



UNIVERSAL BASIC INCOME

A STEP TOWARD BASIC INTERNATIONAL RIGHTS

By Martha L. Schmidt

Would Universal Basic Income (UBI) address the denial of international human rights in the U.S.?

This question is important to me because I am one of those 1960s-era peace-and-human-rights activists who decided to become a lawyer to work for social justice. Much of my work, paid and volunteer, has focused on education about international human rights, particularly on individual social and economic rights. As a labor and employment lawyer I see issues through an international lens, whether that's unemployment insurance, equal employment, terms and conditions of employment, discipline and discharge, or the labor rights to organize, bargain collectively, and strike.

The discrepancy between U.S. law and international norms (generally lesser protections in the U.S.) concerns me. The right to work, to have a job or means of livelihood, as an enforceable individual human right has hardly been achieved in the U.S. UBI is one of those interesting but relatively unknown ideas that could advance human rights in the U.S. It is a partial but important policy response to our national crisis of deepening inequality.¹

Inequality, a social justice problem, determines health, housing, and educational outcomes.² A measure of inequality with which Washingtonians are familiar is the gross discrepancy of wealth between the 1 percent (the billionaires) and the 99 percent. Several Seattle-area residents are among the 42 wealthiest people, who together possess greater wealth than 3.7 billion people around the world combined—half the entire planet's population.³ Washington has the most regressive tax system of any state in the U.S. The poorest quintile pays 17.8 percent in taxes; the top 1 percent pays 3 percent.⁴ Washington is also the eighth least affordable state for housing in the U.S.⁵

Inequality, poverty, and lack of decent work are consequences of the failure by government to guarantee basic human rights, such as freedom of association, including the right to organize into unions; the right to health, including health care; the right to a job or income security in the event of inability to work; the right to education, including free higher education; the right to be free from discrimination; and the right to housing. UBI comes as close as any one policy can to promoting the right to an adequate standard of living, which is protected by customary international law. (See sidebar at page 33).

What are the Principles Around Which UBI is Structured?

UBI is a periodic cash payment, unconditionally delivered to all on an individual basis, without means testing or work requirements, stable in its size and frequency, and high enough to be, in combination with other measures, sufficient to eliminate material poverty and to enable the participation of each individual in the society. UBI has five requirements:

- regular intervals of payment (often monthly);
- cash payments (not vouchers or in-kind);
- payment to individuals;
- universal (no means testing); and
- available without conditions, such as work requirements.⁶



UBI has attracted thinkers from diverse political ideologies over the years—such as Milton Friedman, James Tobin, and André Gorz—because of its valuing of property as essential to the exercise of individual freedom and because of its administrative simplicity. Because UBI offers a way to interrupt the existing economic model, which is in crisis, UBI has supporters from union

leaders to tech millionaires. UBI is a partial solution to climate change and the environmental crisis, which is propelled by an economic model that requires increasing levels of consumption. Many proponents are interested in UBI because it could allow

new ways of structuring work and jumpstart the valuing of caring work and work on behalf of society, both of which are either uncompensated or insufficiently compensated, but highly desirable.

UBI as a justice idea dovetails closely with international human rights, which are premised on the legal equality of all humans and the fundamental need for individual dignity. Besides the right to an adequate standard of living, the International Bill of Rights (UDHR, ICESCR, ICCPR - see sidebar) recognizes rights that are related to achieving the outcome of economic security.⁷

U.S. Experiments with UBI

A U.S. predecessor of UBI is the Alaska Permanent Fund, which has paid equal amounts annually to each individual Alaska resident since 1982.⁸

However, the first true UBI experiment in the U.S. is being piloted by the City of Stockton, CA; it is called the Stockton Economic Empowerment Demonstration (SEED), scheduled to launch in February 2019. Y Combinator Research (YCR) is planning another demonstration project with private funding (predominantly Silicon Valley tech funders) to take place in at least two states, starting in 2019 or later.⁹

Stockton is a municipality of about 300,000 and a bedroom community for San Francisco and Silicon Valley. More than 50 percent of the people in San Joaquin County, where Stockton is located, earn minimum wage. Stockton has a median household income of about \$46,000, lower than the U.S. national median of \$57,617, according to the 2016 Census. A private initiative, SEED will test and evaluate one approach to UBI. SEED will pay \$500 per month in UBI for about two years.¹⁰

The YCR projects will cover about 1,000 people at \$1,000 per month for three to five years and will select randomly from those aged 21-40 who are under the median income for the particular state. Noteworthy, but not surprising, given skepticism about work discipline, stereotypes about poor people, class prejudice, and “austerity” politics, is that the U.S. experiments are all being funded privately.

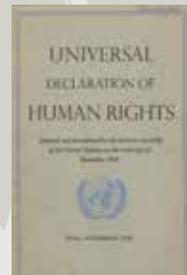
Universal Basic Income Globally

Internationally, UBI trials are being conducted publicly and privately. The goal of the experiments is to gather evidence to make the case for new policies and public funding.

Trial projects of UBI have been or are being tested on four continents. In Finland, where the research team is funded by the public and based at the Social Insurance Institute, the project has been providing 2,000 randomly selected individuals from the target population with 560 euros per month. Launched in January 2017, it ends in December 2018 and will be evaluated and reported on in late-2019. This project is looking specifically at the relationship of increased cash and propensity to work, and at the well-being of the participants.

The Canadian government initiated trials of UBI in Hamilton, Thunder Bay, and Lindsay, Ontario (although stopped

Article 25(1) Universal Declaration of Human Rights (UDHR), adopted unanimously by the UN General Assembly in 1948, provides:



Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

This right to socio-economic security (called “freedom from want” by President Franklin D. Roosevelt in his State of the Union address of 1941), was incorporated and extended in Art. 11(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), which entered into force on January 3, 1976:

The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right. ...

The U.S. signed the ICESCR on October 5, 1977, at the same time as the International Covenant on Civil and Political Rights (ICCPR), giving its commitment to do nothing to harm the objects and purpose of the treaty.¹¹

by a later administration). UBI experiments have concluded in two locations in Africa and Asia. The results from Namibia and India indicate that recipients increased their work time as a result of UBI. A current Kenyan experiment is nearing the evaluation phase, and it also is expected to reinforce the Namibian and Indian results. In Kenya, the private organization, GiveDirectly, was founded to move payment and income away from charity and development aid models.¹²

Charity and development models do not serve economic justice in Washington state or elsewhere in the U.S.¹³ As far as the development model, think about the funding of public education, dependency on logging, decline in fisheries, and the closing of manufacturing plants. Instead of strengthening human rights, we have billionaires’ foundations funding health and housing. If we care about democracy and human rights, we should ask: Who makes the decisions? Whose dignity is supported? The idea of a universal basic income is one partial solution to our human rights and democracy crisis. 

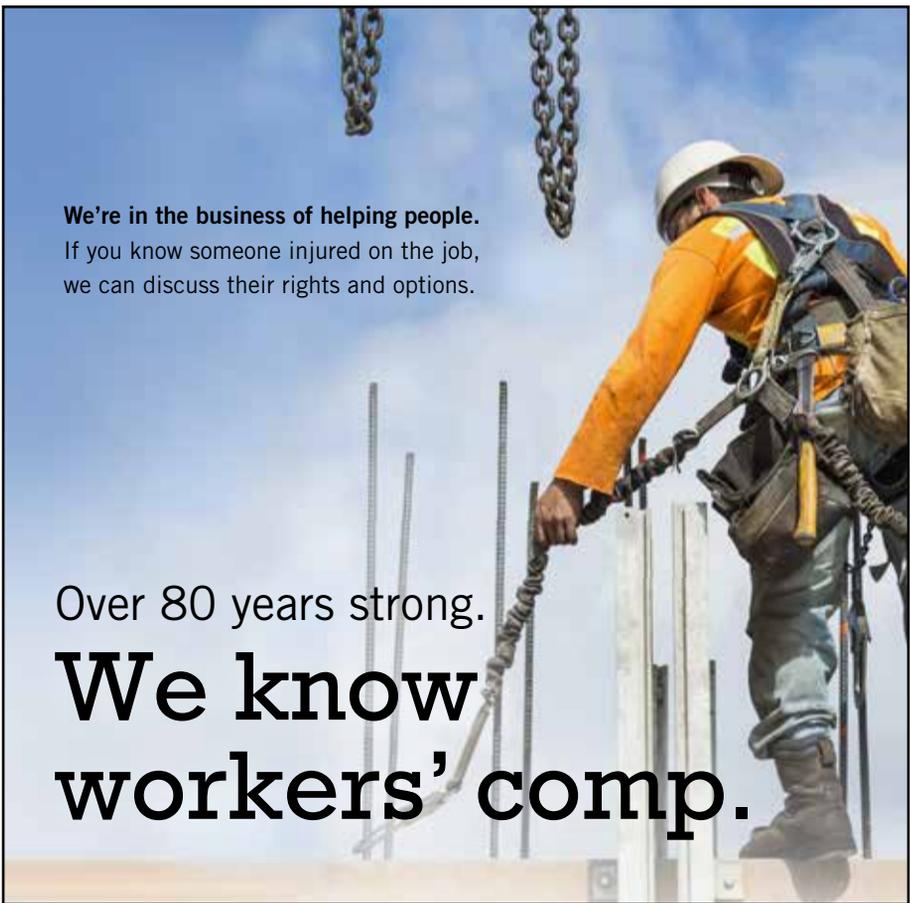


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NOTES:

1. Only the state of Montana has made steps to respect the right to work, by removing employment at will, a vestige of deeply unequal social relations.
2. See generally the works of UK scholars Kate Pickett and Richard Wilkinson.
3. [https://theguardian.com/inequality/2018/jan/22/inequality-gap-widens-as-42-people-](https://theguardian.com/inequality/2018/jan/22/inequality-gap-widens-as-42-people)

- hold-same-wealth-as-37bn-poorest.
4. Institute on Taxation and Economic Policy, *Who Pays: A Distributional Analysis of the Tax Systems in All 50 States*, October 2018, see <https://itep.org/whopays/>.
5. National Low Income Housing Coalition, *Out of Reach (2018)* at pp. 255-58; see https://nlihc.org/sites/default/files/oor/OOR_2018.pdf.
6. <https://basicincome.org>.
7. Universal Declaration of Human Rights, (UDHR), art. 23(1), G.A. Res. 217A(III), U.N. Doc. A/810 at 71 (1948); International Covenant on Economic, Social, and Cultural Rights (ICESCR), art. 6, Jan. 3, 1976, *reprinted in* 6 I.L.M. 368 (1967); International Covenant on Civil and Political Rights, (ICCPR), art. 1, Oct. 5, 1977, *ratified* Oct. 21, 1994, 999 U.N.T.S. 171.
8. <https://pfd.alaska.gov/Division-Info/Historical-Timeline>.
9. www.businessinsider.com/basic-income-experiment-started-by-y-combinator-delayed-until-2019-2018-8.
10. Peter S. Goodman, "Free Cash to Fight Income Inequality? California City is First in U.S. to Try," <https://www.nytimes.com/2018/05/30/business/stockton-basic-income.html>.
11. A state which signs a treaty has a duty not to defeat its objects and purpose, the duty of non-retrogression. Vienna Convention on the Law of Treaties, Article 18(a), *opened for signature* May 23, 1969, 1155 U.N.T.S. 331, see <https://treaties.un.org/doc/publication/units/volume%201155/volume-1155-i-18232-english.pdf>. Duties under the human rights treaties, set out in the relevant articles, are deemed duties to respect, to protect, and to fulfill. These duties require both positive undertakings and restraints, going beyond the negative concept of rights of liberalism.
12. <https://basicincome.org/?s=Kenya>.
13. See thoughtful treatment of Raventó & Wark, *Against Charity*, AK Press/Counterpunch (2018).



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