to others' productive efforts with productive contributions of one's own is not a demand that can be derived from considerations of justice. Benefits might be produced in this situation, but that is not equivalent to the meeting of thresholds or the 'production' of justice. As a consequence, the meaning those contributory efforts individuals make by way of reciprocating similar efforts made by others shifts considerably. Such efforts become akin to a personal preference or the following of a culturally determined imperative. Alternatively, the sustaining function performed by reciprocal exchanges stabilises a situation of injustice as a necessary condition for a different kind of activity that *is* necessary for justice.

On the one hand then, reciprocating productive effort becomes something individuals can choose to do in the same way that, for example, they might find helping neighbours move their trash to the curb on collection day both a necessary and important part of 'doing their bit': An all things considered nice thing to do perhaps, something regarded as an important part of civil relations between neighbours or even fellow citizens, but not something we could describe as demanded by – or productive of – justice. Similarly, certain individuals might prefer, for whatever reason, that they not get something for free – however paltry that something is – and in light of this decide that contributing productively is an appropriate course of action, irrespective of the possibly significant costs this incurs.

It must also be recognised that a population's *total* withdrawal from the productive practices and distributive schemes is unlikely to make the situation more just. If all effort of this sustaining and contributory variety disappeared, the situation, however unjust, could get much worse, precisely because not even limited goods would then be produced. The point I am making is thus profoundly qualified by the possibly adverse consequences that total withdrawal would precipitate. Whatever the faults they (re)produce, reciprocal productive efforts do have a certain *stabilising effect* which keeps the production of benefits and the maintenance of conditions at some level. Stability itself is perhaps not an inconsiderable desideratum.

And yet: The effort that performs the sustaining function can still not be described as just action, precisely because what it sustains is only a highly imperfect, i.e. unjust set of practices and institutions: How can activity that reproduces injustice and fails to produce a situation that can be described as just, be itself described as just? Whatever the value of reciprocity's stabilising effects, such activity cannot be described as 'just'. At best it provides the conditions within which action motivated by concerns of justice can take place.

I am agnostic as to what reciprocity *can* mean in non-ideal circumstances. My concern is with what it *cannot* be: Because the relevant thresholds – howsoever they get specified – have not been met to a sufficient degree, it is not via the performance of productive, reciprocal labour that just institutions, practices or a 'just situation' more generally, are to be created. Justice requires a different kind of activity. Indeed, in circumstances sufficiently far from ideal, what is considered reciprocating action becomes all the more pernicious when individuals *do* regard those contributory acts as fulfilling the demands of justice.

### *Contra Reciprocity*

When citizens' ongoing reciprocal efforts fail to contribute to the achievement of certain minimal thresholds – howsoever they be specified – and instead serve to sustain considerable injustice, individuals are not obliged by justice to conform to those expectations. This holds regardless of the limited goods, benefits or conditions that are generated. The question nevertheless remains as to what kinds of actions *are* demanded by justice in non-ideal circumstances, and what status these actions enjoy *vis-à-vis* those reciprocal demands. Justice requires far more transformational political action than merely reciprocal exchanges can hope to provide.

Rawls is interesting on this question of the status of reciprocal obligations in non-ideal circumstances. He suggests that 'unjust social arrangements are themselves a kind of extortion, even violence, and consent to them does not bind' (Rawls, 1999: 302). In taking this line, individuals seem to gain room within which to refuse the demands of reciprocity in unjust circumstances. Moreover, again from Rawls, individuals are said have a duty "to assist in the establishment of just arrangements when they do not exist, at least when this can be done with little cost to themselves" (*Ibid.* 293 – 294).

What kinds of action this 'duty' issues in, and what is to count as a 'cost' is difficult to articulate with any precision. Indeed, Rawls himself provides little sense of what those costs can mean in ideal, let alone non-ideal conditions. Moreover, the stipulation that such a duty arises only when it involves 'little cost' would, if taken seriously in non-ideal conditions, permit the continuation of injustice in perpetuity (cf. Jenkins, 2015). In spite of these potential shortfalls, in what follows I provide an account of the different aspects of that duty and those costs and determine their status in relation to the demands of reciprocity in non-ideal conditions.

Attempts to move institutions and practices toward the appropriate thresholds are fraught with difficulties, internal tensions and the resistance of existing powers, interests and institutions (Piven and Cloward, 1979: xix – xxiv). While there is insufficient space to chart in any kind of detail the 'costs' that have to be assumed in the following of this duty, there is nevertheless one aspect which has special relevance in light of the distinction I make between reciprocity and the demands of justice: This is the assistance exercised by agents when they employ *disruptive* political, social and economic forces.

Transformative political action involves the *disruption* of the processes and practices that currently produce benefits. It is as a consequence of such disruption that new processes and practices can develop which produce goods and conditions that more closely approximate

thresholds determinative of justice. Where these changes are accomplished, reciprocal obligations of the kind discussed above can *then* emerge: Whether the form those reciprocal obligations take will be of the kind specified by the Rawlsian difference principle or the Marxian credo 'from each according to his ability, to each according to his need' is again something about which I can remain agnostic.

Disruptive political and social forces have proved a crucial part of historical moves toward justice. Boycotts – sometimes coercively enforced – strikes, law breaking, marches, the destruction of property and the threat of all the above, have historically played their parts in 'assisting' the establishment of just institutions. Take, for example, the kinds of actions performed by certain elements of the Black Power movement in the United States, who were unimpressed with an unwavering commitment to non-violence and consequently adopted my aggressive and confrontational tactics (Tyson, 2004; Joseph, 2010). Whatever the particular strategies used, the efficacy of disruptive political action is dependent on its ability to apply, as Frances Fox Piven and Richard Cloward describe it, 'negative sanctions' to the current institutional matrix, withdrawing 'crucial contribution(s) on which others depend' (Piven and Cloward, 1979: 24 – 32).

The poorest and most isolated, like a great many of those in the ghettos for example, are often 'in weak institutional locations' and so unable to 'use disruption as a tactic for influence'. This goes for both the unemployed and those employed in particularly insecure work whose ability to apply sanctions is thereby profoundly curtailed. There are two options left to such groups in terms of the kinds of action they can take. First, they can withdraw their 'quiescence in civil life' – that is, they can riot. Bracketing the justifiability of such action, its efficacy is also not always clear. Secondly, they can join with those who *do* participate in institutional life and therefore do have the ability to leverage influence. They must exercise their own acts (and threats) of withdrawal and denial on behalf of those suffering from severe injustice and lacking any effective presence within the institutional matrix.

This supplies a weird twist on the above story. Producers are thus, on my account, doubly burdened: Not only do producers suffer as a consequence of their involvement in reciprocating endeavours, they must also operate in full consciousness of the relative strength of their 'institutional location': They must, that is, recognise the *instrumental* importance their work enjoys in sustaining the means by which goods are produced. Furthermore, they must be willing to exercise those 'negative sanctions' in solidarity with individuals who do not enjoy such a position, and who might also refuse – legitimately – to involve themselves in the practices that produce such paltry benefits.

The assuming of these burdens will likely require some prior identification with a community, or to a solidarity felt with those (others) suffering from injustice who lack that position of leverage (Shelby, 2007b). Without the assumption of solidarity, the burdens and sacrifices such withdrawal and disruption will precipitate, are unlikely to be countenanced by producers who have something to lose along with that relative strength they enjoy. At the other end of this solidarity are the demands made of individuals who have no presence within either the workplace or the reciprocal exchanges that occur there.

The refusal to reciprocate for benefits does not allow for an entirely free space within which those 'refusers' can move. Were they able to find the means by which to go and surf with the remainder of their days, they remain non-reciprocating without making any separate claim which might render that lack of reciprocity an act of justice (contra Van Parijs, 1995).<sup>7</sup> For such a refusal to register as just there is a separate condition that individuals share the costs of assistance. Reciprocity thus remains as part of this solidarity, the kind that is needed, instrumentally, to generate effective political resistance. But this is not of the same kind as that species of reciprocity I have been more generally considering, which pertains exclusively to reciprocity for the goods produced by imperfect schemes of cooperation.

Given changes to the ways in which people work – and organise at work – adopting strategies of disruption will require the development of new instruments if they are to be effective. The Occupy movement, for example, with its conspicuous, large-scale presence in public places, use of direct action, involvement in demonstrations and development of alternative means of organisation and decision-making, could conceivably be understood as the application of 'negative sanctions' to the current institutional matrix, and thus forms a part of this disruptive force beyond the workplace (Graeber, 2014).

At the heart of this disruptive action there exists that knot of, on the one hand, benefits derived from others' productivity, and, on the other, not only the refusal to reciprocate such productivity, but the active and intentional *interruption* of current practices and structures which make that productivity possible. While these people and the groups to which they belong are disrupting the practices and institutions which they confront because they are regarded as unjust, they might nevertheless benefit – if only in the limited ways described above – from the work of people *within* those practices and institutions. They use facilities, products and public goods that are *created* by the continuing effort of others. Their relation to those people is thus, on some level, parasitic. This reshapes and expands the Rawlsian reference to the 'costs of assistance' – costs are being borne by *both* the disruptors and the producers. The producers because they are not having

their efforts returned in ways that could similarly be described as contributory; the disruptors since they are the people who are taking it upon themselves – via the skills, strategies and acumen learned (and all the costs these might imply) – to force the changes that are necessary from the point of view of justice.

Developing this disruptive function is not then a costless exercise for either those who produce within the current schemes of cooperation, or the individuals who take it upon themselves to work toward the improvement of those schemes. Moreover, there is likely to be substantial overlap between the two groups: Producers will sometime be disruptors; disruptors will sometimes take up roles as producers. However, the point is that when disruption does take place it involves both the denial of efforts needed to sustain the current provision of goods (that are imperfect but nevertheless enjoyed), and the effective *undermining* of those reciprocal practices as they currently exist, in their deeply imperfect form. It is and has to be, in other words, an active *denial* of the demands of reciprocity.

### *Conclusion*

I began by describing the *kinds* of benefits that triggered reciprocal obligations. The introduction of thresholds helped determine whether the *extent* of such benefits could be judged as sufficient to describe as minimally just the background against which they are produced. However, where those thresholds are not met, where, in other words, we *cannot* describe that background as sufficiently just, this does not necessarily eliminate the presence of the relevant goods or reciprocity as a category in our ethical and moral discourse.

There are two reasons for this conclusion. First, while the benefits that do exist are limited, they are nevertheless benefits. Indeed, compared to other possible, previous and present worlds, these benefits can seem quite extensive, even though they still do not approximate a situation of even minimal justice. Secondly, a great many individuals involved in the production of those limited benefits assume considerable burdens – including opening themselves up to potentially extensive injustice. It is important to recognise that the production of these limited goods involves a great many different producers who will themselves suffer from various kinds of injustice. To suggest that this hard work produces benefits that are insufficient to trigger reciprocal demands is a failure to adequately respect the extent of those burdens and the hardships assumed by many producers.

However, this paper has tried to challenge the idea that reciprocating those productive efforts is an aspect of justice: reciprocity as it pertains to the wider community's productive effort is limited to being, at best, a means by which injustice can be stabilised and thereby improved upon.

But to describe this kind of reciprocity in such circumstance as 'just activity' is to mischaracterise both the situation as it stands and the kinds of activity needed to make that situation more just. Reciprocity is an important part of sustaining the means of social exchange and production, even in non-ideal circumstances: Without the 'taking turns' between people in schemes of mutual cooperation, even those limited benefits could not be established. But if justice is something to be achieved, this reciprocal species of effort is not nearly enough: It is a far more radical activity that is demanded by justice.

This legitimate refusal to reciprocate does not issue in a blank space absent obligations *tout court*: Other demands emerge to fill that gap. In this paper I have focused on the activity of disruptive, agitating political agents. This different set of obligations is often predicated on a prior refusal to continue sustaining productive practices and schemes of distribution as they current exist, precisely because they fail to live up to the thresholds and commitments that would fill out an appropriately just political community. Effective agitation necessitates the disruption of current ways of doing things, taking aim at the reciprocal demands that emerge in the course of (however imperfect) extensive social cooperation and interaction. Disruptive political activity thus posits a general challenge of its own *vis-à-vis* demands to reciprocate: If reciprocity is necessary for the sustaining of our relations to one another, let us be sure that such relations are worth sustaining.

*Word Count: 10,083*

#### Bibliography

- Arneson, R. (1997) 'Egalitarianism and the undeserving poor', *Journal of Political Philosophy*. 5:4: 327 - 350
- Barry, B. (1996) *Justice as Impartiality*. Oxford: Oxford University Press.
- Becker, L. (1986) *Reciprocity*. London: Routledge & Kegan Paul.
- Cohen, G.A. (1995) *Self-ownership, freedom and equality*. Cambridge: Cambridge University Press.
- Connolly, J. (1973) *Selected Writings*. Harmondsworth: Penguin Books.
- Goodin, R. (1992) *Motivating Political Morality*. Cambridge: Blackwell.
- Graeber, D. (2014) *The Democracy Project*. London: Penguin.
- Jenkins, D. (2015) 'Ethos for (In)Justice', *Social Theory and Practice* (forthcoming).
- Joseph, P.E. (2010) *Dark Days, Bright Nights*. New York: Basic Civitas Books.
- Marable, M. (2006) *Living Black History*. New York: Basic Civitas Books.

- Mills, C. (2005) "'Ideal Theory' as Ideology', *Hypatia*. 20/3: 165 – 184.
- Murphy, L. (2000) *Moral Demands in non-Ideal Theory*. Oxford: Oxford University Press.
- Nozick, R. (1974) *Anarchy, State and Utopia*. Oxford: Blackwell.
- Piven, F. and Cloward, R. (1979) *Poor People's Movements*. New York: Vintage Books.
- Rawls, J. (1999) *A Theory of Justice*. Cambridge, Mass.: Belknap Press of Harvard University.
- Rawls, J. (2001) *Justice as Fairness*. Cambridge, Mass.: Belknap Press of Harvard University
- Shelby, T. (2007) 'Justice, Deviance and the Dark Ghetto', *Philosophy and Public Affairs*. 35/2: 126 – 160.
- Shelby, T. (2007b) *We Who Are Dark*. Cambridge, Mass.: Harvard Belknap University Press.
- Simmons, A. J. (1979) *Moral Principles and Political Obligation*. Oxford: Princeton University Press.
- Smith, S.R. (2001) 'The Social Construction of Talent', *Journal of Political Philosophy*. 9/1: 19 – 37.
- Smith, S.R. (2002) 'Fraternal learning and interdependency: celebrating differences within reciprocal commitments', *Policy and Politics*. 30/1: 47 – 59.
- Tyson, T.B. (2004) *Blood Done Sign my Name*. New York: Random Press.
- Young, I.M. (2011) *Responsibility for Justice*. Oxford: Oxford University Press.
- Van Parijs, P. (1995) *Real Freedom for All*. Oxford: Oxford University Press.
- White, S. (2003) *The Civic Minimum*. Oxford: Oxford University Press.
- Wilson, W.J. (1996) *When Work Disappears*. New York: Alfred A. Knopf.

---

<sup>1</sup> As a result, how the 'radically unproductive' (Cohen, 1995: Ch. 9) are to be incorporated into our understandings of justice is not something I need to address.

<sup>2</sup> Minimal food and shelter might well be provided to the slave, even the reasonably civil treatment of the master. But because the slave's existence is *predicated* on a violation of his/her rights, reciprocity is entirely inappropriate.

<sup>3</sup> I am therefore in agreement with Tommie Shelby when he suggests that the threshold supplied by 'the securing of the constitutional essentials', i.e. where Rawlsian primary goods are formally in effect, is not enough to count as sufficiently mitigating the effects of injustice. However, I differ from Shelby in that I still countenance the possibility that because of the minimal goods that are received in such circumstances reciprocal demands – which can be refused – nevertheless remain.

<sup>4</sup> Though costs might nevertheless exist elsewhere for the master – in his relations with other masters, for example.

<sup>5</sup> This charge does not apply to those who do not refuse as such but simply cannot find employment. Those who search for employment opportunities are, on the account I am developing here, to be recognised as contributing, reciprocating and sustaining.

<sup>6</sup> This is in addition to, perhaps more obviously, those who *do* receive goods sufficient enough to meet a relevant threshold. In these circumstances, it is far from clear that the demands of justice could be fulfilled



---

simply by such people obtaining a maximally productive job that would both reciprocate for the benefits accrued and help generate the taxes and benefits others could then enjoy in spite of the massive distributional inefficiencies and inequalities that define the current ways of doing things. This puts the above account at odds with Liam Murphy (2000: 27).

<sup>7</sup> I am not then endorsing the idea that people should be 'free to do what they want' as prior to the other demands I discuss in this article. See Philippe Van Parijs (1995) for such a stance.