The Freedom to Become Responsible Citizens

CRITICAL REFLECTIONS ON THE POLITICS OF "WELFARE REFORM"

Catherine Louise Thill

A thesis submitted for the degree of Doctor of Philosophy in the Department of Gender and Cultural Studies at The University of Sydney
November 2006
ABSTRACT

Many political theorists and policy analysts conceive the relation between freedom and responsibility in terms of the popular axiom “with freedom comes responsibility”. This conception informs the contemporary politics of “welfare reform”, which is premised on the belief that in order to overcome the problem of dependency we must replace the passive receipt of welfare entitlements with the active exercise of freedom-as-choice and responsibility-for-self. This thesis argues for a distinction between freedom-as-choice and freedom as a relational practice, and between responsibility-for-self and responsibility for the Other. In making this argument, the thesis demonstrates that the concepts of freedom and responsibility are at once more separate and more closely interrelated than is implied by the idea that the relation between them is one of correlation.

This thesis engages predominantly with the work of Michel Foucault, Emmanuel Levinas and selected feminist scholars. It brings their theoretical perspectives to bear on questions of government, freedom and responsibility, in order to contribute to new ways of thinking about the politics of welfare provision. Specifically, the thesis explores how the political rationalities of neo-liberalism and neo-conservatism intersect, transforming the practice of welfare provision in Australia. It maintains that the stakes in this transformation are limited freedom-as-choice and responsibility-for-self for welfare recipients, conjoined with enhanced subjection to complex forms of domination and gender subordination. More generally, I suggest that welfare reform entails the exacerbation of a culture of resentment, which undermines relations of sociality. In order to disrupt the perception that neo-liberal and neo-conservative values necessarily determine the practice of welfare provision, the thesis elaborates the alternative principle of freedom-in-relation. This conception of freedom, which cannot be separated from responsibility for the Other, displaces the prevailing tendency to “blame the victim” and instead opens the possibility for a politics of welfare provision that cultivates sociality.
ACKNOWLEDGEMENTS

My experience as a graduate student has been an extremely rewarding. In general, I thank the Department of Gender and Cultural Studies at the University of Sydney for providing such a strong, supportive and dynamic research culture; I am both inspired and grateful to be a part of it. I am appreciative of the University of Sydney and the Commonwealth Government for providing the Australian Postgraduate Award scholarship that funded this project. In addition, I thank the Faculty of Arts for a research grant that enabled me to present earlier versions of these arguments at the 2004 Essex Graduate Conference in Political Theory. I am also indebted to the Department of Gender and Cultural Studies and the Department of Sociology and Social Policy for teaching and research work during my candidature.

Many people have enriched my candidature in ways that are difficult to express. Linnell Secomb is a treasured supervisor and mentor; her wisdom, wit, integrity and generosity remain the measures of my academic aspirations. I am deeply grateful to both Linnell and my associate supervisor, Sue Goodwin, for helping me to negotiate the interdisciplinary fields of governmentality, political theory and gender studies while pursuing a commitment to substantive research. Finally, in bringing this manuscript to completion, I was fortunate to have Christina Colegate, Loretta Kelly and Jonathan Thill as meticulous and encouraging proofreaders.

For their generous engagement with earlier spoken versions of these arguments, I thank participants in the Gender and Cultural Studies Seminar Series, the departmental Work-in-Progress Seminar Series and the Australian Society for Continental Philosophy annual conferences in 2004 and 2005. My work has benefited especially from numerous panels with Christina Colegate and Julie MacKenzie, as well as discussions with Moira Gatens, Fiona Probyn, Natalya Lusty, Jane Simon and Gilbert Caluya.
Love and thanks go to family and friends who have provided much needed support over the last three and a half years. In particular, to my sister, Jane Kelly, for always understanding. To Sera and Scott Harris, Jo Carroll and Michael O’Conner for frequent gentle reminders of why work is meant to enrich rather than engulf life. Also, to Christina Colegate, Julie MacKenzie and Jane Simon for generous solidarity in both academic pursuits and post-work beer drinking sessions!

Thanks beyond measure goes to my partner, Jonathan Thill, for his unfailing love and friendship as well as his devotion to this part of the adventure. This work is a tribute to my mother, Loretta Kelly, who both inspired and nurtured my interest in feminism, politics and critical theory from an early age. It is dedicated, with love, to the memory of my grandmother Emma Louise Moore (1919-2006) who always believed I could do anything I set my mind to and taught me to work with passion.
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Political theorists and policy analysts, from a range of different perspectives, tend to conceive the relation between freedom and responsibility in terms of the common sense admonition that "with freedom comes responsibility". This conception informs the contemporary politics of "welfare reform", which is grounded in the somewhat reductive dichotomy between active and passive welfare. The argument is that modern bureaucratic systems of welfare entitlement have had the perverse effect of encouraging passivity amongst benefit recipients and fostering a culture of "dependency". In order to overcome the problem of dependency, the belief is that we must replace the passive receipt of welfare entitlements with a more active model of welfare provision. This is to suggest that welfare states must combine rights with responsibilities. These responsibilities are understood in terms of an overarching obligation to actively participate in economic, political and social life.

Arguments about political values are persistently (although not always expressly) performative and evaluative. In other words, there is no neutral conception of the subject of freedom and responsibility standing behind the discourse of welfare reform. On the contrary, I suggest that the politics of welfare reform is premised upon a very specific type of subject – the self-responsible subject of freedom-as-choice. That is, a subject with the capacity 'to make choices and act upon them' (Hirschmann, 2003: 3) as well as the ability to assume the kind of personal responsibility that is believed to be a necessary correlate of this capacity.
From a post-structuralist perspective, I claim that a tension exists between this account of the subject and the practices of government through which the subject of freedom-as-choice and responsibility-for-self is produced. This thesis seeks to explore this tension, in the context of the contemporary politics of welfare reform. How does the presumed self-reliance of the late-modern subject emerge alongside its disavowed dependence on highly pervasive practices of neo-liberal government, which (at least in part) constitute our capacity for individual freedom-as-choice and responsibility-for-self in the present? What are the consequences of this condition for welfare recipients? In addition, in what ways does the pervasiveness of neo-liberal governmentality contribute towards a general culture of resentment? How might the proliferation of obligations and contingencies associated with welfare reform have the perverse effect of exacerbating resentment and undermining sociality? Finally, how does a sense of responsibility for the Other intersect with the value of freedom in the present and in what ways might it temper the sense of social indifference expressed in the contemporary politics of welfare reform?

The strategy of this thesis will be to pursue alternative ways of thinking about freedom and responsibility that have been eclipsed by the discourse of welfare reform. In particular, this thesis argues for two critical distinctions: between freedom-as-choice and freedom-in-relation; and between responsibility-for-self and responsibility for the Other. The point is not that individual freedom-as-choice and responsibility-for-self are inherently undesirable. I accept that any conception of freedom invoked in relation to the politics of welfare reform will encompass an element of choice and responsibility-for-self. However, I argue that the value of freedom might also usefully entail other possibilities, including non-domination, practices of the self and relations with others. Furthermore, I suggest that freedom intersects, in complex ways, with responsibility for the Other. In making this argument, this thesis demonstrates that the concepts of freedom-in-relation and responsibility for the Other are at once more separate and more closely intertwined than is implied by the idea that the relation between freedom and responsibility is one of necessary correlation.
In order to make this argument, I engage predominantly with the work of Michel Foucault, Emmanuel Levinas and feminist scholars such as Wendy Brown and Wendy Larner. I bring their theoretical perspectives to bear on questions of government, freedom and responsibility to contribute to new ways of thinking about the politics of welfare provision. By drawing together these theoretical approaches, this thesis seeks to contribute towards a displacement of neo-liberal notions of individual freedom-as-choice and responsibility-for-self – replacing them with a conception of freedom-in-relation, which cannot be separated from responsibility for the Other. This conception of freedom-in-relation disrupts the prevailing tendency for the politics of welfare reform to "blame the victim". In addition, the concept of responsibility for the Other tempers inclinations toward resentment and indifference, which tend to pervade late-modern life. Indeed, the thesis opens the possibility for a politics of welfare provision that not only subdues resentment but also cultivates sociality by combining a commitment to the practice of freedom-in-relation with a sense of responsibility for the Other.

In the following sections of this introduction, I consider the framework that Foucault and some of his interlocutors provide for interpreting the relation between questions of power and subjectivity. This framework underpins the analysis of welfare reform elaborated throughout the thesis. Moreover, one of the objectives of this thesis is to challenge the notion that "post-structuralist theory" must be understood as a critical pursuit that nonetheless has little to contribute to the formulation of positive political alternatives. It is thereby important to provide some background to debates regarding the analytical value of this approach. I begin by outlining the genealogical method of analysis devised by Friedrich Nietzsche (1989) and reformulated by Foucault (2002b). In addition, I examine Foucault's conception of power as a relational and productive practice, which constitutes rather than constrains human subjectivity.

**Genealogy**

In the preface to *On the Genealogy of Morals* Nietzsche articulates the significance of his genealogical method in characteristically allegorical fashion. He declares
that 'We are unknown to ourselves, we men [sic] of knowledge' because we dwell in the 'beehives of our knowledge' (Nietzsche, 1989: 15), rather than in our experience of the present. The "beehives of our knowledge" are our conventional systems of epistemology – these include metaphysical logic, teleological history and Christian morality. We dwell within them to the extent that we seek to explain the origin of our present terms of existence from inside these systems of interpretation, rather than within the realm of human experience. Drawing an example from his youth, Nietzsche confides that he first sought to determine the origin of "evil" within the framework of Christian morality and thereby concluded that God was its source (1989: 16-7).

Through the genealogical method, Nietzsche seeks to establish a critical distance between us and what we think we know, to disturb the foundations of our beehives and make us 'strangers to ourselves' (1989: 15). This involves scrutinising the elements of culture that we attribute to a source outside of human experience – that which we take to be natural, a priori or God-given (Brown, 2001: 95). Nietzsche ceases to 'look for the origin of evil behind the world' (1989: 17) and instead traces the emergence of our values from within a particular cultural location, thereby disrupting their givenness. The history of this localised emergence is what is concealed 'by the naturalisation of values as universal and transhistorical' (Brown, 2001: 95). In tracing this history genealogy – unlike other methods of philosophical or historical inquiry – enables a diagnosis of our present condition that 'calls into question the very terms of its construction' (Brown, 2001: 95).

For Nietzsche, the genealogical method entails a particular style of questioning and the strategy of reversal. Each genealogy begins with a conventional story by which we have come to know ourselves – in Nietzsche's case, the story of the modern subject as morally good - and then seeks to make this story strange by questioning whether the values it comprises are as transparent as we suppose. More specifically, genealogy identifies elements that have to be deciphered in order to reveal the practices of power they serve, as well as what the story
conceals, dislodges, exacts and enables (Brown, 2001: 96-8). For example, Nietzsche asks:

Under what conditions did man devise these value judgements good and evil? And what value do they themselves possess? Have they hitherto hindered or furthered human prosperity? Are they a sign of... the degeneration of life? Or is there revealed in them, on the contrary, a plenitude, force, and will of life...? (Nietzsche, 1989: 17)

The genealogical style of questioning opens up what Nietzsche refers to as a “secret garden” – an alternate way of conceiving the familiar landscape of modern morality. He begins with a specific set of questions related to the ‘problem of the value of pity and of the morality of pity’ (Nietzsche, 1989: 20). However, Nietzsche disrupts a field of beliefs that stretches beyond the original problematic in order to reflect upon the interrelation between power, subjectivity, desire, bad conscience and justice in the context of modernity (Brown, 2001: 96-7).

According to Nietzsche, this genealogy of morals generates a new theoretical demand: ‘we need a critique of moral values, the value of these values themselves must first be called into question’ (1989: 20). It is in response to this new demand that he introduces the strategy of reversal, which functions in three distinct ways. First, Nietzsche questions the values that we take for granted and in this way, reverses their givenness in order to reveal the power that is both conveyed and concealed by their naturalisation (Brown, 2001: 98). He contends that ‘One has taken the value of these “values” as given, as factual, as beyond all question; one has hitherto never doubted or hesitated in the slightest degree in supposing “the good man” to be of greater value than “the evil man”...’ (Nietzsche, 1989: 20). Refusing to take the value of our values for granted, Nietzsche asks ‘But what if the reverse were true?’ (1989: 20). Second, Nietzsche offers a hypothetical response to this question that reverses the conventional conception of the morally good (Brown, 2001: 98). ‘What if a symptom of regression were inherent in the “good”, likewise a danger, a seduction, a poison, a narcotic, through which the present was possibly living at the expense of the future?’ (Nietzsche, 1989: 20). Finally, Nietzsche’s hypothesis challenges conventional accounts of history with the suggestion that regression, rather than progress, characterises the present;
that we may be living at the expense of, rather than paving the way towards, the future (Brown, 2001: 98).

Following Nietzsche, Foucault does not offer a systematic elaboration of the genealogical method but rather, in keeping with genealogical practice, describes it as a strategic "emergence". In other words, genealogy is something that must, in order to establish itself, displace the conventions of progressive history and metaphysics that it defines itself against (Brown, 2001: 100). Foucault describes Nietzschean genealogy as the study of descent and emergence that itself emerges in opposition to 'the search for "origins"' (Foucault, 2002b: 370), which characterises conventional teleological approaches to history. Teleological historiography aims to discern the foundation or origin of the present in the past and thereby posits our relationship to history as one of continuity and progress. Moreover, it explains origins in terms of our present needs, suggesting that history has a reason or purpose that is (at least provisionally) realised at the moment of its initial occurrence. Genealogy, on the other hand, both reveals and challenges the implication of metaphysics in historiography by displacing the idea that a foundational truth or original being lies at the source of our knowledge (Foucault, 2002b: 370-6).

As a study of descent, genealogy delivers the singularity of the event from the ideal of necessary continuity by tracing the accidents, petty malice and error that give rise to the forces and formations of the present. It disrupts that which we formerly envisaged fixed; fractures that which we reckoned unified; and exposes the multiplicity of that which we believed congruous (Brown, 2001: 102-3; Foucault, 2002b: 373-80). As a study of emergence, genealogy seeks to reveal the subjugating forces of history in their multiplicity. That is, the "hazardous play of dominations" which have been naturalised by the idea that history has an ultimate reason and serves a higher purpose (Brown, 2001: 104; Foucault, 2002b: 376).

For example, Nietzsche traces the emergence of the modern concept and judgement "good" to "slave morality's" successful bid for hegemony. He mocks
the historians of morality who purport to unmask the hidden purpose of "good" by explaining it in terms of the specifically modernist perspective of utility: ""Originally" - or so they decree - "one approved unegoistic actions and called them good from the point of view of those to whom they were done, that is to say, those to whom they were useful"" (Nietzsche, 1989: 25). Nietzsche points out that this obscures the pre-modern emergence of "good" as a value which the ruling class or nobility created in order to designate themselves and their actions as distinct from all that they considered "common" (1989: 26).

Genealogy is a useful approach for calling into question the values implicit in the politics of welfare reform. While many political theorists and policy analysts claim to provide active models of welfare provision that will enhance freedom-as-choice, responsibility-for-self and social inclusion, I argue that these "taken for granted" values require further critical examination. In Chapters Three, Four and Five, I will use the genealogical method in order to trace the arbitrary and limited ways in which these political values emerge and are interpreted, as well as how they contribute to the constitution of particular kinds of subjectivity. This critique of welfare reform will also be informed by Foucault's conception of power and subjectivity.

**Power**

Foucault avoids formulating an overarching theory of power. Instead he seeks to develop a conception of power as a relational and productive practice. For Foucault, something called "power" does not exist or reveal itself in any unitary or substantive sense. This means that power cannot be understood, by its very nature, as inhering in or issuing from an established vantage point such as the sovereign, the state or the people. On the basis of the principle of sovereignty, we tend to think about power in terms of the question of legitimacy. However, Foucault argues that it is more useful to think about power in terms of the idea of action or conduct. He presents power as a relational practice exercised between particular people or groups, which nevertheless exceeds the opposition between coercion and consent because it 'does not act directly and immediately on others'
(Foucault, 2002g: 340). In short, relations of power are specific forms of action that bear upon other forms of action. The point is not that power relations determine the actions of others in any straightforward sense but rather, that they seek to structure fields of possible action and modes of conduct (Foucault, 2000b: 291; 2002g: 336-41; Ivison, 1997: 30-1).

If power relations are conceived in terms of the idea of action upon action, then nearly every human relationship is a power relation of some sort or another regardless of whether it entails friendly persuasion or brute force. This is what Foucault is getting at when he claims that “power is everywhere”. Instead of treating power as a commodity, which emanates from a given political structure, Foucault interprets power, in Nietzschean terms, as a “multiplicity of force relations” (Foucault, 1978: 92-3). However, he does not simply seek to reveal the omnipresence of power. Rather, Foucault seeks to open the possibility of new ways of thinking about power, in which power relations are treated as precarious, transitory and fragile (Foucault, 2000b: 292; Ivison, 1997: 31).

Ivison maintains that one of the most radical features of Foucault’s interpretation is the idea that power relations are productive (Ivison, 1997: 31). Foucault does not believe that relations of power necessarily (or even primarily) function in accordance with negative mechanisms such as constraint, prohibition or repression. Instead, he describes power relations as productive practices, which in part constitute the very subjects upon whose conduct they seek to act. This is not to suggest, for example, that constraint is never a condition of emergence for a particular type of subjectivity. However, it is to imply that this conception of power cannot be reduced to its negative effects (Foucault, 1978: 83-91).

Foucault describes the heterogeneous positive ways in which power relations are put into practice. In particular, he traces how specific relations of power intersect with “games of truth”, which are discursive rules that establish the limits of truth in a particular historical context (Foucault, 2000b: 297). Both power relations and games of truth are productive, in the sense that they each contribute to the
constitution of particular types of subjectivity and specific forms of political rationality (Ivison, 1997: 31). As I demonstrate in Chapter Three, this conception of the political is useful precisely because it enables a diagnosis of the ways in which the discourse of welfare reform intertwines with the political rationality of neo-liberalism in order to contribute to the constitution of the self-responsible subject of freedom-as-choice.

Foucault foreshadows his elaboration of the concept of political rationality by tracing the ways in which techniques and relations of power emerge "from below". He examines how macro structures of domination – the state, the judicial and penal systems as well as power-knowledge systems such as medicine and psychiatry – emerge from and function through localised, "capillary" networks of power relations (Foucault, 1978: 94; Gordon, 2002: xxiv-xxv). This means that the study of power cannot be reduced to an analysis of the "rationalisation of society" at an institutional or systematic level. Indeed, Foucault argues that we need to cultivate an "analytics" of power, in order to apprehend the complex imbrication of power relations within a specific society. That is to say, we need to formulate analytical tools that enable a diagnosis of particular fields of power relations and how they intersect with specific forms of political rationality, games of truth and technologies of government, at the level of practice (Foucault, 1978: 82; 2002g: 328-9; Ivison, 1997: 31-2).

Both Ivison and Patton point out that criticism of Foucault's conception of power commonly rests on the question of its analytical value (Ivison, 1997: 32; Patton, 1998: 64). Since every social relation is a relation of power, then how are we to distinguish power relations that entail domination from those that involve an acceptable level of human freedom? To put it bluntly, if power is everywhere then how is freedom even possible? The short response to these questions is that Foucault does in fact provide a distinction between relations of power and states of domination in his later work. He identifies states of domination as specific types of power relations, which have been rendered 'perpetually asymmetrical and allow an extremely limited margin of freedom' (Foucault, 2000b: 292). Moreover, he contributes towards a genealogical account of the emergence of
human freedom, in particular historical contexts – namely, antiquity and modernity (see, for example, Foucault, 2000b; 2000f). These aspects of Foucault’s later work inform the conception of freedom pursued in this thesis and are outlined in Chapter Four. For now, however, I want to suggest that the ways in which Foucault’s approach is put into question obscure something of what is at stake here.

Part of what is at stake in Foucault’s conception of power relations is the value of the descriptive critique he provides. Foucault is adamant that late-modern society is faced with a problem that it has yet to come to grips with; that is, how to confront the kind of power that constitutes rather than constrains human subjectivity. His conception of power is an attempt to grapple with this problem. Foucault believes that our conventional ways of thinking about the political, as well as our traditional tools of analysis, are inadequate to the task. Indeed, he insists that the humanities and social sciences in fact contribute to the problem in a number of different ways (Ivison, 1997: 32; Ransom, c1997: 25). Foucault recommends and works towards the formulation of ‘a new economy of power relations... more directly related to our present situation’ (2002g: 329).

Foucault maintains that our contemporary conceptions of power are bound up with traditional juridical approaches to political theory and analysis. From this perspective, power is represented as a fundamental right, which is relinquished in the institution of sovereignty and consequently held in trust by representatives of the people. This form of power is oppressive insofar as it exceeds the legitimate limits of its exercise. According to Foucault, sovereign power operates through the negative mechanisms of prohibition, censorship and punishment. Moreover, it is a practice that emanates from the top down, in a homogenous and universal manner. Political theory remains preoccupied with the problem of legitimacy, which concerns the question of what constitutes the ‘legitimate rights of the sovereign and the legal obligation of others to obey’ (Ivison, 1997: 33). In contrast, Foucault insists that we need to reject the uniform and primarily negative archetype of the sovereign, in order to contribute to an
analytics of power that would allow us to apprehend the complexity of political relations in the present (Foucault, 1978: 82-91; Ivison, 1997: 32-3).

In *Discipline and Punish* Foucault uses this type of approach to trace the emergence of new forms of power relations in the seventeenth and eighteenth centuries. He believes that technologies of disciplinary power – exemplified by the Panopticon – are opaque to and perhaps even obscured by the kind of frameworks used to understand sovereign power. Disciplinary power functions at the level of the human body, in order to enhance “the docility and the utility” of the embodied subjects over which it is exercised (Foucault, 1979: 218). This technical means of producing obedient and capable individuals is then instilled and translated across multiple fields of regulation within civil society, including the workhouse, the factory, the hospital, the school and the military. In short, relations of disciplinary power exceed their specific institutional location and inculcate the social nexus in complex ways (Foucault, 1979: 135-41; Ivison, 1997: 33).

Foucault suggests that the emergence of theories of sovereign power in the seventeenth and eighteenth centuries actually serves to effectively mask the concurrent emergence of technologies of domination exercised by disciplinary mechanisms. We tend to understand and speak about early modernity in Europe in terms of the origin of liberty. That is, as the period which marks the beginning of debates regarding sovereignty, rights and representation (Ivison, 1997: 34). However, the point of Foucault’s genealogy of disciplinary power is to make this story strange by calling into question the values it takes for granted. He accomplishes this by tracing the ways in which juridical mechanisms that in part function to secure the liberty of the individual, also work to render acceptable the “normalisation” of the population:

The general juridical form that guaranteed a system of rights that were egalitarian in principle was supported by these tiny, everyday, physical mechanisms, by all those systems of micro-power that are essentially non-egalitarian and asymmetrical that we call the disciplines... [T]he disciplines provide, at the base, a guarantee of the submission of forces and bodies. *The real corporeal disciplines constituted the foundation of the formal juridical liberties. The contract may have been regarded as the ideal*
foundation of law and political power; panopticism constituted the technique, universally widespread, of coercion.... The "Enlightenment," which discovered the liberties, also invented the disciplines. (Foucault cited in Ivison, 1997: 34)

Ivison identifies the notion of normalisation as an important element in Foucault's alternate characterisation of power relations in late modernity. According to Foucault, modern practices of normalisation function on behalf of the principle of welfare. This understanding provides Foucault with the basis for a somewhat unorthodox account about the emergence of modern political community, which traces the identification, interpretation and enhancement of the welfare of the population. His assertion is that citizens are "formed and normed" in relation to a particular conception of welfare' (Ivison, 1997: 35). In other words, disciplinary techniques become part of a more general technology of government. Ivison clarifies that this is the case even for the political rationality of liberalism, which is grounded in the presumption of individual liberty (1997: 35).

Subjectivity

In addition to questioning the analytical value of his conception of power, criticism of Foucault also tends to rest on his formulation of the subject. His understanding of human being as something that is at once oppressed and produced by relationships of power is believed to render paradoxical the ideal of the individual subject with the capacity to exercise freedom. In short, Foucault is said to provide no ideal of human subjectivity (or society) free from power. This problem is frequently explained in terms of an absence of any normative basis upon which to account for human subjectivity in his work. Against this critique, Ivison and Patton point out that, while Foucault calls into question certain traditional concepts of what it is to be human, he also provides an alternative (albeit minimal) conception of human agency (Ivison, 1997: 42; Patton, 1998: 64-5).
Foucault is critical of the idea that there exists a universal norm of human subjectivity, in any conventional sense. Instead of presupposing this kind of foundation for human being, he traces some of the ways in which the subject is constituted by particular historical practices, in specific social and political contexts. These practices include technologies of power as well as technologies of the self (Ivison, 1997: 43). Technologies of power act on the conduct of the subject. Technologies of the self, on the other hand, are practices of freedom that enable people to act on their own conduct, in order to transform themselves into "ethical subjects" (Foucault, 1987: 27-8; 2000c: 263). In addition, Foucault examines how the subject is produced by technologies of governmentality, which he defines in terms of the imbrication between technologies of power and technologies of the self (Foucault, 2000e: 225).

Foucault's account of power relations and technologies of subjectivity, presume an active subject as the basis upon which power operates. He insists that 'power is exercised only over free subjects, and only insofar as they are "free". By this we mean individual or collective subjects who are faced with a field of possibilities in which several kinds of conduct, several ways of reacting and modes of behavior are available' (Foucault, 2002g: 342). Thus the point of examining technologies of power is not to establish the triumph of Power over Freedom, since Foucault does not set these terms in opposition to one another. Nor does he simply want to demonstrate the omnipresence of power. Rather, Foucault seeks to apprehend the discourses and modes of conduct that are taken up and mobilised in particular power relations, as well as the potential strategies of resistance and counter-attack that are available. The objective, in part, is to determine whether or not these relationships of power also constitute a state of domination (Ivison, 1997: 42-3).

Foucault believes that the task of philosophy is to put situations of domination into question (2000b: 300). Here we return to the problem of the absence of any normative foundation upon which to base this kind of critique. Ivison contends that Foucault makes a distinction between states of domination and practices of freedom, in which he privileges freedom over domination while appearing to
negate the philosophical basis for making such an evaluation. In doing so, critics argue that Foucault re-introduces many of the normative ideals of liberal humanism, including 'autonomy, reciprocity, dignity and human rights' (Ivison, 1997: 44). Furthermore, they claim that without these ideals, Foucault has no grounds upon which to account for the human desire for freedom that his framework seems simply to presuppose. Foucault, on the other hand, denies the need to establish a universal foundation for the value of human freedom, since no such foundation can guarantee our liberty. Instead he provides a formulation of freedom as a practice of the self, which allows him to distinguish between states of domination and practices of freedom in the context of particular struggles (Foucault, 2000b: 282-4; Ivison, 1997: 44-5).

Ivison, however, suggests that Foucault's argument is somewhat disingenuous at this point. He contends that Foucault does in fact provide a minimal formulation of human agency, according to which the subject is both active and corporeal (Ivison, 1997: 45). Patton elaborates that Foucault offers a conception of the subject 'understood in terms of power, where this term is understood in its primary sense of capacity to do or become certain things... whatever else it may be, the human subject is a being endowed with certain [bodily] capacities' (Patton, 1998: 65). Patton maintains that, in his genealogy of sexuality, Foucault does not treat the human body as a blank slate upon which power works to produce subjects in any straightforward sense. Instead, the subject is described precisely in terms of its embodied capacity for pleasure, amongst other things (Patton, 1998: 66). Patton suggests that Foucault "fleshes out" this conception of the subject, in his genealogies of ethics. This is to say that, in the context of this later work, Foucault begins to conceive of human being in terms of a socially and historically constituted capacity for self-reflexive thought and action (Patton, 1998: 70-5).

I argue throughout this thesis that Foucault's conception of subjectivity is a useful theoretical tool, in a number of different senses. First, he describes multiple technologies of subjectivity, including both technologies of the self and technologies of domination. This framework facilitates a nuanced analysis of the
complex ways in which the political rationality of neo-liberalism constitutes welfare recipients as subjects of freedom-as-choice and responsibility-for-self. In addition, Foucault's distinction between practices of freedom and states of domination enables a critical evaluation of the draconian elements of welfare to work policy. Finally, his work on the intersection of ethics and subjectivity opens the way for an alternative account of human being, in which the subject is understood in terms of its capacity for freedom-in-relation.

This thesis also engages with Levinas' interpretation of ethics and subjectivity. Like Foucault, Levinas conceives human subjectivity as something that is the product of ethical relations with others. However, while Foucault tends to privilege practices of the self, Levinas foregrounds the imperative of responsibility for the Other. In other words, he offers a formulation of responsibility that retains both difference and sociality as important features. Levinas' account of responsibility for the Other as the first principle of both ethics and politics displaces the widespread belief that the freedom of the self provides the foundation for human being and political community. This conception of responsibility for the Other is not something that can be easily applied to the political. Nonetheless, it gives an ethical direction that governs the concept of freedom-in-relation and the potential strategies for transforming the politics of welfare provision, which are elaborated in the later part of this thesis.

I begin to examine the politics of welfare reform by providing a broad overview of recent changes to welfare provision. Chapter One is motivated by two main concerns: first, I contextualise the problem of welfare dependency by relating it to the more general problem of the emergence of globalisation and contemporary social risk. Second, I situate welfare to work policy measures consolidated in Australia over the past decade, in relation to transformations taking place in other liberal democratic societies – namely, the United States and Britain. These concerns foreground an approach to the politics of welfare provision, which does not herald "welfare reform" as a decisive rupture in our existing social fabric. On the contrary, this thesis seeks to describe welfare reform in terms of a complex series of transformations in the political rationality of modernity.
To question the politics of welfare reform is also to question how the problem of "welfare dependency" has transformed the discourse on welfare provision in the context of political argument. In Chapter Two, I provide a literature review of the existing debate about welfare provision, engaging with political theorists and policy analysts from a range of different perspectives. More specifically, I examine T. H. Marshall's (1950) influential post-war conception of social welfare provision as a right of citizenship as well as the critiques of this formulation that have been articulated by the New Right and the Third Way. I argue that despite their different perspectives, all conceive the problem of "welfare dependency" in terms of the question of how to secure the exercise of freedom-as-choice and responsibility-for-self. This argument reveals something of the extent to which the discourse of welfare reform functions as a limit to the values of freedom and responsibility in the present, by obscuring alternative conceptions that seek to move beyond an individualistic focus on choice and personal responsibility.

In Chapter Three I use Foucault's concept of governmentality in order to diagnose the ways in which specific Welfare to Work reforms embody the political rationality of neo-liberalism. I draw primarily on frameworks provided by Mitchell Dean (1999; 2002a; 2002b), Wendy Brown (1995; 2005) and Wendy Larner (2000; 2005) who, each in different ways, have explored the critical potential of Foucault's work on the question of government. On the basis of these interpretations, I examine the ways in which Welfare to Work policy in Australia seeks to direct the conduct of jobless people and populations. More specifically, I demonstrate how, by "withdrawing the state" from the direct provision of welfare services, this kind of policy approach seeks to govern neo-liberal subjects in accordance with their capacity to exercise freedom-as-choice conjoined with responsibility-for-self.

It is suggested, furthermore, that this is not the only way to interpret Welfare to Work reforms. Indeed, I argue that a tension exists between the account of the subject presupposed by the discourse of "welfare reform", on the one hand, and the neo-liberal practices of government through which the subject is produced,
on the other hand. The point is that Welfare to Work policy does not simply presuppose but in fact produces the norms of freedom-as-choice and responsibility-for-self. Consequently, these norms cannot be conceived as the essence of human subjectivity but rather as artefacts of neo-liberal governmentality. This raises the problem, then, of how it is possible to exercise freedom and responsibility in the context of neo-liberal practices of governmentality and gives some indication of the ways in which these values might usefully be reformulated.

Chapter Four responds to the question of how to distinguish between technologies of governmentality that involve a situation of domination and those that cultivate practices of freedom. In addition to further engagement with the work of Foucault (2000b), Brown (1995; 2000) and Larner (2000; 2003; 2005), this chapter also incorporates the perspective of William E. Connolly (2002) and Duncan Ivison (1997). It reveals how Welfare to Work policy in Australia is in fact a complex series of rather inconsistent political rationalities and formations, including neo-liberalism, neo-conservatism and the claims of social and cultural movements. Moreover, it exposes the extent to which this assemblage encompasses various draconian features such as the codification of welfare dependency as Otherness as well as technologies of domination and gender subordination. Indeed, I ascertain that Welfare to Work policy not only entails certain technologies of domination and subordination but also constitutes a situation of domination and gender subordination as such.

Significantly, Chapter Four also provides an alternative concept of freedom that challenges the neo-liberal notion of freedom-as-choice. Building on the work of Ivison (1997) and Brown (1995), I suggest that Foucault offers a way of thinking about freedom as a practice, which is accomplished in interpersonal relations with others and is, at the same time, precisely what enables the self to take responsibility for these relationships. In other words, I argue for a conception of freedom-in-relation that is inseparable from a sense of responsibility for others. This alternative conception challenges the neo-liberal belief that freedom can be reduced to individual choice, conjoined with responsibility-for-self, by invoking
sociality and interdependence as important elements of the practice of freedom-in-relation.

The Foucaultian conception of freedom as a (relational) practice opens the possibility of contesting the established discourse of welfare reform. Following Ewa Plonowska Ziarek (2001), however, I claim that it fails to take into account the question of responsibility for a non-appropriative relationship with the Other. In Chapter Five, I negotiate this limitation by engaging with Levinas' account of ethical responsibility. I argue that his conception of responsibility for the Other offers a useful supplement to the idea of freedom-in-relation, which I begin to elaborate in Chapter Four. In particular, I contend that Levinas not only challenges the conventional tendency to treat responsibility as a derivative political value but also formulates responsibility in such a way as to foreground sociality and privilege the singularity of the Other as well as the self.

Substantively, I suggest that Levinas' conception of both responsibility for the Other and the relation between the ethical and the political are useful tools for re-thinking the politics of welfare provision. These frameworks challenge the principle of responsibility-for-self, which underpins the discourse of welfare reform. In addition, they provide an ethical direction – an inclination towards a sense of non-indifference in the face of responsibility for the Other – that potentially re-orient the politics of welfare provision. Specifically, I argue that Levinas offers an interpretation of justice and human rights, which opens the possibility of contributing towards a politics of welfare provision that accommodates difference and sociality.

... 

As this brief synopsis indicates, I propose neither a unified theory of "welfare reform" nor a comprehensive reconfiguration of the values of freedom and responsibility. There are, however, two broad points emphasised throughout this thesis. The first concerns the hybridity, contingency and fragility of neoliberal practices of governmentality. Following Larner (2000; 2005), I examine neo-liberalism in terms of the emergence and transformation of particular
localised welfare to work measures and programs. The strength of this style of analysis consists in exposing the extent to which neo-liberalism can be understood as a complex and manifold assemblage of somewhat contradictory political rationalities, technologies and formations, rather than a consistent and all-encompassing economic project.

If particular neo-liberal practices are indeed an assemblage of inconsistent and unstable elements, then this opens the possibility of specific transformations. This possibility foreshadows my second point, which is that it is insufficient to critically analyse the relation between certain political rationalities and particular policy measures and programs. In other words, I argue that it is also important to imagine and endorse alternative political values and practices. By juxtaposing the perspectives of Foucault and Levinas, in the later part of this thesis, I seek to contribute towards the formation of positive strategies with which to engage the contemporary politics of welfare reform. More expressly, I provide an affirmative conception of freedom-in-relation that cultivates sociality insofar as it not only encompasses but is also governed by a sense of responsibility for the Other.
CHAPTER ONE

Welfare to Work in Context

Welfare provision within liberal democratic nation states has undergone a significant transition in recent decades. There has been a sustained move towards "welfare to work" policy with an emphasis on reciprocal obligation and away from the "passive" system of benefit entitlements that characterised the modern welfare state. Reciprocal or mutual obligation captures the common-sense notion that citizens should 'make a contribution to society in exchange for the support society gives them' (Yeatman, 2000: 156). Welfare to work policy is seen to enhance the capacity of welfare recipients to make this contribution by assisting them to make the transition into paid employment (Lister, 2001: 91).

Welfare to work policy is the cornerstone of neo-liberal reforms to the Australian, British and United States welfare systems. The way in which such programs are devised and implemented promises to continue to have a significant impact on the future shape of liberal democratic systems of welfare provision more generally. For this reason, amongst others, welfare to work policy demands detailed critical examination. In this chapter, I provide an overview of the context of the contemporary politics of welfare reform, situating it in relation to the emergence of globalisation and problem of social risk. I then describe the key features of welfare to work policy in the United States, Britain and Australia. While the welfare reform measures consolidated in Australia over the last decade constitute the primary site of analysis of this thesis, this chapter aims to situate these reforms in relation to the kinds of transformations occurring in other liberal democratic nation states.
Contemporary Social Risk

Esping-Anderson (1990; 1996) famously explains the emergence of modern welfare states precisely in terms of a consensus on the need for a collective approach to protection against social risk, which incorporates civil society, the family and state-managed welfare. This is to suggest that modern welfare states were premised on the assumption that Keynesian economic policy, in conjunction with a Fordist economy, would secure adequate wages and employment for male breadwinners. Moreover, as many feminist theorists and policy analysts make clear, this arrangement was also dependent on unpaid work performed by women in the home (see, for example, Pateman, 1989). That is, the provision of care for children, elderly relatives and those with disabilities.

Many social theorists and policy analysts maintain that, in the comparatively strong economic climate of the postwar period, the social risks that welfare states were obliged to underwrite were relatively minor (Braithwaite, Gatens and Mitchell, 2002: 227). However, since the 1970s, the acceleration of globalisation, the shift towards a post-industrial economy and changing patterns of family formation are held to have transformed the nature of risk within liberal democracies. Indeed, according to the British Commission on Social Justice, these new social risks are both ‘less predictable and more probable than were those of the 1950’s’ (cited in Lister, 2001: 93).

Since the restructuring of the welfare state is predominantly conceived as an effect of transformations in social risk, it is important to examine the relationship between this phenomenon and the politics of welfare reform. Globalisation tends to be interpreted as a macro-level economic process. This is to say that the defining features of this process are believed to be ‘the greater mobility of capital, investment, production processes and the new forms of technology (particularly information technology) that enable this increased spatial freedom’ (Clarke, 2000: 203). These kinds of changes are said to put the sovereignty of nation-states into question and, in particular, their capacity to ensure the public provision of
welfare. For example, welfare provision is viewed as a constraint on international competitiveness, which limits the capacity of national governments to respond to corporate demands for “business friendly environments” (typified by minimal levels of taxation and regulation as well as the ready supply of cheap labour) (Clarke, 2000: 204).

Post-industrial labour market restructuring is associated with the transition from manufacturing to the service sector, the rise in women’s labour force participation and a sustained increase in transitory employment relations, characterised by work which is casual, part-time or contractual (Mitchell, 1998: 31; O’Connor, Orloff and Shaver, 1999: 2). The changing nature of family formation is linked to higher rates of divorce and lone-parenthood, and the emergence of ‘never-married mothers without a resident partner... as a significant social category’ (Gray, 2001: 190). In addition, both economic and social trends have contributed to an ageing population and a growing divide between dual-earner households and households in which no-one participates in the paid labour force (McClure Report, 2000: 2; Dean and Shah, 2002: 63).

Similarly to globalisation, these transformations have significant implications for welfare provision. According to the prevailing sociological approach, the modern welfare state has been expanded to accommodate a range of new and costly social risks faced by citizens. At the same time, the changing nature of social risk is said to contribute to a growing consensus that the modern welfare state is unsustainable. Indeed, the concern is that these contemporary contingencies have undermined ‘the ability, the willingness, or perhaps the confidence of governments’ (Braithwaite et al., 2002: 229) to provide social protection as an entitlement of citizenship.

More specifically, interest in welfare reform has been sparked by the growing belief that the welfare state itself contributes to the risk of “welfare dependency”. The vision of citizenship that informs a great deal of postwar social and political theory tends to be framed around the extension of rights. This is to say that ‘by guaranteeing civil, political, and social rights to all, the welfare state ensures that
every member of society feels like a full member of society, able to participate in and enjoy the common life of society’ (Kymlicka, 1994: 354). However, since the 1980s there has been increasing criticism of this postwar view. The most politically effective critique of this kind has come from the New Right’s sustained assault on the notion of social citizenship. Writers such as Charles Murray (1984; 1999a) and Lawrence M. Mead (1986; 2000) claim that welfare state expansions have not only failed to prevent or even mitigate social risk but in fact produced a new risk – namely, the risk of welfare dependency. They maintain that we need to move beyond welfare rights and instead start to focus on the responsibilities of citizenship, particularly the responsibility for economic self-reliance. On the basis of the belief that welfare state encourages “passive dependency”, the New Right argues that it ought to be “cut back” and that obligations should be attached to benefits (Kymlicka, 1994: 355-6).

The New Right’s attack on welfare entitlements, examined in detail in Chapter Two of this thesis, underpins the move towards welfare to work policies in the United States, Britain, and Australia. In the United States, President Clinton declared an end to ‘guaranteed benefits for idleness’ and insisted that ‘people who could go to work, had to go to work’ (cited in Macintyre, 1999: 105). In Britain, New Labour’s approach to welfare reform is premised on a “new social contract” between citizens and the state, which combines rights and responsibilities. These responsibilities primarily refer to the obligation to participate in paid employment (Rake, 2001: 211). Similarly, “Work First” principles serve as the new foundation for the Australian working age welfare system. The Government makes clear that ‘a working age income support recipient should have an obligation to participate in the workforce to the extent of their capacity to work’ (Welfare to Work Act, 2005: i).

Many scholars represent globalisation and social risk in fairly homogeneous, epochal and pessimistic terms; that is, as phenomena which herald the end of the welfare state as such. Others, however, point to the different ways in which particular welfare states or regime types (liberal, social democratic or conservative) have responded to the pressures associated with these
contingencies. For instance, Gøsta Esping-Andersen (1996) concedes that the imperative of economic competitiveness restricts the scope of national policy choices. Nonetheless, his research also reveals the significant role that domestic politics and institutional processes continue to play in specific decisions about how different welfare states adapt to the dilemmas of the emergent global economy and risks such as population ageing and welfare dependency (Clarke, 2000: 204-5; Esping-Andersen, 1996: 6).

Liberal welfare states, including the United States, Britain and Australia, have responded by following what Esping-Andersen identifies as the "neo-liberal route". That is, intentionally pursuing strategies of deregulation, marketisation and welfare state retrenchment. Deregulation and wage flexibilisation are associated with high levels of employment growth across the liberal welfare states, in comparison with other Organisation for Economic Co-operation and Development (OECD) member states. Much of this growth, however, is concentrated in the low-wage sector of the labour market and tends to create poverty traps (Esping-Andersen, 1996: 15-7). Marketisation and welfare state retrenchments generally entail a combination of 'greater selectivity, [the] gradual erosion of benefits and/or coverage through failure to adjust social programs in line with economic change, and "workfare"' (Esping-Andersen, 1996: 16). These aspects of neo-liberal welfare provision are discussed in further detail in the following sections of this chapter.

Structurally, the United States and Britain maintain similar systems of social welfare provision insofar as both are divided between contributory social insurance and means-tested social assistance. The neo-liberal route in Britain is associated with a policy shift from the former to the later (Lister, 2001: 94). By contrast, the United States exemplifies the low-wage approach, is characterised by an entrenched "failure to adjust" and consequently experiences both higher and deeper rates of poverty than either Britain or Australia. The Australian system is unique; in that it funds generously means-tested social assistance programs from general revenue and has no form of contributory social insurance. Although the neo-liberal approach here involves greater targeting,
the emphasis is on excluding the wealthy rather than restricting eligibility to the poor. Despite retrenchments, substantial universality and comprehensive coverage continue to distinguish the British and Australian welfare states from their American counterpart (Esping-Andersen, 1996: 16-7; O'Connor et al., 1999: 3-7, 57-9).

The neo-liberal route is not, however, the only way to respond to the challenges of globalisation and contemporary social risk. Scandinavian welfare states have adopted an active "social investment" strategy. More specifically, they have opted to maintain full employment through public sector job creation and the implementation of active labour market policies, which emphasise retraining, skill development and education (Esping-Andersen, 1996: 10-4). Alternately, the conservative welfare states of continental Europe have endeavoured to reduce labour market supply through policies that encourage early retirement and discourage participation on the part of married women. Finally, policies of welfare expansion rather than retrenchment have emerged in Brazil, Costa Rica and the East Asian region (Esping-Andersen, 1996: 18-24).

While Esping-Andersen's analytic approach enables the examination of differences between welfare states and regime types, John Clarke (2000) insists that it is also important to think about differences within welfare states. This is to challenge the idea that the welfare state is a uniform apparatus, which responds to globalisation in a comprehensive manner. Clarke contends that the pluralisation of welfare provision means that policy analysts need to think beyond the assemblage of states, markets and families, in order to consider the roles of voluntary associations and the community or non-government sector. Moreover, he suggests that the deregulation of the public sector highlights the usefulness of thinking about state power in Foucaultian terms. This is to say that the transformation "from government to governance" entails new capillary technologies of state power. Indeed, Clark argues for an approach to policy studies, which both traces the emergence of welfare pluralism and explores how these manifold service providers are interwoven into a series of dispersed networks of state power (2000: 211-2).
In addition, Clarke provides an interpretation of globalisation as discourse. He describes how the discourse of globalisation constitutes certain types of changes (welfare state restructuring, deregulation, privatisation and corporatisation, amongst other things) as necessary responses to "new global realities". At the same time, however, Clarke maintains that these changes are what produces globalisation in practice (2000: 214). Similarly, Wendy Larner and William Walters (2004) interpret globalisation as governmentality. In other words, they argue that globalisation presupposes certain traits and capacities on the part of specific macro-level singularities such as states and corporations. Furthermore, Larner and Walters contend that these singularities are thereby enjoined to conduct themselves in accordance with the norm of international competitiveness (2004: 509). In short, to pursue the kinds of policy changes already discussed. This means that globalisation is a normative as well as a descriptive rationality.

The implication of each of these approaches is that globalisation is not a uniform and comprehensive process but rather, a complex and heterogeneous series of forces that transform the relation between welfare and the state. This interpretation provides a useful framework for thinking more specifically about the discourse of welfare reform. In this chapter, I focus on comparing the different ways in which the United States, Britain and Australia translate the imperative of welfare state restructuring into practice. Furthermore, in Chapters Three and Four, I examine welfare reform as neo-liberal governmentality. This interpretation challenges the idea that welfare reform is a homogenous process and instead treats it as a complex and manifold assemblage, which comprises technologies of the self and technologies of domination.

In the sections that follow, I examine the transition from 'passive' entitlement to 'active' obligation in welfare policy in the United States, Britain and Australia. Broadly speaking, welfare to work reforms incorporate conditional benefits that are tied to the fulfilment of social obligations, a growing emphasis on participation in work and (to a lesser extent) training and an individually
tailored, market based approach to service delivery (Evans, 2001: 26). In each national context, I define which specific groups of recipients make up the target population of welfare to work policy. In addition, I offer a detailed description of welfare to work programs and provide a brief discussion of the kinds of employment related assistance associated with welfare to work reforms.

The United States Approach

The term "welfare" in American political discourse refers specifically to means-tested social assistance and is often used in a derogatory sense. While social assistance only accounts for about three percent of overall social welfare spending, benefit programs are politically unpopular and highly stigmatised. Welfare tends to be (inaccurately) associated with urban black communities and racial prejudice plays a significant role in negative public opinion regarding programs of social assistance (Evans, 2001: 8-9). The main form of social assistance in the United States is a jointly funded Federal-State program for poor families with children: Temporary Assistance for Needy Families (TANF). TANF is the cornerstone of American welfare reform, introduced in 1996 as part of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). Recipients of TANF constitute the target population of welfare to work policy in the United States (Evans, 2001: 10). TANF replaced Aid to Families with Dependent Children (AFDC), which at its peak in 1994 paid benefits to nearly fifteen percent of households with children under the age of eighteen (Waddan, 2003: 21).

AFDC (initially ADC) was established in 1935 as a discretionary benefit paid to poor lone mothers deemed "morally worthy". In the 1960s a number of successive Supreme Court rulings removed a great deal of the discretion exercised by local caseworkers regarding benefit eligibility. A growing proportion of lone parent households and successful benefit claims on the part of women of colour led to a significant increase in families receiving AFDC. The Supreme Court decisions meant that AFDC had become something of an "entitlement" to assistance for very poor, primarily lone parent families with
school age children. However, the rise in married mothers’ labour force participation meant that by the 1970s the demand for “welfare reform” became an enduring element of American political discourse. The idea of an entitlement to assistance began to be associated with the problem of welfare dependency and regarded as fundamentally inconsistent with public values, such as liberal individualism and the Protestant work ethic (O'Connor et al., 1999: 117-9; Waddan, 2003: 20-3). Work incentives were introduced in the mid-1960s and in 1988 the Family Support Act mandated that all AFDC recipients work or participate in training once their youngest child had reached the age of three (or age one, at state option) (Evans, 2001: 9; O'Connor et al., 1999: 119).

The 1996 PRWORA reforms can be seen as the continuation of an historical trend towards increasingly conditional welfare provision in the United States. What makes the reforms distinct is the devolution of responsibility for welfare provision from the commonwealth to state governments, the reintroduction of local discretion regarding eligibility criteria and benefit conditions, and the establishment of time limits to welfare entitlement (Abramovitz, 2006: 349; Evans, 2001: 9). TANF is a Federal block grant paid to States for the administration of welfare programs and is tied to targets for work participation, caseload reduction and the institution of long-term goals relating to reproduction and family structure (Hirschmann, 2002: 335; Waddan, 2003: 21). Federal funding for individual TANF cases cuts out once an adult recipient has reached a lifetime limit of 60 months. States have the option to implement “tougher rules” and nearly half have done so. They also have the discretion to exempt up to twenty percent of their caseload from the Federal time limit and to decide different limits in relation to their own funding (Evans, 2001: 28; Waddan, 2003: 22).

Additionally, there is a two year consecutive limit on TANF cases, after which time participation in work activities for adult benefit recipients becomes a condition of continued eligibility (Waddan, 2003: 21). Work activities include paid, subsidised or community service employment, work experience, vocational training or job search. Two-parent families are required to participate for thirty-
five hours per week and lone parents for thirty. There are limits to the amount of vocational training and job-search that count towards work requirements. A maximum of twelve months applies for training and four consecutive weeks or six weeks in total for job search. Lone parents with a child under six who cannot find suitable childcare are exempt from participation requirements and States have the discretion to exempt those with a child under twelve months (Evans, 2001: 33-4). The Domestic Violence Option also means that States can exempt victims of domestic violence from participation requirements (Evans, 2001: 9; O'Connor et al., 1999: 116).

In line with Federal work participation targets, the majority of States have adopted a Work First philosophy in relation to benefit conditions. "Work First" expresses the principle that 'any job as soon as possible is better than welfare' (Evans, 2001: 34). Programs involve an individualised approach to case management and the signing of an action plan that specifies 'what will be done to return to work' (Evans, 2001: 34). Work First also operates as a diversion policy in some States. For example, Wisconsin, Oregon and New York City require evidence of recent job search as a condition of eligibility for benefits (Evans, 2001: 34).

There has been a shift towards the practice of contracting out employment services delivery to "third-party intermediaries", which encompasses both profit and non-profit organisations. This practice emerged in the 'mid-1970s in response to the Supported Work initiative for ex-offenders and substance abusers and, in the 1980s after the abandonment of job creation programs' (Evans, 2001: 37). Consequently, the approach of private employment service agencies is characterised by intensive recognition of the needs of those with complex barriers to participation and an appreciation of the importance of finding real paid employment for participants. Nevertheless, "cream skimming" or selectivity remains widespread and often functions to disadvantage those who most require assistance (Evans, 2001: 37-8).
The type of training and assistance offered by third-party intermediaries varies according to the provider. For example, America Works employs its participants as trainees; Wildcat Services Corp. takes a more pedagogical approach, providing skill development and computer training tailored to the requirements of specific employers; and STRIVE offers more generalised group training, such as intensive personal development and employment preparation sessions (Evans, 2001: 37). Funding for these organisations is tied to performance indicators; primarily, the completion of 'successful job placements that have lasted six months (Evans, 2001: 36).

Welfare reform in the United States is predominantly regarded as a success story, particularly in relation to reducing dependency. Advocates emphasise the positive effects of compulsion; the significant fall in welfare rolls and increased labour market participation by former claimants, as well as the decline in barriers to participation resulting from measures such as the childcare block grant that accompanied TANF (O'Connor et al., 1999: 118; Waddan, 2003: 25, 28). The number of households receiving TANF fell by forty four percent between August 1996 and September 1999 and as a percentage of the population, welfare recipients fell from five and a half to two and a half percent from 1994 to July 1999 (Waddan, 2003: 27). In addition, a series of focus groups conducted between 1996 and 1997 in Baltimore, Boston and Chicago found that 'the majority of the participants favoured time limits on welfare receipt... They viewed the new provisions as providing them with the motivation to find jobs and improve their lives' (Burton, Cherlin, Francis, Jarrett, Quane, Williams and Cook cited in Waddan, 2003: 28).

Nonetheless, the negative effects of sanctions and poverty raise serious questions about the policy objectives of reform in the United States, beyond that of reducing the welfare rolls (Evans, 2001: 31, 33; Waddan, 2003: 28-30). Sanctions are an important element of compulsory welfare to work programs in the United States. Thirty-nine states imposed fixed-term financial penalties for non-compliance, which remain in place irrespective of recipients' subsequent attempts to fulfil participation requirements. Thirty-six states apply family
penalties, withdrawing welfare payments from non-compliant adults and their children. Indeed, sanctions accounted for approximately twenty five percent of the decline in the TANF caseload between 1996 and 1998 (Evans, 2001: 31). Recipients leaving welfare due to sanctions are inclined to be those with minimal skills and education, and few employment prospects (Evans, 2001: 33). Furthermore, evidence suggests that the earnings of the majority of former recipients who do enter the labour market will continue to fall below the poverty line, despite both an increase in the minimum wage and expansion of the Earned Income Tax Credit scheme that accompanied the reforms (Waddan, 2003: 25-9).

The British Experience

The target population for welfare to work policy in Britain is much broader than the target population in the United States. The underlying principle of welfare to work policy in Britain, as expressed by the Department of Social Security, is: ‘Work for those who can; security for those who cannot’ (cited in Evans, 2001: 4; Rake, 2001: 211). This exempts pensioners from the target population, while incorporating most working age recipients of Job Seeker Allowance and Income Support. Before the introduction of New Labour’s welfare reforms in 1997, unemployed job seekers were the only recipients subject to participation in labour market programs. Young and long term unemployed recipients of Job Seeker Allowance remain the primary locus of compulsory welfare to work policy. However, since 1997, the target population for welfare to work programs has been widened to encompass new groups of recipients. The norm of the citizen worker is tentatively being extended to lone parents, partners of the unemployed, people with a disability and mature age job seekers (Evans, 2001: 4; Rake, 2001: 212-3).

The target population of welfare to work programs has widened in response to burgeoning numbers of working age people claiming income support since the 1980s. Prior to 1980, the majority of welfare recipients were aged pensioners. During the recession of the early 1980s, unemployed recipients outstripped aged pensioners as a proportion of total income support claimants, despite sustained
growth in aged pensioner numbers. The spectre of rising unemployment reasserted itself during the recession of the early 1990s (Clarke, 1993: 57; Field, 2000: 63). However, the composition of income support claimants then underwent a second radical shift. Between 1979 and 1997, the proportion of working age income support recipients increased by eight percent. While the proportion of unemployed recipients grew and declined in response to the economic cycle, the proportion of other recipients continued to rise throughout periods of economic growth. By 1997, these other groups of working age income support recipients, such as lone parents and people with a disability, outstripped the unemployed as a proportion of total claimants (Evans, 2001: 4).

Detailed analysis of the rising numbers of lone parents and people with a disability in receipt of welfare is beyond the scope of this chapter. The salient point is that, like the Thatcher government of the 1980s, New Labour believed that the welfare state itself was part of the problem. In response to the problem of rising unemployment, the Thatcher government set out to reduce "disincentives" to economic growth and participation. Eligibility for Unemployment Benefit (now Job Seeker Allowance) was made increasingly conditional on recipients demonstrating a "genuine" effort to find work, compulsory participation in training was introduced for the young unemployed and benefit payments were devalued (Clarke, 1993: 57; Evans, 2001: 6). According to New Labour, the problem with the welfare reforms of the 1980s is that they created new disincentives. The reforms made other types of payments comparatively more attractive, effectively "sheltering" other groups of recipients from the responsibility to participate in paid employment and failing to provide those recipients with the opportunity to participate in labour market programs (Evans, 2001: 5-6).

New Labour's welfare to work policy comprises a series of New Deals. The New Deal for Young People and the New Deal for the Long Term Unemployed are the largest welfare to work programs, in relation to budget and participation. These programs are mandatory, dependent on recipients' age and period of unemployment (Rake, 2001: 213). The New Deal for Young People targets
recipients under twenty five years of age who remain unemployed for over six months. The New Deal for the Long Term Unemployed targets recipients who are twenty-five years old or more and begins after eighteen months of registered unemployment. Both programs entail intensive individual guidance and assistance with job search, as well as subsequent participation in training or work experience (Evans, 2001: 7).

There are also a range of other New Deal programs, which primarily provide intensive individual guidance and assistance in preparing for work. The New Deal for Lone Parents includes limited funding for education, training and childcare. The New Deal for Disabled People encompasses associated measures targeting employers, aimed at enhancing job prospects for people with a disability. Finally, the New Deal Fifty Plus also entails subsidised employment and training. By contrast, the program for partners of the unemployed provides little in the way of additional assistance and does not include a training component (Evans, 2001: 7; Rake, 2001: 215). These programs were initially offered on a voluntary basis. However, the government has recently released a Green Paper – *A New Deal for Welfare: Empowering People to Work 2006* – which outlines measures to extend the enforceable obligation to engage in paid employment or related activities to hitherto voluntary New Deal target groups.

New Deal programs supplement and extend the work-oriented approach to individual case management. Indeed, access to welfare provision has been restructured through the creation of Jobcentre Plus, which is a "single work-focused gateway". The implementation of this work-oriented approach means that benefit eligibility is becoming increasingly conditional on working age claimants attending a mandatory interview with a personal advisor. Significantly, however, the use of sanctions for non-compliance – with either participation or administrative requirements – is below the OECD average and well below that of the United States (Evans, 2001: 26-7, 32).

Through their personal advisor, all claimants can gain access to benefits, employment services and training. Prior to 1997, work-focused interviews were
a standard element of assessment and casework for Job Seeker Allowance claimants only. They continue to be used to develop and renew the individual Jobseeker's Contract, as well as to provide referrals to employment services and training (Evans, 2001: 34-6). Furthermore, this kind of approach to welfare reform is being extended to other claimants, including people with disabilities, lone parents and mature age jobseekers, in order to assist them to return to work or participate in training (see A New Deal for Welfare, 2006).

The corporatised public agency Jobcentre Plus delivers most New Deal services. However, pilots contracting out employment placement services to private providers, on a fixed-fee basis, have been implemented in certain locations. In addition, the use of voluntary organisations is being expanded to encompass the provision of Gateway services, work experience and other employment services. These changes have emerged in recognition of the expertise and experience that voluntary and charity agencies are said to bring to service delivery for specific disadvantaged groups, such as people with disabilities (Evans, 2001: 38).

**The Australian Case**

In 1999 the Commonwealth Government began a review of the Australian welfare system. It commissioned a Reference Group on Welfare Reform to present advice on changes to the welfare system that would contribute to the prevention and reduction of welfare dependency amongst the working-age population. Patrick McClure, the Chief Executive Officer of Mission Australia (a non-denominational Christian community service organisation) chaired the review. The Reference Group advocated the need for extensive welfare reform in its July 2000 final report: Participation Support for a More Equitable Society (the McClure Report). Recommendations included: implementing an individually tailored approach to service delivery; integrating welfare payments for people of working age; improving incentives for participation in paid employment; establishing a framework of Mutual Obligations for the public, private and community sectors, as well as for individuals; and supporting the development of community capacity (McClure Report, 2000: 53-60).
The Employment And Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Act 2005 implements many of the reform measures advocated in the McClure Report. The objectives of this legislation are to encourage greater participation in the workforce on the part of working-age income support recipients and to reduce the detrimental effects of welfare dependency. It incorporates three "work first" principles to serve as the new foundation for the working-age welfare system, which are that:

- the best form of family income is from paid employment;
- a working age income support recipient should have an obligation to participate in the workforce to the extent of their capacity to work... and
- the design and delivery of services for working aged people on income support with the capacity to work, should focus on assisting them into jobs (a work first approach). (Welfare to Work Act, 2005: i)

Like New Labour's approach to welfare to work policy in Britain, these principles exclude aged pensioners from the target population but include most other working age income support recipients. Welfare to Work legislation tightens eligibility criteria for Parenting Payment and Disability Support Pensions. The changes effectively shift "principal carer" parents with school age children and people with a disability, who have a "partial capacity to work", onto less generous benefits (usually Newstart or Youth Allowance).\(^1\) The amendments mean that these new groups of allowance recipients are subject to the Activity Test and are required to engage in job search for appropriate part-time employment of fifteen hours a week or more, or face the withdrawal of benefits.\(^2\) In determining whether or not work is suitable for parents, consideration is given to the availability, accessibility and cost of appropriate

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\(^1\) Parents who are "principal carers" of school-aged children are responsible for the daily care of a dependent child under sixteen years of age. People with a "partial capacity to work" are assessed as able to work for at least fifteen hours a week but not able to work for thirty hours a week or more at award wages within a two-year period, independently of a program of support. Newstart Allowance replaced the unemployment benefit for recipients over twenty years of age, while Youth Allowance replaced both unemployment benefits for recipients between eighteen and twenty years of age and Austudy payments for full-time students between sixteen and twenty four years of age.

\(^2\) Principal carer parents may be exempt from the Activity Test under special family circumstances, such as domestic violence. In addition, lone parents who have an exemption because they are registered and active foster carers or home or distance educators will be paid a higher rate of Newstart or Youth Allowance, which corresponds with the Parenting Payment (Single) rate.
childcare. Welfare to Work reforms also extend existing Newstart participation requirements to mature age job seekers and those with a temporary incapacity for work, and enhance the obligations of very long term job seekers (Welfare to Work Act, 2005: 40, 68-71).

The widening of the Welfare to Work target population in Australia follows a similar trajectory to the kinds of changes that occurred in Britain. The proportion of unemployed income support recipients rose dramatically throughout the recessions of the early 1980s and 1990s. Long-term unemployment in particular became a significant policy problem; intractable even in periods of economic recovery and growth, it was further exacerbated during each recession (Cass, 1994: 232). In 1977, approximately ten percent of unemployed claimants were in receipt of income support for one year or more and just under two percent were in receipt of income support for two years or more (Saunders, 2002: 24). By 2003, these figures had increased to fifty seven percent and just under fifty percent, respectively (Carney, 2006: 33). There has also been a sustained rise in the numbers of other groups of working age income support recipients, such as lone parents and people with a disability. Overall, ‘the proportion of the working-age population... in receipt of social security assistance has increased from around three per cent in 1965 to over 18 per cent in 1998’ (Saunders, 2002: 24).

The Hawke-Keating Labor government responded to these trends by seeking to make Australia’s system of welfare provision more work-focused. In the mid-1980s it replaced the old work test with a new activity test, which acknowledged a wider range of activities that the unemployed could participate in, in order to enhance their employment prospects and contribute to society. The Working Nation 1994 reforms implemented a number of new labour market programs. In particular, the Job Compact provided individual case management as well as guaranteed subsidised work placement and training to the long-term unemployed. However, in exchange, sanctions for non-compliance with activity test requirements were enhanced, in the name of “reciprocal obligation” (Saunders, 2002: 25; Stilwell, 2000: 32, 41-2).
Since coming to power in 1996, the conservative Coalition government has extended this approach by implementing a number of welfare to work policy initiatives, while at the same time significantly reducing spending on labour market programs (Saunders, 2002: 25; Stilwell, 2000: 33). The core welfare to work program in Australia is Work for the Dole. Work for the Dole is a compulsory program of community service work for Newstart and Youth Allowance recipients, dependent on age and duration of unemployment.\(^3\) Welfare to Work legislation requires very long-term non-compliant job seekers to participate in Work for the Dole for fifty hours a fortnight. It also extends eligibility for the program to Disability Support Pension recipients. However, participation in Work for the Dole remains voluntary for the non-unemployed, including Disability Support and Parenting Payment recipients. Work for the Dole has been incorporated into the Mutual Obligation Scheme, which encompasses a wider range of activities, including employment, training or work-focused assistance programs, as well as community service work. Participation in the Mutual Obligation Scheme is mandatory for Newstart and Youth Allowance recipients between eighteen and forty nine years of age, who have been claiming payments for six months. Work for the Dole remains the “default” activity within the Mutual Obligation Scheme (FaCS, 2006; Moss, 2001: 4).

The Work for the Dole program and Mutual Obligation Scheme, supplement and extend Australia’s “work first” approach to individual case management. Newstart and Youth Allowance payments are conditional on recipients meeting the terms of an individually tailored Preparing for Work Agreement, negotiated with an employment services provider. Under the terms of the Agreement, recipients are required to actively participate in job search, work experience and/or an employment-related activity, or face the withdrawal of benefits. Welfare to Work legislation further enhances the conditionality of benefits with the implementation of RapidConnect. This is a diversionary measure that

\(^3\) Recipients required to participate include recent school leavers aged 18 or 19 years claiming the full rate of Youth Allowance for at least three months and those between 18 and 49 years claiming the full rate of Newstart or Youth Allowance for at least six months.
requires selected Newstart or Youth Allowance claimants to attend an interview with an employment services provider and enter into a Preparing for Work Agreement before the commencement of payments (*Welfare to Work Act*, 2005: 69-73).

Prior to Welfare to Work amendments, the target population for the work first approach to case management was limited to unemployed job seekers between eighteen and forty nine years of age. The legislation introduces full-time job search requirements for mature age job seekers. It also extends the obligation to enter into an activity agreement, as well as part-time participation requirements, to mature age job seekers, people with a disability who have a partial capacity to work and principal carer parents of school-aged children. Finally, it removes the activity test exemption for people who are temporarily unable to work but who nonetheless are able to participate in an appropriate activity (*Welfare to Work Act*, 2005: 68-9).

Employment services delivery in Australia is contracted out to Job Network providers on the basis of a price competitive tendering process. Significantly, the Job Network scheme is an attempt to actively construct the kind of welfare pluralism discussed at the beginning of this chapter. That is, by contracting out the delivery of employment services the government effectively produces a "quasi-market", which consists of profit, non-profit, community and government providers. Job Network agencies offer services ranging from basic job matching and employment placement to job search training, employment preparation and intensive case management. The corporatised public agency Centerlink operates as a gateway insofar as it retains responsibility for assessments, referrals and compliance. Similarly to the United States framework, funding is dependent on performance, which is measured in terms of successful job placement (Dean, 1998: 90; McDonald and Marston, 2005: 377-8). The Job Network scheme is examined in further detail in Chapter Three of this thesis.

The Coalition government believes Welfare to Work legislation will have a range of positive effects. As I will discuss in further detail throughout the thesis, one of
the primary objectives of the amendments is to reduce the problem of welfare dependency. The reforms are also promoted as a way to enhance participation and, in particular, participation in paid employment (Welfare to Work Act, 2005: 2). However, critics point out that the ethos of welfare reform since 1996 has tended to be more punitive than enabling (Moss, 2001). Similarly to the United States, the implementation of welfare to work policy in Australia has been associated with a dramatic rise in sanctions. In the three years from the 1997/98 financial year, activity test sanctions increased by three hundred and ten percent (Carney, 2006: 36). Welfare to Work legislation extends the application of activity test sanctions to people with a disability with a partial capacity to work, principal carer parents with school age children and mature age job seekers. The potential negative effects of imposing sanctions on some of the most vulnerable members of society raise questions about the objectives of the reforms and how successfully they will promote social and economic inclusion.

Welfare to Work amendments establish a new compliance framework from 1 July 2006. Previously, financial sanctions remained in place once they were applied, irrespective of job seekers’ subsequent attempts to fulfil their obligations. The new framework enables job seekers who fail to comply with a participation requirement to avoid sanctions by readily reconnecting with their service provider or programme. Nevertheless, to deter job seekers from repeated or more significant infringements, a penalty of eight weeks without payment still applies to those who breach participation requirements three times within twelve months, refuse to accept suitable offers of paid employment or voluntarily leave paid employment. The penalty also applies to very long-term job seekers who fail to take part in Work for the Dole (Welfare to Work Act, 2005: 70-1).

As Terry Carney (2006) suggests, the introduction of work first principles also raises concerns about the effectiveness of welfare to work policy, in relation to the goal of improving the livelihood and future prospects of recipients and their families. Welfare to Work legislation is based on work first principles, which express the paternalistic assumption that requiring people to participate in paid employment or employment related activities is in their own best interests.
Reforms reduce safeguards concerning the definition of suitable work for job seekers, in order to render the definition consistent with industrial relations reforms. These changes mean that job seekers can be required to accept work that offers diminished wages, conditions and protections (Carney, 2006: 27-8; Daniels and Yeend, 2005b: 35). In seeking to address the immediate problem of welfare dependency, Jeremy Moss (2001) implies that welfare to work policy in fact endorses working poverty and the ongoing risk of social subordination associated with it.

Welfare to work reform in the United States, Britain and Australia has followed a similar trajectory. In each national context, there is a growing emphasis on the reduction of dependency and recipients' responsibility to participate in paid employment or related activities. Additionally, welfare benefits have been made increasingly conditional on the fulfilment of social obligations and an individually tailored approach to case management has become the norm. Finally, there has been a transition from the universalistic mechanisms of the welfare state towards forms of welfare pluralism, which are embodied in the contracting out of employment services delivery to third-party intermediaries. The important point to emphasise here is that these similarities mean that the arguments made throughout this thesis – which focus on the Australian context – are not only relevant to this specific case. In other words, the claims articulated might also have broader implications for the analysis of "welfare reform" in other liberal democratic societies.

The jury is still out, however, on the question of how effective welfare to work policy actually is in tackling the problems of dependency and social subordination. Throughout this chapter, I have suggested that the reliance on sanctions and work first principles, particularly in the Untied States and Australia, raises questions about the objectives of welfare to work reform. This kind of questioning implies a concern regarding the ethics of welfare to work policy. Instead of punishing recipients, perhaps welfare provision might better be used as an opportunity to enhance the freedom and security of citizens in the
face of the increasing contingency of late modern life. Numerous theorists have argued that the values underpinning welfare to work policy have been subject to insufficient specification and critical scrutiny (see, for example, Braithwaite et al., 2002; Hall, 2003; Moss, 2001). One of the objectives of this thesis is to contribute to the task of questioning the normative assumptions about government, freedom and responsibility implicit in practices of welfare reform. In the following chapter, I outline debates regarding welfare provision and the problem of dependency.
The Problem of Dependency

The recent history of calling into question the role of government, in relation to the problem of dependency, is evident in scholarly reflections on the politics of welfare provision. As indicated in Chapter One of this thesis, postwar political theory conceives the modern welfare state as a means by which to secure the exercise of individual liberty in the face of particular social risks such as old age, unemployment and lone motherhood. However, since the 1980s, this postwar understanding of the need for social welfare provision has increasingly been subject to criticism. Political theorists and policy analysts from a range of different perspectives describe how benevolent attempts to safeguard security and liberty in fact have the perverse effect of producing the risk of welfare dependency. The argument is that we must 'supplement (or replace) the passive acceptance of [welfare entitlements] with the active exercise of citizenship responsibilities and virtues, including economic self-reliance, political participation, and even civility' (Kymlicka, 1994: 355).

This contemporary debate about the problem of welfare dependency tends to reiterate the terms of the debate between negative liberty and positive liberty. For example, from a negative liberty perspective, Murray regards the modern welfare state as a form of interference that undermines the freedom-as-choice of ordinary (self-reliant) tax paying citizens. Indeed, he claims that the solution is to abolish the working age system of social welfare provision (Murray, 1984: 229; 1997c: 130). On the contrary, Mead articulates some of the concerns of positive liberty theory, insofar as he views welfare dependency as an internal constraint
on the freedom of recipients. In short, he argues that we need to match welfare entitlements with enforceable obligations, particularly the requirement to work in exchange for assistance (Mead, 1986: 1).

The New Right's criticisms of welfare entitlements have proven difficult to counter. Historically, it has been theorists and activists on the left who have regarded the liberal welfare state as a danger to democratic values, both in terms of its paternalism and facilitation of capitalist and patriarchal inequalities (Brown, 1995: 15). Moreover, most endorse the principle that citizenship is an incorporation of rights and obligations (Kymlicka, 1994: 358). For instance, similarly to Murray, Anthony Giddens (1998) accepts the view that the modern welfare state is an external restraint. He distinguishes the Third Way from the New Right by placing a greater emphasis on the positive or enabling constraints of reciprocal responsibility, democratic participation, education and training. Others on the left, however, point to social barriers that make it difficult for disadvantaged citizens to fully participate in mainstream society and, consequently, these writers 'remain uncomfortable with imposing obligations as a matter of public policy' (Kymlicka, 1994: 357). They argue that in practical terms, rights must proceed responsibilities because rights are precisely what enable us to fulfil the obligations of citizenship.

This is to suggest that within prevailing approaches to political theory and policy analysis there is a tendency to focus on (and thereby to reinforce) the distinction between negative liberty and positive liberty. In contrast, the strategy of this chapter will be to concentrate on the ways in which the two kinds of liberty interrelate in the context of scholarly reflections on the politics of welfare provision. Without pretending to provide a comprehensive account of the concepts of negative and positive liberty, I begin by rehearsing some of their salient features, since these serve as the starting point for my analysis.

In the second section of this chapter, I go on to examine the relationship between the politics of welfare provision and the question of liberty. I argue that political theorists and policy analysts from a range of different perspectives all conceive
the problem of welfare dependency in terms of the question of how to secure or enhance the exercise of individual freedom-as-choice. Moreover, I contend that responsibility-for-self is envisaged as an important correlate to this question of liberty. Finally, in the latter sections of the chapter, I explore various criticisms of mainstream approaches to welfare provision and the problem of dependency. The point is to trace some of the alternate ways of thinking about freedom and responsibility that have been eclipsed by the conventional terms of the debate about liberty.

**The Question of Liberty**

Classically, the idea of freedom presupposes liberation from political subjection, which is the condition of being subject to the power, authority or will of another. Liberal political theory has traditionally been interested in the question of how ‘individuals can be secure in the exercise of their liberty’ (Ivison, 1997: 2-3). More specifically, how they can be protected from the tyranny of state power or the oppressive conventionalism of local custom. Individuals are free to the extent that they enjoy relative security in the face of these forces and are able to pursue their own ends. In other words, liberal conceptions of liberty are premised upon the capacity of the individual ‘to make choices and act upon them’ (Hirschmann, 2003: 3). Individual freedom-as-choice is subject to the restrictions necessary to ensure that others benefit from equal rights. In addition to the question of how to secure the realm of individual liberty, liberalism has also been interested in the problem of how to condition and structure the exercise of freedom-as-choice. The concern in addressing these questions has been to establish the degree of interference or non-interference necessary to secure or enhance the liberty of the individual (Ivison, 1997: 3).

From a negative perspective, freedom is the absence of external constraint on the will of the individual. To be subject to external constraint is to have certain choices or opportunities circumscribed by the relatively direct action of other people. Conversely, to be secure in the exercise of liberty, individuals must have freedom from the intentional interference of others in the satisfaction of their
desires and interests (Ivison, 1997: 2-3). This is to say that freedom-as-choice requires that individuals conduct themselves in accordance with their own desires. While these desires may be conditioned in response to external forces or events, it is still the individual subject who formulates them and, as a consequence, is held responsible for whether or not they choose to act on them (Hirschmann, 2003: 4).

Negative liberty stands opposed to a number of other political concepts including obligation, necessity and authority. These concepts may make good things possible (political order, the pursuit of individual desire or the extension of liberty in the future) but they are nevertheless understood as constraints on freedom. This does not mean that freedom always trumps other political values. For example, there is a strong correlation between the concepts of freedom and responsibility. With individual freedom-as-choice comes personal responsibility-for-self, insofar as individuals are responsible for their desires and accountable for the exercise of choice in relation to those desires. In addition, law is also conceived as a necessary constraint on the liberty of the individual because it can ensure that all individuals enjoy an equal right to freedom from interference. The crucial question, from a negative liberty perspective, is what is the realm of non-interference? That is, in which sphere should the subject have license to do what they want? The answer is the private sphere, subject to the requirements of political society and in particular, the law (Hirschmann, 2003: 4-6).

The problem with the negative concept of liberty is that the absence of external constraint is not always enough to secure the exercise of freedom-as-choice. In other words, particular individuals or groups sometimes lack the conditions necessary to enable them to pursue their desires and interests. Moreover, individuals may also experience conflicting wishes. Most individuals have the capacity to use reason to reflect upon their desires and discriminate between them. However, short-term impulses sometimes compel individuals to act in ways that are incongruous with their rationally thought out projects and plans. The positive conception of liberty therefore expands the notion of constraint to encompass individual and social conditions, including disability and poverty.
Further, positive liberty incorporates the idea of internal restraints such as fear, addiction and obsession (Hirschmann, 2003: 7-8).

To be secure in the exercise of positive liberty, individuals must exercise their capacity for autonomy or rational self-government, as well as their freedom to devise and pursue their own ends. It follows from this understanding of liberty that to enable individuals to govern themselves, even if this means preventing them from acting on other more immediate desires, may enhance rather than limit their freedom. This opens the question of not simply whether but when and how the state ought to intervene in the private lives of individuals, in order to secure the conditions necessary for the exercise of freedom-as-choice and responsibility-for-self (Hirschmann, 2003: 7-8).

The Post-war View

T. H. Marshall (1950) articulates the classical positive liberty conception of social welfare as enabling resource in his endorsement of social citizenship. According to Marshall, full citizenship requires three components: civil, political and social rights. He points out that our modern conception of citizenship began to take shape in the eighteenth century, with the formation of civil rights. Civil citizenship comprises those rights understood as essential to individual freedom, including 'liberty of the person, freedom of speech, thought and faith, the right to own property and to conclude valid contracts, and the right to justice' (Marshall, 1950: 10). It also entails the right to work in the occupation and location of one's choice, subject to legitimate training requirements. Moreover, Marshall notes that the formative period of political rights is associated with the nineteenth century (1950: 14-6). Political citizenship is 'the right to participate in the exercise of political power, as a member of a body invested with political authority or as an elector of the members of such a body' (Marshall, 1950: 11).

Marshall elaborates that, as the rights of citizenship have expanded, so has their distribution. This is to say that 'civil and political rights that had been restricted to white property-owning Protestant men were gradually extended to women,
the working class, Jews and Catholics, blacks, and other previously excluded groups' (Kymlicka, 2002: 287). Marshall contends, however, that full citizenship requires social rights, in addition to civil and political rights (1950: 10). In other words, full citizenship requires that public education and social services be provided as a right. Marshall formulates social rights as 'the whole range from the right to a modicum of economic welfare and security to the right to share to the full in the social heritage and to live the life of a civilised being according to the standards prevailing in the society' (1950: 11). He argues that in the absence of a liberal democratic welfare state, social class determines the extent to which citizens can effectively exercise their civil and political rights. Social rights make it possible for the disadvantaged to participate in mainstream society and exercise the rights and duties of citizenship (Kymlicka, 1994: 355; Marshall, 1950: 37, 46, 56).

In addition, Marshall's theory of citizenship also explicitly incorporates political, civil and social obligations. Marshall asserts that 'if citizenship is invoked in the defence of rights, the corresponding duties of citizenship cannot be ignored' (1950: 70). Indeed, he insists that social rights are conditional on the fulfilment of the general obligations of citizenship (Marshall, 1950: 43). Furthermore, Marshall cites examples of specific social obligations. These include the 'duty to improve and civilise oneself', the requirement that one's 'acts should be inspired by a lively sense of responsibility towards the welfare of the community', 'the duty to pay taxes and insurance contributions' and 'the duty to work' (Marshall, 1950: 26, 70, 78). However, Marshall cautions that social obligations 'do not require a man [sic] to sacrifice his individual liberty or to submit without question to every demand made by government' (Marshall, 1950: 70). In other words, no single element of citizenship can legitimately undermine the overall framework of reciprocity. Finally, Marshall also recognises the obligations that a state owes to its citizens; for example, the responsibility to promote 'equality of status' by working towards 'a general reduction of risk and insecurity' (cited in Braithwaite et al., 2002: 235).
Mainstream Responses to the Problem of Welfare Dependency

As suggested in the previous chapter, one of the most politically effective critiques of Marshall's orthodox conception of social citizenship has come from the New Right. This critique consists primarily in the pragmatic argument that social rights have simply not functioned in the way that Marshall predicted they would. For example, contrary to Marshall's claim that social rights would secure individual freedom-as-choice in the face of substantive class difference, Murray (1984; 1999a) contends that they operate as a constraint on the freedom-as-choice of the poor (amongst others). Furthermore, he suggests that welfare entitlements have the perverse effect of producing a social underclass.

Murray specifies that 'the underclass does not refer to degree of poverty, but to a type of poverty' (1999a: 23). In other words, he defines the underclass in terms of broad behavioural characteristics such as welfare dependency, delinquency, illegitimacy, family breakdown and economic inactivity among working-aged men. His solution to the problem of the welfare dependency and his proposal for welfare reform is to radically curtail the welfare state. Specifically, Murray recommends the repeal of all national welfare programs and income support structures for the working-aged. Social services would continue to be provided by locally funded and administered agencies (Murray, 1984: 227). In this context, he suggests the restoration of stigma as an instrument of social policy. Murray argues that local agencies are more effective than their national counterparts in distinguishing between the deserving and undeserving poor. From a negative liberty perspective, he maintains that the government should simply get out of poor peoples way ( Herrnstein and Murray, 1994: 542; Murray, 1984: 235).

Murray understands social policy as one of the mechanisms through which the elite in society structure the exercise of freedom-as-choice (1984: 9). Traditionally, social policy defined the rules for the poor on the basis of a distinction between the deserving and the undeserving. Murray argues that social democrats undermined this distinction through reforms based on the notion of welfare as a right and the assumption that structural rather than
behavioural factors caused social problems such as poverty, unemployment and single motherhood. Murray is critical of the equalisation of status and income, which accompanied the social democratic expansion of welfare in the 1960s. He suggests that through undermining the distinction between deserving and undeserving poor, policy producers deliberately homogenised the status of the poor (Murray, 1984: 179). Murray argues that this had the perverse effect of destroying the rewards associated with deserving behaviour (for example work and marriage) and the related middle-class ethics of self-sufficiency and upward mobility that he suggests generate escape from poverty (1984: 179).

According to Murray, people respond rationally to incentives and poor people respond more readily to short-term incentives (1984: 155). He argues that the expansion of the welfare state in the 1960s changed the rules of the game for the poor in ways that encouraged dysfunctional values and behaviour (Murray, 1984: 9, 220). Specifically, the increased generosity of social transfer programs inadvertently promoted welfare dependency through increasing the short-term financial incentives corresponding with this form of behaviour. The point is that welfare entitlements function as external constraints. This is to say that they limit people's options with regard to the exercise freedom-as-choice and responsibility-for-self.

In the US policy context, Murray demonstrates that after the social democratic reforms of the 1960s, a poor couple expecting a child could maximise their income by remaining single and dependent on social transfer payments. Prior to this, he shows that the rational option for the couple would have been to form a family and rely on the male working in a low-paid job (Murray, 1984: 159-62). Murray (1999b) also identifies economic disincentive associated with marriage for lower-working class people in the UK policy context of the early 1990s. Similarly, Sullivan (2000) draws on Murray's framework to show that the average Australian family would be better off if they remained separate and the wife was dependent on social assistance payments.
At one level, Murray can be seen to blame policy producers for the increased incidence of welfare dependency, yet what he blames them for is not blaming the underclass. In other words, he blames them for developing a system of welfare provision that undermines the middle class ethic of responsibility-for-self as well as the distinction between the deserving and undeserving poor. Murray's reflection on the subjects of social policy is equally inconsistent. The implication of his argument is that the underclass are intentionally deviant, insofar as they have rationally 'calculated that welfare dependency offers them a better deal than working' (Saunders, 2000: 23). Further, in advocating a system of welfare based on stigma, Murray endorses a system in which the subjectivity of the undeserving poor is ascribed causal agency in relation to problems such as welfare dependency, poverty, unemployment and single motherhood. However, the agency of the poor is also undermined in Murray's characterisation of the underclass as a reactive force whose agenda is defined by the rules of the elite.

Mead rejects Murray's conception of the underclass and the model for welfare reform that he derives from that conception. He points out that there is little evidence to support Murray's contention that economic considerations, such as access to welfare or the generosity of benefits, have more than a minor influence on women's behaviour in relation to fertility and family formation (Mead, 2000: 44). In contrast to Murray's belief that members of the underclass are intentionally deviant, Mead argues that the poor are better characterised as 'dutiful but defeated' (2000: 48). He suggest that the poor tend to share orthodox social values, including the desire to work and support their families but that they do not have the self-efficacy and competence to act on these values. Specifically, Mead argues that the poor lack the organisational and social skills necessary to succeed in the job market (2000: 49).

While Mead acknowledges the historical impact of class and racial prejudice, he argues that the contemporary dysfunction of the poor is not the result of structural disadvantage. He suggests that social exclusion, joblessness, crime and family break-up stem from a "culture of dependency". In other words, welfare dependency is an internal constraint that transfers a sense of
disillusionment from one generation to the next. This is to suggest that the
effects of family breakdown and poor parenting undermine the capacity of the
poor to exercise freedom-as-choice and responsibility-for-self (Mead, 2000: 47-
51). Mead’s argument that social exclusion is the result of a culture of
dependency leads him to reject Murray’s proposal to cut back welfare. From a
positive liberty perspective, he points out that dependent people could not
suddenly develop the capacity for freedom-as-choice and responsibility-for-self
without government assistance (Mead, 1986: 4).

The solution to welfare dependency offered by new-paternalism is a directive
role for government in the lives of recipients, manifested in the enforcement of
social obligations through contractual welfare and compulsory work for welfare
schemes (Mead, 2000: 51). Indeed, Mead argues that ‘one purpose of social
policy can be to discipline the poor... in ways that would serve the poor
themselves’ (Mead, 1986: 9). He acknowledges that his proposal for welfare
reform could be interpreted as an abandonment of social egalitarianism.
However, similarly to Marshall, Mead conceptualises equality as inclusion in the
common bonds of citizenship. That is, the enjoyment of common rights and
obligations (Mead, 1986: 12). He argues that ‘far from blaming people if they
deviate, government must persuade them to blame themselves’ (Mead, 1986: 10).

Mead is critical of the way in which debate regarding welfare reform has
polarised around the issue of the size of government. He suggests that while
liberals and conservatives each have a different conception of liberty, both regard
liberty as the solution to social exclusion. On the one hand, from a positive
liberty perspective, liberal egalitarians maintain that greater government
intervention is required to uphold the freedom-as-choice of the poor in the face
of an unjust and discriminatory civil society. On the other hand, from a negative
liberty standpoint, conservatives argue that government intervention is the
problem. Government programs are believed to undermine poor peoples
options vis-à-vis the exercise of freedom-as-choice and responsibility-for-self by
fostering welfare dependency. In summary, conservatives argue that the
government is doing too much for the poor, while liberals maintain that the
government is doing too little. By way of contrast, Mead argues that the problem with the welfare state is not its size but its nature; which is something that both conservatives and liberals take for granted (1986: 2-4).

According to Mead, social rights do not intrinsically promote welfare dependency. Instead, he maintains that welfare dependency is the result of social rights not being matched with substantive requirements, particularly the obligation to work in return for benefits (Mead, 1986: 1). Drawing on Hobbes, Mead contends that the fundamental purpose of government is the maintenance of public order. In other words, government exists solely to provide the public conditions necessary for the private assurance of freedom (Mead, 1986: 5). Yet similarly to Hobbes’ articulation of the sovereign, Mead argues that government is not an external force, which functions to aid or constrain. Rather, it is immanent in each individual citizen. Put simply, ‘government is really a mechanism by which people force themselves to serve and obey each other in necessary ways’ (Mead, 1986: 6). Drawing these points together, freedom-as-choice is conditional upon the realisation of public order, while public order is dependent on the extent and quality of each individual’s normative adherence to the social obligations of citizenship (Yeatman, 2000: 163-4).

Mead specifies the social obligations as comprising the obligation to work, to financially support one’s family, to be fluent and literate in English, to attain an education compatible with employability and to obey the law (1986: 242-3). He recommends government employ social policy as a means of achieving order, suggesting that the structure of welfare benefits and entitlements function as an operational definition of social citizenship (Mead, 1986: 6-7). In short, Mead regards government’s function as a ‘combination of “help and hassle”’ (2000: 59). The government must “help” dependent people to attain the level of functioning and competence necessary to exercise the rights and obligations of citizenship and “hassle” them into fulfilling their social obligations.

Anthony Giddens argues that the postwar welfare state is not equipped to deal with new social risks, particularly those associated with technological change,
social exclusion and the increasing proportion of lone-parent households. Giddens also affirms many of the prevailing negative liberty criticisms of the welfare state. Firstly, he concedes that the welfare state is undemocratic, insofar as its primary function is the ‘top-down distribution of benefits’ (Giddens, 1998: 112). Secondly, Giddens acknowledges that freedom-as-choice and responsibility-for-self are undermined as a result of the ‘bureaucratic, alienating and inefficient’ nature of particular welfare institutions (1998: 113). Finally, he contends that welfare benefits can induce “moral hazard”. In other words, benefits can function as external constraints, which paradoxically undermine the purpose for which they were intended (Giddens, 1998: 113-6).

Giddens rejects Mead’s theory that welfare benefits produce a dependency culture and in agreement with Murray, argues that social exclusion is at least partially the result of individuals taking rational advantage of the opportunities made available to them through the welfare state. For example, he argues that ‘benefits meant to counter unemployment... can actually produce unemployment if they are actively used as a shelter from the labour market’ (Giddens, 1998: 115). While Giddens shares some of Murray’s assumptions regarding the need for welfare reform, the Third Way model is distinguished from the negative liberty standpoint on the issue of the size of government and the appropriate balance between individual liberty and social egalitarianism. Congruous with traditional social democratic theory, Giddens formulates the welfare state as the means of reconciling individual liberty and social egalitarianism. While these are often represented as conflicting principles, he argues that egalitarian social policy can function to increase the scope of individual freedom-as-choice and responsibility-for-self (Giddens, 1998: 65).

Similarly to Marshall and Mead, Giddens conflates equality with social inclusion and inequality with social exclusion. Social inclusion is defined as active participation in civil and political citizenship. While Giddens does not specifically incorporate social citizenship, he does identify access to work and education as important opportunities for social inclusion. Social exclusion is explained in terms of the mechanisms that function to exclude those at the
bottom of society from mainstream opportunities. Additionally, Giddens argues that it relates to the mechanisms which enable the elite to exclude themselves from reliance on public services such as health and education and thereby to choose to live apart from the mainstream community (1998: 102-4).

Giddens' subscribes to the belief that, traditionally, social democratic policy tended to treat rights as unconditional entitlements. The Third Way model of welfare reform redefines the contract between individuals, government and the wider community, in accordance with two maxims: "no rights without responsibilities" and "no authority without democracy" (Giddens, 1998: 65-6). Within Giddens' framework, the first maxim translates into an approach to social policy that fosters autonomy, in the context of the relationship of reciprocity that is assumed to exist between an individual and the wider community. The second maxim translates into a community-centered approach to service delivery that promotes participatory democracy and community development as mediums with which to enhance social capital (Giddens, 1998: 65, 110).

The Third Way model of welfare reform recommends that the welfare state be replaced by a social investment state. In relation to the precept "no rights without responsibilities", Giddens argues that the fundamental role of the social investment state is the effective management of the risk of social exclusion. He contends that this encompasses more than just risk protection, it involves the facilitation of risk-taking through positive welfare policy (Giddens, 1998: 116-7). For example, Giddens suggests that one responsibility of government is to ensure that individual risk-taking is not undermined by a welfare system that discourages active job search (1998: 65). Echoing Mead, he argues that welfare systems 'should be reformed where they induce moral hazard, and a more active risk-taking attitude encouraged, wherever possible through incentives, but where necessary by legal obligations' (Giddens, 1998: 122).

The Third Way framework shifts the emphasis of social democratic politics from economic redistribution to what Giddens terms the "redistribution of possibilities" – in other words, state investment in human capital (1998: 117, 09).
Investment in human capital comprises investment in entrepreneurial activity, such as small business initiatives and technological innovation. It also involves encouraging the enhancement of individual freedom-as-choice by promoting life-long education and training. Again, similarly to Mead, Giddens argues that more important than training in specialised skills is 'the development of cognitive and emotional competence' (1998: 125). While Giddens recognises the significance of education and acknowledges the 'diversity of goals life has to offer' (1998: 109-10), he regards participation in the labour force as essential to combating social exclusion. However, on this point he is careful to distinguish himself from both the negative liberty and new-paternalist position, explicitly contending that participation in the labour force involves more than just work in "dead-end jobs" (Giddens, 1998: 110).

For this reason, the model of service delivery put forward by Giddens differs significantly from that put forward by Murray or Mead. Giddens recommends that a community-centred approach to service delivery replace the conventional top-down poverty relief programs administered by government agencies. In relation to the maxim "no authority without democracy", he argues that community-building programs strengthen democratic participation by fostering responsibility-for-self in the context of support networks and the development of social capital. In this way, community-building programs address the multiple barriers faced by individuals and families rather than simply coercing welfare recipients into participation in 'already crowded low-wage labour markets' (Giddens, 1998: 110).

In keeping with an understanding of inequality as social exclusion, Giddens expresses concern regarding civic decline. According to Giddens, civic decline is exemplified in the attenuation of social solidarity in certain local communities and in elevated levels of crime and family break-up. Distinct from Murray, he argues that the welfare state cannot be blamed for civic decline, nor can the problem be fixed by limiting government intervention into civil society (Giddens, 1998: 78-9). While civil society can function to protect individual freedom-as-choice from encroachment by state power it is not a 'source of
spontaneous order and harmony' (Giddens, 1998: 85). Giddens argues that the state also plays a significant role in the protection of individual freedom by arbitrating the conflicts of interest that arise in civil society (1998: 85-6). For this reason, he suggests that government and civil society must work in partnership to strengthen community development and recovery, particularly in low-income areas (Giddens, 1998: 69, 110).

In the context of welfare reform policy this translates into the community-centered approach to service delivery discussed above. Giddens also argues that curtailing the voluntary exclusion of the elite is an essential part of fostering a more inclusive society. To this end, he recommends that welfare reform policy integrate programs that promote "civic liberalism". Specifically, Giddens emphasises the importance of cosmopolitan nationalism and improved public services. He argues that a sense of belonging to the national community generates a commitment to other citizens within that community (Giddens, 1998: 105-7, 18). Giddens also suggests that only a high-quality welfare system, which benefits the majority of the population, will result in 'a common morality of citizenship' (1998: 108).

From this discussion of predominant approaches to the problem of welfare provision and dependency, three general points can be made. First, I suggest that these approaches reinforce the oppositional terms of the debate between negative liberty and positive liberty. Certainly, Marshall articulates the classical positive liberty conception of social welfare as enabling resource in his endorsement of welfare state expansion. On the other hand, Murray reiterates the prevailing negative liberty view of the welfare state as external constraint. This perspective is then used as a framework of justification for welfare state retrenchment. By way of contrast, Mead draws on positive liberty theory in his description of the welfare state as an internal constraint that produces a culture of dependency. Moreover, he re-articulates the positive liberty argument that social welfare instead ought to function as an enabling constraint – namely, one that incorporates enforceable social obligations as well as rights. Finally, Giddens endorses a negative liberty standpoint by describing the welfare state as
an undemocratic mechanism of bureaucratic control. However, he also supports a model of welfare pluralism that underwrites the positive liberty belief that social welfare is potentially enabling.

While these approaches can be differentiated in accordance with the opposition between negative and positive liberty, I want to suggest that they also share certain common features. This brings me to my second point, which relates to the ethos of welfare provision and reform. I contend that each of these different perspectives conceives the problem of welfare dependency as a question of how to secure or enhance the exercise of freedom-as-choice and responsibility-for-self. From a positive liberty standpoint, this entails mitigating social and personal barriers, including class differences and welfare dependency amongst other things. By the same token, it encompasses the provision of enabling resources such as social rights. Significantly, enabling restraints or social obligations are also understood as a necessary correlate to the provision of social rights. From a negative liberty perspective, the question of how to secure the exercise of freedom-as-choice and responsibility-for-self concerns the abatement of external constraints. This involves limiting mechanisms such as the welfare state, which distort the way in which the market regulates social life in accordance with the principles of freedom-as-choice and responsibility-for-self.

Finally, I argue that all of these prevailing frameworks for thinking about social welfare provision presuppose the normative figure of the self-responsible subject of freedom-as-choice. In other words, what these divergent approaches have in common is the assumption that human beings have the capacity for freedom-as-choice and responsibility-for-self. On the one hand, for negative liberty theorists and policy analysts, this capacity is realised in the absence of external constraint. On the other hand, for positive liberty scholars, it is realised in the presence of enabling resources and constraints. Nevertheless, these approaches share a common conception of human subjectivity.

This idea that mainstream accounts of welfare provision (and the problem of dependency) share certain common terms of reference is also a useful framework
for thinking about the critiques of these approaches. The point is not that these alternate perspectives move beyond the terms of this debate in any final way. Indeed, each of the critiques discussed in the following sections of the chapter entail aspects of the negative and positive concepts of liberty examined in this section. I maintain, however, that they also concern other elements of freedom and responsibility, which have been occluded by the conventional terms of the debate regarding welfare reform. These include the politics of voice, recognition, social and political participation and responsibility for others.

The Politics of Voice

Critical reflections on Marshall’s post-war view of social citizenship can be found in feminist as well as mainstream discussion of citizenship, welfare provision and dependency. Carole Pateman (1989) offers a influential interpretation of the ambivalence that characterises feminist engagements with these issues. She claims that mainstream approaches to the problem of citizenship tend to ignore the ways in which the welfare state functions as a mechanism of patriarchal authority. Pateman complicates her criticism of the welfare state, however, by challenging the idea that it is an inherently patriarchal institution.

Initially, Pateman argues that the social subordination of women, relative to the purportedly universal status of citizenship, is both required and constituted by the patriarchal distinction between the private realm of the family and the public realms of civil society and the state. She makes clear that citizenship is premised on a notion of “independence”, which is constructed in accordance with traditionally masculine traits and capacities such as the ability to participate in paid employment and the capacity for self-government. Conversely, it is also based on the exclusion of attributes identified with familial modes of association, including love, obligation and dependency, which are thereby constituted as feminine traits. In short, Pateman maintains the independent standing of the male “breadwinner” not only presumes but also produces the dependent status of the female “housewife” (1989: 183-6).
Notwithstanding the achievement of formal equality, women’s citizenship status and participation in paid employment continues to be curtailed by the traditional sexual division of labour. This is reflected in the extent to which many ‘women have become secondary earners while remaining as primary carers’ (Mitchell, 1998: 28). Furthermore, Pateman describes how welfare states reinforce the social subordination of women through policies of gender differentiation. She points out that entitlement to social rights is premised on the assumption that men make a “public contribution” as participants in paid employment and ought to be recognised as full citizens on that basis. In contrast, women’s access to social rights is framed around their provision of private welfare within the family – as carers of children and sick, disabled and elderly relatives (Pateman, 1989: 192-4).

The patriarchal model of citizenship seems to offer women the dubious choice between pursuing access to full citizenship by becoming like men or seeking social recognition for their different capabilities, skills, requirements and interests. The problem is that the first alternative extends full citizenship to women without challenging its patriarchal construction. This renders citizenship rights and obligations meaningful only insofar as women mimic the capabilities and preferences of men. Yet the second option, wherein women access social rights as mothers or carers, risks reinforcing the traditional sexual division of labour and women’s subordination within the private realm of the family (Pateman, 1989: 197-9).

Pateman argues, however, that this is not the only way to think about social citizenship. She makes clear that feminist movements have long struggled to enhance the provision of welfare services and the treatment of recipients (Pateman, 1989: 181). This complicates any suggestion that the welfare state is a straightforwardly patriarchal institution (Yeatman, 1990: 143). Furthermore, Pateman maintains that income support payments open possibilities for women’s economic independence vis-à-vis individual men. It is acknowledged that this form of independence not only fails to overcome the problems of poverty and social subordination but also constitutes women as dependent on
the predominantly patriarchal mechanisms of the welfare state. Nevertheless, Pateman insists that there is an important difference between women’s dependence on individual men within the private realm and their dependence on the state:

In the former case each woman lives with the man on whose benevolence she depends; each woman is (in J.S. Mill’s extraordinarily apt phrase) in a “chronic state of bribery and intimidation combined”. In the welfare state each woman receives what is hers by right, and she can, potentially, combine with other citizens to enforce her rightful claim. The state has enormous powers of intimidation, but political action takes place collectively in the public terrain and not behind the closed door of the home, where each woman has to rely on her own strength and resources. (Pateman, 1989: 200)

The broader point to emphasise here concerns the significance and desirability of working towards a feminist re-configuration of the ideal of social citizenship. While Pateman does not provide a positive account of what this might entail; she suggests that, negatively speaking, it involves the deconstruction of a range of patriarchal dichotomies. For example, the oppositions between: man and woman; public and private; independence and dependence; paid employment and unpaid caring work; and work and welfare (Pateman, 1989: 202-4). Feminist critiques of social citizenship, such as Pateman’s, are thereby distinguished from mainstream demands for “welfare reform” because they seek to extend the ideal of social citizenship in such as way as to accommodate women, rather than retrench systems of welfare provision as such (Yeatman, 1990: 148).

Pateman’s approach to the problem of welfare dependency has influenced a new generation of feminist scholarship. Instead of regarding the politics of welfare reform as a simple retrenchment of social citizenship ideals, such studies are concerned to examine the complex new political formations associated with the emergence of welfare to work policy. For example, they trace how the neo-liberal politics of welfare reform can be interpreted, in part, as a response to challenges directed at the post-war welfare state by feminism and other social and cultural movements. These kinds of analyses foreground the demands of those usually represented as the “victims” of the welfare state in order to reveal
the extent to which neo-liberal modes of welfare provision are the product of contestation, rather than something implemented from above (Larner, 2005: 11).

For instance, feminist critiques of the welfare state incorporate challenges to the domain of professional power, knowledge and expertise. What is at stake, then, in the argument that the welfare state is a patriarchal institution that fosters women's dependency, is a claim for the right to autonomy within the context of the "professional-client relationship". This means that decisions regarding what ought to count as a need, should not be the exclusive prerogative of professionals. Social and cultural movements such as the feminist movement reveal that needs are, in fact, complex social constructs. Indeed, Anna Yeatman (see 1994) makes clear that these movements use the discourse of social citizenship in performative and aspirational ways to argue that service users have the right to contribute to the "politics of need formation". The implication, here, is that a politics of voice, choice and representation emerges alongside the neo-liberal politics of welfare reform (Dean, 1999: 154).

Yeatman (2000; 2002) evaluates Mead's "new paternalism" in the context of an emerging tradition of post-liberal thought, which she labels the "new contractualism". As already indicated, Mead's new paternalism is premised on the figure of the self-responsible subject of freedom-as-choice. This normative conception of human being underpins his argument that the state has a responsibility to develop and enforce the capacities of freedom-as-choice and responsibility-for-self, particularly in the case of welfare recipients. According to Yeatman, Mead is informed by a non-discriminatory or equal opportunity understanding of the self-reliant individual (Yeatman, 2000: 158-62; 2002: 71). In other words, regardless of individual differences, everyone is expected to develop their capacities for freedom-as-choice and responsibility-for-self. New paternalism, then, is a specifically late modern articulation of the positive liberty paradox that Rousseau elaborates in The Social Contract: that individuals must be 'forced to be free' (Yeatman, 2000: 158).
Yeatman identifies three elements of contractualism within Mead’s policy recommendations. First, recipients are encouraged to actively engage with and participate in the process of becoming self-reliant individuals. Second, decisions and guidance regarding this process are to reflect recipients’ choice and voice. In other words, where possible, the direction of this process is to be the outcome of a ‘negotiated agreement between the case manager and individual client’ (Yeatman, 2000: 168-9). Third, the framework of reciprocity between case manager and recipient is made explicit. This means that recipients ‘know exactly what is expected of them in return for government support’ (Braithwaite et al., 2002: 239).

Yeatman argues, however, that the egalitarian potential of Mead’s version of the new contractualism is undercut insofar as he reduces the notions of self-reliance and social obligation to market participation (Yeatman, 2000: 161; 2002: 71). She points out that state paternalism can only be justified within the positive liberty framework of the social contract if the state is acting in the best interest of the public and the requirements placed on individuals function to enhance their freedom. Yeatman is sceptical about whether requiring individuals to participate in paid employment, as Mead proposes, can be understood to enhance their freedom under current labour market conditions (Yeatman, 2000: 172-5). Certainly, it could not be seen to do so if working failed to prevent poverty or welfare dependency was simply replaced by ‘exploitable dependence on employers or supervisors’ (Fraser, 1997: 46).

Similarly to Yeatman, Ruth Lister (2001) engages with notions of recognition, agency and voice in order to challenge the false dichotomy between “active” and “passive” welfare. Indeed, she provides an alternative welfare reform agenda, in which improvements to social security benefits are not equated with an endorsement of passive dependency but rather understood as complementary to active labour market policies (Lister, 2001: 91). Furthermore, she argues for an expanded notion of active welfare that incorporates the concept of active citizenship. This is to suggest that welfare subjects are constituted ‘as actors in the political process of welfare policy-making and delivery’ (Lister, 2001: 92).
Social security is commonly conceived as a means of protecting particular groups of the population against risk and preventing or reducing poverty. In addition to risk protection, Lister argues that governments have a responsibility to facilitate risk-taking through the provision of social security. Most advocates of active welfare to work policy assume that this responsibility is best discharged through keeping benefits for the jobless at a minimal level, in order not to discourage risk-taking (Lister, 2001: 91-5). However, Lister points to evidence for the opposite conclusion. For example, research into the experiences of lone mothers suggests that 'hardship may influence employment rates by exhausting mothers and leaving them no time or money for job search' (Bryson, Ford and White 1997 cited in Lister, 2001: 95-6). In agreement with Marshall, Lister insists that an inadequate income impedes benefit recipients from fully exercising their citizenship rights and responsibilities (2001: 96).

As indicated in the previous section of this chapter, the politics of welfare reform entails a shift away from Marshall's traditional egalitarian discourse concerned with citizenship and social rights. Drawing on the work of Ruth Levitas (see 1998), Lister suggests that Giddens instead endorses a social integrationist discourse of exclusion that predominantly focuses on the issue of paid employment. Here equality is redefined as inclusion, while inequality is conflated with exclusion. Furthermore, redistribution is reinterpreted as a matter of opportunity rather than resources. Finally, equality of outcome is 'conflated with sameness and uniformity' (Lister, 2001: 97).

In contrast, Lister argues that it would be more accurate to conflate the social integrationist discourse with homogeneity, insofar as it advocates a uniform ethic of paid employment. She suggests that this occludes the different ways in which particular social groups relate to and are located within the labour market. Furthermore, while there has been a shift away from an explicit redistributionist position within policy discourse, Lister points out that in the British context 'there has been massive redistribution of resources to the better off during the previous two decades' (2001: 97). She contends that the resultant unequal
starting points will differentially affect people’s relative capacity to take advantage of opportunity. Moreover, Lister questions whether genuine social inclusion is possible without addressing the inequalities at the root of social exclusion (2001: 98).

Furthermore, Lister maintains that the pejorative discourse of welfare dependency functions to construct benefit recipients as “other”. She suggests that this undermines relations of sociality that derive from recognition of shared citizenship (Lister, 2001: 91-2). Most immediately, recognition is something bestowed by the state upon particular activities. Lister contends that welfare systems generally (and the discourse of welfare reform in particular) privilege paid work over care work, voluntary and community work – despite lip service paid to the value of these activities (2001: 99-100). This is to say that the question of how to recognise and value these alternate expressions of social responsibility remains a significant issue in relation to debates about welfare reform.

The notion of recognition also informs debate about the relation between universal and particular claims. Lister suggests that, on the one hand, claims for recognition are ‘demands by marginalized groups for recognition of their particular perspectives and needs, couched in the discourse of difference’ (2001: 100). On the other hand, she maintains that cultural citizenship claims provide a bridge to other claims of recognition, such as recognition of a common humanity and the equal worth of all citizens. Lister interprets demands made by the disabled people’s movement as an example of recognition claims that incorporate both universal and particular aspects of recognition. In other words, she argues that the movement ‘has used a universalistic discourse of equal citizenship rights and social justice, while at the same time asserting disability as a different social and political category, not to be denied in the name of equality’ (Lister, 2001: 101).

Lister uses the example of the disabled people’s movement to introduce a third dimension of recognition, which she labels “the politics of voice”. She describes how the movement won ‘recognition of disabled people as subjects or agents in
welfare policy-making and implementation, as opposed to their more traditional construction as simply the objects of policy' (Lister, 2001: 101). Moreover, Lister makes clear that the politics of voice is becoming increasingly significant in relation to anti-poverty campaigns, particularly as the poor are homogenised and stigmatised as comprising an "underclass" or "culture of welfare dependency". Indeed, she argues that recipient participation (in welfare discourse, policymaking and service delivery) would empower people in poverty. While there is some recognition of the value of recipient participation in the area of local welfare service delivery, Lister points out that the issue remains marginalised in relation to benefits (2001: 100-4).

Responsibility for Others

While Pateman, Yeatman and Lister focus on the importance of agency and voice, Robert E. Goodin (2001) draws attention to the issue of reciprocal responsibility for others. He points out that the positive liberty argument for welfare reform rests on the belief that by receiving welfare payments recipients in fact consent, either tacitly or actively, to the requirements that accompany the benefit granted. The implication is that the jobless consent to work first principles and enforceable participation obligations. In addition, Goodin elaborate that paternalistic arguments insists that welfare to work policy is morally permissible (so the rationale goes) because either recipients' have a genuine desire to work or work is inherently good for them (2001: 190).

In contrast, Goodin seeks to disrupt the idea that welfare to work frameworks are straightforward manifestations of the principle of "fair reciprocity". Welfare to work policy links the right to income support with a responsibility to participate in paid employment. While there may be a correlation between rights and responsibilities, Goodin contends that it does not necessarily follow that people have precisely the same responsibilities (to participate in paid employment) and rights (to receive an income only if they participate). Nor does fair reciprocity oblige people to discharge their responsibilities at the same time, in the same way, as others (Goodin, 2002: 581-2). Goodin diagnoses a particular
structure of reciprocity that underpins the discourse of welfare reform. Furthermore, he argues that there are other possible and indeed more desirable ways in which to formulate relations of reciprocity.

Goodin describes how welfare to work approaches to reciprocity typically reflect the terms of a standard commercial contract, in which the obligations of each party are mutually conditional. The prevailing belief is that the government ought to provide income support strictly on the condition that recipients make a contribution in exchange for that support. If recipients fail to fulfil their obligations, then the government is released from its obligation to provide assistance. This form of contractualism predominates in the commercial sector and is reminiscent of the New Poor Law of 1834 (Goodin, 2001: 193). Goodin argues that when it comes to social obligations, the principle of fair reciprocity is not usually conceived in such strictly conditional terms. By way of comparison, he considers the social contract, in which obligations are mutually dependent but not conditional. Each person has obligations towards others in a given society, in part, precisely because others share the same obligations toward them. Nevertheless, once the social contract is in place, people are required to fulfil their obligations, regardless of whether or not others do the same (Goodin, 2002: 584-5).

More generally, according to Goodin, the welfare to work standpoint mimics ‘exchange relations in the labour market’ (2002: 583). In other words, it requires that the responsibilities of each party be fulfilled at roughly the same time. The government’s obligation to provide income support is rendered conditional on recipients’ current or recent participation in paid employment or suitable work-related activities. These contributions are said to be equivalent from the point of view of the benefactors. That is, from the perspective of the government, acting on behalf of the wider community. Significantly, they are not necessarily considered equivalent from the recipients’ point of view. Since income support is means-tested, it is plausible to assume that recipients are in genuine need of the assistance provided and have little choice but to accept it, regardless of
whether or not, in their opinion, the obligations involved are fair (Goodin, 2002: 586-9).

Finally, Goodin argues that the welfare to work framework demands immediate reciprocity. He suggests that by making demands of people when they are vulnerable, it has the perverse effect of reinforcing their vulnerability. In contrast, Goodin points out that fair reciprocity, in relation to social welfare, ordinarily takes the form of mutual but contingent schemes of insurance or assistance. What is reciprocated is a collective promise to secure each other against certain contingencies, should the need arise (Goodin, 2002: 587). People help each other ‘in anticipation that they might (or will) someday... need help in turn’ (Goodin, 2002: 592).

In principle, Yeatman points out that welfare to work constitutes an elaborate and costly approach to social policy (2000: 159). In practice, Goodin conclude that it is an exercise in “blaming the victim” and clearing welfare rolls. He argues that the punitive nature of welfare to work policy reinforces the social subordination of recipients by using sanctions to “harass” them off welfare; mainly into low-paid, insecure jobs (Goodin, 2001: 199; 2002: 592). In order to displace the populist correlation between receipt of welfare benefits and the obligations of recipients, Goodin claims that greater emphasis should be placed on our unconditional obligation, as a society, to ‘protect the vulnerable’ (2001: 194).

Similarly, Valerie Braithwaite, Moira Gatens and Deborah Mitchell (2002) challenge the idea that responsibility is simply the price that must be paid in exchange for the enjoyment of rights. In other words, they insist that responsibility is not an obligation the state can exact through a system of incentives and penalties. Furthermore, Braithwaite et al. call into question the notion that social rights are somehow expendable in the context of contemporary concerns regarding responsibility and security. Indeed, they argue that Marshall’s approach to mutual obligation effectively fosters collective responsibility and security precisely because of the way in which it incorporates
social rights and obligations. By way of contrast, Braithwaite et al. maintain that Mead's exchange-based approach to welfare provision potentially undermines social relations of reciprocity, insofar as it practices indifference to those who fall through cracks in the system.

As discussed in the previous section of this chapter, Mead proposes a paternalistic model of welfare reform, in which income support is made conditional on recipients meeting certain social obligations. Braithwaite et al. point out that paternalistic welfare seeks to exploit the conditionality of welfare payments precisely in order to govern the behaviour of individual recipients and enforce social norms such as the "work ethic". In addition, they highlight the way in which Mead's focus on the issue of social order and the responsibilities of welfare recipients backgrounds concern for justice and rights. Finally, Braithwaite et al. argue that paternalistic welfare undercuts notions of genuine reciprocity, to the extent that it treats individual recipients as the primary locus of responsibility (2002: 232-3).

In contrast, Braithwaite et al. describe how Marshall elaborates an approach to social welfare that emphasises the rights of citizenship. As already indicated, many political theorists and policy analysts argue that Marshall's conception of social rights is untenable in the context of contemporary welfare reforms, which are based on contractual principles. Moreover, these scholars contend that Marshall fails to satisfactorily consider the issue of social responsibility and thereby constructs citizens as passive dependants of the state. Braithwaite et al. respond to these sorts of criticisms by invoking Stuart White's distinction between 'a right to be given some resource X, unconditionally' [and] 'an unconditional right of reasonable access to a given resource X' (cited in Braithwaite et al., 2002: 234). In agreement with White, they contend that social rights in the form of a right of "reasonable access" are consistent with contractual welfare. Furthermore, Braithwaite et al. point out that Marshall explicitly matches social rights with obligations and indeed attends to the responsibilities of other social actors. For example, he insists that the state has an obligation to try to

Braithwaite et al. argue that Mead treats responsibility as an obligation imposed from the top-down. Furthermore, they suggest that his approach appeals to exchange norms, which are not based on a particular sense of responsibility for the welfare of others. This is to say that income support is provided strictly on the condition that recipients make a contribution in exchange for that support. In contrast, Braithwaite et al. contend that Marshall contributes to an active conception of responsibility, in which responsibility is framed as a virtue cultivated from the bottom-up. Indeed, they maintain that his approach invokes communal norms that involve reciprocal feelings of responsibility for the welfare of others. More specifically, income support is treated as a way of responding to the needs or desires of others, rather than as a debt that requires repayment (Braithwaite et al., 2002: 235-8).

In addition to examining these approaches from a theoretical perspective, Braithwaite et al. provide an interpretation of how each might work in practice. With regard to Mead's new paternalism, they concede that if the government can deliver clear expectations, timely incentives and appropriate penalties, then recipients will know precisely what is required in exchange for assistance. Conversely, if recipients make a contribution, enhance their capacity to work and become financially independent, then the government gets a beneficial return on its investment. The difficulty is that the government cannot always fulfil its obligations. Braithwaite et al. make clear that changes in technology and social life mean that some people will continue to "fall through the cracks". Indeed, knowledge of recipients' needs, expectations and circumstances is always necessarily partial and thereby places limits on the capacity of service providers to respond (Braithwaite et al., 2002: 239).

Braithwaite et al. suggest that when put into practice, Mead's approach may in fact undermine social relations of reciprocity. If the needs and expectations of recipients are not adequately met, then this means that they in turn have little
encouragement to fulfil their social obligations. In obvious violation of exchange norms, incentives and penalties are used to compensate for the shortfall in recipient motivation. Braithwaite et al. argue that recipients may justifiably 'resent the procedural unfairness involved' (2002: 240). This is to say that 'governments with all their resources and power can renge on their side of the bargain while individuals with few resources at their disposal cannot afford to put a foot wrong' (Braithwaite et al., 2002: 240).

In relation to Marshall's approach, Braithwaite et al. contend that staff would have greater flexibility to respond to the needs and expectations of recipients. They note that implementation would primarily entail fostering social inclusion by developing relations among recipients, the state and the community. The perceived benefit of this approach is that it encourages service providers and the wider community to treat recipients with dignity and respect. In addition, it offers understanding and help while recipients acquire new capacities and reclaim independence. This is to suggest that furthering social inclusion is the best way in which to encourage recipients to fulfil their obligations. However, the problem is that as a policy objective, social inclusion does not lend itself to clearly defined benchmarks and outcomes. Nevertheless, Braithwaite et al. maintain that Marshall provides a more effective framework for nurturing responsibility. Despite certain difficulties associated with translating his approach into policy, they argue that the citizenship rights he formulates contribute to a collective sense of security, which gives people the confidence to assume active responsibility for themselves and meet their obligations to others (Braithwaite et al., 2002: 241).

Nancy J. Hirschmann (2002; 2003) argues that left liberals and feminists find the dominant discourse of welfare reform difficult to challenge precisely because it is based on shared liberal values such as individualism, freedom and equality. For instance, from a positive liberty perspective, many feminist theorists and policy analysts interpret welfare rights as an enabling resource, which allows women to free themselves from economic dependence on individual men. On the other hand, many feminists also point out that, in practice, welfare provision
institutionalises the social control of women and provides few resources to assist them in becoming economically independent (Hirschmann, 2003: 139). Nevertheless, despite the problems associated with welfare rights, many liberals and feminists have 'fought to preserve [welfare entitlements] as the last, best hope for single mothers' (Hirschmann, 2003: 148). In contrast, Hirschmann contends it is precisely the liberal conception of rights as antagonistic individual claims that informs the conservative rhetoric which pits taxpayers against welfare recipients and defines the problem of welfare dependency in individualistic terms (2002: 351; 2003: 165).

Hirschmann provides an interpretation of the discourse of welfare dependency as an ideologically driven misrepresentation of the reality of welfare recipient’s lives (2003: 154). She argues that welfare dependency does not stem from the personal failings of individual recipients but from a lack of enabling resources and the humiliating conditions associated with welfare provision. In the United States context, she maintains that the lived experiences of welfare recipients are distorted by the New Right’s construction of the stereotype of the Cadillac-driving “welfare queen” and the “pathological dependent”. Feminists have challenged the image of the “welfare queen” in a number of ways. They point out that welfare takes the form of low levels of assistance combined with in-kind benefits such as food stamps. Further, feminists highlight the fact that the majority of recipients remain on welfare for under two years and many supplement their benefits through paid work or alternate between periods of paid work and welfare (Hirschmann, 2003: 153, 59).

Hirschmann acknowledges the contribution these critiques have made to a counter-discourse on welfare dependency. However, she suggests that by denying the validity of these stereotypes altogether, feminists and left liberals run the risk of ‘romanticizing welfare recipients as completely capable but downtrodden’ and ignoring ‘those women who have had the most difficult time getting off welfare’ (Hirschmann, 2002: 351; 2003: 153, 59). Hirschmann argues that the ideological power of conservative stereotypes inform welfare policy and contribute to the construction of welfare recipients as dependent subjects. This is
to say that the belief that welfare recipients are cheating honest, hardworking (white) taxpayers, functions to justify policy measures that keep benefit levels punitively low and leave recipients few options but to conform to the stereotype (Hirschmann, 2003: 153, 59). In addition, recipients experience themselves as being in the impossible position of having to choose ‘between being good mothers and good citizens’ (Edin cited in Hirschmann, 2003: 155). Finally, they express feelings of low self-esteem, depression and shame as a consequence of the high degree of surveillance and the stigma associated with welfare provision. Hirschmann contends that it is not welfare benefits themselves but rather the material conditions of welfare provision and the psychological toll these conditions take, which contributes to the construction of recipients as “dependent subjects” (2003: 153-5).

Hirschmann seeks to undermine the dominant belief that women are responsible for care work and rethink the terms of welfare policy, which have historically been based on the traditional sexual division of labour (2003: 159-60). She argues that insofar as ‘care is a necessary precondition of rights’ (Hirschmann, 2003: 164), we need to reconfigure welfare rights through a moral framework of care. According to Hirschmann, this requires state recognition of the immediate needs of caregivers. In particular, their need for economic stability and enabling resources such as quality childcare, education and transport, which would provide women with greater choice in combining care work and paid work. In the longer term, it requires policies that encourage gender neutrality in the context of care work in order to provide the conditions of women’s freedom on a par with men’s and to avoid the risk of reinforcing the current sexual division of labour (Hirschmann, 2003: 167-8).

These critiques of mainstream accounts of the problem of dependency make valuable contributions to a counter-discourse on welfare reform. In putting issues such as reciprocity, community, democratic participation and care on the agenda, they have undermined the individualism associated with prevailing approaches to welfare provision. More specifically, Pateman, Yeatman and Lister’s focus on the politics of voice opens the possibility of transforming the
value of freedom in the context of social welfare provision. In addition, Goodin and Braithwaite et al.’s emphasis on our social obligation to protect the vulnerable provides a strong impetus for rethinking the idea of responsibility – as does Hirschmann’s argument that we need to refigure welfare rights through an ethics of care.

This is not to say that these critiques resolve the question of welfare reform. Indeed, I suggest that while Goodin provides an interpretation of welfare to work policy as a technique primarily used to “hassle” the disadvantaged he nonetheless fails to reflect on “protection” as a mechanism of social control and subjugation. Furthermore, Hirschmann draws on post-structuralism to challenge the current surveillance of welfare recipients, yet fails to consider the potential for care and its requirement of particular knowledge to function in a similar way. More generally, the strategy of seeking state recognition for either rights or responsibilities runs the risk of consolidating existing configurations of power and mechanisms of state domination. In the following chapter, I use Foucault’s conception of governmentality to critically examine the imbrication of pastoral care and state power.

... In this chapter I have provided an overview of debates about welfare provision and the problem of dependency. Furthermore, I argued that mainstream approaches to these issues share certain common terms of reference. This is to say that although the different perspectives of Marshall, Murray, Mead and Giddens each tend to reinforce the terms of the debate between negative and positive liberty they nevertheless share a common concern with the question of how to secure or enhance the exercise of freedom-as-choice and responsibility-for-self. In addition, they all presuppose the self-responsible subject of freedom-as-choice. By way of contrast, I also discussed various critiques of the predominant approaches. More specifically, I suggested that these critiques open the possibility of reconfiguring the values of freedom and responsibility in the context of contemporary debates about social welfare provision. In Chapters Four and Five of this thesis, I seek to further pursue this possibility.
Welfare to Work as Neo-liberal Governmentality

... as long as we continue to portray neoliberalism as a monolithic approach, and to emphasise what we have lost rather than explore the shape and trajectory of the new, we will be much less likely to be sensitive to the diverse political possibilities offered in the current political climate.

- Wendy Larner ‘Neoliberalism in (Regional) Theory and Practice’

As discussed in Chapters One and Two of this thesis, Welfare to Work policy incorporates a number of elements that might be interpreted as punitive. First, it curtails the provision of income support to vulnerable welfare recipients – namely principal carer parents with school age children and people with disabilities who have a partial capacity to work. Second, it enhances the enforceable obligations of all job seekers excluded from the workforce. Finally, it adopts work first principles that make it possible to use the conditionality of welfare benefits to push recipients into the insecure, low-wage sector of the labour market.

Welfare rights organisations tend to regard Welfare to Work measures as constraining rather than enabling. They maintain that there is a significant danger that the new income support arrangements will push the jobless further into poverty. In particular, they are highly critical of changes which, in effect, cut income support payments to many parents and people with disabilities by shifting them onto less generous benefits. More generally, there are ongoing concerns about the kinds of enforceable obligations and sanctions imposed on vulnerable members of society. Numerous welfare rights and charitable organisations demonstrate that there is already insufficient support available to
jobless people who face significant barriers and despite increased levels of spending, the provision of employment services and childcare remains extremely inadequate (see Australian Council of Social Services, 2005; Brotherhood of St Laurence and Anglicare 2005). Further, there is a belief that the combined effect of welfare and industrial relations reforms amounts to a tacit endorsement of working poverty.

Similarly, from a liberal egalitarian perspective, the punitive aspects of welfare reform tend to be interpreted as instances of coercion or constraint. Against the idea that recipients somehow consent to the requirements that accompany welfare benefits or anyhow benefit from such requirements, Goodin (2001) and Moss (2001) interpret Welfare to Work policy as an illegitimate exercise of power. They argue that, to the extent recipients have no other way to support themselves, the jobless essentially face a "choice" between receiving welfare payments or receiving no income at all. In addition, Moss points out that Australia's largest Welfare to Work program, Work for the Dole, promotes generic job skills that do not significantly enhance employment prospects. Both Goodin and Moss conclude that the conditionality of Welfare to Work policy is a form of coercion that cannot be held to be either legally nor morally biding (Goodin, 2001: 191; Moss, 2001: 5-7).

While such criticism make a significant contribution towards a counter-discourse on welfare reform; I suggest that they tend to reduce power to its negative effects. That is, they treat welfare reform as a form of "power over" vulnerable members of society. However, to the extent that welfare reform is premised on the political rationality of neo-liberalism, it entails a complex assemblage of heterogeneous and fragile productive technologies of governmentality (Larner, 2000: 254). These include technologies of the self as well as technologies of domination. The aim of this chapter is to diagnose the ways in which Welfare to Work policy seeks to extend and disseminate a particular form of political subjectivity – that is, the self-responsible subject of freedom-as-choice.
In Chapter Two, I argued that the politics of welfare reform presupposes a subject with the capacity 'to make choices and act upon them' (Hirschmann, 2003: 3). In this chapter, I contend that a tension exists between this account of the subject, on the one hand, and the neo-liberal practices of government through which the self-responsible subject of freedom-as-choice is produced, on the other hand. In the first section of the chapter I examine the analytics of governmentality by outlining the general set of concerns that characterise this style of criticism. Furthermore, I demonstrate the ways in which Foucault puts these concerns to work in his writings and lectures on the problematic of liberal and neo-liberal government. In the fourth section of this chapter I provide an interpretation of welfare reform as a series of discursive techniques, taken up by neo-liberal practices of government, which function to displace liberal democratic values and practices. However, in agreement with Brown (1995), Dean (2002a; 2002b) and Ivison (1997), I also want to suggest that it is insufficient to simply describe the ways in which political policies and programs presuppose certain practices of government. In order to foreshadow the pursuit of alternate ethical practices of welfare provision in Chapters Four and Five, I conclude by reflecting upon the further critical potential of governmentality.

Governmentality

Governmentality is a descriptive approach to political theory that seeks to use the genealogical method outlined in the introduction to this thesis, in order to analyse the 'problematic of government' (Foucault, 2002a: 201). Here government is understood in terms of Foucault's frequently cited aphorism the "conduct of conduct", which refers to any and all attempts to lead, guide or direct the action or behaviour of others or oneself (Foucault, 2000e: 225; 2002g: 341). This conception of government entails a belief that conduct can be intentionally and rationally managed. In other words, conduct implies an ideal standard against which action and behaviour are measured and 'towards which individuals and groups should strive' (Dean, 1999: 10). Moreover, it presumes an element of freedom on the part of the subject of government. To govern is not to determine conduct but rather, to seek to structure the conditions of possibility
for particular modes of conduct and therefore to shape the field of freedom in which certain forms of action and behaviour are located (Foucault, 2002g: 341).

This broad understanding of government, which Foucault takes from the sixteenth and seventeenth century usage of the term, allows an examination of government as a practice. Indeed, the analytics of governmentality is not derived from a normative theory of government or the state. It is a style of criticism that seeks to identify and examine specific moments or contexts in which the practice of government 'becomes a problem' (Dean, 1999: 27). More specifically, it is characterised by a concern to diagnose the rationality, technology and ethos of particular practices of government (Dean, 2002b: 120). To examine rationality in this context is to trace the production of truth claims and taken for granted knowledge that are associated with and come to support specific modes of government. In short, it is to understand the ways in which practices of government seek to give themselves a moral basis for action (Rose, 1999: 24, 27). For example, it might entail exploring how the belief that passive welfare leads to dependency provides the moral basis for welfare to work policy.

Further, the rationality of government renders intelligible the field of conduct within which it attempts to positively intervene. That is, the means by which it operates and the ends that it seeks. This is to suggest that government is an assemblage of technologies of domination and technologies of the self, as well as specific programs, techniques and practical forms of knowledge that make the conduct of conduct possible (Foucault, 2000e: 225; Rose, 1999: 28). For example, welfare reform is an assemblage of welfare to work programs such as Temporary Assistance to Needy Families in the United States, the New Deals in Britain and Work for the Dole and the Mutual Obligation Scheme in Australia. In addition, it also encompasses a variety of techniques such as eligibility criteria, activity agreements and individual case management. These programs and techniques entail a practical knowledge of the problem of joblessness; what works and what does not work, in relation to each individual and the jobless population as a whole. Moreover, this knowledge is directive, insofar as it seeks to use the authority of experts to govern the jobless. However it also depends upon the
capacity of the jobless to govern themselves and contribute to the construction of their 'individual and collective identity' (Dean, 2002b: 120). Finally, rationalities of government are imbued with a particular ethos; that is, they seek to produce certain outcomes and to avoid others. Their ends are tied to particular aspirations for the kind of society we might hope to create (an active society) and the type of beings we might wish to become (self-responsible subjects of freedom-as-choice) (Dean, 2002b: 120; Rose, 1999: 52, 46).

Foucault traces the genealogy of modern liberalism in terms of a series of transformations in the rationality, technology and ethos of government. These transformations are associated with particular events: the emergence of pastoral power, the reason of state and the theory of police. Pastoral power, in its ecclesiastical form, is primarily an ethical relation understood in terms of the power a shepherd exercises over a flock. However, Foucault suggests that a new, secular formation of pastoral power has been emerging since the eighteenth century. Its ethos is no longer divine salvation but rather to secure salvation here on earth, where salvation denotes the morality, prosperity, health, welfare and security of each and of all (Foucault, 2002g: 344, 34). Foucault identifies reason of state and the theory of police as significant moments in the emergence of modern pastoral power.

Pastoral power is a form of government in which the ruler constitutes the object of rule. Foucault provides the example of a shepherd, who actively 'gathers together, guides and leads his flock' (Foucault, 2002c: 301). Its ethos, and the responsibility of the shepherd, is to secure the salvation of each and of all (Foucault, 2002c: 308). In Ancient Hebraic culture, this responsibility entails a devotedness to and knowledge of the material needs of each member of the flock and of the flock as a whole. By contrast, in Christian culture, the shepherd's responsibility comes to entail more than knowledge of the material needs of each and of all; it also requires knowledge of conduct and conscience, as well as a capacity to guide them (Foucault, 2002g: 333). This is to say that Christianity transforms the Ancient Greek techniques of the "care of the self" such as self-examination and the guidance of conscience. It disconnects them from an ethics
of 'the self-government of free citizens' (Dean, 1999: 75), and ties them to the virtue of obedience. Through the use of these techniques, the pastor seeks to encourage each member of the flock to actively contribute to their own "mortification". That is, their own practice of worldly and self renunciation that, at least in part, constitutes Christian identity (Foucault, 2002c: 309-11).

Reason of state refers to an historical transformation in our conception of government, coinciding with the formation of the modern nation state in the sixteenth century, in which government comes to be understood as a distinct art. In the literature of the time, government is no longer thought analogous to the model of 'transcendent singularity' (Foucault, 2002a: 206) associated with sovereign or divine rule but rather, in terms of its own particular rationality. Government is understood as a manifold practice inherent to society, which encompasses not only the science of governing the state but also the art of governing the self and the family. These modes of government are seen to have a certain continuity and rational reflection on the government of the state comes to entail a concern with the relationship between politics, morality and the household economy (Foucault, 2002a: 206; 2002c: 314-6).

Foucault draws attention to Guillaume de La Perrière's definition of government as 'the right disposition of things, arranged so as to lead to a convenient end' (cited in Foucault, 2002a: 208). In other words, to govern a state is not primarily to rule over a territory, but to govern a heterogeneous series of "things". This denotes a complex of households and individuals and their relation to wealth, resources, and livelihood; to a territory, its climate and cultivation; to each other, their social customs and norms of conduct; and to contingency, accidents or disasters (Dean, 1999: 86; Foucault, 2002a: 209). The correct distribution and "convenient ends" of government are decided through a process of rational reflection on the object of government, that is, the state (Foucault, 2002c: 314-5).

The ethos of reason of state is to reinforce the strength of the state, which entails an interest in the problematic of security (Dean, 1999: 87). This requires a new form of knowledge provided by the emerging discipline of political statistics or
the science of the state. Statistics provide an empirical knowledge of the capacity of the state: its current force, its comparative strength and the means by which to enhance its strength (Foucault, 2002a: 212; 2002c: 316-7). It also requires a new technology of government, in which a secular form of pastoral power is exercised by public institutions over a population – Foucault’s much cited example of this is police. The seventeenth and eighteenth century usage of the term police refers to the ideal of order in the everyday life of a community and of ordinances concerning public morality, prosperity, health, welfare and security. The role of police is to foster and regulate the life of households and citizens, in ways that enhance the strength of state (Dean, 1999: 90; Foucault, 2002c: 322; 2002g: 334).

The Political Rationality of Liberalism

The emergence of liberalism, according to Foucault, is continuous with ‘the emergence of “population” as an economic and political problem’ (Foucault, 1978: 25). One of the consequences of political statistics is that it produces knowledge of the intrinsic regularities of population, which are not reducible to the choices or deeds of the individuals and household that constitute it. Statistics enable the measurement of patterns of life expectancy, fertility, health and habitation, rates of birth, death and disease, and cycles of labour, wealth and scarcity. They also make it possible to quantify the economic effects of these regularities (Foucault, 1978: 25; 2002a: 215-6).

How can liberalism, as a system of rule with an express commitment to governing a free political culture, manage the contingencies and effects of population? Foucault argues that in order to understand the liberal response to the problematic of population, we must examine liberalism as both a critical and a regulatory art of government. Liberalism emerges as a transformation in the rationality of reason of state and the police. That is, as a critique of the belief that civil society is either transparent or readily disposed to regulation (Dean, 1999: 50). The liberal rationality of government inheres in the principle that “one always governs too much”. Criticism of a variety of economic practices, from mercantilism and cameralism to Keynesianism, operate as a privileged means by
which liberalism seeks to demonstrate that to govern is paradoxically to risk undermining the ends of government (Foucault, 2000a: 74-6).

As a polymorphous critical tool, liberalism is available for use against a variety of different modes of government that it seeks to supersede, reform or oppose. From a liberal perspective, government cannot function as an end in itself but is justified insofar as it acts on behalf of "society". Civil society encompasses all those heterogeneous spheres of life that liberalism understands as separate from the formal legal and political structure of the state, yet are nonetheless 'necessary to the ends of good government' (Dean, 1999: 124). These include the population, the economy, culture, community and biological and psychological life (Dean, 2002a: 40). Rational reflection on the activity of governing civil society enables liberalism to respond to the problematic of legitimacy that it establishes and helps to determine what ends it might 'pursue with regard to society in order to justify its existence' (Foucault, 2000a: 75). On the basis of the suspicion that to govern is paradoxically to risk undermining the ends of government, liberalism establishes rational limits to the operation of the state, formulated in terms of the principles of limited government, individual liberty and anti-authoritarianism (Dean, 1999: 50; 2002b: 127; Foucault, 2000a: 76).

The liberal rationality of limited government does not do away with the problematic of security but rather, transforms the technology of security associated with reason of state and the police (Gordon, 1987: 298). Indeed, as Foucault suggests, the ethos of liberalism is to optimise liberty and security for each individual citizen within a particular nation state and for the population of the state as a whole (Foucault, 2002d: 370). In order to achieve this difficult imperative, liberal practices of government treat freedom as a means of security and technology of government. Liberal government works through freedom in that it seeks to produce conditions that enable individuals to govern themselves. In other words, conditions that enable subjects to come to understand and conduct themselves as free individuals, on the one hand and responsible members of society, on the other. However, liberal techniques of government, which work to instil and to shape the norms of liberty and responsibility, are
heavily reliant upon the role of the expert (Rose, 1999: 67-78). The capacity of experts ‘to identify, measure, instil and regulate through the idea of the norm becomes a key technique of government’ (Rose, 1999: 75). The effect of this is that citizens in liberal democratic society come to experience their lives and sense of self as thoroughly dependent on a multitude of experts and institutions (Connolly, 2002: 20-2; Rose, 1999: 76, 93).

Dean (2002a) identifies three techniques, available to liberal practices of government, that foster conditions in which liberty and security might flourish. The first is an unfolding of the political realm upon civil society. Liberal government unfolds the role of the police, so that the regulation and pastoral care of the population is taken up by a multitude of agencies within civil society and comes to rely on the knowledge and techniques of the human sciences (Dean, 2002a: 42-5; Foucault, 2002g: 334-5). The second is an enfolding of the modes of regulation that already operate within civil society, into the political realm. For example, neo-liberal government enfolds the regulations that function within the market, into its own practices for governing the conduct of individuals and institutions (Dean, 2002a: 43-5). By creating a market for the provision of (formerly public) services or a market-based approach to service delivery, neo-liberalism governs citizens as “consumers”. It also enables them to govern themselves in this way (Dean, 2002b: 131).

The third technique is a replication of the values and expectations held to prevail in civil society (Dean, 2002a: 43). Mead’s (1986) formulation of workfare as a means by which the state might replicate the “common obligations of citizenship”1 in the administration of welfare, is a useful illustration of how liberal government seeks to refold values presumed to operate within civil society into the political realm (Dean, 2002a: 44). He contends that in order to foster a free political culture, government must use social policy to incorporate and reinforce the common obligations of citizenship (Mead, 1986: 6, 12). These social obligations are not formulated by the state, however, according to Mead

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1 Mead’s “common obligations of citizenship” are outlined in Chapter Two of this thesis.
'they are public in that they fall within the collective expectation that structures an orderly society' (Mead, 1986: 12). Workfare can be understood as a series of techniques that enable the state to govern its citizens and encourage them to conduct themselves, in accordance with the social obligation that heads of households 'work in available jobs' (Mead, 1986: 242). Dean points out that while the values and expectations taken up by the state often derive from the market, other sectors of civil society may also provide norms of conduct (2002a: 44).

The Political Rationality of Neo-liberalism

Since the 1960s, there has been a transformation in the conceptualisation of the relationship between government and civil society. During the postwar era, the ethos of government in liberal democratic nations was understood as an expression of the welfare state ideal. According to this ideal, the role of government is to foster the mechanisms of welfare state bureaucracy and Keynesian intervention, in order to enframe society in an apparatus of security 'from the cradle to the grave' (Dean, 1999: 150). The consequence of linking civil society to an administrative apparatus is that it lost its identity as a separate domain. The notion that civil society might function as a dynamic source of values and expectations available to liberal practices of government, appeared to crumble beneath the weight of disciplinary-bureaucratic regulation (Dean, 1999: 150). Neo-liberalism enters the picture at this point, for it is in connection with neo-liberalism that the problem of the renewal of civil society begins 'to have the look of a challenge' (Foucault, 2000a: 73).

Foucault (2000a) provides an interpretation of two strands of neo-liberal rationality: first, that of the Ordo-liberals' of post-war Germany and second, the neo-liberals' of the Chicago School. The Ordo-liberals' formulate a means of governing society on behalf of the ideal of 'economic order' (Lemke, 2001: 197, 94). They regard the market economy as a fragile mechanism of regulation that requires support, management, facilitation and intervention (Foucault, 2000a: 79). This conception of the market requires a social policy that actively produces
the conditions necessary to sustain economic order and foster growth. The "enterprise society" becomes the normative framework for all kinds of social relations. Entrepreneurial values such as efficiency and competition function as the technical means by which to achieve economic order and revive the dynamism of civic culture. However, the concept of the enterprise society also maintains a distinction between economic and social life that the neo-liberals of the Chicago School seek to displace (Lemke, 2001: 195-7). The neo-liberals translate market concepts and criteria for judgement into domains 'that are not exclusively or not primarily economic' (Foucault, 2000a: 79). In this way, the rationality of neo-liberalism comes to entail the extension and dissemination of market values to all areas of social, political and cultural life (Brown, 2003: 7; Foucault, 2000a: 79).

Brown argues that, while the rationality of neo-liberalism foregrounds the market, it is primarily a political rather than an economic rationality. She points out that neither strand of neo-liberalism makes an ontological claim regarding the pervasiveness of the market, nor presumes that every aspect of life can simply be reduced to an economic rationality. Rather, she suggests that the political rationality of neo-liberalism can be understood as a constructivist project (Brown, 2005: 39-40). In contrast to classical liberalism, neo-liberalism does not understand the economy as a natural reality, separate from the formal political realm, with its own intrinsic regularities that liberal practices of government must respect and take into account. Instead, the market has emerged as the basic principle through which the political rationality of neo-liberalism seeks to organise, regulate and reform state action in the present (Brown, 2005: 41; Lemke, 2001: 193-4).

Moreover, neo-liberalism differs from classical liberalism with regard to its understanding of the subject of liberty. From a classical liberal perspective, individual freedom forms the basis for government and functions as an external limit to state action. The state cannot constrain the freedom of homo oeconomicus without the risk of endangering its own technical and ethical foundations (Lemke, 2001: 200). In contrast, neo-liberalism understands individual liberty as
an artifact of government practices that extend and disseminate market principles to all areas of everyday life, including individual conduct (Brown, 2005: 42).

What is at stake in the rationality of neo-liberalism is a displacement of liberal democratic values and practices. While liberal democratic principles frequently converge with those of capitalism, Brown argues that they also establish and sustain a moderate ethical gap between capitalist political economy and liberal democratic polity. Neo-liberalism seeks to close this gap (Brown, 2005: 45-6). Indeed, Brown contends that economic growth has become the principle of state legitimacy in the present, insofar as the state is both directly responsible for the economy and required to submit its own practices to regulation by market mechanisms. This means that the political rationality of neo-liberalism can be understood as a transformation in the ethos of government. The overriding objective of the state is then to straightforwardly respond to the requirements of the market economy. In other words, the state’s ability to foster and sustain a “sound national economy” becomes the measure of its success (Brown, 2005: 41-2).

The political rationality of neo-liberalism subjugates economic and social policy to the decision making criteria of the market (Brown, 2005: 40). In addition, it entails the promulgation of a new technology of government. Neo-liberalism claims that it is imperative for nation states to undertake an extensive program of governmental reform (Dean, 2002a: 55). It reconfigures liberal democratic practices of government by enfolding the modes of regulation held to operate in the market, into its own practices for governing the conduct of individuals, populations and institutions. In doing so, neo-liberalism seeks to produce conditions that enable us to come to understand and conduct ourselves in terms of an economic calculus.
Reflections on the Critical Potential of Governmentality

Before I go on to use Foucault’s conception of neo-liberal governmentality to analyse contemporary practices of welfare reform, it is important to examine the criticisms of governmentality scholarship put forward by Brown (1995), Dean (2002a; 2002b) and Larner (2000; 2005). Foucault’s work on power and freedom and the ways in which they intersect in the problematic of liberal government, has generated a rich and diverse body of literature. The theme of governmentality continues to shift the focus of political theory, allowing a move away from its conventional understanding of liberalism as a theory of the state and towards a conception and investigation of liberalism as an art of government. However, this work may also represent a danger in that, by focusing on technologies of liberal government, it simply reiterates what liberalism already knows about itself: that it governs through the exercise of freedom.

Much of the literature on governmentality has been criticised for its tacit endorsement of the normative principles of liberalism. Brown, Dean and Larner remind us that when we examine government from a Foucaultian perspective, what we are looking at is a heterogeneous series of power relations and rationalities of government that cannot be understood in epochal terms. While analysing government in terms of the conduct of conduct allows us to trace how liberal citizens are constituted and constitute themselves as subjects, it is important not to ignore the multiple forms these power relations and political rationalities take, as well as the ways in which they intersect. In other words, we need to examine technologies of domination, as well as technologies of the self, in order to contribute to the critical task of reconsidering the relation between power, freedom and liberal government in the present.

The criticism of Foucault that Brown formulates has, as it’s primary target, Foucault’s early work on power. One might wonder, then, why it appears in a section that deals with criticisms of Foucault’s later work on governmentality. It is included here because the problems that Brown identifies in Foucault’s early
work, particularly his tendency to treat the state and social power diametrically, continue to effect and to limit the critical potential of much of the ensuing literature on governmentality. Brown argues that the intellectual ground clearing Foucault undertakes, in order to rupture political theory's tendency to privilege the sovereign nation state as a site of analysis and agency, has the paradoxical effect of sustaining this understanding of the state (Brown, 1995: 16-7; 2001: 10). It is the Foucaultian imperative to "cut of the king's head in political theory" that reinforces the identification between the state and sovereign power in contemporary left political thought (Brown, 1995: 16-7).

Brown contends that Foucault's analytic concern to reduce the significance of the state pre-empts an apprehension of the state as a singular assemblage of the multiplicity of power relations that he aims to bring into focus (Brown, 1995: 17). The danger, according to Brown, is that insofar as left political theory ceases to treat the state as an important and complex domain of power, it unwittingly cedes ground to the terms of liberal discourse. By failing to apprehend the ways in which the New Right uses technologies of governmentality to extend state intervention into everyday life, the left maintains neo-liberalism's understanding of itself as governing in accordance with the principles of limited government, individual liberty and anti-authoritarianism. Drawing on the work of Sheldon Wolin and Stuart Hall, Brown laments:

It means that critical theory turned its gaze away from the state at the moment when a distinctly late modern form of state domination was being consolidated: when expansion and extension of state power transpired not through centralization but through deregulation and privatization, through localizing and "contracting out" its activities -- in short through what some have identified as characteristically "postmodern" techniques of power. (Brown, 1995: 18)

In agreement with Brown, Dean argues that for governmentality studies to retain their critical potential, they must expose points of disconnection between the normative principles of liberalism and particular practices of government. He identifies and examines two dangers that arise from Foucaultian work on liberal government. The first danger is that other fields of power relations have come to be regarded as simply reinscribed within, and therefore treated as secondary to,
that of liberal governmentality. Dean points out that governmentality is a singular historical formation, which is located within the complex terrain of power and domination traced by Foucault. He argues that if we are to apprehend transformations in liberal governmentality, we must consider them in relation to transformations in sovereign and biopolitical power (Dean, 2002b: 120-3). A second danger follows from the first. Insofar as Foucaultian theory neglects questions concerning the relation between liberal governmentality and other forms of power, Dean suggests that it risks reinforcing the belief that liberalism offers safeguards against the type of domination associated with sovereignty and biopolitics (2002b: 127).

According to Dean, many contemporary empiricists working from a Foucaultian framework provide a comprehensive “thick description” of liberal modes of regulating the conduct of free subjects (Dean, 2002b: 123). However, he argues that these accounts conform to a liberal understanding of government in three respects. First, they tend to reflect on liberalism as a mode of government that operates through individual freedom and choice. That is, through knowledge and facilitation of the economic, social and cultural processes of civil society, rather than through domination, authority and hierarchy (Dean, 2002b: 128-9, 31). This endorses the liberal conception of government as based on the principle of individual liberty. Second, they present liberal government as a series of strategies characterised by a concern to limit the realm of ‘formal political authority’ (Dean, 2002b: 132). Dean contends that these accounts downplay the analytical and political significance of the nation state by focusing on the role that private agencies, social movements and the global economy play in the management of individual and collective conduct. He points out that this characterisation of liberal practices of government concurs with the principle of limited government. Finally, contemporary accounts of liberal governmentality focus on new active forms of citizenship and fail to address the technologies of domination by which they are produced. This confirms the liberal ideal of government, based on the principle of anti-authoritarianism (Dean, 2002b: 132).
In addition, Larner (2000; 2005) argues that governmentality scholarship tends to theorise neo-liberalism in terms of broad-scale transformations instead of particular, localised, policy measures and programs. Certainly Brown’s diagnosis of the relation between neo-liberalism and the ‘End of Liberal Democracy’ (2005) leaves itself open to such a critique. Larner maintains that the problem with this kind of approach is that it creates totalising conceptions of whole "historical epochs" (which, incidentally, is precisely the danger that it seeks to eschew) (2000: 247). I do not want to imply that the point of Brown’s invocation is to provide a ubiquitous account of the eclipse of liberal democracy. Rather, it is to challenge the left to come to terms with the loss of liberal democracy, as an intelligible site of critical engagement. This is to suggest that, like Larner, Brown wants to move away from a kind of reactive nostalgia for the remnants of liberal democratic values and practices imbued in the Keynesian welfare state ideal. She aims to contribute towards more productive strategies with which to challenge neo-liberal governmentality, as well as positive left alternatives to this kind of political rationality (Brown, 2005: 53-7; 2006: 32).

Nevertheless, Larner’s claim about tracing the emergence and transformation of particular, localised, practices of neo-liberal governmentality is an important one. She argues that approaching neo-liberalism from the “bottom up,” as it were, might enable us to better apprehend the complexity, heterogeneity and fragility of the political rationality of neo-liberalism. Indeed, Larner’s genealogical investigations of specific policy initiatives treat neo-liberalism as an assemblage of historical accidents, internal tensions and tenuous relations with other forms of rationality, including feminism and anti-racism as well as neo-conservatism (see, for example, 2000; 2005). I want to suggest that this is one path towards the cultivation of productive strategies through which to critically engage neo-liberal governmentality.

Brown, Dean and Larner draw attention to a number of problems that arise from the ways in which Foucault’s work on governmentality is interpreted. Foucault foreshadows some of these concerns in his lecture entitled ‘Governmentality’(2002a), in which he seeks to ward off a tendency within
political theory to treat the state as a unitary and functional presence. Foucault argues that none of the roles that political theory traditionally ascribes to the concept of the state are as important as we might think. The state cannot be reduced to or identified with the maintenance of order, the protection of liberty, the provision of welfare or the ‘reproduction of relations of production’ (Foucault, 2002a: 220). According to Foucault, it can be understood as an abstraction from and a composite of the heterogeneous relations of government that he begins to trace (Foucault, 2002a: 220). Perhaps Foucault’s concept of governmentality can best be understood as a homeopathic remedy to the ills of contemporary political theory. That is, as a curative strategy that produces symptoms similar to those it seeks to overcome. Foucault does not wish to reduce the analytic significance of the state once and for all. Rather, he uses the concept of governmentality in order to displace a certain reductive conception of the state that plagues political theory and to bring a new way of thinking about the government of the state into being.

Foucault also seeks to warn us against any tendency to treat power in epochal terms. He argues that ‘we need to see things not in terms of the replacement of a society of sovereignty by a disciplinary society and the subsequent replacement of a disciplinary society by a society of government’ (Foucault, 2002a: 219). Instead Foucault suggests that we examine relations of power in light of the intersection between sovereignty, discipline and government in the present. He contends that the problem of sovereignty is posed with increasing urgency at the moment when sovereign power ceases to be taken for granted as the rationality and ethos of government. That is, when liberal governmentality no longer seeks to derive a practice of government from the legal-political principle of sovereignty but rather, to determine what legitimate legal foundation and institutional form can be given to the type of sovereignty associated with the state (Foucault, 2002a: 217-8). Similarly, discipline becomes important when governments begin to treat the management of the population as a vital task (Foucault, 2002a: 219). Disciplinary institutions and techniques continue to play a pivotal role in regulating populations understood as lacking the capacity for responsible self-government and in seeking inculcate this capacity.
In light of these reflections it is clearly insufficient to simply describe the ways in which political polices and programs presuppose certain practices of government. In short, we need to think critically about such practices. This style of governmentality scholarship informs the analysis of the politics of welfare reform pursued in the next section of this chapter. Following Larner, I diagnose the emergence of a specific, localised, policy scheme – namely, the Australian Job Network system of employment services delivery. Moreover, I explore the ways in which it intersects with a particular policy measure – that is, Welfare to Work policy. In addition, drawing on Brown and Dean, I treat the Job Network scheme as an assemblage of different governmental practices, which entail technologies of domination as well as technologies of the self. By examining these practices of governmentality from below, I seek to reveal something of the complexity, multiplicity and fragility of the politics of welfare reform. More specifically, I trace the tension between the self-responsible subject of freedom-as-choice presupposed by the politics of welfare reform, on the one hand, and the specific practices of neo-liberal governmentality through which this form of subjectivity is constituted, on the other hand.

Neo-liberal "Foldings" and the Practice of Welfare Reform

The discourse of welfare reform plays an important part in neo-liberal criticism. This is to suggest that welfare reform operates as the privileged means by which neo-liberalism seeks to demonstrate that to govern is paradoxically to risk undermining the ends of government. As outlined in Chapter Two of this thesis, various neo-liberal theorists challenge liberal egalitarianism for failing to live up to social expectations and identify egalitarian practices of government with a number of "perverse effects" such as welfare dependency. Welfare reform, in this sense, is a key terrain within which transformations in neo-liberal practices of government play out. In this section, I use the frameworks provided by governmentality scholarship to examine how neo-liberalism "folds" the ethical gap between state and civil society, in the context of the Job Network scheme and
Welfare to Work policy. Further, I go on to explore some of the implications of this for welfare recipients and providers.

Employment service delivery in Australia is closely aligned with the active society approach advocated by the OECD. In 1998, the Howard Government abolished the public Commonwealth Employment Service (CES) and created the Job Network, which is an integrated quasi-market of over three hundred profit, nonprofit, community and government agencies that are contracted to provide a range of different employment services. Job Network member contracts are awarded by the Department of Employment and Workplace Relations (DEWR) according to the outcome of a competitive tendering process. This process incorporates the government agency Employment National, which is subject to the same terms as other providers and indeed retains a comparatively small share of the employment services market (Centrelink, 2006: 50; OECD, 2001: 15-6).

Job Network providers offer different kinds of services to jobseekers on the basis of an assessment of their “job-readiness”. This assessment is undertaken by Centrelink – the corporatised public income support agency responsible for referring jobseekers to the Job Network. The services offered by Job Network members include basic job matching and employment placement services for the “job-ready”. In addition, providers offer job search training, employment preparation, skills development, case management and Intensive Support customised assistance (a six month program of individually tailored support) to those who are identified as “at risk” of welfare dependency (Centrelink, 2006: 49). While many agencies offer the full range of services, some specialise in employment services for specific target populations, such as Indigenous Australians, people with a disability or those from non-English speaking backgrounds (OECD, 2001: 17).

As indicated in Chapter One of this thesis, Welfare to Work amendments for RapidConnect require most job seekers to attend an interview with a Job Network provider and enter into an Activity Agreement as a condition of
eligibility for benefit payments. This new “work first” measure targets applicants who are deemed ready for paid employment. Previously, job seekers only met with a Job Network provider after three to four weeks. RapidConnect not only facilitates immediate access to employment services but also potentially diverts job seekers from income support altogether (Welfare to Work Act, 2005: 69-70). However, there is considerable scope for confusion, insofar as job seekers are to be instructed by Centrelink to attend an interview in another location with a different organisation – that is, with a Job Network member – in order to qualify for Centrelink benefits (Daniels and Yeend, 2005: 25).

Welfare to Work reforms also widen the Job Network target population. As of July 2006, most mature-age jobseekers, people with a disability and parents who have part-time participation requirements must register with a Job Network service and enter into an Activity Agreement. Upon registration, parents and mature age jobseekers without recent workforce experience may be immediately targeted for participation in the Employment Preparation service, which provides individually tailored assistance to these groups (Centrelink, 2006: 15, 29). People with disabilities with a partial capacity to work will be referred to an appropriate employment service provider (or assistance program) that specialises in disability support (Centrelink, 2006: 10-3).

The abolition of the CES and creation of Job Network embodies the neo-liberal technique of unfolding the political realm upon civil society. This withdrawal of the state entails an unfolding of the formerly public responsibility for risk protection, pastoral care and regulation of the population, onto multiple agents within civil society. Job Network providers, as well as individual case managers and jobseekers, are encouraged to assume responsibility for the risks of joblessness and welfare dependency. These risks not only refer to the financial condition and employment prospects of the jobless. They also refer to the disposition of the jobseeker – to the type of manner and modes of conduct that potentially act as an internal constraint upon their capacity to participate in paid employment as well as the social and political life of the community (Dean, 1998: 93).
If Job Network members and the jobless themselves are to assume responsibility for the risks of joblessness and welfare dependency, then what does this mean for the question of government? Initially, it requires that these risks be rendered technical. This is accomplished through two classification instruments. First, the Job Seeker Classification Instrument (JSCI), which is a tool that Centrelink uses to ascertain the job-readiness of claimants and the type of employment assistance required (McDonald, Marston and Buckley, 2003: 512-3). As indicated previously, this assessment plays an important part in the decisions made by Centrelink staff concerning the referral of income support claimants to Job Network providers and services. Moreover, for claimants who are identified as at risk of dependency, it serves the additional function of determining the need for further assessment.

Second, the Job Capacity Assessment (JCA), which is a new tool introduced in July 2006, in conjunction with other Welfare to Work policy measures. This tool targets claimants and recipients who are identified by Centrelink or Job Network as at risk of dependency, including people with a disability and the very long terms unemployed, as well as mature age job seekers and parents with significant barriers to participation (Centrelink, 2006: 8, 17, 23, 29). The purpose of the JCA is to provide a comprehensive assessment of their capacity for participation in paid employment as well as the kinds of barriers they might face, such as addiction or homelessness. The face-to-face assessment is used to immediately refer recipients to employment or other support services. In addition, the JCA report is also used by Centrelink to decide eligibility for specific income support payments and determine participation requirements (DHS, 2006). These classification instruments transform the divide between the job-ready and those at risk of welfare dependency into a technical distinction, which in turn informs the government of the jobless.

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2 The JCA is primarily undertaken by government agencies such as Centrelink, although some non-government services have also been contracted to provide assessments.
Most immediately, the distinction between the job-ready and those at risk makes it possible to describe the job-ready as subjects who can be governed in accordance with their capacity for freedom-as-choice and responsibility-for-self. Under the Job Network model of employment services delivery, the responsibilities of the state are limited to the construction of a quasi-market in employment service provision (through the DEWR tendering process) and the facilitation of access to this market (through the Centrelink referral process). This means that access to pastoral care and expertise is no longer provided as an entitlement of citizenship. Instead, as Dean implies, this form of neo-liberal governmentality presupposes the capacity of the job-ready to conduct themselves as responsible consumers exercising freedom-as-choice in the market for employment services (Dean, 1998: 96-7; 2002a: 46-7).

This unfolding of the formerly public responsibility for risk protection entails a new mode of governing people and populations as self-responsible subjects of freedom-as-choice. Along with superannuation schemes, private health insurance and community initiatives such as neighbourhood watch, the Job Network is an instance of what Dean (1999) and Rose (1999), following Pat O’Malley (see 1992), describe as the “new prudentialism”. In the late nineteenth century, prudence was amongst the social obligations of citizenship. Rose describes how it required working men to secure themselves and their households against future contingencies, for example, by joining voluntary or commercial insurance schemes. These voluntary and local relations of security were transformed, over the course of the twentieth century, by the establishment and extension of compulsory national schemes of social insurance and social assistance (Rose, 1999: 158-9). Social welfare schemes sought to integrate citizens into relations of interdependence and encode security and social solidarity across the lifecycle and the population (Rose, 1999: 82). In contrast, neo-liberal governmentality seeks to revive the nineteenth century value of prudence in its attempt to underscore the connection between security, self-responsibility and freedom-as-choice. Indeed, the new prudentialism refers specifically to practices of government in which peoples individual and collective responsibility for risk
management becomes a key consideration in the choices that they make as consumers and service users (Dean, 1999: 166).

The new prudentialism incorporates an “industry of risk” that uses advertising and marketing techniques to exacerbate our individual and collective anxieties about the future, so as to encourage us to invest in a range of products from private insurance to gym equipment. Moreover, it also incorporates a “politics of risk”, which fosters anxiety regarding the future viability of social insurance and assistance schemes. According to the political rationality of neo-liberalism, these schemes “short change” citizens in a number of different ways: they do not provide sufficient security; they inhibit economic efficiency; quell responsibility; quash risk taking and promote dependency. From this perspective, individuals, households and communities would be better off if they took responsibility for their own relations of security (Rose, 1999: 158-60).

Nevertheless, this is not the only way in which the government of the jobless can be understood. Certainly, on the one hand the government of the job-ready, in the context of the Job Network scheme, presupposes the self-responsible subject with a capacity for freedom-as-choice. However, on the other hand, I want to suggest that it is also a technical means of extending and disseminating this norm of political subjectivity. In other words, it is precisely by withdrawing itself from certain functions (employment services delivery and pastoral care) and unfolding them onto Job Network providers, case workers and jobseekers, that the state extends the norms of freedom-as-choice and responsibility-for-self into domains formerly associated with the production of welfare dependency. Significantly, the proliferation of these norms is more readily evident in the government of the jobless identified as at risk of welfare dependency.

Dean describes the distinction between the job-ready and those at risk, in terms of the emergence of an unstable threshold 'between active citizens (capable of managing their own risk) and targeted populations (disadvantaged groups, the “at risk”, the high risk) who require intervention in the management of risks' (1999: 167). This threshold is unstable in the sense that once we begin to apprehend the
new prudentialism and unfolding of the sate as important technologies of neo-liberal governmentality, then this puts back into question the belief that there exists any such category as "active citizens capable of managing their own risk" (Dean, 1999: 167). Indeed, the point is precisely that active citizens are in part produced by these technologies of neo-liberal governmentality and that therefore all citizens require some form of intervention or "anti-intervention" in the management of risk. However, this is not to say that the distinction between active citizens and targeted populations is redundant. On the contrary, it is to foreshadow the way in which the diagnosis of this unstable threshold traces subtle and complex rather than clear-cut differences in the government of the jobless.

Targeted populations are specific categories of jobless individuals claiming welfare benefits who are classified as "at risk" of dependency. To reiterate, in relation to Welfare to Work reforms in Australia, target populations include parents with school age children and people with disabilities, with a partial capacity to work, as well as the unemployed – with a particular focus on mature age, sick and very long term unemployed job seekers. These groups are singled out because they have not instilled the entrepreneurial disposition or businesslike manner that would make re-entry into the labour market possible for them (Dean, 2002a: 47). In their study of case management practices in the context of Job Network, Catherine McDonald and Greg Marston (2005) specify this entrepreneurial disposition as one of motivation, confidence, punctuality, and pride in work and self-presentation. In addition, it entails a somewhat contradictory combination of "realistic" (that is, low) employment expectations and aspirational goals (McDonald and Marston, 2005: 390).

Welfare to Work target populations are subject to proliferating technologies of pastoral power, which seek to transform them into subjects with the capacity to act on their own conduct, in accordance with the norms of freedom-as choice and responsibility-for-self. These groups are required to attend an interview with a case manager and enter into an Activity Agreement as a condition of eligibility for Newstart and Youth Allowance (Daniels and Yeend, 2005: 27). In addition,
they may be targeted for early intervention through RapidConnect or required to participate in more intensive, individually tailored programs such as Employment Preparation or Intensive Support customised assistance (Welfare to Work Act, 2005: 69-70; Centrelink, 2006: 8, 15, 29, 34).

These policy measures encompass techniques of agency that Yeatman and others identify with the 'new contractualism' (Dean, 1999: 167; Yeatman, 2000; 2002). This is to suggest that they entail an individualised approach to service delivery and use of participation agreements between job seekers and case managers, who fulfill the role of pastoral expert. In their capacity as the pastors of neo-liberal governmentality, case managers assess the particular needs of each jobless client and guide them in choosing to participate in activities that will increase their job-readiness. Furthermore, case managers help job seekers to develop and review a plan that specifies how they will act on their own conduct, in order to enhance their capacity to participate in paid employment (Dean, 1998: 95; 1999: 167).

Technologies of agency also entail what Barbara Cruikshank terms 'technologies of citizenship' (Dean, 1999: 168). These comprise the multiplicity of techniques that act on self-esteem, seek to empower the jobless and encourage practices of consultation and negotiation, in order to overcome the problem of dependency. More specifically, McDonald and Marston identify the use of therapeutic and pedagogic techniques by Job Network case managers. They describe how, for example, the therapeutic technique of confession 'is experienced as liberating the subject from self-defeating thoughts and habits that stand in the way of realizing the active citizen of workfare welfare regimes' (McDonald and Marston, 2005: 386). In addition, pedagogic techniques are used in the context of group-based training, to teach the jobless basic employment preparation skills as well as how to reflect on their own performance, compare themselves with others, and encourage and support one another (McDonald and Marston, 2005: 386-7). According to the discourse of welfare reform, these active techniques address the social and behavioural effects of joblessness, bolster self-esteem, motivation and morale, and re-connect the jobless to social networks, obligations and, ultimately, the labour market (Dean, 1999: 168).
These technologies of agency can in part be understood as a response to the positive demand for autonomy that Foucault identifies in the discourse of welfare reform, discussed in Chapter Two of this thesis. In other words, they are a response to the claims of social movements such as feminism, antiracism and the disability movement (Larner, 2000; 2005; Lister, 2001; Williams, 2002). By using the techniques of 'choice', 'voice' and 'representation', technologies of agency enable targeted populations' own claims and definitions of their needs to be taken into consideration in negotiations with the state or service providers (Dean, 1999: 168; 2002b: 133). This opens the possibility of individuals and collectives actively contributing to the resolution of problems once thought to be the domain of the state. However, the price of participation is that the consequences of social risks becomes a problem of individual liberty, for which individuals and collectives must assume responsibility (Lemke, 2001: 202). I explore some of the consequences of this process of individualisation for citizens in liberal democratic society, in Chapters Four and Five of this thesis.

It is significant to note that the Welfare to Work target population is premised on what Yeatman (2000: 162) identifies as a non-discriminatory conception of the self-responsible subject. In other words, it is not just the (white, able-bodied) male breadwinner of the post-war welfare state who is expected to exercise freedom-as-choice and responsibility-for-self. Principal carer parents and people with a disability, as well as women and Indigenous Australians are all either explicitly or implicitly targeted to act on their own conduct by participating in Welfare to Work programs. This is not to say that neo-liberalism heralds the end of social subordination. On the contrary, Larner makes clear that the political rationality of neo-liberalism intersects with other forms of political rationality such as neo-conservatism, which seeks to re-inscribe more traditional social relations. Moreover, that neither of these political formations 'is particularly women friendly' (Larner, 2000: 261). I examine this intersection between different forms of political rationality entailed in Welfare to Work policy and the problem of gender subordination, in the following chapter of the thesis.
Whatever the positive effects of the use of technologies of agency, it is also important to clarify that these technologies are not necessarily effective in producing self-responsible subjects with the capacity to govern themselves in accordance with the norm of freedom-as-choice. Although technologies of agency are to some extent a response to the resistance of particular social movements, towards aspects of the post-war welfare state, they also entail new practices of resistance. McDonald and Marston identify elements of resistance on the part of Job Network consumers and case managers. For example, they explain how some consumers express resentment regarding the infantilising inclination of pedagogic techniques, while others begrudge the uniformity of the case management approach – despite claims to individual tailoring. Moreover, some consumers use the capacity for freedom-as-choice made available in the context of Job Network, in order to exit unsatisfactory case management relationships. In addition, McDonald and Marston describe how case managers challenge the use of performance targets and occasionally, ‘collude with their clients to evade the disciplinary aspects of the income support system’ (2005: 394-5).

Likewise, in their study of disadvantaged jobless people’s experiences of welfare to work policy, Stephen Ziguras, Gavin Dufty and Mark Considine (2003) describe similar instances of resistance and resentment. They relate how many jobless people expressed feelings of animosity regarding obligatory participation requirements. Requirements such as the Jobseeker Diary and continuation forms were predominantly regarded as disciplinary-bureaucratic mechanisms, rather than techniques of empowerment. Indeed, Ziguras et al. point out that some jobless people practiced tactics of avoidance by fabricating responses (2003: 19-21, 35). Furthermore, they discuss how many particularly disadvantaged jobless people expressed resentment about the rule-bound and often formulaic Centrelink approach to case management. Such respondents felt staff ought to

3 Upon application for Newstart or Youth Allowance, claimants are obliged to complete Jobseeker Diary. This entails listing a certain number of employer contacts each fortnight over a twelve-week period. Continuation forms are an ongoing fortnightly requirement, which involve recording a certain number of job applications as well as disclosing any additional income and variation in circumstances.
better understand the experience of long-term unemployment (Ziguras et al., 2003: 37).

Evidence that there is some resistance to the kinds of technologies of agency associated with Welfare to Work policy measures and programs indicates that the politics of welfare reform in Australia is indeed a complex assemblage of heterogeneous and fragile technologies of governmentality, which cannot determine the conduct of recipients. However, any celebration of this resistance would be premature. Dean maintains that technologies of agency are underwritten by sovereign penalties for non-compliance. This is to say that they entail a series of coercive measures that represent a threat to the livelihood and dignity of the jobless, in the form of the withdrawal of benefits. For example, the participation plan that the jobless negotiate with their case-manager often takes the form of a contract, which subjects the jobless to technologies of agency as a condition of continued eligibility for income support (Dean, 1999: 168). Possibly more effective than the material threat is the symbolic threat associated with the designation of a particular form of life as "undeserving"; as that which constitutes the exception to our moral and political order (Dean, 2002b: 133).

While one outcome of neo-liberal technologies of agency is that the provision of welfare services has become dependent in part on the "choices" of recipients, I have demonstrated that this is not the only way to understand Welfare to Work policy. In addition, I want to explore a second outcome identified by Dean, which is that the notion of client or consumer focus has become the measure of quality in service provision (1999: 154). This means that technologies of agency function as a means by which neo-liberal governmentality enfolds the regulatory mechanism of freedom-as-choice, into its own practices for governing the conduct of individuals, collectives and institutions. So far, I have examined some of the consequences of this for individuals and targeted populations. I now want to consider its effects on the government of the welfare state.

Dean suggests that the codification of consumer rights into the internal regulatory mechanisms of service providers, means that decisions relating to the
formation of needs are no longer the exclusive domain of expert knowledge and practice. Need formation becomes a matter of negotiation between consumers and professionals, in which expertise is open to challenge by services users acting in the name of their rights. However, the progressive potential of this transformation in welfare provision is taken up and re-deployed in the political rationality of neo-liberalism. Dean argues that the rights of clients and consumers become technical instruments for evaluating the performance of pastoral experts. Technologies of performance seek to subsume the relatively enclosed domain of the professional involved in pastoral care of the population, such as the social worker, to a formal system of economic accountability and transparency (Dean, 1999: 169-70).

Technologies of performance seek to enhance the capacity of professionals, profit, nonprofit and community agencies to govern themselves in accordance with the political rationality of neo-liberalism. They extend market-based techniques of regulation into the domain of pastoral care and encourage professionals to regulate their conduct according to an economic calculus. The establishment of key performance indicators and benchmarks, as well as the 'corporatization', 'privatization' and 'contracting out' of welfare services, are all technical means of enfolding the forms of regulation that operate in the market into the hitherto public domain of the welfare state. The function of the state is transformed in this process. The state is no longer directly responsible for welfare provision. Rather, it has become responsible for the establishment and co-ordination of markets or quasi-markets in welfare service provision and pastoral expertise (Dean, 1999: 161).

This schematic examination of Job Network and Welfare to Work policy demonstrates that neo-liberal practices of government cannot be understood simply in terms of a transfer of the capacity for action away from the formal political realm. On the contrary, the "withdrawal of the state" is in fact a key technology of neo-liberal governmentality (Brown, 1995: 18; Lemke, 2001: 201). The rationality of neo-liberalism renders individuals and collectives responsible for social life by translating the problem of social risk into a problem of
individual liberty. It constitutes individuals and collectives as prudent by encouraging them to rationally appraise the costs and benefits of their actions. All conduct, from a neo-liberal perspective, is an expression of freedom-as-choice and the product of rational decision-making. This means that agents bear sole responsibility for the consequences of their conduct. Put another way, welfare reform cannot be understood in terms of the retrenchment of state power but rather as a means of shifting the regulatory capacity of the state onto individuals and collectives (Lemke, 2001: 201-2). I go on to examine the perverse and problematic implications of this process of individualisation, in the ensuing chapters of this thesis.

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In this chapter, I have demonstrated that there is a tension between the self-responsible subject of freedom-as-choice assumed by the discourse of welfare reform and the practices of government through which this subject is produced. If the unfolding of the political realm upon civil society does not simply presuppose but indeed constitutes the norms of freedom-as-choice and responsibility-for-self, then this means that these norms are not some kind of basis for human subjectivity but rather, artefacts of government. This poses a difficulty for those who would oppose the political rationality of neo-liberalism. If governmentality is everywhere, then how is it possible to distinguish between practices of government that involve domination and those that contribute to human freedom? This is the question I aim to explore in the following chapter.
CHAPTER FOUR

Freedom-in-Relation

Maybe the target nowadays is not to discover what we are but to refuse what we are. We have to imagine and to build up what we could be to get rid of this kind of political “double bind,” which is the simultaneous individualization and totalization of modern power structures.

- Michel Foucault, 'The Subject and Power'

In Chapter Three, I traced the way in which Welfare to Work policy exemplifies the political rationality of neo-liberalism insofar as it seeks to govern people and populations as self-responsible subjects of freedom-as-choice. I also argued, however, that this is not the only way to think about the government of the jobless. There is a tension between the kind of political subjectivity assumed by the discourse of welfare reform, on the one hand, and the practices of government through which this subject is produced, on the other hand. Since the neo-liberal withdrawal of the state does not simply assume but indeed constitutes the norms of freedom-as-choice and responsibility-for-self, then this means that these norms should not be viewed as some kind of foundation for human being as such but rather, as the products of specific arts of government. This poses a problem for those who seek to critically engage the political rationality of neo-liberalism. If neo-liberal governmentality constitutes rather than constrains human subjectivity, then how is it possible to distinguish between practices of government that entail domination and those that cultivate human freedom?

The point I want to emphasise here is that freedom is a contingent and contested political value. While wars continue to be fought in its name, the domestic policy
of many liberal democratic nation states is increasingly determined by a politics of security. Moreover, where the value of freedom is invoked, it is within the everyday discourse of neo-liberalism. In other words, it acts as a kind of shorthand for economic freedom – free enterprise, free trade or the free market. This ambivalence towards the idea of political freedom is not just a byproduct of contemporary political culture. It is also evident in recent theoretical reflections on the political. As already indicated, the notion that freedom provides the basis for human subjectivity is undercut by post-structuralist conceptions of the subject as constituted, rather than straightforwardly constrained, by relations of subjection. In addition, conventional conceptions of freedom are revealed as deeply problematic when confronted with the challenge of difference and the demand for liberation by historically subordinate groups.

More specifically, the idea that it is possible to secure the exercise of liberty is rendered deeply contestable in the context of contemporary debates about welfare provision. In the post-war period, the welfare state was understood as a way to secure the freedom of each citizen against domination by capital and by fate. Feminist theory provided a supplement to this account, arguing that the welfare state is (or ought to be) a means by which to liberate women from dependence on individual men. This understanding, however, has been subject to criticism from a range of epistemological and ontological perspectives. This is to say that many political theorists and policy analysts argue that welfare does not liberate recipients but makes them dependent on the state and undermines their capacity for freedom-as-choice and responsibility-for-self.

In this chapter, I begin to address the issue of how to distinguish between practices of government that entail domination and those that cultivate human freedom. First, I provide a discussion of Foucault’s (2000b) distinction between relationships of power and states of domination. In addition, I examine how this framework might usefully be extended by drawing on Brown (1995) and Connelly’s (2002) different interpretations of Nietzsche’s (1989) concept of ressentiment. Second, I illustrate the cogency of these theoretical perspectives, by analysing Welfare to Work policy in practice. This analysis is, in turn, informed
by Larner’s diagnosis of neo-liberalism as a ‘complex and hybrid imaginary’ (2005: 11). It is argued that, rather than rendering Welfare to Work policy as a monolithic state of domination, this focus on *resentment* and hybridity reveals the manifold and contingent elements that constitute Australian Welfare to Work measures as a necessarily fragile situation of domination.

Third, I suggest that it is insufficient to critically examine the relation between specific political rationalities and particular policy measures and programs. Following Brown (2005), I contend that it is also important to imagine and contribute towards the formulation of affirmative political values and practices. In the later sections of this chapter, I pursue a conception of freedom that challenges the prevailing neo-liberal notion of freedom-as-choice. Foucault is often said to provide limited normative resources with which to re-conceptualise political freedom. In contrast, I maintain that Foucault (2000b; 2000f), Ivison (1997) and Brown (1995) pave the way for exploring an alternative framework that, instead of positing freedom as a universal norm or individual right, enables an interpretation of freedom as a (relational) practice. Against the idea that it is possible to secure the exercise of individual liberty, I use these perspectives to examine the ways in which freedom is cultivated in relationships with others and, at the same time, consists in assuming responsibility for these relationships. In short, I argue for a conception of freedom-*in*-relation that cannot be detached from responsibility for others.

**The Space Between Liberation and Domination**

Foucault frames his work, in general terms, as an examination of the historical problem of how human beings become subjects. His earlier work traces the interface between subjectivity and particular “games of truth” and relationships of power, while his later work examines the relationship between subjectivity and ethics (Foucault, 2000b: 281; 2002g: 326). Foucault’s understanding of the subject enables a critique of the ideal of liberation, which underpins modern conceptions of political freedom. The idea that it is possible to secure the exercise of liberty presupposes a universal essence to human subjectivity, which
has been repressed by certain constraints. The assumption is that in order to reconcile the subject with his or her true nature; all we need to do is liberate them from constraint, however defined (Foucault, 2000b: 282). Foucault challenges this assumption by tracing the ways in which human beings are constituted, rather than simply constrained, by relations of subjection. Games of truth, relations of power and practices of the self cannot be straightforwardly understood as restraints on our liberty; they also produce human beings and enable us to produce ourselves as subjects with the capacity for freedom. To practice freedom is not to overcome these forces. The point is 'to play these games... with as little domination as possible' (Foucault, 2000b: 298).

Foucault does not reject practices of liberation as such. He makes a useful distinction between relationships of power and states of domination that enables a rather more sophisticated critique of liberation. Foucault sees power relations as 'mobile, reversible, and unstable' (Foucault, 2000b: 292). States of domination are specific types of power relations that have been rendered 'perpetually asymmetrical and allow an extremely limited margin of freedom' (Foucault, 2000b: 292). In other words, there is no simple equivalence between power and domination. The task of political theory is to examine particular practices or fields of power relations in order to determine whether or not they also constitute a state of domination (Ivison, 1997: 42). Foucault suggests that while liberation is not an end in itself, it may be an effective strategy with which to resist domination. Nonetheless, he argues it does not, in and of itself, enable individuals and collectives to ascertain all of the mundane practices of freedom that are necessary to ensure acceptable modes of political, social and economic life. It is only possible to ensure freedom by participating in relations of power, games of truth and practices of the self (Foucault, 2000b: 282-3).

Brown finds Foucault's formulation of freedom as a practice useful. She is critical, however, of Foucault's relative neglect of the question of the will to freedom and of what might produce, subvert or limit this desire. The problem for Brown is that while Foucault provides a critique of liberation, he tacitly assumes that the desire for freedom animates struggles against subjectification.
She argues that this presumption is a consequence of Foucault’s repudiation of psychoanalysis and his elision of the psychological concepts that underpin Nietzschean genealogy. If Brown’s critique is right, then the task of political theory is not simply to examine particular relationships of power in order to diagnose whether they constitute a state of domination. It is also to discern transformations in the desire for freedom that certain power relations enact. This kind of critical work requires a more psychological account of the subject than that offered by Foucault (Brown, 1995: 64).

In exploring this problem of the will to freedom, Brown draws on Nietzsche’s conception of the subject as an effect of the “will to power”. The will to power, depending upon its direction, may enable the modern subject to cultivate an ethos of freedom. On the other hand, it also potentially fosters a culture of ressentiment (Brown, 1995: 64-9). Nietzsche describes the pathos of ressentiment, or slave morality, as a moralistic reproach against power from the perspective of the disenfranchised. This is to say that:

Slave morality from the outset says No to what is “outside”, what is “different”, what is “not itself”, and this No is its creative deed. This inversion of the value-posing eye – this need to direct one’s view outward instead of back to oneself – is of the essence of ressentiment: in order to exist, slave morality always first needs a hostile external world; it needs, physiologically speaking, external stimuli in order to act at all – its action is fundamentally reaction. (Nietzsche, 1989: 36)

Brown argues that there is a provocation to ressentiment inherent within liberal democratic discourse, which is located in the constitutive tension between its commitment to individual liberty and social egalitarianism. In other words, our social and political relations are configured in terms of this tension and produce ressentiment in one of two different ways. When liberty is privileged at the expense of equality, ressentiment takes the form of welfare state liberalism, wherein economic redistribution compensates the “disadvantaged” by placing limits on the freedom-as-choice of the rich and powerful. Alternately, when equality is privileged at the expense of liberty, ressentiment takes the form of neo-conservative liberalism and restrictions are placed on state intervention and economic redistribution (Brown, 1995: 66-7).
Furthermore, Brown maintains that the pathos of *ressentiment* also contributes to the production of liberal subjectivity. The liberal ideal of the self-responsible subject of freedom-as-choice consists precisely in a denial of the ways in which power relations constitute this form of subjectivity. Brown elaborates that our constitution by relationships of power, combined with liberalism's denial of these productive forces, renders all liberal citizens (not just the disenfranchised) vulnerable to the experience of failing to live up to the norms of freedom-as-choice and responsibility-for-self. Indeed, she contends that this experience of failure is constitutive of *ressentiment*. This is to say that the subject of *ressentiment* either finds a reason for the failure within themselves (thereby exacerbating the experience of failure) or produces a "guilty agent" upon which to ascribe responsibility for their failure and displace their suffering (Brown, 1995: 67-8).

William F. Connolly (2002) provides a somewhat more specifically late modern account of the relation between subjectivity and *ressentiment*. He examines three distinctive features of life in the present, which disturb the norms of freedom-as-choice and responsibility-for-self. First, citizens of liberal democratic societies experience their work and family lives, choices and sense of self becoming even more thoroughly dependent on conformity to an unprecedented range of disciplinary norms. Second, there is a growing lack of confidence in the collective future, to which we contribute on a daily basis. Finally, liberal subjects and states experience the future as ominous due to increased global contingencies such as terrorism, the globalisation of capital, the greenhouse effect, people smuggling and the potential for nuclear warfare (Connolly, 2002: 20-5).

Connolly argues that in the disciplinary-bureaucratic context of late modern life, liberal subjects face a choice between treating life as a project or railing against historical and socially received expectations of freedom-as-choice and responsibility-for-self. More often than not, to live against the grain of contemporary life is not to escape these standards but to render oneself vulnerable to 'categorizations that license institutional discipline from another
direction' (Connolly, 2002: 21). Still, those who do manage to negotiate life as a project nonetheless experience a declining faith in the stability of the established norms and standards that they strive to meet. Connolly labels this condition "dependent uncertainty" and suggests that with it, our gratitude for the good life offered by liberalism transforms into generalised resentment against its many obligations and uncertainties. He notes that generalised resentment:

... receives its most revealing and politically active expression in the hostility of those in positions of official independence to the complaints of those in officially recognized conditions of dependence, such as third-world countries, convicted criminals, mental patients, welfare claimants, affirmative action candidates, coddled athletes, minorities, teenagers, illegal aliens, and privileged college students ... (Connolly, 2002: 23)

According to Connolly, contemporary political attempts to alleviate the experience of generalised resentment tend to reinvest in the familiar ideals of individualism or community. That is, they make a commitment to ease resentment by reducing state-based requirements and enabling freedom-as-choice. Alternately, they seek to dilute the experience of resentment by emphasising the experience of community belonging and common recognition. However, Connolly argues that both these responses are problematic: individualism because it intensifies disciplinary power on citizens in civil society and communitarianism because it concentrates the disciplinary pressure associated with community norms and standards. Paradoxically then, each response exacerbates rather than mitigates the disciplinary pressure constitutive of generalised resentment (Connolly, 2002: 27-8).

Brown reads contemporary feminist politics and theory in a similar way. Feminism generally tends to view the state as a potentially radical and empowering mechanism through which women can liberate themselves from dependence on individual men (Brown, 1995: 172, 94-5). In contrast, Brown argues that this turn to the state in order to secure the freedom of women marks a profound sense of disorientation regarding the feminist will to freedom. This is to say that state-centered feminist thinking serves to illustrate how masculine dominance works to subvert and contain this desire, revealing a trace of the pathos of ressentiment. While acknowledging that some level of security is
required to enable the exercise of freedom in everyday life Brown argues that a deep tension exists between the idea of political freedom and the politics of protection. This is to say that liberation from dependence on individual men is not enough to ensure that women are able to practice freedom; to sharing in the task of shaping the conditions of individual and collective life (Brown, 1995: 169).

Brown's genealogy of the relation between the state and masculine power, traces the ways in which liberal, capitalist and disciplinary-bureaucratic state practices limit the margin of freedom available to women. First, she argues that the liberal state is premised on the separation of the realms of state, civil society and family and that this division in the liberal social order is constitutive of the subordination of women. Liberal discourse figures the family as both natural and prior to political concerns. Since this is where the work and lives of women tend (for the most part) to take place, these too are cast as natural and non-political. In other words, the conditions and the work of women within the private realm of the family are subject to little in the way of political or economic recognition (Brown, 1995: 180-1).

Second, Brown contends that when women participate in civil society, they are required to do so on masculine terms. The self-responsible liberal subject of freedom-as-choice is predicated on the disavowal of dependency and thereby discursively constituted as masculine. While women have – roughly speaking – acquired equal civil and political rights these rights are only partly applicable to their situation and to the materiality of their everyday life. Care-work and responsibilities continue to curtail the participation of women in civil society and their capacity to exercise rights therein (Brown, 1995: 181-4).

Finally, Brown suggests that the disciplinary-bureaucratic state perpetuates the existing capitalist sexual division of labour by devaluing activities defined in terms of needs and care rather than abstract rights (Brown, 1995: 192). On the one hand, it reinforces the dependence of women on individual men through middle-class welfare based on the ideal of the family wage. On the other hand, the state itself constitutes women in receipt of social assistance as dependent
subjects who require increasingly levels of government in order to live up to the norms of freedom-as-choice and responsibility-for-self.

Brown traces attributes in the contemporary politics of protection that recall Nietzsche's conception of the political formation of *resentiment*. She argues that when we codify our disorientation regarding the difficult imperative of freedom by making successful appeals to the state for protection, we unintentionally cede ground to the regulatory mechanisms of the state and surrender the task of political freedom. Brown claims that we are formulating a "plastic cage" that reconstitutes and controls the socially subordinate subjects it purports to protect. State-centered feminist thinking and activism potentially reproduce women as subordinate subjects in need of protection, establish the state as an unproblematic site of universal protection against particular instances of subordination and occlude the ways in which the state is itself invested in practices of masculine domination (Brown, 1995: 27-8).

Brown makes an intellectual move here that is similar to Foucault's reading of liberation politics. She does not reject the possibility that claims to the state might function strategically, in ways that enhance political freedom. Rather, I contend that Brown works on the limits of these claims, in order to identify what is and what is no longer necessary for an effective feminist politics. In order to negotiate the politics of freedom intelligently, Brown argues that it is necessary to come to terms with the idea that freedom is a difficult and seemingly paradoxical imperative. The paradoxical character of political freedom inheres in part, in our desire for mastery. Brown suggests that this desire for mastery is the will to overcome the contingency of freedom and render it institutional in form. As her examination of feminist appeals to the state demonstrates, the desire to institutionalise a particular formation of freedom ultimately functions to produce a system of norms that limit and constrain our freedom (Brown, 1995: 23-5).

This discussion of *resentiment* comprises a number of suggestive features that extend Foucault's distinction between relationships of power and states of domination and pre-empt some of the limitations of the governmentality
approach discussed in Chapter Three. First, by taking into account the question of desire, Brown and Connolly enable a more nuanced diagnosis of the forms of subjectivity and types of social relations produced by certain kinds of political rationality. Second, Brown identifies *resentiment* with liberal discourse but also traces the way in which it oscillates between different sorts of political rationalities – namely, welfare state liberalism and neo-conservatism. In short, she reveals the possibility of contingency and hybridity in political formations that are usually thought of as unitary and coherent (Brown, 2001: 114-6). Significantly, Larner (see, for example, 2000; 2003; 2005) further develops this kind of approach in her reflections on the political rationality of neo-liberalism.

Finally, Brown draws attention to some of the effects of the intersection between liberal and feminist political discourse, with regard to the problem of gender subordination. This underscores the point that political rationalities such as liberalism and neo-liberalism are indeed heterogeneous configurations, which correspond with some of the claims of social and cultural movements. Finally, both Brown and Connolly foreshadow some of the potential costs, as well as the benefits, associated with the emergence of neo-liberal arts of governmentality. In the following section of this chapter, I use these frameworks to analyse Welfare to Work policy.

**Domination and Hybridity in Welfare to Work Policy**

In Chapter Three, I examined the Job Network scheme and Welfare to Work policy as a complex assemblage of technologies of governmentality – the primary objective of which is the normalisation of the population. These practices of government do not just presume but indeed seek to extend and disseminate the norms of freedom-as-choice and responsibility-for-self. Thus far, I have traced some of the productive and potentially positive implications of this process. For example, how the technologies of agency associated with Job Network and Welfare to Work measures in fact enable jobless peoples own claims and interpretations of their needs to be taken into account, in negotiations with the state or employment service providers (Dean, 1999: 168). Moreover, the way in
which Welfare to Work policy is premised upon a non-discriminatory conception of the self-responsible subject (Yeatman, 2000: 162).

It is equally important, however, to think critically about the forms of subjectivity and practices of governmentality that Job Network and Welfare to Work reforms both presuppose and seek to proliferate. In this section, I use Connolly's (2002) conception of generalised resentment and Foucault's (2000b) distinction between relations of power and states of domination, in order to explore some of the more draconian elements of Welfare to Work policy. Furthermore, I extend this analysis by drawing on Larner's (2000; 2003; 2005) framework for thinking about the intersection between neo-liberalism and neo-conservatism (discussed briefly in the previous chapter). Finally, I use perspectives provided by both Larner and Brown (1995), in order to reflect on the possible implications of welfare reform for the problem of gender subordination.

**The Codification of Resentment**

Most immediately, I want to suggest that the discourse of welfare reform can be seen as an expression of generalised resentment. As indicated throughout this thesis, the kind of subjectivity available to the neo-liberal self remains beholden to the historically and socially bequeathed norms of freedom-as-choice and responsibility-for-self. However, in the context of late modern life, these expectations are both increasingly pervasive and contingent. In Chapter Three I described how neo-liberal governmentality renders subjects responsible for social life by transforming the problem of social risks such as joblessness into a problem of self-responsibility. At the same time, in the face of the kinds of manifold practices of global governmentality discussed in Chapter One, these risks are experienced as more precarious and uncertain. According to Connolly, this combination of dependence on pervasive norms and expectations, conjoined with uncertainty about one's capacity to live up to these standards in the precarious context of late modernity, fosters generalised resentment.
Resentment is generalised in the sense that it is difficult to fix a specific "guilty agent" upon whom neo-liberal subjects might assign blame for the kinds of contingencies produced by global governmentality and transformations in social risks. Instead, resentment is more often than not manifest in animosity towards the claims of vulnerable members of society who remain in officially sanctioned situations of dependence, such as welfare recipients (Connolly, 2002: 22-3). This means that generalised resentment cultivates the sorts of dividing practices outlined in Chapter Three of this thesis – between "good" neo-liberal subjects capable of exercising freedom-as-choice and responsibility-for-self, and targeted or dependent populations who require some type of intervention in the inculcation of these capacities.

Somewhat paradoxically then, targeted populations help to produce the identity of the neo-liberal subject. That is, they provide a series of irresponsible and dependent conducts (failure to participate in paid employment and reliance on income support, amongst other things) against which freedom-as-choice and responsibility-for-self are defined. However, targeted populations also pose a threat to the identity of the neo-liberal self, in the sense that they embody the dependence of this form of subjectivity on neo-liberal practices of governmentality. Insofar as the identity of the neo-liberal subject is in fact dependent on specific practices of government – namely, the withdrawal of the state – then this calls into question its very capacity for self-responsible freedom-as-choice.

While the withdrawal of the state is most readily apparent in the government of targeted populations, its application extends to each individual member of society and to society as a whole. As indicated in Chapter Three of this thesis, superannuation schemes, private health insurance and neighbourhood watch are all practices of government that seek to cultivate peoples capacities for freedom-as-choice and responsibility-for-self. That is, people are enjoined to exercise choice in the consumption of these private welfare services as well as personal responsibility for the management of social risks such as 'physical and mental ill-health ... poverty in old age ... [and] becoming victims of crime' (Dean, 1999:
166). This is to suggest that all citizens are dependent on some form of intervention or "anti-intervention" in the inculcation of their capacity for freedom-as-choice and responsibility-for-self.

The politics of welfare reform responds to this tension by obscuring the unstable threshold between self-responsible subjects of freedom-as-choice, on the one hand, and dependent populations, on the other hand. In short, it reifies the difference that it defines itself against. The generalised resentment manifest in the politics of welfare reform transforms dependency into otherness (or pathology), precisely 'in order to secure its own self-certainty' (Connolly, 2002: 64). From a post-structuralist perspective, the drive to secure a particular formation of subjectivity by occluding the ways in which the self is produced by games of truth and relations of power denies the traces of cruelty and vengeance that this process of individualisation entails (Connolly, 2002: 80-1).

The point is not that generalised resentment, cruelty and revenge are necessary or inevitable reactions to the phenomena of globalisation and social risk. As discussed in Chapter Two, many feminist and post-structuralist theorists, as well as policy analysts, identify positive alternative demands for the re-conceptualisation of historically and socially received norms and expectations. For instance, claims for the recognition of values such as autonomy, difference, interdependence, care and participation, which are displaced by a focus on choice and self-responsibility (see, for example, Foucault, 2002d; Lister, 2001; Williams, 2002). This is the sort of response that I seek to pursue in the later sections of this chapter.

These same scholars, however, have also been attentive to the problem of recodification. That is, the ways in which the politics of welfare reform annexes demands for autonomy on the part of social and cultural movements, precisely in order to justify the extension and dissemination of the neo-liberal norms of freedom-as-choice and responsibility-for-self. This is not necessarily cause for pessimism or an argument about the omnipresence of neo-liberalism. On the contrary, it means that the politics of welfare reform is, amongst other things, a
reaction to the demands of social and cultural movements. This is to say that those who tend to be represented as the “victims” of welfare reform can also be seen as an active force in shaping late modern political practices and technologies – not all of which are straightforwardly reducible to neo-liberal governmentality (Larner, 2005: 11). For instance, techniques of agency (identified in Chapter Three of this thesis) are the products of contestation on the part of social and cultural movements, not simply directives imposed from above.

Nonetheless, the practice of re-codification does have some profoundly problematic effects. As already discussed, welfare recipients are distinguished from “good” neo-liberal subjects on the basis of their failure to participate in paid employment. Moreover, I want to suggest that they are enjoined to find a reason for this failure within themselves. For example, in the context of the Job Network scheme, McDonald and Marston (2005) trace the ways in which technologies of agency direct recipients to decipher the problem of joblessness in decidedly individual terms. They describe how individual case management interviews and group training sessions provide the jobless with skills in self-reflection, including the identification of personal strengths and weaknesses. In other words, recipients are encouraged to think about joblessness as something that stems from personal or psychological barriers such as age, substance abuse or anxiety, rather than as an effect of particular games of truth or relations of power (McDonald and Marston 2005: 391-2). While these mechanisms of subjectification have the productive effect of transforming the social problem of joblessness into something that can be overcome by certain technologies of the self, they also have the perverse effect of underscoring recipients’ experience of failure vis-à-vis the neo-liberal norm of subjectivity.

A Situation of Domination

Certainly, the Job Network scheme and Welfare to Work policy entail multiple technologies of agency, including techniques of voice, choice and representation. However, evidence suggests that the practice of enabling jobless people’s own claims and definitions of their needs to be taken into consideration is not the only
thing going on here. Dean points out that technologies of agency are in fact underwritten by sovereign penalties for non-compliance. In other words, they encompass a series of technologies of domination that represent a threat to the livelihood and dignity of the jobless, in the form of the withdrawal of benefits and subjection to arbitrary authority (Dean, 2002b: 133).

More specifically, Mark Considine asserts that the Job Network scheme 'remains ambivalent about the role of client choice' (2000: 629). While the scheme is, at least in part, premised upon empowering jobless consumers to choose their own provider, he contends that it also exemplifies "compliance based" practices of contracting. Indeed, the extent to which contracts between Job Network providers and the jobless underpin an individually tailored approach to service delivery is fairly limited. This is to suggest that contracts function primarily as a means by which to ensure that the jobless accept the authority of their chosen provider (Considine, 2000: 629-36).

McDonald and Marston (2005) trace the ways in which coercive authority operates in the context of the Job Network scheme. More precisely, they examine how it enframes the therapeutic and pedagogic techniques of agency discussed in Chapter Three of this thesis. Coercive authority is most obviously deployed in the process of case managers reporting participation breaches to Centrelink. On the one hand, many of the case managers interviewed by McDonald and Marston expressed ambivalence regarding the practice of breaching, insisting that it was only a fallback mechanism. On the other hand, it was clear that breaching was nevertheless commonly used as a way of ensuring initial contact with jobless people compelled to undertake intensive assistance, who fail to attend their first Job Network interview. However, it was also apparent that their superiors required case managers to report non-compliance – indicating that case managers themselves were also subject to coercive authority (McDonald and Marston 2005: 388-9).

Half of the jobless people interviewed by McDonald and Marston described adverse experiences with case managers exercising coercive authority. These
experiences often involved the expectation of strict adherence to obligations that would not enhance the employment prospects of the jobless person but rather, lead to some sort of difficulty for them (mainly financial strain). Most case managers justified the practice of breaching with reference to the oppositional disposition of certain service users. In addition, it was seen as an effective way of instigating compliance with therapeutic and pedagogic techniques. McDonald and Marston argue that the use of penalties reinforces the infantilising tendency of pedagogic techniques. Like the disciplinary power exercised by a parent over a child, the repercussion of non-compliance in the context of the case management relationship is authorised punishment (McDonald and Marston 2005: 388-9).

Similarly, Ziguras, Dufty and Considine (2003) explore how coercive authority functions in relation to a range of welfare to work policy measures and practices, as part of their study of the experiences of disadvantaged jobless people. They found that nearly two-thirds of the people interviewed felt that the process of entering into an Activity Agreement was not one that provided them with opportunities to incorporate activities of their own choosing. Further, Ziguras et al. described how the majority of respondents also felt pressure to acquiesce to activities prescribed by Centrelink case managers. The perceived basis of this pressure was the threat of withdrawal of benefits. That is, the belief that if they did not agree with their case managers recommendations, then they would not receive income support payments (Ziguras et al., 2003: 19, 35). More generally, Ziguras et al. concluded that many disadvantaged jobless people experienced enforceable participation requirements as a form of work, rather than a pathway to future employment (2003: vi).

These studies indicate that the government of the jobless can be understood as a situation of domination, in Foucault’s sense. This means that the power relations between jobless people and case managers are fixed in such a way as to render them extremely unilateral (Foucault, 2000b: 292). Whether or not it is explicitly exercised, case managers acting as agents of the state are imbued with the authority to withdraw (or at least to recommend the withdrawal of) the
livelhood of the jobless. However, this is not to say that case managers have the power to determine the conduct of the jobless. As discussed in Chapter Three of this thesis, the jobless have numerous options for resistance; they can refuse the authority of the case manager, or simply choose to change case managers or service providers. Moreover, as already noted, case managers are themselves subject to coercive authority. Nevertheless, I argue that the jobless remain in a situation of domination to the extent that these forms of resistance are, in the end, simply a ruse, which do not effectively reverse the field of power relations in question. For example, since all case managers are imbued with the same authority, then even if they change case managers or Job Network providers, jobless people are still subject to relatively stable mechanisms of power.

The Hybridity of Welfare to Work Policy

Interestingly, the emergence of this state of domination tracks a series of three broad transformations in the intersection of neo-liberal governmentality with other forms of political rationality. This diagnosis follows Larner's characterisation of the manifold trajectory of neo-liberal governmentality in New Zealand (2003: 510). Without pretending to provide a comprehensive comparison between distinct neo-liberal moments in the Australian policy context, I will trace the congealment of this situation of domination in which the jobless are enmeshed. This parallels the move away from early attempts to imbricate neo-liberalism with the political rationality of social democracy and towards the interweaving of neo-liberalism and neo-conservatism.

First, as outlined in Chapter One of this thesis, the Hawke-Keating Labour government of the 1980s pursued the neo-liberal practice of withdrawing state intervention from various sectors of the market economy. For example, by lowering taxation, privatisation, deregulation of the financial sector, and the abolition of protectionism (Mendes, 2003: 101). Yet it also sought to sustain the political rationality of social democracy. In other words, even while the neo-liberal approach here involved greater selectivity the emphasis was on excluding the wealthy rather than restricting eligibility to the poor. At the same time,
welfare benefits were in fact increased for particularly disadvantaged groups, including large families (Esping-Andersen, 1996: 16-7).

Second, in the context of its 1994 *Working Nation* reforms, the Keating government instigated a more marketised, case management approach to employment service delivery as well as some of the authoritarian elements that have come to be associated with this approach. Similar to the current system, case managers acting on behalf of the state were invested with the authority to sanction or report the jobless for non-compliance (Considine, 2000: 627-33). However, this authority was countered by a commitment, on the part of the government, to enhance the provision of labour market services, 'including the guarantee of a job for the long-term unemployed' (Dean, 1999: 160).

Dean focuses on the continuity between Working Nation and the earlier Hawke-Keating rationality of government by describing them both in terms of an enhancement of the *Ordo liberalism* approach identified by Foucault (2000a), which is outlined in detail in Chapter Three of this thesis. This approach entails the establishment of a social policy framework that actively constructs the conditions necessary to maintain economic order and cultivate growth (Dean, 1999: 161; see also Lemke, 2001: 195). However, I contend that it is also possible to treat *Working Nation* as indicative of the further hybridisation of neo-liberal governmentality. On the one hand, the Jobs Compact and strong commitment to the provision of employment services can be read as an attempt to preserve the articulation of neo-liberalism and social democratic principles. Yet, on the other hand, the enhanced use of technologies of domination reflects and perhaps even foreshadows the interweaving of neo-liberalism and neo-conservatism. This latter convergence is associated with both Thatcherism in the United Kingdom and the successive Liberal-National government in Australia.

The third neo-liberal moment in Australian social policy, which constitutes the primary site of analysis of this thesis, coincides with the election of the conservative Liberal-National government in 1996. As discussed in Chapters One and Three, the government's welfare reforms involve significant cuts to
labour market and training programs as well as the proliferation of a quasi-market approach to employment services delivery. In addition, it entails various punitive measures such as the increased use of sanctions. More recently, the government’s Welfare to Work policy has reduced the provision of income support to principal carer parents with school age children and people with disabilities who have a partial capacity to work. Further, it has enhanced the enforceable obligations of all job seekers (Welfare to Work Act, 2005: 68-71).

This third phase of neo-liberalism exemplifies the extension and dissemination of market values to all areas of social, political and cultural life. In this regard, it can be seen as a radical repudiation of social democracy, which maintains some separation between economic and social life. It can also be diagnosed as an imbrication of neo-liberal governmentality with the political rationality of neo-conservatism. Larner contends that while neo-liberalism is reliant upon the (albeit socially and politically constituted) self-responsible subject of freedom-as-choice, neo-conservatism is, by contrast, a form of moral authoritarianism (Larner, 2000: 295; 2005: 11). In other words, neo-conservatives believe coercion on the part of the state is sometimes necessary in order to produce subjects with the capacity for freedom-as-choice and responsibility-for-self.

This neo-conservative imperative underscores the more authoritarian elements of welfare reform. As outlined in Chapter One, Welfare to Work policy involves the implementation of a new compliance framework, which extends the target population of recipients subject to the threat of withdrawal of benefits. Along with the unemployed, principal carer parents with school age children and people with disabilities who have a partial capacity to work face the threat of losing their livelihood. The compliance framework tempers the previous rigorously imposed “zero tolerance” breaching regime with a “three strikes” approach. Job seekers who initially fail to comply with participation requirements are usually given a second chance to fulfil these obligations and thereby avoid sanctions. However, this change in approach does not alter the fact that job seekers’ benefits remain strictly conditional on compliance with enforceable obligations. If job seekers continue not to comply, their payments
will be stopped until they meet their obligations. Furthermore, to deter job seekers from repeated or more significant infringements, a penalty of eight weeks without payment still applies to those who breach participation requirements three times within twelve months, refuse to accept suitable offers of paid employment or voluntarily leave paid employment. The penalty also applies to very long-term job seekers that fail to take part in Work for the Dole (Welfare to Work Act, 2005: 69-71).

In addition, Welfare to Work reforms introduce "work first" principles that make it possible to use the conditionality of benefits to drive recipients into the insecure, low-wage sector of the workforce. The amendments diminish safeguards concerning the definition of suitable paid work for job seekers and implement new disincentives to education and training for parents and people with disabilities. As indicated in Chapter One, Welfare to Work policy renders the definition of suitable paid work consistent with industrial relations reforms. In effect, this means that the jobless can be required to accept work that offers reduced wages, conditions and protections (Carney, 2006: 27-8; Daniels and Yeend, 2005: 30). If they refuse this kind of employment, the jobless face an eight-week period of income support non-payment. The danger here is that reforms enhance the possibility of jobless people being subjected to arbitrary and coercive authority in the workplace (Dean, 2002b: 133). Moreover, this danger is exacerbated by disincentives to education and training. These disincentives curtail the support available to parents and people with disabilities who choose to undertake study in order to enhance their future employment prospects (ACOSS, 2005: 24; Daniels and Yeend, 2005: 36).

A number of important points can be drawn from this analysis of Welfare to Work policy in Australia. First, it reinforces the argument that the kinds of technologies through which the jobless are governed in the present function to produce and extend a state of domination. This suggests that the power relations between the jobless, on the one hand, and case managers, Job Network providers and Centrelink, on the other hand, are congealed in such a way that it has become possible to consistently and predictably direct the conduct of the jobless.
Indeed, the new compliance framework operates as a relatively stable mechanism of domination that subjects an expanded target population of jobless people to authoritarian control within the context of the case management relationship. In order to ensure access to basic income support and employment services, the jobless must inculcate the capacities for freedom-as-choice and responsibility-for-self under the direction of their case manager. If they refuse this form of government, then the jobless are subjected to a different kind of technology of domination, which seeks to enforce the norm of self-responsible subjectivity by more coercive means – namely, the "sink or swim" strategy of withdrawing access to social assistance (albeit temporarily).

Second, the above analysis indicates the extent to which conditions for the practice of freedom, in the context of Welfare to Work policy, are exceedingly restricted. The contract between Job Network case managers and the jobless consists in the demand that the jobless exercise their freedom in a very specific way. This is to say that the jobless are enjoined to practice freedom-as-choice and responsibility-for-self, either by becoming a consumer in the market for employment services or a worker in the paid labour market. In other words, the already limited concept of freedom-as-choice is narrowly redefined solely in terms of market participation. This reduction of freedom-as-choice to market participation stands in contrast to the somewhat more open conception of freedom-as-choice pursued by political parties and theorists seeking to combine the rationalities of neo-liberalism and social democracy. From this perspective, freedom is understood in terms of active citizenship, which exceeds the requisite of market participation. Dean makes clear, for instance, that active citizenship entails participation in leisure, education, domestic labour, caring work and the political realm as well as the market (1999: 61).

**The Problem of Gender Subordination**

Larner's analysis of the intersection between neo-liberalism and neo-conservatism is also a useful supplement to Brown's earlier diagnosis of the relationship between liberalism and masculinist domination. Drawing these two
approaches together, I trace something of the complex problem of gender subordination in the context of welfare reform. First, I examine how Welfare to Work policy re-codifies some of the claims of the feminist movement. More precisely, I provide an interpretation of these reforms as a response to the issue of gender differentiation in social welfare provision. While it is difficult not to be cynical about this convergence between neo-liberal governmentality and the rationalities of feminism, I suggest that it is important to take seriously the idea that the politics of welfare reform is, at least in part, a reactive force. As Larner makes clear, this means that people and groups who are predominantly represented as the “victims” of Welfare to Work measures can also be seen as active forces in shaping these kinds of political formations (2005: 11). Nevertheless, I argue that although Welfare to Work policy mitigates gender differentiation in the public sphere, these measures are insufficient to secure the freedom of women.

Larner points out that neo-liberalism is not in fact premised upon the male breadwinner–female caregiver family ideal, which was, at least in part, the product of the postwar welfare state. On the contrary, as indicated in Chapter Three of this thesis, it is grounded in a non-discriminatory conception of the self-responsible subject of freedom-as-choice (Yeatman, 2000: 162). This is to imply that neo-liberal governmentality is informed by ‘feminist claims that social citizenship is gendered in that it is based on assumptions about the sexual division of labour’ (Larner, 2000: 255). Some of the features of this convergence include the use of gender-neutral language and the expectation that all people exercise freedom-as-choice and responsibility-for-self, to the extent of their capacity.

More specifically, I suggest that Welfare to Work policy annexes feminist claims about the problem of gender differentiation. During the later decades of the twentieth century, feminist theorists and policy analysts made clear that gender differentiation remained a key feature of many systems of welfare provision, notwithstanding official policies of gender neutrality (Orloff, 1996: 87). Gender differentiation is not only revealed but also maintained through the different
ways in which men and women make claims for income support. In short, the majority of men make claims as citizen-workers, while most women make claims as citizen-carers (O'Connor et al., 1999: 143-4). This has important effects in relation to questions such as access to paid employment and labour market programs.

Welfare to Work reforms potentially mitigate some of the effects of gender differentiation. Indeed, while gender neutrality has long been a feature of the Australian welfare state, these reforms conjoin the use of gender-neutral categories of welfare provision such as Parenting Payment with the expectation that all people participate in paid employment. In relation to Parenting Payment, this means that men as well as women are able to make claims as citizen-carers. However, it also means that once their youngest child reaches school age all parents, regardless of gender, are required to make claims as citizen-workers. In other words, women as well as men are encouraged to access employment services and in fact have an enforceable obligation to do so (unless they are principal carers of pre-school age children or in other special circumstances).

It is important to think critically about these purportedly gender-neutral practices of neo-liberal government. Drawing on an interpretation of liberalism that Brown borrows from Gayatri Spivak, I argue that neo-liberal governmentality is premised upon a non-discriminatory formulation of the self-responsible subject of freedom-as-choice that feminism “cannot not want” (cited in Brown, 2000: 230). In other words, the political possibilities of this formulation of subjectivity must be taken seriously – particularly considering the ways in which gender subordination has historically operated through dividing practices that either exclude women from, or treat them as supplementary to, the norm of individual sovereignty. However, the desire for neo-liberal individualism is articulated in fairly negative and ambivalent terms. I want to suggest that neo-liberal governmentality fails to overcome the problem of gender subordination, even though it may function to alleviate some of its impact.
Most immediately, I suggest that Welfare to Work policy effectively sustains the subordination of women within the private realm of the family. Although women as well as men are expected to participate in paid employment or employment related activities, their actual capacity to do so remains comparatively restricted. This is because women continue to assume primary responsibility for caregiving and household work (Mitchell, 1998: 30; O'Connor et al., 1999: 144). Nonetheless, in contrast to its treatment of paid employment, Welfare to Work legislation does little to encourage (let alone enforce) equal responsibility for unpaid work within the family. Thus while reforms attenuate the problem of gender differentiation in the public realm, the same cannot be said with regard to the private realm. This not only sustains women's subordination within the family but also limits their relative capacity to live up to the neo-liberal norms of freedom-as-choice and responsibility-for-self.

In addition, Welfare to Work reforms encode a definition of parenthood that entails further ambiguities with regard to neo-liberalism's non-discriminatory conception of subjectivity. The reforms do not encourage shared parenting, but rather presume that one parent will take on the full-time role of principal carer until their youngest child reaches school age, whereupon they will then exercise their partial (part-time) capacity to participate in paid-employment. The political rationality of neo-liberalism renders this decision a matter of personal "choice" (Larner, 2000: 256). However, we know from several decades of feminist theory that gendered norms differentially structure the conduct, desires and preferences of embodied men and women (Gatens, 1998: 4). In short, choice is never simply a personal matter.

The traditional gendered division of labour produces a range of economic and social barriers that continue to restrict men's engagement in caregiving and household work. For example, Mitchell points out that the earning capacity of most married men remains between approximately fifteen to twenty percent an hour greater than that of their wives (1998: 34). Since married men tend for the most part to be primary earners, then couples are less likely to choose – on the
basis of economic exigency – to have the man fulfil the traditionally feminine role of primary parent and homemaker. Moreover, Mitchell maintains that:

Despite legislative changes to the social security system which theoretically make it possible for men to draw a limited range of benefits and become involved with child-rearing and domestic work, the reality is that the administration of benefits in relation to the [activity test] presumes a primary breadwinner role. This may reinforce existing psychological and social barriers, for instance, being labelled as a dole bludger. (Mitchell, 1998: 34)

The point is not that gender-neutral and non-discriminatory practices of neoliberalism simply serve an ideological function. Rather, following Brown (1995) and Larner (2000; 2005), I suggest that it is again important to question whether neoliberalism is the only thing informing Welfare to Work policy. The model of parenthood presupposed in the reforms indicates an interweaving of the political rationalities of neoliberalism and neo-conservatism. Larner describes neo-conservatism as a form of rationality that seeks to ‘re-value women’s place within the family, particularly as mothers’ (2000: 256). An unstable compromise between this position and the belief that decisions about family formation are matters of personal choice may indeed explain why Welfare to Work reforms recodify a norm of parenthood that presents little by way of an effective challenge to the female caregiver archetype.

The danger here is that, while the politics of welfare reform claims to liberate individual citizens from passive dependence on the welfare state, these sorts of practices are not enough to secure women’s freedom in any substantive sense. For example, the provision of Parenting Payment, conjoined with participation requirements once their youngest child reaches school age, may indeed liberate women from dependence on individual male breadwinners. However, since Welfare to Work policy only encourages part-time employment for principal carer parents, it also sustains their (albeit partial) subjection to the neo-liberal practices of governmentality and technologies of domination discussed throughout this chapter. Moreover, insofar as these practices operate through the withdrawal of the state, then technologies of state domination are increasingly buttressed by subjection to coercive or arbitrary authority in the
context of the precarious, low-wage segment of the labour market. In short, women remain in a situation of domination vis-à-vis states and markets, as well as families.

This analysis of Welfare to Work reforms highlights the critical potential of examining neo-liberal governmentality in relation to the emergence and transformation of particular policy measures and programs. In Chapter Three, I used this approach to trace a line of tension between the neo-liberal norm of subjectivity, on the one hand, and the specific practices of government through which the self-responsible subject of freedom-as-choice is constituted, on the other hand. The broader point to be drawn here concerns the contingency and fragility of neo-liberal practices of governmentality. This is to say that neo-liberalism is neither a uniform nor comprehensive project but rather, a complex and manifold assemblage of somewhat contradictory political rationalities and formations (Larner, 2005: 16-7).

This assemblage entails, firstly, the codification of generalised resentment in dividing practices that transform welfare dependency into Otherness. Secondly, it encompasses both the technologies of agency outlined in Chapter Three and the technologies of domination analysed in this chapter. Significantly, I argue that Welfare to Work policy not only involves particular technologies of domination but also constitutes a state of domination as such. Thirdly, this assemblage involves the imbrication of different sorts of political rationalities, including neo-liberalism and neo-conservatism, as well as re-codification of claims made by the feminist movement. Finally, I contend that Welfare to Work measures constitute a situation of gender subordination.

The critical potential of this analysis consists in revealing the hybridity and fragility of Welfare to Work policy in Australia. If particular neo-liberal projects are an assemblage of contradictory and unstable elements, then this opens the possibility of specific transformations. I suggest, however, that it is not enough to critically examine the relation between the political rationalities of neo-liberalism and neo-conservatism and Welfare to Work policy measures and
programs. This is to say that is also important to think critically about the types of specific transformations ‘we might actually endorse’ (Ivison, 1997: 10). In the remainder of this chapter, I pursue an alternate conception of freedom that challenges the prevailing neo-liberal notion of freedom-as-choice. More specifically, I provide an interpretation of freedom-in-relation, which entails practices of the self, non-domination and responsibility for others.

**Freedom as a (Relational) Practice**

As suggested in Chapter Two, within political theory there is a tendency to focus on (and thereby to reinforce) the distinction between negative liberty and positive liberty. In contrast, the strategy here will be to pursue some of the alternate ways of thinking about freedom that have been eclipsed by the conventional terms of the debate about liberty. According to Ivison, Foucault offers a way of thinking about freedom that involves ‘liberty in (not simply from, or to) the struggle for self-creation’ (Ivison, 1997: 6). Ivison makes two general points about Foucault’s conception of “liberty in”. First, there is no universal foundation to human being that might serve as the basis for a normative ideal of freedom. Second, freedom is a practice that cannot be secured, except through its exercise.

Ivison clarifies much of what is at stake in Foucault’s examination of the interface between subjectivity and ethics. In the following sections of this chapter, I draw on frameworks provided by Foucault, Brown and Ivison, in order to explore how the idea of “liberty in” challenges us to re-configure conventional notions of freedom. Extending Ivison’s framework, I argue that in addition to understanding freedom as a practice, it is important to conceive it as a relational practice. This interpretation is consistent with the idea of freedom formulated by Foucault and Brown. It also enables a critique of individualism, or more specifically, modern practices of “individualisation”. Furthermore, it opens the possibility of intertwining practices of freedom with responsibility for others.
Between Morality and Ethics

Foucault and Brown's critiques of liberation, discussed in the first section of this chapter, betray a desire to contribute to a new way of thinking about freedom. This desire allows us to apprehend Foucault's "return to the Greeks", as well as his "return to the Enlightenment". Foucault is adamant that the Greco-Roman ethics of the care of the self is not some long forgotten philosophical truth that we might recoup in order to solve contemporary political dilemmas (Foucault, 2000b: 294-5). While he traces elements in the care of the self that are of lasting relevance, he cautions that the task of philosophy is not to provide ready-made solutions. It is, rather, to apprehend the chief danger to freedom in the historical moment of the present (Foucault, 2000c: 256). For Foucault, this danger is present within the political rationality of modernity. Modern political rationality abstracts from the materiality of human subjectivity. On the one hand, it posits the "totalising" form of the citizen and in doing so preempts the acknowledgement of difference as an effect of relationships of power (Brown, 1995: 56). On the other hand, it posits the "individualising" norm of autonomy and as a consequence, separates each of us from our relations with others and binds us to our own identity. In short, it establishes limits to the type of subjects that human beings can become and according to Foucault, we are beginning to experience these limits as constraints (Foucault, 2002g: 229-31). It is by way of contrast and in terms of the present that Foucault provides his interpretation of the Greco-Roman ethics of the care of the self and the ethos of modernity.

How can a genealogist contribute to a constructive politics of freedom? And in what ways might such a politics be considered ethical? Foucault responds to this problem by giving ethics a specific meaning, insofar as he distinguishes it from morality (Connolly, 1993: 369; Ivison, 1997: 48). In doing so, he opens a space for the practice of freedom. For Foucault, morality refers to the set of moral prescriptions that are imposed at a particular historical moment, in a given society or culture. Ethics concerns the type of relationship with the self that enables each individual to constitute him or herself as an "ethical subject" of his or her own conduct. It entails a "mode of subjection", which is the particular manner in which the individual forms a relation to morality and identifies him or herself as
subject to the obligations of the moral code. Ethics also involve "practices of the self", which are the techniques by which the individual acts on their own conduct in order to transform themselves into an ethical subject (Foucault, 1987: 27-8; 2000c: 263). These practices are not something that the individual invents from scratch but rather blueprints for ethical conduct that are given in social and cultural life (Foucault, 2000b: 291).

According to Foucault, the care of the self was articulated in the form of an aesthetic rather than a normative ideal. It was not a universal principle of right action but a certain manner of being and of conduct, which enabled Greek or Roman citizens to constitute themselves as ethical subjects. The care of the self entailed a know-how of the self and knowledge of certain maxims or principles of conduct that were available for translation into everyday practice (Foucault, 2000b: 285-6). Foucault suggests that in the Greco-Roman period, practices of the self were more significant and entailed greater autonomy than in later eras, during which the human sciences came to assume control over techniques of subjectification (Foucault, 2000b: 282). In contrast to modern techniques of subjectification, which increasingly came to entail the "normalization" of the population, the primary objective of the care of the self was deeply personal (Ivison, 1997: 48-50).

While the care of the self was a personal practice, it had important implications for political and social life. Foucault points out that from a Greco-Roman perspective, the free citizen who took good care of the self, likewise, took care to conduct themselves appropriately in their relations with others. The care of the self was not a care of the other, though it was an ethos that entailed complex relations that were of benefit to others (Foucault, 2000b: 287-9). Greco-Roman practices of the self were understood in contrast to the idea of being a slave, either to others or to your own appetites. This conception of individual freedom cannot be understood as a form of narcissism that tends towards the neglect or domination of others. On the contrary, the free citizen exercised power over the self precisely in order to enable them to regulate the power that they exercised in relations with others. Foucault envisages the care of the self as an art of self-
government that enabled each citizen to care for others, then, particularly those for whom they were responsible. Such practices made it possible for the citizen to occupy their rightful place in political and social life. The care of the self also entailed attendance to the guidance of a friend or master. In contrast to the figure of the free citizen, the tyrant who exceeded the acceptable use of their power and imposed their own passions and appetites upon others, was understood to be a slave to their desires (Foucault, 2000b: 285-8).

As Ivison points out, Foucault is not suggesting that the care of the self should serve as an alternative model for social, political and cultural life in the present. The Greco-Roman arts of existence were, in practical terms, an option that was only available to a small number of citizens and one which rested upon a social and political structure that was intensely hierarchical; involving server constraints upon the freedom of non-citizens (especially women and slaves). Nonetheless, considering the apparent lack of any substantive basis for a universal ethics in the present, there is a certain affinity between the problem of freedom posed by contemporary liberation politics and that posed by the Greeks. Foucault does not provide a solution to this problem. Nor does he offer a normative ideal of autonomy, which might serve as a foundation for the critique of mechanisms of power and practices of government. Neither subjectivity nor citizenship can be constituted irrespective of the effects of games of truth and relationships of power (Ivison, 1997: 50-1). The point is to work on the limits of autonomy in the historical moment of the present and open up the possibility of specific transformations.

Ivison also highlights that the critical ethos Foucault seeks to cultivate requires that we call into question practices of liberty, as well as relationships of power. This is what Foucault is getting at in his critique of the idea of liberation. He acknowledges that liberation has been a necessary strategy of resistance for certain historically subordinate groups such as colonial subjects, women and gays and lesbians. However, Foucault argues that the act of liberation is not enough to secure the practice of liberty:
I do not think that there is anything that is functionally — by its very nature — absolutely liberating. Liberty is a practice... The liberty of men [sic] is never assured by the institutions and laws intended to guarantee them. This is why almost all of these laws and institutions are quite capable of being turned around—not because they are ambiguous, but simply because "liberty" is what must be exercised. (Foucault, 2002e: 354)

Foucault (2000f) further develops this conception of freedom as a practice in his interpretation of Kant's 1784 essay 'What is Enlightenment'. According to Foucault, Kant reads the Enlightenment in negative terms, as an exit or release from the condition of "immaturity". Immaturity refers to an affection of the will that compels human beings accept the authority of another. This exit from immaturity entails an imperative of maturity, whereby human beings assume responsibility for the use of critical reason and take up the task of questioning their own beliefs and the beliefs of society. Through critique, human beings 'attempt to establish the legitimate use and limits of reason' (Ivison, 1997: 27). For Kant, these limits are universal and self-evident, while for Foucault, they are discernable through genealogical investigation (Foucault, 2000f: 305; Ivison, 1997: 26-7).

The Enlightenment practice of critique is a way of developing what Foucault refers to as a limit-attitude or ethos of modernity. As an ethos, the Enlightenment is neither bound to tradition, nor to the belief that there exists a universal human nature that, once liberated from the constraints of tradition, ensures collective freedom and individual autonomy. Instead, it implies an imperative to constitute the self as a subject of autonomy, in relation to an ethos that involves an enduring practice of critique of the present (Ivison, 1997: 27). The negative dimension of the practice of critique consists in a refusal of 'the intellectual blackmail of "being for or against the Enlightenment"' (Foucault, 2000f: 314). This refusal entails a critical ontology of the self as a subject that is, in part, historically constituted by the Enlightenment. More specifically, it requires a diagnosis of the "contemporary limits of the necessary," which seeks to question 'what is not or is no longer indispensable for the constitution of ourselves as autonomous subjects' (Foucault, 2000f: 313).
Foucault characterises the ethos of modernity as a limit-attitude in the sense that it allows us to examine and reflect upon the limits of what is given, in the historical moment of the present. The point is not to establish these limits as necessary but to work on them and to open up the possibility of transformation. The positive dimension of the practice of critique consists in tracing elements of singularity and contingency in that which is understood to be universal or necessary – including the self. It enables us to discern, from the historical limits of the present, the possibility of being "other" than what we are. According to Foucault, this style of critique gives renewed force to the indefinite practice of freedom. He is adamant, however, that we cannot resign ourselves to a hollow ideal of freedom. We must accept the historical impossibility of a wholesale transformation of the world or the self and instead concern ourselves with practices of experimentation that allow us to apprehend the possibility and desirability of "specific transformations" (Foucault, 2000f: 15-6; Ivison, 1997: 28).

The difficulty, for Foucault, is that the possibility of autonomy that the Enlightenment entails, emerges alongside the intensification of a series of power relations (Ivison, 1997: 28). This means that the will to freedom constituted by the ethos of modernity is susceptible to the operation of the sort of practices of government outlined throughout the course of this chapter. Foucault's examination of governmentality challenges our conventional understanding of the types of social forces that might constrain autonomy (Moss, 2004: 43). The traditional opposition between external and internal constraint fails to capture the complex danger to autonomy posed by the conduct of conduct. As I have identified through my examination of Welfare to Work policy, practices of government limit the field of freedom in which certain forms of action and behaviour are located by seeking to structure the subject's perception of what it is possible to be, do or think. The problem at stake, in the ethos of modernity, is how our capacity for autonomy might be detached from the escalation of these relationships of power (Foucault, 2000f: 317).
The primary objective of the political rationality of modernity is the normalisation of the population. Each individual within the population must conduct themselves in accordance with the norms and standards associated with this ideal. To choose the path of refusal, resistance or disobedience is not to escape the forces of normalization but to subject oneself to the intensification of mechanisms of discipline and domination. Foucault offers us a way out of this political double bind. If we understand freedom as a practice rather than a principle or an ideal, it becomes possible to transform the idea of autonomy into something other than a mechanism of normalisation. Foucault's examination of the relation between subjectivity and ethics allows us to think of autonomy as the form that our relationship to the self takes in the historical moment of the present. In other words, our capacity for autonomy can be understood as a means that enables each individual to constitute him or herself as an ethical subject. Foucault's conception of freedom in the struggle for autonomy requires that people experience a degree of freedom from social norms and obligations. The implication is that obedience to authority is no longer necessary for the constitution of the self as a subject of autonomy. Foucault is not claiming that each individual has the right to do what they want. On the contrary, he is suggesting that it is necessary for human beings to cultivate the capacity and the desire to assume responsibility for the manner in which they relate to social expectations, as well as how they relate to others and to the self.

**Freedom-in-Relation**

Ivison's interpretation of the concept of "liberty in" clarifies much of what is at stake in Foucault's reconfiguration of ethics, subjectivity and freedom. I build on this framework in order to push the idea of liberty in beyond what Ivison refers to as 'the struggle for self-creation' (Ivison, 1997: 6). We know from Foucault's interpretation of classical ethics that some level of self-mastery is an important element of freedom. However, I argue that freedom understood in terms of the struggle for self-creation is an insufficient challenge to liberal individualism. The principle of individualism presupposes a subject responsible for itself and its conduct, developing in freedom and in absolute independence from constraint.
In principle, this conception of freedom negates the possibility of the subject entering into relations with others. While sociality may enhance the freedom of the self in significant ways, from a liberal perspective it also places limits or constraints upon the sovereignty of the individual. In contrast to the notion of individual sovereignty, Foucault insists that the self cultivates practices of liberty in relations with others. This means that sociality cannot be understood as a constraint upon our freedom because the self that practices liberty is always already a subject in relation with others.

In his later work, Foucault tends to focus on the subject’s relationships to the self as an important element of freedom. However, he also identifies the subject’s relationships to others as significant. Foucault explains the usefulness of the concept of governmentality in precisely this way. He argues that governmentality permits us to apprehend the liberty of the subject, in terms of the subject’s relationship to the self and to others (Foucault, 2000b: 300). Furthermore, Foucault’s notion that freedom requires participation in games of truth, relationships of power and practices of the self implies that the liberty of the subject is dependent on various relationships with others, including experts, colleagues, family and friends (2000b: 287).

Similarly, Foucault’s examination of classical ethics traces the way in which the citizen’s relationship to a friend or master enables them to foster proper care of the self. He explores how the care of the self entails a complex relation to the predominant moral code, as well as responsibility for relations with members of one’s community and household (Foucault, 2000b: 287). Moreover, the idea that freedom is a relational practice is also evident in Foucault’s examination of modern ethics. Foucault reflects on the ethos of modernity as a practice that encompasses work on the limits of established discourse. Brown (1995) takes up this theme and makes it clear that work on the limits of the present opens up a space for freedom that is of benefit to others. This is to suggest that to call into question the terms of the present is to willingly take responsibility for the bearing that these terms have on others and the future, as well as the self.
Brown offers a fecund interpretation of precisely what is at stake in Foucault's conception of freedom as a (relational) practice. She points out that the paradoxical character of freedom inheres not only in the desire for mastery, discussed in the first section of this chapter, but also in the liberal idea of individual sovereignty. This is to say that liberty compels individuals to a singular responsibility for others, as well as the self. If democracy emancipates individuals from the sovereignty of the masters (the rule of god, the arbitrary sovereign or man) it also bequeaths the weight of the world and the future, and the responsibility to "make something" of them (Brown, 1995: 24). However, Brown makes clear that this idea that freedom entails responsibility for others is particularly overwhelming in the present. On the one hand, it would seem as though people no longer have recourse to any authority other than the self. If god is dead, history has come to an end and the figure of the king is nearly headless, then there is nobody left to help individuals realise their objectives or to blame if they fail. On the other hand, in the face of complex and manifold transformation in global practices of governmentality outlined in Chapter One of this thesis, pessimism often pre-empts the will to action (Brown, 1995: 26).

Traditionally, liberal thinkers and actors have sought to relieve the weight of individual sovereignty by identifying liberty with license. This formulation of liberty is captured in the popular axiom that "with freedom comes responsibilities" (Brown, 1995: 25). The problem with this formulation is that it casts responsibility-for-self as a supplement to individual freedom-as-choice. Brown implies that the political rationality of liberalism misunderstands the difficult imperative of freedom insofar as it both renders freedom in individualistic terms and treats responsibility as a derivative political value. Similarly to Foucault, she contends that freedom consists in the desire to assume responsibility for our relations with others, as well as our relationship to the self. Indeed, Brown maintains that freedom necessitates foregoing the immediate (and often short-lived) satisfaction of license and rebellion, in order to engage power in more creative and mindful ways (1995: 24-5). One way of taking up the difficult imperative of freedom-in-relation is to work on the limits of established discourse. In seeking to transform the terms of the present, we open up the
space of freedom that others also inhabit and create new possibilities for the types of subjects that human beings might become. This enables us to assume responsibility for the bearing of the present on the future; for ensuring that the bearing of existing discourse, in the future, is more open than it is in the present.

The concept of freedom as a relational practice undermines the conventional opposition between liberty and other political values. It also implies a critique of modern political rationality, which conceives of individuals as responsible for themselves and equates moral responsibility with rational action (deliberation about costs, benefits and consequences). The limitation of this conception of freedom-as-choice is its tendency to think about freedom in predominantly negative and individualistic terms – as freedom from the interference of others. If we understand freedom in terms of the capacity and the desire to assume responsibility for our relations with others, it becomes possible to overcome the opposition between autonomy and dependence as well as to posit interdependence and sociality as important aspects of political freedom.

From this perspective, it becomes possible to think about need, care, responsibility and obligation as positive sites for the practice of freedom rather than constraints upon it. To revalue these elements of everyday life is a long-standing feminist goal, which seeks to undercut the way in which masculine domination works to constitute the subjectivity of women in negative terms. To examine these possibilities in a theoretical rubric that conceives subjectivity as something which is socially, culturally and historically specific might allow us to make claims for the recognition of these elements of everyday life without thereby circumscribing the identity of the subjects who inhabit need, care, responsibility and obligation.

However, Foucault and Brown’s reconfiguration of responsibility as inherent within freedom risks eclipsing the value of responsibility itself. The danger is that although Foucaultian ethics enable us to contest the limits of established discourse, it fails to take into consideration the problem of responsibility for a non-appropriative relationship with the Other (Ziarek, 2001: 47). In the following
chapter, I turn to Levinas' (1969) conception of ethical responsibility. I argue that his formulation of responsibility for the Other provides a useful supplement to the concept of freedom-in-relation developed in this chapter. More specifically, I suggest that Levinas both challenges the idea that responsibility is a derivative political value and offers an interpretation of responsibility that sustains the singularity of the Other and the self. This framework opens the possibility of working towards a conception of freedom-in-relation that intertwines the value of responsibility for the Other.

... 

This chapter has examined neo-liberalism both substantively and theoretically. On the one hand, it provides an analysis of Welfare to Work policy in the Australian context and, on the other hand, it pursues an alternative to the neo-liberal formulation of freedom-as-choice – namely, the concept of freedom-in-relation. The broader point I want to emphasise here is that neo-liberal practices of government are manifold, contingent and precarious. This interpretation of neo-liberal governmentality opens the possibility of specific transformations. I suggested, however, that it is insufficient to offer a critique of particular political rationalities, policy measures and programs. In other words, it is also important to imagine and work towards the formulation of alternative political values and practices.

Substantively, the analysis that this chapter provides reveals the hybridity and fragility of Welfare to Work policy in Australia. More specifically, it demonstrates the extent to which these reforms are an assemblage of somewhat contradictory political rationalities and formations such as neo-liberalism, neo-conservatism and the claims of the feminist movement. This assemblage entails certain draconian elements – most notably, the codification of generalised resentment, technologies of domination and gender subordination. Indeed, it is argued that Welfare to Work policy not only encompasses specific technologies of domination but also constitutes a situation of domination and gender subordination as such. Furthermore, it is contended that this involves a reduction
of the (already limited) neo-liberal concept of freedom-as-choice to market participation.

Theoretically, this chapter has argued for an alternative conception of freedom-in-relation. That is, a concept of freedom which entails practices of the self, non-domination and responsibility for others. Following Ivison (1997) and Brown (1995), this interpretation of freedom questions the idea that Foucault must be read as a scholar of power who nonetheless had little to contribute to the formulation of affirmative political values and practices. On the contrary, it is suggested that Foucault offers a way of thinking about freedom as something that is produced in interpersonal relations with others and, in turn, consists precisely in taking responsibility for these relationships. The concept of freedom-in-relation, then, challenges the idea that responsibility is a secondary political value. Moreover, it opens the possibility of thinking about sociality and interdependence as significant elements of freedom.
Responsibility for the Other

The most vulnerable members of society are more aware than anyone that indifference destroys other lives, but a sense of this haunts everyone at one time or another. Over and above Heideggarian anxiety in the face of one’s own death, there is horror at the thought of belonging to a society that is indifferent, as a society, to those who fall through the cracks...

- Robert Bernasconi 'A Love that is Stronger Than Death'

In the previous chapter, I argued for a conception of freedom-in-relation that is inseparable from responsibility for others. This is to suggest that the human capacity for freedom is constituted in relations of sociality and, indeed, consists in assuming responsibility for these relations. On the one hand, an important implication of this notion of freedom-in-relation is that responsibility for others is not a secondary political value but rather, inherent within freedom. On the other hand, this interpretation of responsibility as intrinsic to freedom risks occluding the value of responsibility as such. Although Foucaultian ethics offers a useful reconfiguration of freedom as a (relational) practice, in agreement with Ewa Plonowska Ziarek (2001), I contend that it nonetheless falls short of providing a way of thinking about responsibility as a non-appropriative relationship with the Other. This limitation is particularly significant considering my diagnosis of the ways in which Welfare to Work policy renders dependency as Otherness by codifying generalised resentment.

In order to address the limitations identified with this concept of freedom-in-relation, I turn now to an examination of Emmanuel Levinas’ (1969) formulation of responsibility for the Other. His radical interpretation of responsibility for the
Other as the first principle of ethical and political life functions to disrupt the widely held belief that the freedom of the self is the basis of human subjectivity and sociality. The point is that Levinas not only questions the notion that responsibility is a derivative political value but also provides an alternative framework for thinking about responsibility, which sustains the singularity of the Other as well as the self.

Admittedly, Levinas’ conception of responsibility for the Other is not something that can be straightforwardly translated or applied to the political. By engaging with the work of Robert Bernasconi (1989; 1999; 2002), however, I argue that Levinas provides an ethical direction that usefully re-orient the concept of freedom-in-relation elaborated in Chapter Four. Namely, an inclination towards a sense of non-indifference with respect to responsibility for the Other (Bernasconi, 2002: 9). Moreover, I contend that this formulation of freedom-in-relation, governed by a sense of responsibility for the Other, offers further possibilities for challenging and transforming the contemporary politics of welfare provision. Most notably, Levinas’ (c1999) interpretation of human rights as premised on responsibility for the Other opens the possibility of contributing to an affirmative conception of welfare rights, which both accommodates difference and sustains a sense of non-indifference towards people who “fall through the cracks” in social life.

Welfare to Work and the Problem of Responsibility

To prefigure how Levinas’ formulation of responsibility for the Other challenges the prevailing discourse of welfare reform; it is necessary to trace some of the ways in which responsibility is generally thought and spoken about in the context of welfare to work policy. Certainly, responsibility-for-self figures as a virtue at the cornerstone of welfare to work reforms. The idea that the problem with welfare rights or entitlements is that they are not matched by a corresponding set of responsibilities has become a popular refrain in political and academic debates. Broadly speaking, social order is understood to be conditional on the extent and quality of each individual’s normative adherence
to the obligations of citizenship, which primarily concern the responsibility for economic self-reliance. By participating in paid employment individuals are presumed to be making a reciprocal contribution to society in return for the many advantages and forms of assistance that social life affords (Yeatman, 2000: 161-6). This means that responsibility-for-self is conceived as an important social obligation.

More specifically, in exchange for the right to income support welfare recipients are believed to have a reciprocal or mutual obligation to participate in paid employment or employment related activities. As outlined in Chapter One, mutual obligation expresses the common-sense notion that people have a responsibility to contribute to society ‘in exchange for the support society gives them’ (Yeatman, 2000: 156). Potentially, the idea has a range of implications, however the focus tends to fall more narrowly on welfare recipients’ obligation to “give something back”. The substance of this obligation is generally informed by work first principles, which capture the paternalistic assumption that requiring people to participate in paid employment is somehow in their own best interests and in the interests of society as a whole. Welfare to Work policy is morally permissible (so the rationale goes) because either recipients’ have a genuine desire to work or work is inherently good for them (Goodin, 2001: 190).

The Government and the Reference Group on Welfare Reform (McClure Report, 2000) claim that the principle of mutual obligation is consistent with social norms and expectations. Mutual obligation is defined in terms of the responsibility that society has to help people in need and the responsibility that welfare recipients have to make the most of the support and opportunities that society affords them. The government is said to have a fundamental obligation to maintain ‘an adequate safety net of income support and related programs to alleviate poverty’ (McClure Report, 2000: 35). Business has, amongst other things, a responsibility to work with government to overcome cultural impediments to the employment of disadvantaged groups, including mature age, low skilled and long-term unemployed job seekers, people with a disability, parents, carers and Indigenous Australians. More generally, government, business and the wider community
each have an obligation to enhance opportunities for welfare recipients to participate in social and economic life (McClure Report, 2000: 34-9). In return, people with the capability and availability to participate in the workforce, have a responsibility to seek suitable paid employment (McClure Report, 2000: 4).

Critics of welfare reform focus on exploiting the space between the ideal of reciprocal responsibility and the all too often hypocritical and hollow ways in which it is rendered in practice. From a liberal egalitarian perspective, Jeremy Moss (2001) claims that welfare to work policy fails to live up to the promise of fair reciprocity that it invokes. He refers specifically to the "principle of fairness" advanced by John Rawls in his 1971 *A Theory of Justice*. That is, the idea that 'when citizens engage in a cooperative venture like political society and restrict their liberty in ways that "yield advantages for all", they have the right to expect that others will do the same' (Moss, 2001: 4-5). As indicated in Chapter Three, to the extent that they have no other way to support themselves, recipients face an effective choice between meeting the obligations associated with welfare to work measures or suffering the repercussion of being without an income. For Moss, this is closer to an instance of coercion than of fairness and is therefore not a just foundation upon which to base reciprocal obligations (2001: 5-6).

In addition, Moss maintains that reciprocal responsibility is justified only insofar as it entails mutual benefit. Welfare reforms also fail to meet this criterion. Moss points out that Australia's largest welfare to work program, Work for the Dole, promotes generic job skills that do not significantly enhance the employment prospects of jobless people – particularly those who experience structural disadvantages. Finally, welfare to work measures impose enforceable obligations on individual recipients and yet establish no equivalent responsibilities for business, government or the wider community. Again, Moss contends that this decidedly inconsistent and inequitable distribution of responsibilities and penalties cannot be justified in terms of the expectation of fair reciprocity (2001: 6-8).
Similarly, as discussed in detail in Chapter Two of this thesis, Braithwaite et al. make a distinction between the genuine reciprocity that underpins Marshall's account of social citizenship and the false promise of reciprocity that pervades welfare to work policies based on Mead's "new paternalism". In agreement with Moss, they maintain that paternalistic welfare reforms undermine genuine reciprocal responsibility insofar as they treat individual recipients as the primary target of so-called "mutual obligations" and, consequently, eschew the responsibilities of other social actors (Braithwaite et al., 2002: 233). Braithwaite et al. explain that this kind of policy approach is premised on exchange norms, which means that social benefits are provided strictly on the condition that claimants make a contribution in return for the benefit granted. In fact, they make clear that paternalistic welfare to work measures do not comprise an especial sense of responsibility for the welfare of others but, rather, promote indifference towards vulnerable members of society (Braithwaite et al., 2002: 238-9).

By comparison, Braithwaite et al. claim that Marshall's interpretation of reciprocal responsibility is genuine to the extent that it explicitly combines social rights with responsibilities. Put another way, the framework for social rights that he provides is legitimate because it invokes obligations on the part of welfare recipients and other social actors such as the state. For example, on the one hand, citizens have a duty to ensure that their conduct is 'inspired by a lively sense of responsibility towards the welfare of the community' (Marshall cited in Braithwaite et al., 2002: 235). On the other hand, the government has an obligation to seek to accomplish 'a general reduction of risk and (Marshall cited in Braithwaite et al., 2002: 235). Braithwaite et al. point out that Marshall's approach is based on communal norms, which involve a shared sense of responsibility for others. From this perspective, social benefits are viewed as a way of responding to the needs or desires of others instead of a debt, which requires them to "give something back" (Braithwaite et al., 2002: 238).

These criticisms of welfare to work policy make a valuable contribution towards a counter-discourse of welfare reform. Moss highlights the importance of
attending to the punitive or draconian ways in which the principle of reciprocity is applied in the context of welfare to work policy. In addition, Braithwaite et al. reveal that we cannot use "reciprocity" as a synonym for sociality, since although these concepts are often interrelated, the later does not exhaust the possibilities of the former. On the contrary, reciprocity can be implemented in ways that occlude a shared sense of responsibility for others and foster indifference to those who fall through the cracks.

I suggest, however, that it is not enough to highlight the gap between the principle of reciprocal responsibility and the way in which this principle is translated into practice. More specifically, as I have demonstrated throughout this thesis, it is insufficient to claim that welfare to work policy is, in fact, an instance of coercion. Welfare reform is effective, in part, precisely because it exceeds the opposition between coercion and consent – because it does not directly determine conduct but, rather, seeks to provide a framework for possible action through the use of multiple technologies of governmentality (Foucault, 2002g: 340). Furthermore, reliance on an unreconstructed Marshallian account of social citizenship is also inadequate. As indicated in Chapter Two, Marshall's framework fails to accommodate difference. This means then that the shared sense of sociality and responsibility for others that it involves is limited to those who embody what Pateman (1989) identifies as the specifically masculinist norms of citizenship.

In the following section, I explore the alternative account of responsibility that Levinas provides. I begin by briefly situating his perspective in relation to the other theoretical frameworks engaged with throughout this thesis – that is, Foucaultian and feminist theory. Second, I examine Levinas' conception of ethical responsibility, in which he offers a way of thinking about responsibility for the Other that sustains difference and singularity. This understanding of ethical responsibility for the Other offers critics of welfare reform a positive alternative to both Mead's new paternalism and Marshallian social citizenship, insofar as it invokes a sense of non-indifference to those who fall through the cracks and accommodates difference. In addition, I suggest that Levinas'
framework addresses some of the limitations identified with Foucault's (1987; 2000b) work on ethics. It thereby provides a useful direction for further development of the concept of freedom-in-relation, initially elaborated in Chapter Four. Finally, I trace the relation between ethics and politics in Levinas' work in order to foreshadow the ways in which his formulation of responsibility for the Other opens the possibility of re-orienting the political rationality of modernity.

**Responsibility for the Other**

The formulation of ethical responsibility that Levinas provides eschews many of the conventional trappings of moral philosophy. More specifically, ethical responsibility is not premised upon the idea of obedience to an established set of universal moral standards and norms. Nor is it conceived as a property of the autonomous subject. This is to suggest that ethical responsibility cannot be reduced to intentionality. In other words, it is not an obligation that the subject can freely refuse, nor willingly assume. Instead, Levinas presents an embodied encounter with the Other, the face-to-face relation, as the condition of possibility for ethical responsibility. The face-to-face relation expresses the ethical priority of our responsibility for the Other over and above the care of the self. Indeed, Levinas examines the interpersonal relation in terms of the idea that the proximity of the Other renders responsibility for the Other incumbent upon the self and constitutes its subjectivity (Oksala, 2005: 198; Ziarek, 2001: 7, 49).

Levinas's conception of ethical responsibility is a useful supplement to Foucault's interpretation of ethics as a practice of freedom. The ethos that Foucault seeks to cultivate enables us to work on the limits of the present, in order to open up the possibility of specific transformations. However, Foucault makes clear that the ethics of the care of the self elides the problem of concern for 'the pleasure of the other' (Foucault, 2000c: 258). Levinas provides conceptual tools that allow us to work on this limitation, by tracing the possibility of specific transformations arising out of an ethics of concern for the Other. I argue that while his notion of
ethical responsibility is irreducible to concern for the self, it nonetheless cultivates the practice of what Levinas calls "difficult freedom".

In order to examine the conceptions of ethics that Foucault and Levinas provide it is necessary to trace the lines of convergence, as well as the tension between the two different approaches. The point is not to resolve but rather to work with these sites of tension and convergence. Both Foucault and Levinas challenge traditional approaches to moral philosophy. They call into question the assumption that ethics is necessarily premised on universal reason and consists in obedience to established moral code. In contrast, Foucault and Levinas, each in different ways, conceive ethics as something that opens the possibility of transformation or futurity, beyond the discursive practices of the present. They also question the idea that ethics necessarily presupposes the autonomous subject. Instead, Foucault and Levinas argue that subjectivity is, at least in part, constituted within the ethical relation.

Despite these important similarities, Foucault and Levinas offer quite distinct interpretations of the ethical relation. While for Foucault ethics refers to the relation of care the subject cultivates with the self, for Levinas it consists in a kind of passive exposure to responsibility for the Other. Foucault contends that practices of the self entail relations with others but that these relations are not what make the "care of the self" an ethical relation. Further, he maintains that practices of the self exceed the categories of existing discourse and in this way, open the possibility of transformation. In contrast, Levinas insists that futurity is opened by the presence of the Other, whose alterity puts discourse into question because it exceeds discourse as such.

Levinas’s ethics also provides useful resources for feminist theory. Tina Chanter uses Simone de Beauvoir’s critique of Levinas in The Second Sex, as the basis from which to examine some of the feminist implications of his reconsideration of ethics. Beauvoir challenges Levinas’s claim, articulated in Time and the Other, that ‘alterity is accomplished in the feminine’ (Chanter, 2001: 4-5). According to Beauvoir, Levinas is simply one example in ‘a long line of male thinkers who
have subordinated women to men, refused to construe the relation between the sexes as reciprocal, denied women full subjectivity, and consigned them to the ranks of the inessential' (Chanter, 2001: 2). The difficulty with Beauvoir's outright rejection of Levinas is that it fails to consider his designation of women as other, in the context of his larger philosophical problematic. Levinas privileges the concept of alterity precisely in order to challenge the primacy Western philosophy traditionally accords the idea of totality. He ruptures the priority of the same, which grounds conventional conceptions of reciprocity and in doing so, calls into question the very terms of Beauvoir's argument, which requires women to conform to the logic of reciprocity and imitate the accomplishments of men.

Beauvoir forecloses something of the radical potential of Levinas's conception of the feminine, by reducing it to the question of being for or against the idea of reciprocal relations between the sexes. Chanter maintains that the association Levinas cultivates between the feminine and alterity at least potentially provides useful conceptual tools for feminism. Nonetheless, this potential is undercut in his own work, to the extent that he reiterates conventional stereotypes by describing the feminine in terms of 'withdrawal, domesticity, and maternity' (Chanter, 2001: 17). Chanter also questions the implications of seeking to "go beyond" the discourse of reciprocity (and the claims for equality associated with it), when it is not clear reciprocity has in fact been accomplished (Chanter, 2001: 2-3). While it is important to acknowledge the limitations of Levinas's conception of feminine alterity, this conception nevertheless opens the possibility of rethinking the relation between the ethical and the political, precisely in terms of the problem of sexual difference.

*Ethical Responsibility*

The ethical (and political) conception of responsibility that Levinas develops exceeds the usual meaning of this term. This is to suggest that the subject is not simply responsible for its conduct, as in standard legal or moral theory. Rather, Levinas maintains that ethically speaking the subject is responsible for the care of the Other even before being responsible for the care of the self. Furthermore, the
self is responsible for the Other without exactly having assumed any such responsibility. Levinas illustrates this point by citing a passage from Rabbi Yochanan: 'To leave men [sic] without food is a fault that no circumstances attenuates; the distinction between the voluntary and the involuntary does not apply here' (cited in Levinas, 1969: 201). The implication is that, in the face of hunger and destitution, ethical responsibility is incumbent on the self and cannot be reduced to the intentions of the subject. In short, responsibility for the Other is inescapable. This is so regardless of whether responsibility is embraced or denied, whether the self knows or does not know how to take on this responsibility, or is capable or incapable of acting on behalf of the Other in some material way.

Moreover, ethical responsibility is incumbent on the self, regardless of the question of reciprocity. Levinas does not present the ethical relation as a relation of mutual obligation, in which the Other likewise gives priority to the care of the same. On the contrary, his rather extreme formulation means that even in the face of death, ethical responsibility for the Other exceeds concern for reciprocity. The ethical relation is, in this way, non-symmetrical. This means that reciprocity is a problem that concerns the Other, not the self. The Other is perhaps also responsible for the self, however, that is entirely his or her concern (Levinas, c1985: 96-8).

For Levinas, ethical responsibility emerges in the face-to-face relation, in which the proximity of the Other calls the self into question. The face is positively described in seemingly contradictory terms; or at least in terms in which it is difficult to think, without the notion of contradiction presenting itself. On the one hand, Levinas describes how the face consists in the trace of a fundamental poverty; the evidence of which is the very attempt that people make to mask destitution by assuming a composed expression. Put another way, the face is at once honest and exposed, naked and destitute (Levinas, c1985: 86). On the other hand, Levinas explains that the face is a material expression of the concept of infinity. This concept functions to open the possibility of maintaining the alterity of the Other 'in the face of the same' (Levinas, 1969: 196).
The face presents an expression of alterity that does not simply challenge the powers of the self but rather puts into question the very capacity of the self for power. It invites the self into a relation that does not correspond with the powers of appropriation, exercised in the capacity for enjoyment or knowledge. The face remains vulnerable to power. This vulnerability, however, alters the form of power as such. In the face of the Other, power can no longer function to affirm the capacity of the self but can only annihilate the Other. Murder is the sole form of power that effects total negation; it is an absolute renunciation of the capacity for comprehension. To kill is to exert force over that which exceeds power. It is a type of power, since the face presents itself in the material world, and yet is an expression of impotency, for the face ruptures the materiality of the world. The only being the self can wish to murder is the Other, whose absolute alterity infinitely exceeds the powers of the self and so puts the capacity of the self, for power, into question (Levinas, 1969: 198).

The expression of destitution and exposure in the face of the Other reveals an inherent defencelessness, which refers to the mortality of human being. Indeed, the mortality of the Other opens (perhaps even solicits) the possibility of violence and murder. Levinas envisages the ethical relation as an expression of infinite transcendence, in the face of the desire to kill. It is precisely in the face of the mortality of the Other that the self is called to justify its existence; ‘as if, by my possible future indifference, I had become the accomplice of the death to which the other... is exposed; and as if... I had to answer for this death of the other’ (Levinas, 1996: 131).

In the face of the possibility of violence and murder, the presence of the Other does not simply put the self into question. Rather, it invokes the goodness of the self, by calling the self to responsibility. On the one hand, the humanity of the face, the destitution and openness in the face of the Other, appeals to the self. On the other hand, it expresses a commandment, as if the Other had mastery over the self. Indeed, Levinas frequently insists that the meaning of the face consists in the ethical invocation: “you shall not commit murder” (Levinas, 1969: 199).
The proximity of the face then at once commands and *ordains* the self to serve the Other. Levinas insists that it is precisely this capacity to be of service to the Other, which provides the justification for being *as such*. Of course, the ethical invocation against murder does not foreclose the empirical possibility of killing, even while the strength of the command is affirmed in the "bad conscience" associated with the act (Levinas, c1985: 87).

In somewhat more concrete terms, Levinas also describes the ethical relation with reference to an everyday encounter with another person. This is to say that the face of the Other speaks and in doing so, opens the possibility of discourse. For Levinas, it is the relation of discourse, which best describes the ethical relation. The self does not simply contemplate the face of the Other but rather, is called to respond to the command expressed in the face. Simply put, it is hard to remain silent in the presence of another person. One usually speaks, even if it is about something mundane, such as the weather. The response is a mode of greeting. Yet, at the same time, it is to answer on behalf of another and already to express responsibility for the care of the Other (Levinas, c1985: 87-8).

Levinas provides a conception of ethical responsibility in which the subjectivity of the self is constituted within the face-to-face relation. That is, he does not presuppose the figure of the sovereign individual who subsequently engages in an ethical relationship with another person. The identity of the self is not tied to individual sovereignty but rather, to its infinite responsibility for the Other. To the extent that the ethical relation is non-symmetrical, the self is essentially subject to the needs and desires of the Other. This subjection is in fact the very basis of subjectivity for Levinas. In other words, the subject constitutes itself precisely in the devolution of responsibility for the care of the Other upon the self. The responsibility of the self is total. The self responds on behalf of all others and indeed on behalf of the responsibility of all others, having always 'one responsibility more than all the others' (Levinas, c1985: 99). Subjectivity then is a mode of substitution. Insofar as even the responsibility of the Other is *incumbent on* the self, the subject presents itself in place of the Other and is primarily a hostage for the Other (Levinas, c1985: 98-100).
Levinas presents substitution as the condition of emergence for sociality and ethical conduct. He posits that 'it is through the condition of being a hostage that there can be in the world pity, compassion, pardon and proximity – even the little there is' (Levinas cited in Oksala, 2005: 201). The point of describing the self as hostage is not that the subjectivity of the self is subsumed or determined by the Other. Rather, the face-to-face relation is an expression of sociality that sustains difference. It is precisely in becoming responsible for the Other that the uniqueness as well as the subjection of the self becomes apparent. Ethical responsibility is an imperative incumbent on the self that necessarily entails the capacity to command resources with which to respond to needs of the Other. It is this capacity to care for the Other that renders the self unique and irreplaceable. While the Other arouses the separateness of the self by calling the self to responsibility, the face-to-face relation is not such that each being implies the other. Indeed, it allows for a manner of being derived from itself, with the capacity to close itself off in the face of the invocation that calls it into being, as well as the capacity to greet the Other with hospitality and full hands (Levinas, 1969: 215-6; c1985: 100-1).

Levinas' notion of ethical responsibility maintains the singularity of the Other, as well as the self. He argues that the face is not an expression of relative difference. This means that the Other is not the negative opposite or negation of the same, since this understanding of difference presents the alterity of the Other precisely in terms of the subject from which it is differentiated. Nor is the Other a sovereign individual situated within a diverse social context, who can be understood in relation to his or her position, heritage, nationality, style or manner (Levinas, c1985: 86). In fact Levinas insists that 'the alterity of the Other does not depend on any quality that would distinguish him [sic] from me, for a distinction of this nature would precisely imply between us that community of genus which already nullifies alterity' (Levinas, 1969: 194).

The Other is a singular being whose identity is not reliant on the categories, experience or knowledge of the same. Insofar as the Other presents itself as face,
it does not manifest itself in a way that is readily intelligible to the self. Rather, it invites the self into a relation that does not correspond with the powers of appropriation, exercised in the capacity for enjoyment or knowledge. To the extent that an encounter with another being involves knowledge, it is a mode of domination, in which the identity of the self perceives the alterity of the Other through its own frame of reference and thereby reduces the other to an object within the order of the same (Levinas, 1969: 194-203). The self can not experience life in the world in precisely the same way as the Other. This is to suggest that the care for the Other entails appreciating his or her alterity. More precisely, it involves accepting that the alterity of the Other exceeds the experience of the self (Oksala, 2005: 204).

Responsibility is the primary focus of Levinas' formulation of ethics. However, the Other calls the self not only to responsibility but also to what Levinas has called, in his 1990 book of the same name, *Difficult Freedom*. The self maintains a passivity or openness in the face of the Other whose alterity not only presents a limitation to the experience of the self but ruptures cultural meaning as such (Bernasconi, 1989: 33). The face of the Other puts into question the way in which the same experiences, understands and constitutes the material world. It robs the self of its sovereignty over that world and even of sovereignty over its own experiences and perceptions (Oksala, 2005: 204). Nevertheless, the face-to-face relation also functions as the condition of emergence for the unique capacity of the self to care for the Other – a capacity that entails a trace of self-mastery over the material world and justifies the existence of the self as a separate being (Levinas, 1969: 213). Levinas contends that 'finite [or difficult] freedom consists in doing what is our vocation, that it, in doing what no one other than myself can do' (Levinas, 2000: 178).

Levinas' framework appears to negate the possibility of freedom by conceiving the self as hostage to the ethical imperative of responsibility for the Other. This apparent limitation to freedom, however, is grounded in the liberal notion that freedom from others is a significant element of both negative and positive liberty. In contrast, Levinas envisages freedom as something that is
accomplished precisely within the context of inter-subjective relations with others. The point is that freedom is not reducible to the atomistic or individualistic subject of liberal discourse. On the one hand, some level of self-mastery remains an important aspect of freedom, since this capacity enables the self to engage in inter-subjective relations of sociality and respond to the needs and desires of others in the material world. On the other hand, sociality and responsibility for the Other are the conditions of emergence for freedom and thereby indispensable in a more primary sense. For Levinas, freedom is never easy or straightforward but rather, a complex capacity that emerges within these relations of responsibility and inter-subjectivity.

Implicit in Levinas' conception of ethical responsibility, then, is a vision of freedom that entails the relational practice of care for the Other in the material world. He often describes the ethical encounter in everyday terms, such as the responsibility to meet the basic needs of others; insisting that 'no face can be approached with empty hands and closed home' (Levinas cited in Bernasconi, 1989: 33-4). Bernasconi argues that these examples reveal that while Levinas' method is somewhat abstract and philosophical, Levinas himself appreciates the possibility for transformation that his work opens up and the ways in which that possibility is given in the material world (Bernasconi, 1989: 33). I suggest that one such possibility is the practice of difficult freedom that is inseparable from the ethics of responsibility for the Other. Difficult freedom exceeds the Foucaultian notion of the practice of freedom. To the extent that it is intertwined with ethical responsibility it can not be reduced to the intentionality of the subject. Yet, like Foucault, Levinas does not seek to outline or impose an ethical program. Instead, Bernasconi contends that he presents an ethical direction, an inclining towards responsibility for the Other, in the hope that 'what exceeds being is allowed to govern our relation to being' (Bernasconi, 2002: 15).

The broader point to emphasise here is that Levinas' concept of responsibility for the Other usefully extends Foucault's notion of freedom as a (relational) practice, which I examine in Chapter Four. It is contended that Foucault (2000b) and Brown (1995) render responsibility intrinsic to freedom and thereby risk
obscuring the value of responsibility in itself. Furthermore, it is suggested that this framework fails to consider the problem of responsibility for a non-appropriative relationship with the Other (Ziarek, 2001: 47). In contrast, Levinas treats responsibility for the Other as first principle. This is not to say that his conception of responsibility simply reverses the limitation found in Foucault's understanding of freedom as a (relational) practice by failing to account for a non-appropriative relation with the self. Rather, Levinas' conception of responsibility is useful precisely insofar as it sustains the singularity of the Other and the self.

I argue, here, for a conception of freedom-in-relation that intertwines responsibility for the Other. On the one hand, this concept entails practices of the self and non-domination. On the other hand, since relations of sociality are the condition of emergence for practices of the self, then the ethical requisite of responsibility for the Other remains indispensable in an additional – and indeed more significant – sense. If responsibility for the Other is eschewed, then there is a danger that practices of the self will be reduced to practices of appropriation. Responsibility for the Other is not so much something that is accomplished in material practices of the self, but instead functions to displace the idea that the freedom of the self is the first principle of sociality. In short, the concept of responsibility for the Other provides an ethical direction that governs the conception of freedom-in-relation developed in Chapter Four.

The Space Between Ethics and Politics
This understanding of freedom-in-relation as necessarily intertwined with a sense of responsibility for the Other is informed by Bernasconi’s (1999; 2002) interpretation of the relation between ethics and politics in Levinas' work. In order to trace some of the ways in which ethical responsibility might govern our relation to being in the world, I provide a discussion of Levinas' conception of the relation between the ethical and the political. Furthermore, I draw on the work of Bernasconi, who has been particularly influential in contesting the hitherto ‘widespread conviction that Levinas must be understood as a philosopher of ethics who nevertheless had little to contribute to our
understanding of the political' (1999: 76). At stake in this discussion is the question of exactly how Levinas' ethics of responsibility might function as a useful tool for political theory and democratic politics. I argue that from a critical perspective, his ethics of responsibility for the Other provides a useful tool with which to interrupt the political rationality of modernity. It reveals the way in which modern political rationality defaces the singularity of the Other and the self, by rendering justice in universal terms and relegating difference to the question of private interests. Moreover, I contend that Levinas conception of the relation between ethics and politics is useful in a positive sense, insofar as it opens new ways of thinking about justice and political community.

Levinas considers the way in which the ethical disrupts the political, by providing a useful tool with which to put the political into question. The ethical relation functions to correct the juridical and bureaucratic structures of political society. In the absence of such a corrective, the political sustains a form of oppression, insofar as it displaces the singularity of the self and the Other by judging them in abstract terms, in accordance with universal principles (Bernasconi, 1999: 79). Levinas' conception of ethical responsibility enables reflection 'on the violence committed in the name of justice, the violence that consists in reducing the alterity of the other to an individual belonging to a group, in reducing the other to the same' (Chanter, 2001: 8).

Bernasconi maintains that ethical responsibility is useful precisely because of the way in which it 'reorients the political' (Bernasconi, 1999: 80). Universal reason effects a negation of the Other that is put into question by the presence of the face. The point of Levinas' account of the relation between the ethical and the political is that ethics cannot be reduced to politics. Yet it is within political society (and not some abstract ethical sphere removed from the materiality of the world) that his formulation of ethics opens the possibility of transformation. Political society might well function in accordance with the principles of justice, however this is nonetheless inadequate from an ethical standpoint. Ethically speaking 'there is always more to be said and done' (Bernasconi, 1999: 80).
The formulation of ethical responsibility that Levinas provides is a useful tool with which to govern the relation to the political. However, the point is not that ethics conditions politics in any straightforward sense. Levinas presents the concept of the "third party" as the locus of the translation from the ethical to the political (Bernasconi, 1999: 76). The third party refers to the multiplicity of human beings, to the fact that in everyday life there is always another other. In the face-to-face, the self owes the Other everything, yet this infinite responsibility is moderated by the presence of the third party. This moderation in the responsibility of the self for the Other is the condition of emergence for justice. In the presence of the third party, the self must negotiate competing obligations. Justice requires a comparison between that which nevertheless remains incomparable – the different needs of a multiplicity of singular beings (Chanter, 2001: 8; Levinas, c1985: 89-90).

Not only does the ethical relation reorient the political; the concept of the third party also functions as a useful tool with which to govern the possible exclusivity of the face-to-face. While at times Levinas describes the entry of the third party as an event that occurs subsequent to the face-to-face relation, at other times he explains that a trace of the third party already emerges within the face-to-face, in the eyes of the Other. In *Totality and Infinity*, for example, Levinas insists that 'it is not that there first would be the face, and then the being it manifest or expresses would concern himself [or herself] with justice; the epiphany of the face qua face opens humanity' (Levinas, 1969: 213). Levinas is critical of the exclusivity of the couple relation. He claims, for example, that in the erotic relation the couple remains bound up with one another and unmoved by responsibility for the third party. Nevertheless, Levinas contends that the face-to-face relation does not promote exclusivity between the Other and the self. In order to differentiate between the couple relation and the ethical relation, he describes the emergence of the third party in the face of the Other. If a trace of the third party did not consist in the face, then the presence of the Other would excuse the self from its responsibilities to the rest of humanity. Since the third party emerges in the face of the Other, the translation from the ethical to the
political is already inherent in the face-to-face (Bernasconi, 1999: 76-80; Levinas, 1969: 213).

Bernasconi argues that Levinas' more nuanced accounts of the face-to-face open the possibility of tracing the intersection between the ethical and the political. While Levinas appears to give priority to the ethical over the political, he does not seek to negate the latter by formulating the relation between ethics and politics in oppositional terms (Bernasconi, 1999: 81, 86). On the contrary, he acknowledges that the requirements of justice, including equality and rights, have a necessary place in moral and political discourse. To the extent that the face-to-face is the condition of emergence for these requirements, however, then the ethical requisites of goodness, charity or love, which provide the impetus for justice, remain indispensable in a different and more profound sense. If ethical responsibility is displaced, then there is a danger that justice will be reduced to political rationality (Chanter, 2001: 8; Levinas, c1999: 170-2). Ethics governs politics, not in the sense that it determines what ought to be done but rather, insofar as it interrupts the idea that political rationality is the first principle of political community (Bernasconi, 1999: 86).

Levinas used the idea of fraternity to articulate a conception of sociality, in which responsibility for others is first principle. He maintains that sociality that is not primarily based on commonality or resemblance but rather, entails both paternity and singularity. Levinas rejects biological conceptions of paternity, as the basis for political community, arguing that they render the singularity of human being in terms of an individual within a totality (the human race). Instead, he presents the monotheistic notion of paternity as offering a model of sociality that sustains the singularity of human being and at the same time joins separate beings together in responsibility for others (Bernasconi, 1999: 83-4; Levinas, 1969: 213-4).

Bernasconi interprets Levinas' conception of sociality in terms of the intersection between ethics and politics, that is, the idea that the face-to-face always already encompasses the relation with the third party. Levinas describes the face-to-face
relation in the following terms: 'The presence of the face, the infinity of the other, is a destituteness, a presence of the third party (that is, of the whole of humanity which looks at us), and a command that commands commanding' (Levinas, 1969: 213). Bernasconi argues that Levinas' use of the personal pronoun "us" is significant. The whole of humanity looks not at the self but at us. Even while the ethical relation presupposes the separation of self and Other the presence of the third party brings them together in service to humanity (Bernasconi, 1999: 80-4). Responsibility for the Other then is the condition of emergence for political community, which cannot be reduced to commonality nor detached from ethics.

Levinas' conception of sociality exceeds the masculine metaphors that he himself invokes (Bernasconi, 1999: 84). Although Levinas' use of the metaphor of monotheistic paternity is problematic from a feminist perspective, Bernasconi makes clear that the conception of sociality Levinas seeks to cultivate sustains difference and presents responsibility for the care of others as the condition of emergence for political community. Insofar as the metaphor of paternity is used to give priority to the kinds of values traditionally associated with femininity and the private sphere, it potentially disrupts conventional philosophical formulations of political fraternity, based on rational agreement between brothers who are sovereign individuals. Many feminist theorists have argued that the metaphor of the social contract is problematic precisely because its emphasis on freedom, equality and fraternity obscures the importance of responsibility, difference and embodiment (see, for example, Gatens, 1996; Pateman, 1988). Considering these shared concerns, I suggest that Levinas' alternative conception of sociality is a useful tool for feminist political theory.

From this account of Levinas' formulation of responsibility for the Other and his conception of the relationship between ethics and politics, two general points can be made. First, Levinas resists any suggestion that the ethical relation between the self and the Other can be reduced to a relation of appropriation. I suggest that this framework for thinking about responsibility for the Other is particularly significant considering the problems identified, at the beginning of this chapter, with the way responsibility is understood in the context of both welfare to work
policy and Foucaultian ethics. By foregrounding an ethics of responsibility for the Other, Levinas provides an alternative to Mead’s conception of reciprocal responsibility, which fosters indifference towards those who fall through the cracks (Braithwaite et al., 2002: 239-40). In addition, by conceiving the ethical relation as something that sustains alterity and singularity, he also offers a positive alternative to Marshall’s account of social citizenship, which fails to accommodate difference (Paterna, 1989). Furthermore, by invoking an ethics of responsibility for a non-appropriative relationship with the Other, Levinas addresses an important limitation with Foucault’s work on ethics, which by contrast cannot account for this kind of non-appropriative relation (Ziarek, 2001: 47).

This brings us to the second point, which concerns Levinas’ interpretation of the relation between ethics and politics. Certainly, his formulation of responsibility for the Other as first principle is not something that can be directly or easily translated into a political program. This is not to suggest, however, that Levinas’ work is bereft of political implications. On the contrary, it is argued that his work is useful precisely because of the ways in which it not only challenges but also re-orient a range of politically salient principles, including responsibility, freedom and community. Thus far I have emphasised the cogency of Levinas’ conception of responsibility for the Other by using it to both question and supplement the concept of freedom-in-relation elaborated in this thesis. Freedom-in-relation is primarily a political concept, insofar as it is intended to contribute toward a positive alternative to the overly punitive and individualistic neo-liberal politics of welfare reform. In the following sections of this chapter, I also seek to demonstrate – in a somewhat more substantive sense – how Levinas’ framework opens possibilities for critically engaging and transforming the prevailing politics of welfare reform.

**Responsibility for the Other and the Politics of Welfare to Work**

Many political theorists and social policy analysts construct responsibility-for-self as a property of the sovereign subject. In contrast, Levinas contends that
ethical responsibility for the Other is a more primary imperative. He interprets this imperative as something that finds expression in the materiality of political life and at the same time puts particular practices of government into question. From a Levinasian perspective, responsibility grounded in self-sovereignty fosters indifference towards ‘the most vulnerable members of society... those who fall through the cracks’ (Bernasconi, 2002: 9). Implicit in this conception of responsibility-for-self is the belief that social subordination is largely the product of personal irresponsibility. Against this formulation, Levinas presents ethical responsibility for the Other as an expression of non-indifference towards the vulnerable. That is, those who face destitution with few prospects of gainful or meaningful employment, or who struggle to raise children in the face of poverty and subordination.

In the remaining sections of this chapter, I use Levinas’ conception of responsibility for the Other as well as his framework for thinking about the relation between the ethical and the political, in order to critique practices of welfare to work policy in the Australian context. Responsibility for the Other is not so much accomplished in the material world, as it is a disruption to expressions of indifference that pervade social, political and cultural life. Nevertheless, it governs a non-polemical account of justice and human rights that I argue opens the possibility of further intertwining the politics of welfare provision with a sense of Levinas’ ethics of responsibility for the Other.

At first glance it would seem that Welfare to Work policy clearly inverts the direction of responsibility that Levinas traces in his account of the ethical relation. Levinas’ formulation of ethics concerns the responsibility of the self for the care of the Other who presents her or himself in dignity and destitution. The kind of policy approach exemplified in Welfare to Work reforms negates this sense of ethical responsibility, which would give priority to the needs of the destitute before the needs of the self by ensuring the generous provision of welfare. As outlined in Chapter One and discussed throughout this thesis, Welfare to Work legislation entails a number of punitive elements. It curtails the provision of income support to vulnerable welfare recipients, enhances the
enforceable obligations of people excluded from the workforce and adopts "work first" principles that make it possible to use the conditionality of welfare benefits to push recipients into the low-wage sector of the labour-market.

From a Levinasian perspective, Welfare to Work legislation is a negation of the Government's ethical responsibility to respond to the needs of the destitute. A trace of this sense of ethical responsibility is retained in the McClure Report, albeit articulated in more conventional political terms, which identifies an obligation on the part of the government to maintain 'an adequate safety net of income support and related programs to alleviate poverty' (McClure Report, 2000: 35). In contrast, Welfare to Work amendments are from the outset an inadequate response to the needs of vulnerable recipients. They tighten eligibility criteria for Parenting Payment and the Disability Support Pension. These changes effectively cut income support payments to parents with school age children and people with a disability who have a partial capacity to work by shifting them onto less generous benefits (usually Newstart or Youth Allowance). While pension rates are already insufficient to keep parents and most people with disabilities above the poverty line, this shift to allowance rates pushes these groups deeper into poverty (see Brotherhood of St Laurence, 2005: 1).1

Levinas reminds us that ethically speaking the responsibility to feed and shelter the Other is incumbent upon the self regardless of the question of reciprocity. He insists that: 'To leave men [sic] without food is a fault that no circumstances attenuates; the distinction between the voluntary and the involuntary does not apply here' (Yochanan cited in Levinas, 1969: 201). The Welfare to Work compliance framework is a negation of the ethical responsibility to provide for even the most basic needs of others. Insofar as it punishes recipients by

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1 The Brotherhood of St Laurence provides a comparison between Centrelink income support payments and the Henderson Poverty Line for a range of different household types. The comparison shows that income support payments fall below the poverty line for all household types except Aged and Disability Support Pensioners in couples – payments for these groups are marginally above the poverty line. Furthermore, it shows that the difference between income support payments and the poverty line is much greater where the head of the household is in the labour force. Under Welfare to Work measures this is now the situation of parents with school age children and people with disabilities who have a partial capacity to work.
withdrawing their livelihood, it renders the fault of leaving another without food – which Levinas maintains no possible justification diminishes – a procedural possibility. It potentially imposes an penalty of eight weeks non-payment of income support on recipients (including single parents and people with a disability) who refuse to accept or remain in a job that offers wages, conditions or protections that less destitute people would readily regard as insufficient.

Interestingly, however, Linnell Secomb (Forthcoming 2007) argues that welfare provision always already reveals a trace of Levinas’ conception of ethical responsibility in social and political life. This is to suggest that welfare is, in part, an expression of ethical responsibility for the Other. In other words, it is a concrete, though perhaps inadequate, response to the needs of vulnerable members of society, including the elderly, people with disabilities, parents and those who are otherwise excluded from the workforce. Admittedly, practices of welfare are often an insufficient or misguided response to the needs of others, insofar as they are also in part an expression of care for the security of the self in the face of contingency. In addition, they frequently require repayment of some kind and entail punitive elements. Secomb, nonetheless, contends that a trace of ethical responsibility for the Other remains.

More specifically, to the extent that Welfare to Work legislation is a response to the problem of welfare dependency, I suggest that it is an expression of responsibility or care for recipients who have fallen through the cracks of social democratic practices of welfare. As indicated in Chapters Two and Three, welfare reform can be understood in part as a response to emancipatory claims of social and cultural movements, including feminism, antiracism and the disability movement. Taken together, these claims amount to a radical critique of the post-war welfare state ‘as a paternalist mechanism of social control, relying on a uniform provision that is bureaucratic, hierarchical, sometimes coercive and oppressive, and often unresponsive to the needs and differences of individuals and communities’ (Dean, 1999: 153-4). In response to these kinds of critiques, the technologies of pastoral power through which neo-liberal governmentality seeks to extend and disseminate the norms of freedom-as-choice and responsibility-for-
self incorporates techniques of choice, voice and representation. In short, they enable recipients’ own needs to be taken into consideration in negotiations with the state or service providers (Dean, 1999: 168).

What is at stake in this diagnosis of the emergence of neo-liberal governmentality? From a Foucaultian perspective, reflection on the political rationality of neo-liberalism as a response to the resistance of social and cultural movements entails a focus on the danger of re-codification and re-subordination:

Is the relation of forces today still such as to allow these disinterred knowledges some kind of autonomous life? Can they be isolated by these means from every subjugating relationship? What force do they have taken in themselves? ... Is it not perhaps the case that these fragments of genealogies are no sooner brought to light, that the particular elements of the knowledges that one seeks to disinter are not sooner accredited and put into circulation, than they run the risk of re-codification, re-colonisation? In fact those unitary discourses which first disqualified and then ignored them when they made their appearance are, it seems, quite ready now to annex them, to take them back within the fold of their own discourses and to invest them with everything this implies in terms of their effects of knowledge and power. And if we want to protect these only lately liberated fragments, are we not in danger of ourselves constructing, with our own hands, that unitary discourse? (Foucault cited in Brown, 1995: 62-3)

For instance, Dean traces the way in which neo-liberalism annexes claims for recipients’ rights and transforms them into a technical means of governing the conduct of pastoral experts such as case-managers (1999: 170).

I want to question, however, whether re-subordination of emancipatory discourses is the only thing going on here. The point of Secomb’s (Forthcoming 2007) interpretation of welfare provision is not that ethical responsibility is accomplished in social democratic or neo-liberal practices of government. Rather, it is to interrupt the idea that welfare provision can be reduced to the political rationality of either social democracy or neo-liberalism. The fact that Welfare to Work reforms are not wholly determined by the rationality of neo-liberalism, since they retain a trace of responsibility for the Other, opens the possibility of using Levinas’ conception of ethical responsibility to reorient the politics of welfare provision. Ethical responsibility is not a political concept,
which can determine what ought to be done in any programmatic sense. However, I argue that it offers an ethical direction for the politics of welfare provision that cultivates sociality.

justice-as-reciprocity

From a political perspective, it might be argued that Welfare to Work reforms are not so much a negation of ethical responsibility for the Other but rather, a positive expression of responsibility towards the rest of society. Indeed, Levinas himself acknowledges that responsibility for the Other is tempered by the requirement of justice in political life, which entails knowledge of and comparison between the different needs of a multiplicity of singular beings. The presence of the singular Other – the welfare recipient – does not excuse the self (or the state) from its responsibility to the rest of humanity (or society). To the extent that the state is always already responsible for a multiplicity of welfare recipients, as well as other members of society, it must negotiate conflicting demands.

As suggested in the introduction to this chapter, Welfare to Work policy negotiates the question of justice in terms of the principle of reciprocal responsibility. Similarly to the so-called Mutual Obligation Scheme that precedes it, common sense notions of justice as fair reciprocity underpin Welfare to Work legislation. Most citizens participate in paid employment and contribute resources, in the form of taxation, which are then available for the provision of welfare. It is therefore only fair and reasonable (or so the rationale goes) to expect recipients to contribute in a similar way (Moss, 2001: 5). This formulation of justice-as-reciprocity is, in turn, premised on the principle of equality-as-sameness insofar as it assumes that human beings share 'the right to be treated the same as everyone else' (Brown, 1995: 153).

Many political theorists and policy analysts base their critical engagement with the discourse of welfare reform on the gap between the ideal of justice-as-reciprocity and the frequently inadequate ways in which this principle is
rendered in practice. In contrast, the strategy here will be to pursue alternative ways of thinking about justice that have been obscured by the existing discourse of welfare reform. From a Levinasian perspective, the question of whether or not the implementation of welfare to work policy corresponds with the ideal of reciprocity is somewhat beside the point. It is acknowledged that the requirements of justice-as-reciprocity have a necessary place in the politics of welfare provision. At the same time, however, responsibility for the Other is the first principle of sociality and the condition of emergence for these requirements. Consequently, it remains necessary in a special and more significant sense.

The crucial question, then, concerns the extent to which justice-as-reciprocity is governed by a sense of responsibility for the Other. More specifically, Bernasconi interprets responsibility for the Other, in the context of social life, as a sense of non-indifference ‘to those who fall through the cracks’ (2002: 9). I suggest that this entails an examination of whether or not the application of justice-as-reciprocity can sustain difference and singularity. Indeed, I argue that it is precisely by defacing the alterity and singularity of recipients that welfare to work policy opens the possibility of – and perhaps even cultivates – indifference to those who fall through the cracks.

As discussed in Chapter Three of this thesis, the government of the jobless is premised upon a distinction between the “job-ready” and those “at risk” of dependency, which is rendered technical by the Job Seeker Classification Instrument (JSCI). The JSCI reduces the experience of the jobless to a numerical ranking that is determined on the basis of eighteen codified risk factors such as; age, qualifications, length of unemployment, family status and ‘disadvantage resulting from personal factors requiring professional or specialist judgement’ (McDonald et al., 2003: 510). The identification of personal disadvantage rests on the perceptions of Centrelink staff, which are, in turn, directed by a checklist of “observable behaviours”. This list includes: ‘inappropriate eye contact; appearance not in keeping with their peers; ... lack of insight; ... dependence on others; ... unable to start a job at 7:30 am or do shift work; unusual dress; ... very
poor personal hygiene; inappropriate make-up application' and so on (McDonald et al., 2003: 518).

Catherine McDonald, Greg Marston and Amma Buckley (2003) point out that the JSCI is reliant on the application of specialist knowledge drawn from therapeutic experts such as case managers and occupational psychologists. This form of specialist knowledge not only functions to divide those "at risk" of dependency from the norm of the "job-ready" job seeker but also constitutes the risk of dependency as a personal deficiency. More specifically, McDonald et al. argue that this knowledge is informed by 'class-based, gendered and eurocentric judgements about how the western body should be presented as unmarked, white and pure' (2003: 517). Their argument is clearly evidenced in some of the "personal factors" included in the JSCI checklist already discussed.

From a Levinasian perspective, the JSCI clearly represents the alterity of the jobless in relative terms, based on a series of personal qualities that are believed to distinguish the jobless from the normative order of the Same. It quite literally abstracts from the everyday embodied experiences of the jobless person in order to render these experiences in terms of the categories of expert knowledge – those "at risk" or "job-ready". The practice of identifying the risk of welfare dependency by means of a checklist of personal deficiencies is a form of violence that nullifies alterity and produces a sense of indifference towards vulnerable members of society. More precisely, this practice cultivates a sense of indifference to social problems such as unemployment by treating these problems in individualistic terms; that is, as something that results from the behavioural characteristics of certain jobless individuals (McDonald et al., 2003: 514).

At the same time, however, this kind of distinction implies a totalising commonality between the jobless "at risk" of dependency and those who are identified as job-ready. As argued throughout this thesis, Welfare to Work policy presupposes that the jobless have a prior capacity for freedom-as-choice and responsibility-for-self that is then cultivated by technologies of neo-liberal
governmentality. The JSCI exemplifies this type of intervention, insofar as it enjoins the jobless to work on the personal factors identified as contributing to the risk of dependency (McDonald et al., 2003: 517). If the jobless did not have a prior capacity for responsibility-for-self, then the type of intervention would be redundant. The problem is that this renders the capacities of welfare recipients' equivalent to those of other members of society and occludes important differences in the needs, capabilities and circumstances of a multiplicity of singular recipients.

The implication of McDonald et al.'s analysis of the JSCI is that Welfare to Work mechanisms deface the alterity and singularity of recipients. This is further supported by Ziguras et al.'s (2003) findings regarding disadvantaged job seekers' experience with Centrelink staff and the "Mutual Obligation" scheme. Notwithstanding the broadly positive disposition that most jobless people expressed towards Centrelink staff, Ziguras et al. found that nearly two-thirds of interviewees felt that staff ought to better understand their experiences (2003: 37). Generally speaking, job seekers believed that Centerlink should adopt a more personal and less compliance-based approach to service delivery. In particular, many maintained that staff required a greater appreciation of both personal needs and the difficulties related to long-term joblessness, including 'stress, depression and low self-esteem' (Ziguras et al., 2003: 37).

As already indicated in Chapter Four, Ziguras et al. conclude that many disadvantaged jobless people experience the enforceable participation requirements associated with Welfare to Work reforms as an annoyance or hindrance rather than a pathway to future employment. In other words, while the focus of this kind of approach is on compliance, the relation between compliance with "mutual obligation" requirements and access to paid employment 'is at best tenuous, and for many, non-existent' (Ziguras et al., 2003: 38). Ziguras et al. found that jobless people in these circumstances manifest deep dissatisfaction and resentment towards Centrelink (2003: 38).
Similarly, Braithwaite et al. claim that compliance or security oriented approaches to Welfare to Work policy foster stigmatisation and destroy sociality. Most immediately, insofar as this kind of approach entails indifference to those who fall through the cracks, then it undermines the motivation of jobless people in this situation to exercise “reciprocal” responsibility-for-self. Braithwaite et al. make clear that: `as recipients face disappointment at the reward structure not being there (e.g. no jobs after re-training) or anger at penalties for performance that is beyond their control (e.g. loss of benefits through poor performance), perceptions of unfairness take hold’ (2002: 240). Furthermore, they maintain that such perceptions contribute to the experience of stigmatisation. That is, jobless people feel that they are subject to pejorative stereotyping, on the part of other members of society, regardless of their conduct. Braithwaite et al. argue that stigmatisation thereby contributes to social divisions and undermines relations of sociality (2002: 240).

From this account of Ziguras et al. and Braithwaite et al.‘s analyses of Australia’s compliance based approach to reciprocal obligation, two important implications can be drawn. First, both Ziguras et al. and Braithwaite et al. reveal that Welfare to Work policy exemplifies a sense of indifference to the singular needs, capabilities and circumstances of welfare recipients. Second, it is suggested that the experience of negotiating a welfare system – and belonging to a society – that is indifferent to those who fall through the cracks, in part constitutes the kinds of “dispositional deficiencies” that the JSCI interprets in terms of the problem of welfare dependency. That is, expressions of resentment, hostility and poor motivation. This means that Welfare to Work policy perversely contributes towards the very problem that it seeks to overcome.

Significantly, the McClure Report acknowledges that particular groups of welfare recipients experience barriers to participation in paid employment. For example, it identifies a culture of workplace discrimination that acts as a structural barrier to the employment of long term unemployed, mature age and Indigenous people, as well as people with a disability, ethnic minorities and women. It also points to a lack of workplace supports for people with a
disability, parents and carers (McClure Report, 2000: 37-8). In response, Welfare to Work policy incorporates an associated program, the Employer Demand Strategy, which seeks to encourage and assist employers to meet their social obligation to enhance job opportunities for the disadvantaged. The program provides financial incentives and practical as well as financial assistance to businesses employing disadvantaged recipients, including principal carer parents, people with a disability and mature age and very long-term unemployed job seekers (DEWR, 2006: 4).

In the face of seemingly intractable structural barriers, the Welfare to Work Employer Demand Strategy nevertheless establishes responsibility-for-self, in the form of the responsibility to participate in paid employment, as a universal norm of citizenship. The specific measures proposed, including funding additional childcare places and workplace modifications, simply seek to “level the playing field” so that principal carer parents and people with a disability can participate in paid employment on a par with other employees. The Employer Demand Strategy does not challenge the belief that the ideal citizen is capable of transcending their everyday embodied existence in order to participate in civil society. Instead, it seeks to accomplish equality-as-sameness by enhancing the capacity of disadvantaged welfare recipients to mimic this ideal. The point is not that welfare recipients are the same as the normative figure of the “ordinary” taxpaying citizen as such. Rather, it is that the kind of responsibility-for-self, entailed in norms of citizenship, is not embodied. In other words, the Welfare to Work Employer Demand Strategy fails to consider the complex and far reaching implications of embodied differences for the way in which recipients are governed by, dwell and conduct themselves within the institutional contexts of the labour market, the welfare state and the family.

As already discussed throughout this thesis, several decades of feminist political theory have revealed that the “ordinary” citizen is in fact a very particular type of embodied subject: ‘the white, able-bodied, heterosexual, middle-class man’ (Gatens, 1998: 7). Insofar as this subject has been historically constituted as the normative ideal of citizenship, then citizenship norms, while not for example
essentially masculine, have been produced in such a way as to benefit certain sorts of men. Gatens argues that the norms of citizenship are not transcendent. Rather, they are gendered norms, which differentially structure the conduct, desires and preferences of embodied men and women and intersect in complex ways with other differences, including race and class (Gatens, 1998: 4). Women are understood, in terms of difference, as either the naturally subordinate compliment or opposite of masculine sameness, which is represented as human sameness. To extend full citizenship to women under such conditions is, according to Gatens, to bestow rights and responsibilities that are meaningful only to the extent that women’s desires, preferences and everyday lives mimic those of white, able-bodied, heterosexual, middle-class men (Gatens, 1998: 6-7).

Likewise, from a Levinasian perspective, to extend full citizenship to any singular being under such conditions is to bestow rights and responsibilities that are meaningful only to the degree that their desires, preferences and everyday life are equivalent to those of the Same. While Levinas recognises that justice-as-reciprocity necessarily requires knowledge and comparison he argues that, insofar as it is premised on equality-as-sameness, it is reduced to a function of the political rationality of modernity. That is, welfare to work policy constitutes the different needs, capabilities and circumstances of each singular welfare recipient as somehow equivalent to those of other members of society by representing them in relation to the categories, experience or knowledge of the Same rather than in recipients own terms. This opens the possibility of pitting the needs of recipients against the needs of “ordinary” paying citizens. Equality-as-sameness thereby transforms the task of negotiating different needs into a matter of compromise between conflicting interests, reducing justice-as-reciprocity to a determinant of equivalence, regulation and exchange (Ziarek, 2001: 67).

Welfare to Work reforms not only encourage recipients to live up to the normative ideal of citizenship but also use enforceable obligations as a mechanism by which to ensure recipients participate in paid employment or employment related activities. As well as being a negation of Levinas’ sense of
ethical responsibility for the Other this is, he would suggest, a form of violence exercised in the name of justice-as-reciprocity that threatens the livelihood and dignity of welfare recipients. In short, Welfare to Work legislation seeks to accomplish justice-as-reciprocity by quite literally making recipients become like "ordinary" taxpaying citizens, under threat of the withdrawal of income support.

This brief examination of justice-as-reciprocity, in the context of various Welfare to Work mechanisms, recalls the problem Foucault famously specifies as 'the simultaneous individualization and totalization of modern power structures' (2002g: 336). On the one hand, drawing on McDonald et al. (2003) I have demonstrated the ways in which these Welfare to Work measures individualise recipients as self-responsible subjects. This is to say that they recast social problems, such as unemployment and lone parenthood, in terms of the disposition, conduct and behaviour of the jobless. From a Levinasian perspective, it is argued that this practice of individualisation not only renders the experience of joblessness a question of responsibility-for-self but also produces a sense of social indifference towards vulnerable members of the Australian political community.

Furthermore, I suggest that this sense of social indifference to those who fall through cracks in the mechanisms of markets and families in fact underscores the cultivation of generalised resentment discussed in Chapter Four of this thesis. That is, it implies questions such as; if unemployment is a personal problem then why do we, as a society need to take responsibility for it? Has not this just made the problem worse? Would not welfare recipients in fact be better off if they – just like everyone else – took responsibility for themselves? More specifically, social indifference invokes a tendency to stigmatise the jobless and, at the same time, blames them for the very social divisions that this stigmatisation creates.

On the other hand, precisely because they represent the experience of joblessness in terms of the problem of responsibility-for-self, Welfare to Work policies also totalise this experience and indeed render the needs of welfare recipients equivalent to those of other members of society. It is suggested that, insofar as
this obscures important differences in the singular needs, capabilities and circumstances of welfare recipients, Welfare to Work reforms foster a further sense of indifference to the difficult experiences that the jobless face. Moreover, I contend that welfare recipients' experience of being subject to indifference is constitutive of some rather "perverse effects". In other words, it both undermines relations of sociality and also contributes towards the sorts of dispositional failings associated with the problem of welfare dependency, which Welfare to Work policies are intended to address.

Levinas provides an alternate formulation of justice that is grounded in responsibility for the Other, rather than responsibility-for-self. He maintains that justice emerges out of the embodied face-to-face relation, in which responsibility for the Other is incumbent upon the self. This sense of ethical responsibility is the condition of emergence for sociality and political community. For Levinas, then, justice does not require that we forget our particular, embodied sense of responsibility for the singular Other but rather, that we let it govern our social and political relations with other others. His account of justice opens the possibility of intertwining respect for the singularity and the multiplicity of human being, as well as retaining an embodied sense of responsibility for the Other as an important feature. Insofar as Levinas presents responsibility for the Other as the first principle of justice, he eschews the excessive individualism characteristic of liberal and neo-liberal conceptions of justice-as-reciprocity, grounded in the sovereignty of the self-responsible subject of freedom-as-choice. Moreover, by describing respect for the singularity of human being, as an important element of responsibility for the Other, he also potentially avoids the conservative tendencies of communitarian accounts of justice, based on the principle of the common good (Ziarek, 2001: 65).

While Levinas' formulation of justice is indeed suggestive, it is also somewhat under-developed. Levinas argues that justice requires a comparison between that which nevertheless remains incomparable - the different needs of a multiplicity of human beings. He offers little description, however, of the way in which one might make such a comparison, nor provides much assistance to those
faced with the task of deciding between options that are ethically undesirable, ‘even though this is standard in ethical philosophy’ (Bernasconi, 2002: 10). In order to further “flesh out” the radical potential of Levinas’ alternate formulation of the political, I turn now to his discussions of human rights.

**Human Rights**

Interestingly, Levinas’ (c1999) formulation of human rights as grounded in a sense of responsibility for the Other again proves a useful supplement to and extension of Foucault’s conception of freedom. In his later work, Foucault begins to explore the dangers intrinsic to the polemical use of rights. Ivison argues that what is implicit in this account is the possibility of a non-polemical discourse of rights (Ivison, 1997: 47). This possibility is not pursued in Foucault’s work on freedom as a (relational) practice. I argue, however, that Levinas elaborates a non-polemical interpretation of human rights, in which the performative or aspirational elements of rights discourse are interwoven with a sense of responsibility for the Other. In other words, he provides an interpretation of human rights that accommodates difference and sociality. Furthermore, I suggest that Levinas’ account of human rights offers a positive alternative to the existing politics of welfare provision. That is, it opens the possibility of foregrounding the right to fight for the generous expansion of welfare entitlements as an important feature of justice.

Following conventional accounts of Foucault’s conception of power, knowledge and the subject, we might suppose that he simply dismisses the political efficacy of rights claims (Ivison, 1997: 41). Foucault insists that we reject the uniform and primarily negative archetype of the law, in order to contribute to an analytics of power that would allow us to apprehend the complexity of political relations in the modern era. However, in seeking to reduce the analytical significance of the law, does Foucault himself miss something of the complexity of late-modern power relations? Ivison argues that Foucault fails to appreciate the productive and positive elements of the law, and the continual emergence and translation of
discourses of sovereign power and rights, alongside the intensification of disciplinary power and practices of normalisation (Ivison, 1997: 40).

Notwithstanding his clarification that the emergence of disciplinary power did not efface sovereignty, Foucault does not make clear what role the law and legal institutions might play beyond that of "second fiddle" to disciplinary practices and practices of government. On the one hand, Ivison contends that Foucault is right to criticise contemporary liberal political theory for the straightforward presumption that autonomy and rights are essential requirements of any logical account of liberty. On the other, he argues that it does not follow from this criticism that any coherent conception of liberty in late-modernity is necessarily anti-juridical, particularly considering that a discourse of rights begins to emerge in Foucault's later work. In contrast to interpretations of Foucault's work as anti-juridical, Ivison provides an examination of Foucault's discussion of rights as a means by which our individual capacity for freedom and autonomy might be detached from the escalation of relationships of power (Ivison, 1997: 40-1).

Foucault dismisses the political efficacy of a "philosophico-juridical discourse", which posits the universal subject of rights. What he does appreciate, however, is the strategic potential of the singular rights claims of "historico-political discourse" that presuppose a particular subject "in battle". Here Foucault is suggesting that human rights might work as a weapon of resistance or "tactical resource", within a particular field of power relations or state of domination (Ivison, 1997: 45-6). In other words, rights might function as a practice of critique. Foucault argues that alongside the arts of government, there emerges a critical attitude that seeks to question, challenge, limit, transform or displace them. He refers to this critical attitude as "the art of not being governed" or, more precisely, "the art of not being governed like that and at that cost" (Foucault, 1997: 28-9). As indicated in Chapter Three of this thesis, Foucault reads the liberal problematic in terms of this intersection between governmentality and the critical attitude of modernity; as 'both partner and adversary to the arts of governing' (Foucault, 1997: 28; Ivison, 1997: 46).
Foucault provides a way of thinking about political relations in agonistic terms. Ivison points out that his discussion of rights is dependent upon the contention that representations of contest structure social, cultural and political life and that "strategy" and "tactics" are therefore the most fecund concepts with which to examine power relations. For both Foucault and Ivison, however, there is a danger that the strategic use of rights might fall back onto a polemical model of political relations (Ivison, 1997: 47). To use rights polemically is, in religious terms, to establish the particularity of the other (in relation to whom one has sought a strategic advantage) 'as a moral failing' (Foucault, 2000d: 112). In judicial terms, it is to become invested in one's own truth claims and judgements, as well as the guilt of the other. Finally, in political terms, it is to identify the other as the enemy. The danger is that those who seek to use rights strategically might become invested in defending the legitimacy of a given rights claim and thereby sanction the materiality of exclusion upon which the polemical defence of rights is symbolically premised (Foucault, 2000d: 112-3).

As already mentioned, Ivison argues that implicit in Foucault's discussion of the dangers inherent in the polemical use of rights is the possibility of a non-polemical discourse of rights (Ivison, 1997: 47). I suggest that Levinas pursues this possibility by providing a non-polemical account of human rights. That is, a formulation of rights, which displaces any tendency to constitute the Other as evil, guilty or the enemy. More specifically, Levinas offers an interpretation of rights discourse as premised on a sense of responsibility for the Other. This entails the appreciation of alterity and singularity, rather than the construction of difference as something to be confessed, punished or vanquished.

Levinas describes how, according to convention, the Rights of Man attach unconditionally to each human being. They are not founded upon authority or tradition, nor are they dependent upon conduct – that is, they are not something one must assume or merit. Rights are said to belong equally to all human beings, irrespective of the differences that distinguish or divide people (Levinas, c1999: 145). Levinas acknowledges that particular social, cultural and economic conditions contribute to the emergence and formulation of the Rights of Man.
He claims that these material conditions inform the content of these rights, which take the form of the right to liberty and come to associate human dignity with independence from absolute authority. Nonetheless, Levinas insists that 'they are neither the principle of, nor the justification for, this 'privilege,' attaching a priori to the human person' (Levinas, c1999: 146). On the contrary, he argues that a sense of ethical responsibility for others is the condition of emergence for rights as such.

Levinas maintains that one of the practical difficulties of the right to liberty is that in principle, it encompasses the whole field of social life. It has a basis perhaps in peoples right to freedom and well being but why stop there? Are not weekends and paid holidays, as well as the advantages of Social Security, requirements of such rights? Nevertheless, the legitimate scope of these rights is continuously put into question by the material regularities of society, which include, for example, problems such as welfare dependency, population ageing, the changing nature of work and skill shortages. These brief examples indicate something of the necessity, as well as the scope, of political technologies of reform. In other words, it becomes necessary to formulate and establish the technical requirements of liberty in the context of the material conditions of modernity (Levinas, c1999: 146-7).

In the face of the political rationality of modernity, however, the right to liberty is straightaway called back into question by the very proximity and multiplicity of human beings as bearers of this right. In placing (albeit practical) limitations on the right to liberty, human beings necessarily infringe upon each other's liberty. This problem is conventionally overcome by attributing to the sovereign individual a tendency to rationality and regard for universal principles, on the basis of which, each human being would freely consent to limit their own rights or liberties in order not to limit those of others. In this way, the Kantian idea of practical reason, for example, renders liberty compatible with equality and fraternity (Levinas, c1999: 146-8).
While rights function in part to secure the liberty of the self, in the face of the totality of state power or local custom and prejudice, Levinas suggests that they cannot be reduced to this function. Rights do not simply protect the liberty of the sovereign individual, nor broker a mutual compromise between the conflicting interests of a multiplicity of sovereign individuals. Levinas argues that insofar as human beings limit the freedom of the self for the sake of others, the meaning of rights cannot be reduced to the liberty of the sovereign subject. Against liberal interpretations of the Rights of Man, he contends that rights reveal a trace of ethical responsibility or good will. For Levinas human rights emerge, in part, out of a feeling of regard for the Other in his or her alterity – an attachment that leads one to privilege the Other over and above the self. Rather than an expression of individual sovereignty, they are an expression of the for-the-other, as well as the for-the-stranger, of sociality (Levinas, c1999: 149).

It is important to note, however, that Levinas’ reformulation of the “Rights of Man” as the ‘Rights of the Other Man’ (c1999: 145) is potentially problematic from a feminist perspective. Many feminist theorists maintain that the question of whether or not 17th and 18th century debates about the rights and obligations of citizenship can be expanded to accommodate difference remains a complex problem (see, for example, Gatens, 2004; Pateman, 1988; 1989). Furthermore, it is suggested that this problem cannot simply be resolved by replacing the sex-specific concept of the Rights of Man with the gender-neutral notion of human rights. Notwithstanding Levinas’ use of sexist language, I want to examine how his formulation of rights – when considered in the context of his wider philosophical project – not only offers a useful resource for feminist political theory but also opens the possibility of transforming the contemporary politics of welfare provision.

As Gatens (2004) so ably demonstrates, feminism has long struggled with the issue of whether or not the aspirational elements of human rights discourse can accommodate difference and sociality. According to Ziarek (2001), Levinas offers a generous formulation of rights, in which the performative elements of rights discourse intersect with a sense of responsibility for the Other. In other words,
he gives an ethical direction to the politics of rights where concern for alterity and sociality are accepted as crucial elements of the political. While Levinas does not finally resolve the question of whether rights can accommodate difference, he does provide an invocation to further discussions regarding the sort of rights discourse appropriate to feminist politics.

In my earlier account of Levinas' ethics and politics of responsibility, I argued that difficult freedom consists in the relational practice of care for others in the material world. Ziarek contends that this conception of freedom entails the right to struggle for the generous expansion of human rights, which is, according to Levinas' interpretation of rights, always already "the right to fight for the rights of others" (Ziarek, 2001: 69). The practice of difficult freedom then opens a trace of "extra-territoriality" intrinsic to the discourse of human rights. The expansion of human rights refers to existing legal and political discourse. Levinas maintains, however, that it also refers to the ethics of responsibility, which puts into questions the principle of individual sovereignty and calls the self to responsibility for the Other.

Ziarek explains that the extra-territoriality of human rights with regard to legal and political discourse reveals the way in which rights exceed any particular legal articulation, so that their very articulation opens the possibility of their re-articulation (Ziarek, 2001: 70). Levinas argues that 'the capacity to guarantee that extra-territoriality... describes the modality according to which the conjunction of politics and ethics is intrinsically possible' (cited in Ziarek, 2001: 70). The ongoing struggle for the rights of others then is not a tacit endorsement of the political rationality of modernity but rather, a mode of re-articulation that opens the possibility of further intertwining political justice with a sense of Levinas' ethics of responsibility for the Other.

The positive interpretation of human rights discourse that Levinas provides is not only useful for feminist politics but also opens the possibility of transforming the politics of welfare. Welfare to Work policy is currently premised on the idea that in order to overcome the problem of dependency, we must displace the
passive receipt of social rights and instead seek to ensure the active practice of responsibility-for-self. In contrast, Levinas provides a conception of human rights in which responsibility for the Other is the first principle. Conceived in this way, the politics of welfare provision would entail a sense of compassion or non-indifference with respect to responsibility for welfare recipients.

While it would not consist in a negation of responsibility for the rest of society, neither would the politics of welfare provision, governed by a sense of responsibility for the Other, treat the needs of the welfare recipient as somehow equivalent to the needs of the so-called "ordinary" taxing citizen. Treating welfare recipients in the same way as other members of the community reduces the politics of welfare provision to the search for compromise between competing interests and opens the possibility of indifference to the destitution of recipients. From a Levinasian perspective, the politics of welfare provision would instead privilege the needs of the destitute and retain the right to fight for the generous expansion of welfare entitlements as an important aspect of democratic community.

...  

In this chapter, I have argued for a concept of freedom-in-relation that is governed by a sense of responsibility for the Other. I began to develop this concept in Chapter Four by drawing on Foucault's formulation of freedom as a (relational) practice that entails practices of the self, non-domination and responsibility for interpersonal and social relations. Here, I extend the idea of freedom-in-relation using Levinas' notion of responsibility for the Other. His conception of responsibility for the Other is not something that is straightforwardly accomplished in the material world but rather an imperative that serves to displace the conventional belief that the freedom of the self is the first principle of sociality. To the extent that responsibility for the Other is eclipsed, then there is a danger that practices of freedom-in-relation will be reduced to practices of appropriation. It is suggested that Levinas' conception of responsibility helps avoid this danger by giving an ethical direction to the concept of freedom-in-relation. That is, an inclination towards a sense of non-
indifference with regard to responsibility for the Other, which encompasses both difference and singularity as important elements of sociality.

In addition, I have demonstrated that Levinas’ conception of responsibility for the Other and his account of the relation between the ethical and the political are useful frameworks for both critically engaging and re-orienting the politics of welfare provision. On the one hand, responsibility for the Other functions as a normative ideal against which to evaluate welfare to work policy. On the other hand, it is contended that welfare provision always already embodies a trace of ethical responsibility for the Other. This means that, even while it is not directly translatable in practice, Levinas’ conception of responsibility governs the politics of welfare provision to some extent.

In political terms, it is suggested that the principle of justice-as-reciprocity, which underpins welfare to work policy, destroys alterity and singularity and produces indifference to those who fall through the cracks in social life. Nevertheless, the performative elements of Levinas’ formulation of responsibility for the Other and his framework for thinking about human rights, open the possibility of re-orienting the politics of welfare provision. In other words, Levinas’ offers a potential direction for future political thought and action, in which the issue of right to struggle for the generous extension of welfare provisions is re-opened.
CONCLUSION

Critical theory in dark times ... affirms the times, renders them differently, reclaims them for something other than the darkness.
- Wendy Brown, Edgework: Critical Essays on Knowledge and Politics

In the preceding chapters I have examined some of the ways in which the political rationality of neo-liberalism has intertwined with the discourse of welfare reform to transform the practice of welfare provision in Australia. While political theorists and policy analysts from a range of different perspectives claim to provide active models of welfare provision that will enhance freedom-as-choice, responsibility-for-self and social inclusion, the question I have explored is "at what price?" (Foucault, 2002f: 444). At what price can welfare recipients speak the truth about their dependency on practices of government? I have argued that this price consists in an extremely narrow margin of freedom-as-choice and responsibility-for-self as well as an enhanced subjection to technologies of domination. In addition, it entails the exacerbation of a general culture of resentment, which undermines relations of sociality. Finally, there is also the political and intellectual price of the occlusion of other ways of thinking and speaking about freedom and responsibility – namely freedom-in-relation and responsibility for the Other.

By way of conclusion, I would like to reflect more specifically on this question in relation to the kind of political critique pursued throughout this thesis. At what price can we speak about welfare reform in terms of a transformation in political rationality? I suspect there is a danger that no matter how circumspect the analysis the overall impression of this style of critique is to render neo-liberal governmentality in epochal terms. This begs the question: if the political rationality of neo-liberalism has so thoroughly inculcated social, political and cultural life that it has displaced liberal democratic values and practices, then
how is resistance to welfare reform even possible? This question captures something of the concern that animates this thesis. While to a certain extent it underpins each of the preceding chapters, I want to take this opportunity to draw together a more elaborate response.

Following Brown, I describe neo-liberalism as a new form of political rationality, which has displaced the political rationality of liberal democracy. At what price, then, can citizens speak the truth about themselves in liberal democratic terms? At the price of being interpreted as someone who endorses passive welfare or dependency, perhaps? While liberal democratic truth claims have been rendered somewhat unintelligible, however, Brown does not believe that this means neo-liberalism has come to determine social, political and cultural life in the present. Indeed, she herself seeks to contribute towards 'an alternative vision of the good ... in which justice would center not on maximizing individual wealth or rights but on developing and enhancing the capacity of citizens to share power and hence to collaboratively govern themselves' (Brown, 2005: 59).

Against the potential impression that neo-liberalism is a monolithic force that determines social, political and cultural life in the present, I have tried to show the complex ways in which neo-liberal governmentality has transformed the practice of welfare provision in Australia. In Chapters One and Two, I highlighted the importance of context in apprehending this transformation. The point is that neither the discourse of welfare reform, nor the political rationality of neo-liberalism, functions in a homogenous and comprehensive manner. Both intersect with multiple and dynamic social forces, including the emergence of new social movements and transformations in contemporary social risk. In addition, they each intertwine with the emergence of various new technologies of government such as managerialism, marketisation, corporatisation and contractualism. Moreover, while the discourse of welfare reform is not confined to a particular national context, I suggest that it is important to remember that there is considerable diversity as well as similarity between the practice of welfare reform in liberal democratic societies such as the United States, Britain and Australia. Finally, I describe the range of different ways in which the
problem of welfare dependency has transformed the discourse of welfare provision, in the context of political argument.

This interpretation informs the more detailed examination of the intersection between the discourse of welfare reform and the political rationality of neo-liberalism, provided in Chapter Three. Here, again, I sought to focus on the multiple, complex and somewhat contradictory ways in which practices of welfare reform function. On the one hand, I traced the ways in which neo-liberalism seeks to unfold the formerly public responsibility for risk protection onto individuals and groups within civil society. By withdrawing itself from certain functions and unfolding these functions onto individuals, households and communities, neo-liberal governmentality extends the norm and practice of freedom-as-choice and responsibility-for-self into domains formerly associated with the production of welfare dependency. On the other hand, I described how neo-liberalism enfolds the type of regulatory mechanisms that operate within the market back into its own practices for governing the conduct of particular individuals, groups and institutions. Instead of relying on the capacity of welfare recipients to govern themselves in accordance with the norm of freedom-as-choice and responsibility-for-self, neo-liberal governmentality takes as its task the extension and dissemination of this capacity (Dean, 2002a: 43).

This style of political critique enables the diagnosis of the price of the contemporary politics of welfare reform, articulated throughout the thesis. I argue that a tension exists between the account of the subject presupposed by the politics of "welfare reform" and the neo-liberal practices of government through which the subject of freedom-as-choice and responsibility-for-self is produced. Furthermore, I suggest that this tension is itself constitutive of a general culture of resentment and is only reconciled through the enhanced use of technologies of domination, in the government of welfare recipients.

By tracing this tension and its effects, I offer an alternate way of conceiving the familiar landscape of welfare provision in the present. In doing so I have tried to wrest the politics of welfare reform from anti-contextual or anti-historical
thinking, which is exemplified in the belief that we have entered an era of post-welfarism. I have also sought to disrupt its subsumption within the long march of history-as-progress; that is, the vision of "welfare reform" as the necessary and inevitable outcome of certain social processes such as globalisation. On this account, welfare reform is dependent on a complex assemblage of localised, capillary networks of power relations and thereby the product of a somewhat haphazard play of dominations. In short, I have provided an interpretation of welfare reform that reveals its fragility as well as its pervasiveness.

Brown insists that political theory has a responsibility to modestly affirm the significance of the present. This involves cultivating non-utopian alternatives in a political and theoretical landscape that can sometimes feel like it is "closing in on us". In other words, Brown believes that political theory does not primarily consist in negation. She makes clear that:

Critique that does not affirm life, affirm value, and above all affirm possibilities in the present and the future, while certainly possible, is not making a bid for political power and hence cannot be understood as political. This does not mean that critiques must carry a full-blown political vision, declare "what is to be done," or advance transcendental or universal norms. But critical theory as political theory cannot get off the block without affirming contestable and contingent values, values that are themselves an affirmation of this world, and this time. (Brown, 2005: 15-6)

My interpretation of welfare reform as pervasive and yet fragile belies the suggestion that neo-liberal governmentality anyhow determines social, political and cultural life in the present. However, while we might say that it opens the possibility of resistance, this is nevertheless a rather thin explanation of how resistance is possible. In Chapters Four and Five, I fill out this explanation along the lines suggested by Brown. That is, I contribute towards an alternate table of values, for the politics of welfare provision. Chapter Four challenges the prevailing understanding of freedom-as-choice by providing an alternative conception of freedom as a relational practice. I argue that this conception of freedom-in-relation intersects with and cannot be separated from the value of responsibility for the Other. Chapter Five elaborates this conception of
responsibility for the Other, in order to call into question the predominant notion of responsibility-for-self.

In affirming the values of freedom-in-relation and responsibility for the Other, this thesis seeks to open the possibility of specific transformations in the discursive practice of welfare reform. It does not provide an alternate programme of reform, which would tell us “what is to be done.” Rather, it seeks to exploit the productive ‘interval between theory and politics’ (Brown, 2006: 37). Brown suggests that although the political sphere often involves making resolute choices and taking decisive positions, political critique entails exploring the kinds of limits imposed by the demand for political exigency. Insofar as it opens up the kinds of political choices we might make and calls into question the sorts of positions we might take; political critique ‘is one path to being “governed a little less” in Foucault’s sense’ (Brown, 2005: 15). Recasting the terms of existing political discourse by imagining possibilities for transformation beyond those terms is how it makes this contribution.

While the discourse of welfare reform rests on a dichotomy between active and passive systems of welfare provision, feminist theorists and policy analysts reveal the kinds of limitations involved in the demand that we choose between these two existing models (see, for example, Lister, 2001). Likewise, I explore the political and intellectual price of the demand that we choose between passive welfare dependency and active freedom-as-choice. I suggest that this choice occludes other ways of thinking about freedom (and responsibility), which might be more useful and more appropriate to an alternative politics of welfare provision. As Brown implies, these examples of political critique can be understood in Foucaultian terms, as an attempt to contribute towards ‘the art of not being governed like that and at that cost’ (Foucault, 1997: 29).

The values I elaborate are the product of a theoretical engagement with the work of Foucault and Levinas, on the question of ethics. Both of these thinkers eschew the traditional trappings of moral philosophy. They question the presumption that ethics is necessarily premised on universal reason and consists in obedience
to an established set of moral standards or norms. Instead, Foucault and Levinas each conceive ethics (in different ways) as something that opens the possibility of transformation beyond the discursive practices of the present. In addition, they challenge the idea that ethics necessarily presupposes the figure of the autonomous subject. By contrast, Foucault and Levinas argue that subjectivity is, in part, produced within the ethical relation.

Following Foucault and Levinas, the values of freedom-in-relation and responsibility for the Other that I articulate are not founded upon transcendental or universal norms. This is not to say, however, that these values have no normative foundation whatsoever. I believe that an important part of challenging the idea that all aspects of everyday life can be reduced to the political rationality of neo-liberalism is to provide an (albeit contestable and contingent) account of where alternative values might be located. If liberal or social democratic accounts of justice no longer command the kind of intelligibility that they did in the post-war era, then it seems that we need new sources of value. That is, sources that enable us to affirm alternative possibilities for the politics of welfare provision, while avoiding the reactive tendency to cling to the political rationality of liberal democracy (and the mechanisms of disciplinary-bureaucratic regulation and gender subordination that this would entail).

The work of Foucault and Levinas is again important at this point. Foucault provides a conception of freedom as a practice, grounded in a genealogical account of the experience of human freedom (which nevertheless also presupposes Foucault's minimal conception of human subjectivity as both active and embodied, discussed in the introduction to this thesis). In other words, his counterpart to Kant's transcendental formulation of autonomy is an historical account of how the human capacity for freedom is instilled and experienced (Patton, 1998: 65). As outlined in Chapter Four, Foucault traces how freedom in antiquity was inculcated through technologies of the self. These technologies enabled Greek and Roman citizens to establish a relationship with the prevailing moral code; to understand themselves in terms of their obligation to put this
code into practice and constitute themselves as ethical subjects of their own conduct. Moreover, Foucault describes how this capacity for self-formation was experienced and enhanced in everyday encounters with others (Foucault, 1987: 27; 2000b: 287).

In addition, Foucault describes how the Enlightenment practice of critique implies an invocation to constitute the self as a subject of autonomy, in relation to the ethos of modernity. This capacity for autonomy is instilled through an enduring practice of critique, which seeks to call the present into question (Ivison, 1997: 27). Foucault believes that, considering what we have become, late-modern subjects will resist limitations to the autonomous exercise of liberty (Patton, 1998: 65). I contend that, in seeking to transform the terms of the present, this capacity for critique opens up a space of freedom that others might also inhabit and creates new possibilities for the types of subjects that human beings might become. In short, it creates a new sense of responsibility for others, in the present and the future.

I have drawn together Foucault's account of the experience of freedom in antiquity and modernity and Levinas' formulation of ethical responsibility, in order to formulate a conception of freedom as a relational practice that entails a sense of responsibility for the Other. As discussed in Chapter Five, Levinas describes the experience of an embodied encounter with the Other, the face-to-face relation, as the condition of possibility for ethical responsibility. This face-to-face relation expresses the ethical priority of our responsibility for the Other over and above responsibility-for-self. Furthermore, it provides the basis for sociality and political community.

Following Foucault, I argue that resistance to welfare reform might be grounded in the experience of domination arising from neo-liberal practices of governmentality. Given that these technologies of governmentality seek to extend and disseminate the capacity for freedom-as-choice and responsibility-for-self, I suggest that welfare recipients might resist attempts to establish limits to the autonomous exercise of choice. In addition, following Levinas, I contend
that resistance to welfare reform might also be grounded in the experience of a sense of responsibility for the Other. That is, a sense of responsibility or non-indifference towards vulnerable members of society. It is these experiences that provide the source for my conception of freedom-in-relation, which I hope will make a positive contribution to an alternative politics of welfare provision.


