

Neoliberal paternalism and paradoxical subjects: confusion and contradiction in UK activation policy**Abstract**

The twin thrusts of neoliberal paternalism have in recent decades become fused elements of diverse reform agendas across the advanced economies yet neoliberalism and paternalism present radically divergent and even contradictory views of the subject across four key spaces of ontology, teleology, deontology and ascetics. These internal fractures in the conceptual and resulting policy framework of neoliberal paternalism present considerable risks around unintended policy mismatch across these four spaces or, alternatively, offer significant flexibility for deliberate mismatch and ‘storying’ by policymakers. This article traces these tensions in the context of the UK Coalition government’s approach to the unemployed and outlines a current policy approach to employment activation that is filled with ambiguity, inconsistency and contradiction in its understanding of the subject, the ‘problem’, and the policy ‘solution’.

Keywords: neoliberal paternalism; employment activation; governmentalities; subjectivation; Work Programme

Introduction

From at least the 1980s onwards the post-war welfare state has been the object of sustained critique from across the political spectrum as it was accused variously of being bloated, inefficient, ineffective and stifling of citizen choice (Rose, 1996:330). Although diverse in their origins and focus, these critiques arise from what Dean (2002) describes as a mismatch between a still Beveridgian-oriented supply-led post-war liberal government with the changing nature of subjects and their expectations of and from government. The post-war neoliberalism of the Mont Pelerin Society was followed by stagflation, oil shocks and large scale strike actions through the 1970s that shook the Keynesian hegemony. The inter-related rise of 'small state' politics and economic thinking from key players such as Thatcher, Reagan and Friedman reflected not just the emergence of the monetarist economic framework but broader shifts around ideas of choice, markets and responsibility within a civil society calling increasingly for individuals to be more 'active' in their own government (Rose, 1996:330). In response, Dean (2002) describes a process of enfolding through which these emergent values and expectations of civil society are brought into the political and policy spheres across two distinct axes – paternalism and neoliberalism – that today combine across many fields of social policy including housing, education, parenting and, the focus of this article, employment activation.

On the paternalistic side, the work of US scholar Lawrence Mead has been particularly influential in crystallising, justifying and politicising calls for the well-intentioned state to be prepared to enforce 'common obligations of citizenship' for the good of those citizens who, often despite their best intentions, either cannot or will not deliver those obligations of shared citizenship (Mead, 1986; 1997). The primary concern for Mead is for the state to ensure that the obligation towards paid work – the duty which for Mead trumps all others – is enforced wherever citizens are failing to execute it themselves in order that individuals can become fully accepted as equal citizens within the community.

Mead's paternalism is however not the only possible or necessary response to this perceived mismatch between civil society and government policy and neoliberalism has throughout the latter

half of the twentieth century taken up this terrain aggressively and effectively. Neoliberalism is of course less a coherent theoretical and policy programme than a heterogeneous banner of related, but diverse and shifting, ideas (Harvey, 2005; Stedman Jones, 2012). For the post-war neoliberal thinkers of the Mont Pelerin Society – Hayek, von Mises and Popper most notably – the spectre of National Socialism, the rise of the Iron Curtain and, perhaps most concerning for the group, signs of creeping social democracy across Britain and the USA meant that protecting freedom from the perceived tyrannies of statist collectivism was the central concern. Free markets and small states were key to achieving this freedom (particularly for von Mises and Hayek) but freedom for the individual in a political sense was the priority. By the late twentieth, however, Friedman in particular had in one sense narrowed neoliberalism’s gaze towards a more technical focus on positivist economics and free markets as ends in themselves. Yet neoliberals also increasingly began to recognize the possibilities from, and arguably the need for, expanding neoliberalism’s reach towards an infiltratory and qualitatively transformative relationship to the state as a key ‘positive’ sphere with which to grow, protect and enhance the operation of free markets, not merely as a ‘negative’ space to shrink in order to allow markets to expand (Friedman, 1951).

Neoliberalism has by now woven its key tenets (choice, freedom, responsibility, individualisation) and mechanisms (quasi-markets, outsourced provision, payment-by-results) through the very fabric of modern welfare states across the world. This ‘governmentalization of government’ (Dean, 2002) – the reflexive and strategic enfolding of governmental ends into its very practices – can be understood both as an inevitable step in liberal government’s perennial fear of governing too much and as an alternative instrument to discipline subject’s behaviours alongside direct paternalistic interventions (Dean, 2002:50). As Soss et al (2011:3) describe, the neoliberalisation of welfare systems reflects the expansion and intensification of the market logic “as an organizing principle for all social relations” (Soss et al. 2009:2) as well as to “the state as an instrument for constructing market opportunities, absorbing market costs, and imposing market discipline” (Soss et al. 2011: 3). In doing so, and quite unlike the view of markets as ‘natural’ spheres

in classical liberal economics, neoliberal arrangements of welfare systems recognise the artificiality and fragility of markets and the need to constantly create, advance and protect market mechanisms and ideologies. As such, neoliberalism leads to more rather than less state involvement and intervention – a roll-up and roll-out of the state rather than any roll-back (Schram et al. 2010; Brown 2003).

Taken together, the recent literature on neoliberal paternalism presents a theoretically, historically and empirically rich analysis of how these two sets of logics and practices have been intertwined in US social security reform around the governance of unemployed individuals (Soss et al., 2009; 2011). Although largely neglected to date beyond this focus, the conceptual lens of neoliberal paternalism offers considerable potential to better understand these linked reconfigurations of welfare systems across diverse policy fields.

Despite its conceptual and empirical potential, however, as well as its policy prominence, neoliberal paternalism offers internally diverse and contradictory views of the subject and this presents policy makers with risks, or possibly with flexible opportunities, for mismatch across four key analytical spaces (Dean, 1994):

- Ontology: the understanding of *what* is being governed in terms of the nature of the subject conceived;
- Ascetics: the understanding of *how* subjects are being governed;
- Deontology: the understanding of the mode of subjectivation in terms of *why* subjects relate themselves to the moral code;
- Teleology: the understanding of the *end goal* in terms of the vision of the subject that is hoped to be produced.

The remainder of the paper explores divergences, tensions and contradictions in the understanding of the unemployed subject over these four analytical spaces both within the conceptual framework of neoliberal paternalism and in the particular policy operationalisation of that framework within the

UK Conservative-Liberal Democrat Coalition government's transformed approach to employment activation between 2010 and 2015.

Neoliberal paternalism and paradoxical subjects: ontological fractures and ambiguities

A natural starting point for the discussion is to focus on the ontological accounts of who the subject is understood to be within the two sides of the neoliberal paternalistic framework – the raw material that Coalition employment activation policies feel that they are working with. Within the neoliberal lens the subject is seen as fundamentally 'rational' and hence in principle able to effectively navigate the framework of social, economic and policy choices and requirements laid before them. The 'problem' in the eyes of policy makers is that some rational subjects make 'wrong', or possibly just 'sub-optimal', choices in terms of their own well-being – smoking, inadequate retirement saving or, in the field of activation, inadequate or misguided efforts to move into paid work. Given that subjects are perceived to be rational, however, there is though no core problem with the basic operation of the subject's agency. Instead, the aim of libertarian (or so-called 'soft') paternalists is to use policy to restructure incentives and choices so as to *enhance* individual's freedom of choice indirectly such that they are encouraged to make 'better' choices *themselves* and without any direct constraints around those choices. Flowing in particular from the nudge economics of Thaler and Sunstein (2009), operationalised most clearly in the UK in the form of the government aligned Behavioural Insights Team, this libertarian paternalism of behaviour guidance and incentivisation has become a prominent policy trend in recent years to seek to improve the self-selected outcomes of subjects who are assumed to be rational (Jones et al., 2013).

In contrast, the hard paternalism of writers such as Mead imagine subjects in receipt of social security not as fundamentally rational yet in need of steering but, instead, as either unable or unwilling to operate effectively within the required framework of choices and responsibilities. On the one hand, some individuals are cast as cognitively unable to exercise rational choice effectively.

For these subjects hard paternalists suggest that the state must step into the role of benevolent guardian by making 'good choices' directly on their behalf. In contrast, other subjects – such as those in receipt of social security – are perceived as able in principle to operate rationally within the range of choices and responsibilities laid before them but as unwilling in practice to exercise their choices or to fulfil their obligations appropriately – more of a perceived withdrawal from the 'choice architecture' than a misdirection within it as for the soft paternalists. In response, hard paternalists advocate a need to energise such individuals for their own benefit through the offering of support, motivation and, if necessary, mandation and benefit sanctions so as to catapult them into action and to keep them 'active' (Mead, 1993).

The view of the subject is therefore fundamentally different across the two sides of the neoliberal paternalistic coin: the essentially rational (if 'sub-optimal') subject of neoliberalism versus the either irrational or unwilling subject of the hard paternalist. More subtly, Dean (2002: 48) offers a typology of qualitatively distinct types of unemployed liberal subject: those who have attained capacities for autonomy and are effective self-regulators of their conduct; those who need assistance to maintain capacities for autonomous self-regulation; those who are potentially able to self-regulate autonomously but who need training in the habits and capacities to do so; and those who are incapable of autonomous self-regulation or of acting in their own best interest. These may be different individuals or may indeed be the same individuals at different points in time (Hoggett, 2001). The framework of neoliberal paternalism, however, masks this variability and instead presents a muddled homogenisation filled with inconsistency and uncertainty in terms of the nature of the subject that is envisaged.

This presents policy makers with risks of unintended policy misspecification or, alternatively, with flexibility and hence opportunity within which to deliberately 'story' a desired ontological narrative and policy response. These risks and opportunities are certainly apparent in the UK government's approach to activation policy under Conservative Party leadership since 2010. A central ontological thread across Conservative Party ministerial speeches since 2010 has been

persistent accusations that the modern social security system has inadvertently created a 'welfare society' (Cameron, 2011) in which the culture of collective duty has been eroded and been replaced by a 'something for nothing culture' (Duncan Smith, 2011a) where the unemployed 'choose a life on benefits' (Cameron, 2012a). The alleged consequence has been the emergence of a 'deeply-ingrained benefit culture' (Grayling, 2011a) in which the unemployed lack the 'work habit' (Duncan Smith, 2011a; 2012a) and in which 'idleness is institutionalised' (Duncan Smith, 2010a) 'across generations and throughout communities' (Duncan Smith, 2010b).

Conservative Party discourse frequently veers further into more extreme apocalyptic and medicalised discourses of the unemployed as a social 'other' that is 'disconnected' (Duncan Smith, 2012a), 'adrift' (Duncan Smith, 2011b) and 'detached from the rest of *us*' (Duncan Smith, 2010b, author's italics). The alleged creation of 'a growing underclass...shut away, dysfunctional and too often violent' (Duncan Smith, 2011a) is depicted as the result of an almost medicalised individual moral condition that threatens contagion to the health of the wider society: the unemployed are cast as a 'residual group' (Duncan Smith, 2010c) who need 'recovery' (Duncan Smith, 2012b) and 'cure' (Duncan Smith, 2012c) from their depicted illness of benefit dependency and for whom 'containment is not an option anymore' (Duncan Smith, 2011a).

As many have pointed out previously these narratives rest on weak empirical foundations (Wright, 2011; Wiggan, 2012; Slater, 2014; Macdonald et al., 2014), even according to the government's own evidence (DWP, 2010; 2011a; 2011b). This is by now well known. Leaving aside the empirical shakiness of many of the Coalition's ontological claims, however, more interesting for the present argument is how these cultural and behavioural discourses simultaneously sit alongside a depiction of the unemployed instead as rational actors and of unemployment as driven by rational responses to perverse incentives within the benefits system. In this argument, government ministers argue instead that most of the unemployed 'want to work' (Grayling, 2010) and are 'desperate to get a job' (Duncan Smith, 2014b). On this reading, the problem ministers suggest is an overly complex social security system in which complicated and interacting rules and marginal withdrawal rates

make it financially unattractive, uncertain or risky for rational subjects to leave benefits and enter paid work (Grayling, 2011b; Duncan Smith, 2012d; Duncan Smith, 2014b). Hence, whilst being 'tough' via sanctions and conditionality is discussed as the antidote for a culturally feckless unemployed population Coalition ministers also emphasise the need to be 'smart' through the redesign of the benefits system into a new, holistic Universal Credit benefit to enhance and clarify financial incentives to work and to minimise risks around work transitions, even if Coalition changes to Universal Credit (e.g. reductions in the work allowance) and other benefits effectively chip away at these stated financial returns to work for many.

Irrespective of their empirical veracity or otherwise, Coalition discourse therefore presents two fundamentally contradictory visions of who the unemployed subject is: the hard paternalistic account of 'shirkers' and 'skivers' needing 'tough love' interventions of ever-stronger conditionality and sanctions to push them into 'responsibility' as well as the neoliberal vision of the rational unemployed needing adjustment of the choice architectures to better align desired 'positive' outcomes with rational (even if imperfect) decision-making processes. At the same time, although both ontological accounts of the nature of the unemployed subject run simultaneously within government framing it is noteworthy that it is the hard paternalistic discourse of 'shirking' and 'skiving' that is by far the more vocal and public of the two, a discourse that both feeds and flows from the consistent hardening in public attitudes towards social security recipients that the UK has witnessed unabated since the turn of the century.

These divergent visions align with the two sides of the conceptual framework of neoliberal paternalism and are enabled, even encouraged, by the fractures within it. In terms of their implications for policy, these ontological fractures within Coalition discourse of the unemployed flow through to, and interact via feedback loops with, the 'downstream' spaces of deontology, teleology and ascetics and these four analytical spaces must be considered together in order to offer a holistic assessment of whether the policy package provides a coherent, subtle and appropriate response to the subjects that it interacts with. To do so, the next section therefore connects this ontological

discussion of the subject-as-is through to the teleological vision of the desired subject-to-be before moving on in the following section to link these two visions via the nature of the policies relied upon to deliver that transformation.

Who do you want me to be?: Unpacking neoliberal paternalism's desired subject

As Wright (2012) notes, although social security reforms across the advanced economies in recent decades have at their core a vision of creating 'active' subjects from social security recipients presently constructed by government as 'inactive', there is uncertainty and ambiguity around the precise nature of this desired 'active' subject. It is well-known that the empirical veracity of government's claims of 'passivity' amongst the unemployed is highly problematic (Wiggan, 2012; Slater, 2012; Wright, 2012; 2015). Of particular interest to the present argument however is the recognition that two quite distinct visions of the desired 'active' subject have tended to dominate within the employment activation literature – those of 'docile subjects' and 'entrepreneurial selves' – and these alternatives can fruitfully be discussed in relation to evolutions in the thinking of Michel Foucault.

The idea of the 'docile subject' has received much discussion within the critical social policy literature around modern activation policies. If active labour market programmes are potential vehicles for the improvement, even transformation, of individual life courses then they are at the same time also systemic instruments to police employment activity (of both workers and the unemployed) and to furnish markets with an increased reserve army of available labour with which to discipline current workers, depress real wages and control the non-accelerating inflation rate of unemployment. As Peck (2001:6) argues, from this perspective "[S]tripped down to its labor-regulatory essence, workfare is not about creating jobs for people that don't have them; it's about creating workers for jobs that nobody wants". Hence, the telos of activation policies on this reading – by which is meant the vision of the subject that is hoped to be produced – is a subject who

accepts, or at least quietly tolerates, the imperative within the moral code to participate in the labour market in whatever form it is presented to them and in whatever role they are mandated to perform. In terms of its deontology, therefore, the relationship of subjects to that moral code is provided according to a hard paternalistic logic of externally imposed conditionality and sanctions, irrespective of any mismatches with subjects' own stated choices and aspirations or of any negative implications for their well-being.

Foucault's discussion of 'docile subjects' reflects his earlier understanding of power more as a dichotomous and repressive domination in a zero-sum conflict between agents, but in later works this understanding of power is developed into a more creative, contested and dynamic concept (Lemke, 2012: 19-20). This later understanding of power has provided analytically rich terrain for critical analysis and that underpins an alternative vision of the subject as an 'entrepreneurial self'. In keeping with the general trend towards the individualisation of risk and responsibility within social policy in recent years, this entrepreneurial subject is required to be the fully individualised bearer of risk optimisation in their life course, to scan the horizon for present and future risks and opportunities and to dynamically and proactively manage the creative optimisation of those risks and opportunities so that benefits to the self and broader society are maximised whilst potential disbenefits are minimised. Proactive 'agility' rather than passive 'docility' therefore becomes a key characteristic of the 'entrepreneurial self' (Gillies, 2011). In terms of its deontology, the aim is not just that entrepreneurial subjects will comply with this vision but more deeply that they will accept and internalise this vision as legitimate and so 'voluntarily' bind themselves to its moral code of individualised risk optimisation. Central to realising this vision therefore are policies of psychological governance that seek to affect subject's behaviours and subjectivities (Thaler and Sunstein, 2009; Jones et al., 2013). The view is of a neoliberal logic of 'natural', clearing markets in which subjects navigate 'freely' through the choice architecture in governmentally desired ways but without the 'unnatural' coercive impositions of the hard paternalist that can be seen as conceptually antithetical to the vision of the entrepreneurial subject.

There is moreover a dichotomy buried within this idea of the entrepreneurial subject between what might be described as negatively and positive entrepreneurial selves. For the negatively entrepreneurial subject the emphasis is on the individualised bearing of risk and responsibility for any 'failure' to transform one's circumstances but without the supports, resources or opportunities to be likely to realise that transformation (Crespo Suarez and Serrano Pascual, 2007). The result is a subject whose energies and incentives are focused defensively on managing risk so as to avoid harm and get by as best as possible within the activation regime and labour market rather than being focussed progressively on moving forwards or optimising within it. In contrast, although the positively entrepreneurial subject also has to defensively manage risks to avoid harm they enjoy sufficient supports, resources and opportunities to be able to viably carve out meaningful positive steps in the remaking of themselves and their life course within the labour market.

Sitting within this context, the Coalition's vision of the desired unemployed subject-to-be can perhaps best be understood as a Russian doll of nested layers whose grand and transformative vision gradually shrinks and narrows as one searches for its more tangible inner substance and specificity. At the highest level the Coalition talk of their ambitions to use social security reform to effect 'life change' (Duncan Smith, 2011b; 2014a) and to make a 'transformational difference' (Grayling, 2011b) to the lives of unemployed individuals, supporting them to 'take control' (Freud 2014; Duncan Smith, 2014b) of their lives and to 'realise their potential' (Duncan Smith, 2014b; Grayling, 2012a).

The substantive content of these ideas remains unclear however. Instead, the narrower concept of 'independence' recurs as the core and firmer idea within the vision, with ministers talking repeatedly of the central aim being to 'break the chains of dependency' (Duncan Smith, 2014b) and to support the unemployed on a 'journey back from dependence to independence' (Duncan Smith, 2012a; 2012c; 2012d). Although introducing notions of agency and freedom, the Coalition's notion of 'independence' is specific and restrictive however in terms of both the activities and cultures that

it contains and promotes. The core of the Coalition's understanding of 'independence' is to be off out-of-work benefits and in paid work of some form, with ministers elevating those striving to get into and move on through low paid work, celebrating their vision of a 'model, dependable and hard working employee' (Grayling, 2012b) that has a self-reliant income source. Ministers assert the need to transform the aspiration of the unemployed, aspiration which it is claimed 'is in danger of becoming the preserve of the wealthy' (Duncan Smith, 2010a). The result is a starkly simple and individualised policy prescription that David Cameron summarises as follows: "there's too much 'can't do' sogginess around. We need to be a sharp, focused, can-do country...Let's show the world some fight" (Cameron, 2012b).

Within these ideas emerges an idea of the self-made entrepreneur who through their own sheer hard-work transforms their life course and rises up through the labour market. Ministers subscribe to an idea of the positively entrepreneurial unemployed subject – autonomously responsabilised for their own future, individualised bearers and optimisers of their own risks and opportunities, but also confident believers that unemployed subjects can move up through the labour market and achieve uncapped success and wealth for themselves through hard work and application. Questions can of course be asked about whether this vision is realistically achievable for the majority of the (particularly long-term) UK unemployed and whether, as a consequence, the vision in practice regresses back to one of docility or negative entrepreneurialism.

Whilst David Cameron urges subjects to "bring on the can-do optimism" (Cameron, 2011) in order to drive economic growth and overcome unemployment, Coalition positivity downplays considerably the significant structural economic and policy challenges that the UK unemployed face in seeking to move into paid work. Supporting the unemployed – and particularly the long-term unemployed – into paid work requires intensive, tailored, high quality support that is often absent from a UK activation context that spends only around a quarter of comparable European economies on such programmes (Eurostat, 2014). The Coalition's flagship Work Programme, discussed in detail in the next section, is failing to alter these trends (Newton et al., 2012; WPSC, 2013; Meager et al.,

2013) and is set to be refocused and shrunk in size in its future guise as Work and Health Programme from 2017. More deeply, the Coalition's vision follows a long-standing bias towards the elevation of paid work in the construction of 'independence' (Fraser and Gordon, 1994), artificially relegating productive activities such as unpaid care or volunteering despite these being central to individual's subjectivities and behaviours (Lister, 2003; Williams, 2004). Yet even within the Coalition's own construction of 'independence' as paid work it is striking how absent are considerations of the context within which the unemployed operate: the poor quality, low pay, insecurity or weak progression opportunities of employment are left virtually undiscussed within Coalition speeches yet are central issues within the low-paid sector of the UK economy into which most jobseekers operate (Shildrick et al., 2012). Instead, the message is that any job will do and that any job constitutes a 'life transformation' compared to unemployment. This is despite the well-known reality that one third of entries to employment do not result in exits from poverty (Wright, 2011), around half of poor working age adults are in employment, just under half of the working poor work 40+ hours per week (Bailey, 2014) and that around 2.25 million low-paid working families continue to receive financial support from the government in the form of Working Tax Credit.

What remains seems a mismatch between an 'in principle' transformative vision of positive entrepreneurialism contrasted with a contextually and empirically informed 'in practice' vision of negative entrepreneurialism or docility in which the unemployed and low-paid must be mandated to individually bear the risks, responsibilities and consequences of their place in the labour market and their (often unsuccessful) attempts to progress within it (Wright, 2015).

The ascetics of activation: processes and practices in supporting the unemployed

Linking together these different visions – that of the subject-as-is and that of the desired subject-to-be – lies the ascetic nature of policy on the ground that unemployed subjects experience. Whilst the logic of the neoliberal ontology is the desire to steer, inform and enhance the freedom

and self-made choices of rational subjects towards ends considered superior, the defining policy instrument of the hard paternalist is that of sanction-backed mandation which whether by its use, its threat or its mere presence is instead used to coerce the unemployed towards the will of the self-declared benevolent paternalist. In terms of this paper's focus, the combination of the UK's wholly outsourced and now wholly payment-by-results Work Programme activation scheme alongside the UK's toughest ever post-war regime of sanctions (Slater, 2014) makes the Coalition's activation regime an intriguing ascetic case study to unpick the realities of neoliberal paternalism in action.

The Work Programme is the UK Coalition government's flagship activation scheme for the long-term unemployed who, depending on their circumstances, are either mandated to or can voluntarily enter the programme after an initial period of up to twelve months of public sector employment support without moving into paid work. Having started in 2011, the scheme is made up of mainly private sector prime providers who have a maximum of two years over which to work with claimants either directly and/or via sub-contracted organisations. The programme operates a 'black box' delivery model with providers having virtually complete flexibility over intervention design in order to "unleash the creativity of the industry" (Grayling, 2010). At the heart of the scheme is a payment-by-results model with providers' income streams now dictated entirely by their ability to deliver sustained job outcomes. To seek to incentivise providers to work equally hard with all unemployed claimants despite their widely differing support needs, claimants are allocated into one of nine payment groups based on their prior benefit receipt (as a crude proxy for likelihood of moving into paid work) and outcome payment levels vary across those nine groups.

Yet whilst neoliberalism frames much of Work Programme design, severe and rapidly triggered sanctions underpin the scheme: Jobseeker's Allowance claimants face losing 100% loss of benefits for 4 weeks for a 'first offence' (e.g. missed appointment) and 13 weeks for any subsequent 'offence'. For prime providers too there exists a threat of contract termination if their performance is deemed inadequate against set performance benchmarks, although the problematic way in which performance measures and contracts were originally designed have resulted both in difficulties in

enforcing these threats as well as contractual requirements to pay providers incentive payments for 'exceptional performance' that were driven almost entirely by falling referral volumes rather than performance per se (NAO, 2014).

Ministers describe the Work Programme as a 'radical new approach' (Freud, 2011b) and 'real revolution' (Freud, 2011b), yet in reality the programme extends (albeit markedly) a well-established trajectory towards centrally steered quasi-marketisation under the previous Labour governments (Lister and Bennett, 2010). To date the scheme has struggled in a context of a sluggish economy, weak labour markets and poorer than expected job outcomes, particularly with claimants with more significant barriers to employment. Work Programme providers have as a result been operating in extremely challenging environment of intense pressures on costs, income streams and on performance. On-going questions remain over the efficacy of the differential pricing mechanism between the nine payment groups to drive performance and mitigate risks of 'creaming' and 'parking' – the deliberate cherry-picking of 'easier' claimants ('creaming') and deliberate neglect of 'harder to help' claimants ('parking') – given that these groups hide enormous variability *within* them in terms of the varying types and levels of employment support that claimants need (Carter and Whitworth, 2014). Concerns also remain more fundamentally around whether the financial resources within the Work Programme payments system are adequate to support those claimants requiring more intensive and more expensive employment support (WPSC, 2013).

Set within this challenging context both provision and performance have been somewhat disappointing. Providers have tended to retreat back to a core of relatively basic, standardised and low-cost services (e.g. CV writing, interview skills, basic skills training) contrary to the rhetorical promises of innovation, personalisation and intensity from government and providers. Advisors state that they have not always felt able to offer adequate supports to overcome claimants' barriers to work, with minimal use made so far of referrals to more intensive, but paid-for, specialist providers (Newton et al., 2012; Lane et al., 2013; Meager et al., 2013). There is some evidence of lesser contact and support being offered to 'harder-to-help' claimants driven in part by a systemic downward spiral

of under-funding for such claimants as result of the miscalibration of the payments design (NAO, 2014). Related, there is widespread evidence suggestive of deliberate 'parking' of such claimants by providers (Newton et al., 2012; Meager et al., 2013; Rees et al., 2013). Almost inevitably in this context, job outcomes performance has been relatively disappointing, particularly for those 'harder-to-help' claimants. Ongoing concerns over the resourcing, provision and performance of the scheme raise serious questions about its transformative potential, concerns that look set to intensify from 2017 in the new Work and Health Programme from 2017 given its combination of Work Programme design template, reduced resources and exclusive focus on the 'harder-to-help'.

Of particular relevance to this paper's focus on neoliberal paternalism and the nature of the subject, however, is the balance within the scheme between a hard paternalistic inspired approach of top-down claimant allocation and direction as compared to a neoliberal inspired approach of enabling and encouraging the use and development of rational claimant's own choice and agency. What is striking about Work Programme in this regard is the paradox between its macro-level and micro-level designs.

At the macro-level the Work Programme is infused with neoliberal characteristics across its programme which, despite their problems and limitations in practice, are in many respects innovative attempts to drive up innovation, performance, cost efficiency and value-for-money: contracts were tendered and bids were sought widely; a multitude of non-state organisations were awarded contracts and within large geographical areas (Contract Package Areas) either two or three prime providers have claimants randomly allocated to them such that their performance can be pitted against each other; Work Programme operates a 'market share shift' arrangement whereby claimant allocation is gradually weighted towards better performing prime providers; and primes are now paid wholly by outcomes and are given almost complete flexibility over the type of provision they deliver.

Yet these macro-level neoliberal sentiments contrast strikingly with claimants' experiences at the micro-level in terms of their severely restricted ability to exercise agency within the scheme in

terms of their ability to use what Hirschman (1970) refers to as either 'voice' (mechanisms for feedback, complaints or design input to shape services) or 'exit' (leaving either the provider or a particular intervention delivered by their provider) to improve the quality of suitability of their employment support. The Work Programme process begins by claimants being randomly allocated by the public sector employment service to one of two or three competing Work Programme prime providers in their region. Claimants (or, indeed, public sector advisors) have no input to this allocation, nor are they able to exit and switch between prime providers once allocated if they feel they would receive better support elsewhere (if, for example, they were unhappy with their support or if they felt a different provider offered more suitable provision to their particular needs). Once with their allocated prime provider opportunities for claimants to exercise agency remain limited. Prime providers typically begin by profiling claimants to identify support needs, build an 'action plan' and identify suitable interventions and supports. Due to intensive cost-pressures, however, advisors are able to offer only highly constrained packages of interventions in terms of their range, intensity and specificity. More fundamentally, however, action plans are completed overwhelmingly by advisors without discussion with claimants and claimants are very rarely aware of the contents of their action plan, never mind given a copy to take home. Indeed, action plans are often computer generated so that advisers are unable even to have the potential for full flexibility and personalisation in action planning. This lack of co-production hinders claimants' abilities to exercise agency to shape or improve the levels and type of employment support that they receive and creates clear risks that support needs may not be effectively identified and met (Newton et al., 2012: 60; Meager et al., 2013). Following this triaging process, prime providers may decide to refer their allocated claimants down to an organisation within (or indeed beyond) their own supply chain rather than offering support themselves. Such referral is again driven by providers rather than by claimants and with claimants again unable to then switch or exit from that referred provider. This is of particular concern given evidence that prime providers seem to be referring their allocated

claimants to organisations on the basis of cost rather than suitability to claimants' needs (Newton et al., 2012).

Without rights or processes to choose providers, switch providers, request particular supports, or guarantee adequate supports, the overriding sense from the programme evaluation is that a significant portion of Work Programme participants are trapped within an activation scheme that is not offering the supports needed to move into employment but without the ability to exercise agency to achieve meaningful change and existing under constant threat of severe sanctions to comply. Although David Freud, Minister for Welfare Reform, argues that the previous system 'infantilises people' (Freud, 2011a), the experiences of Work Programme participants get no closer to Coalition discursive visions of rationality, empowerment, agency or responsibility in terms of how they envision the subject-as-is and the subject-to-be. Most obviously, the hard paternalistic line ignores the empirical reality that the vast majority of the UK's unemployed social security recipients do not align to this vision of the subject but are instead active and willing – if frustrated and constrained – jobseekers (DWP 2011b; Newton et al., 2012:90; Wright, 2015).

The relative overemphasis within the Work Programme on mandation and sanctions combined with the relative neglect of self-directed choice and agency presents considerable mismatches both with the nature of the unemployed subjects that the Coalition say that they are working with and with those that they are actually working with. Misaligned to both its ontological foundations and its teleological aspirations, it is far from clear whether Work Programme can be considered a sensible, logically coherent and effective programme.

Discussion

The twin thrusts of neoliberal paternalism have in recent decades become central elements of policy reform agendas across diverse policy arenas and welfare systems and the conceptual framework of neoliberal paternalism offers considerable potential for our understanding of these

shifts in terms of governance practices, subjectivation, and systemic outcomes such as poverty, inequality and power. The nature of the subject is however uncertain, heterogeneous and even contradictory across the two sides of this conceptual and accompanying policy framework.

Conceptually, the awkward existence of this paradoxical subject implicit within the lens of neoliberal paternalism appears at first to weaken its claims to capture coherently these twin thrusts of policy activity in recent decades. Yet it is perhaps a more accurate conclusion to state that the conceptual framework merely reproduces the internal fractures and contradictions that exist within neoliberal paternalistic policies themselves. This flexibility and fracture presents policy makers both with risks of unintended mismatch as well as opportunities for deliberate mismatch and ‘storying’ across the four key analytical spaces of ontology, deontology, ascetics and teleology, with considerable implications both for programme appropriateness and effectiveness as well as for broader ethical concerns around social justice and social inclusion. Making these paradoxes of the subject explicit is an important first task in recognising their implications both for policy design and for welfare users.

The present article is an attempt to stimulate thinking and debate on these issues, taking the single case study of UK activation policies as its focus. The discussion highlights ambiguities, inconsistencies and contradictions of Coalition activation policy both within and across the four key analytical spaces and highlight a need for greater clarity, subtlety and precision – both logical and evidential – in our understanding of subjects in receipt of social security benefits within analysis and policy making. It identifies vagueness and contradiction *within* particular analytical spaces (unemployed subjects understood as both rational and feckless, Work Programme built on implied benefits of both choice and non-choice, and desired subjects as positively entrepreneurial in words but more docile or negatively entrepreneurial in deeds) as well *across* analytical spaces (responsibly self-governing subjects desired but no co-produced processes to engage or develop the agency of the unemployed for example).

Such heightened understanding of the subject is required not only to enable policy interventions to be appropriate and effective in supporting differently oriented subjects in a flexible,

contextually specific way but also to ensure that activation supports social justice and social inclusion by working *with* and *for* – rather, as is currently the case, simply *at* – unemployed claimants. In this regard, bluntest of all within the UK's current activation regime is the undue dominance of hard paternalism in the form of an over-emphasis on mandatory policy demands coupled with rapidly triggered and punitive sanctions. This hard paternalistic view of the incompetent and/or unwilling subject is out of line with evidence about the actual nature of unemployed subjects. At least as interesting for the present article's focus, this dominance of hard paternalism appears equally incoherent if one ignores evidence and remains solely within the logic of the Coalition's visions in terms of both the subject-as-is as well as the desired subject-to-be. The latter telos is a view of an 'active', 'responsible', 'entrepreneurial' subject that sits uneasily alongside an ascetic policy framework that relegates the choice and agency that a neoliberal perspective would advocate.

This recognition that unemployed subjects are in contrast rational, motivated, and have value instead opens up spaces for claimant agency to flow into the activation regime. Such processes for claimant agency are not only opportunities instrumentally for more appropriate and effective policies to be designed but also, and arguably more importantly, are key in and of themselves to support social justice and social inclusion by severing the link between the (almost always temporary) loss of employment with the loss of self that the current activation regime unnecessarily and inappropriately enforces – from capable, trustworthy, valuable and rational when employed to incapable, untrustworthy, valueless and unable and/or unwilling when unemployed. There is no logical, ethical or evidential reason why those temporarily without work should be mandatorily disempowered and excluded from their very selves, particularly in the context of an activation regimes described by policy makers as seeking to enhance social inclusion and social justice. The task of rebuilding of an activation regime that is both more just and more effective must as its first task engage critically with fully understanding the nature of the subject that it is seeking to support.

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