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4

Confronting the utilitarian consensus

There are two great traditions of thinking about social policy, which may be called utilitarian (or majoritarian) and progressive (or egalitarian). In the globalization era, utilitarianism triumphed; standard-bearers of the progressive tradition mostly deserted to the neo-liberals, leaving a vacuum on ‘the left,’ possibly for the first time in history.

This chapter briefly reflects on the values that have shaped the utilitarian rhetoric and agenda, and compares them with what have guided the progressive tradition through the ages. A polemical approach is chosen to sharpen the debate, recognizing there are shades of grey in the spectrum of opinion. It draws most of its examples from the UK, where the utilitarian agenda has perhaps gone furthest. But the drift is global.

The neo-liberal model that has guided politicians, policymakers and mainstream academics and commentators is simple. It believes in a competitive market economy, regulated to ensure market forces

operate, with due rewards for the fittest, the most competitive. It follows that there must be winners and losers. The latter must be convinced that losing is their fault, for not being competitive enough.

The economic model has fostered commodification of politics and a ‘thinning’ of democracy. Instead of being class-based and value-driven, political parties have become vehicles for competition only loosely related to old traditions. This has fostered a crude utilitarianism – pursuit of the happiness of a majority. And if governments focus on satisfying a majority with benefits, tax cuts and subsidies, a minority will be disadvantaged. Strengthening entitlements of privileged citizens turns others into denizens and pushes more into an insecure precariat. This is roughly what has happened.

The micro-politics of regressive reform

One of the dark arts of politics is to change structures in order to make people think what the politicians want them to think. In the UK, Margaret Thatcher and her advisers did that explicitly in devising the micro-politics of privatization: first, starve public services of funds, making it harder for them to operate; then report on public dissatisfaction; then point out that private services are better; then privatize services to accord with people’s ‘needs’, in the avowed interests of efficiency and delivery.

Governments have refined that technique. The latest variant goes under the disarming name of ‘libertarian paternalism’, drawing on ideas of Jeremy Bentham, the founding father of utilitarianism in the late eighteenth century. The essence of libertarian paternalism is that

people must be steered to ‘make the right choice’. This perspective has been influenced by *Nudge*, a book by two Americans, Richard Thaler and Cass Sunstein (2008), which used Benthamite language, without attribution. They also failed to mention Bentham’s panopticon, an all-seeing surveillance device initially designed for prisons that aimed to identify for punishment those ‘not making the right choice’. Sunstein was later appointed by President Obama as chief regulator, with an office in the White House, while Thaler became an adviser to the newly elected UK Prime Minister David Cameron. Cameron promptly set up a Behavioural Insight Team in Downing Street, soon nicknamed the Nudge Unit.

Techniques of altering opinions and steering behaviour have been strengthened further by the plutocracy’s control of mainstream media, enabling them to assert untruths with impunity and reinforce prejudices, using the modern device of opinion polls to show that prejudice plays with ‘the public’. It is an era of ‘post-truth’ media and politics.

Religification of social policy

Since the 1980s, social protection reform in the UK and USA has been driven by religion and finance. In the UK, the figures shaping it have been Tony Blair (a convert to Catholicism), Gordon Brown (a man of Christian convictions), Frank Field (ditto), Iain Duncan Smith (a practising Catholic), and an ex-merchant banker, David Freud, ennobled by New Labour for his services to social policy, who switched to David Cameron when he saw which way the political

wind was blowing and became Minister for Welfare Reform. Duncan Smith's special adviser, Philippa Stroud, belongs to an evangelical church that preaches that women are inferior to men.

The religification has been led by Catholicism, drawing on Pope Leo XIII's encyclical, *Rerum Novarum* of 1891, which asserts that the poor have a duty to labour. Tony Blair's favourite theologian, Hans Küng, regarded laziness as a sin. Duncan Smith, the UK Work and Pensions Minister, has said it is a 'sin' not to take up jobs; just after taking office he made the eerie statement, 'Work actually helps free people,' reminiscent of words etched in our collective memory emblazoned on a gate to a hell on earth, the entrance to Auschwitz. The allusion was no doubt unintentional. But his remark reflects the naiveté of equating labour with work, and imagining that jobs liberate. He should explain how litter clearing or graffiti cleaning for pitiful wages (the activities he set as mandatory labour) enhances freedom.

Catholics see 'the poor' as 'fallen', to be pulled up by charity and the benevolence of the church and state. The doctrine accords well with a stratified society, with images of 'natural orders'. The moving sentiment of the religious conservative is *pity*. And as David Hume pointed out, pity is akin to contempt. Losers are failures, worthy of help as long as they show gratitude and earnest endeavour. If they do not follow our guidance, they should be persuaded to mend their ways, and failing that should be coerced or penalized. The road from one thought to the next is well trodden.

By contrast, a progressive starts from a sentiment of *compassion*. That could be me over there if I made a couple of bad calls or had an accident. That man or woman should have the same security as

anybody else. Only then can they make something of themselves. But I do not know what they want. That should be up to them. I have no right to force them one way or the other. This is where the progressive takes a stand.

Faith-based social policy leads to faith-based assessments. In 2013, Duncan Smith stated his 'belief' that a cap on the amount of benefits any family could receive had led more people to find jobs, despite lack of any supporting evidence.

The moralizing is based on blaming the victims as responsible for their unemployment or poverty. As a general rule, that is untrue. The unemployment rate is determined by economic forces and policies. Governments deliberately run the economy with slack. Neo-liberals argue there is a natural rate of unemployment ground out by institutions and macro-economic policy. If unemployment is pushed below that, through macro-economic policy, inflation will accelerate. So, unemployment must exist, rising in recessions or periods of restructuring. All reputable economists accept a version of this account. And in the austerity era, it was risible to claim unemployment was the fault of the unemployed.

Nevertheless, a judgemental perspective prevails. The poor are not us. They are deserving, undeserving or transgressing, the last being not just undeserving by habit but lawbreakers as well. This is consistent with the Americanization of social policy, where the poor are not seen as our brothers or sisters but as subjects for reform, for treatment, retraining or therapy.

In the UK, both major parties looked to the USA for their welfare policy, and in the Conservative case rushed in two paternalist American advisers within weeks of taking office. One, Lawrence

Mead, an evangelical Christian, has said that Jesus gave no preferential treatment to the poor, has called theologians ‘unacknowledged social legislators’ and has written that the unemployed must be induced to ‘blame themselves’. In 2010, he expressed pleasant surprise at how his advice had been welcomed in Downing Street. The other was Thaler, who became adviser to the Nudge Unit, the task of which, according to Deputy Premier Nick Clegg, was to make people make better decisions. That would make the great liberal, John Stuart Mill, rage in his grave.

The religious bent and the paternalists have made social policy moralistic, directing people to behave in ways deemed by the policy-makers as best for themselves and for society. But if you are told what to do, you cannot be moral. This classic liberal principle was nicely captured by the philosopher T. H. Green in 1879 (1986):

The real function of government being to maintain conditions of life in which morality shall be possible, and morality consisting in the disinterested performance of self-imposed duties, ‘paternal government’ does its best to make it impossible by narrowing the room for the self-imposition of duties and for the play of disinterested motives.

Besides religion, social policy has been dictated by utilitarianism, in which the pursuit of the majority’s happiness allows a different attitude to the ‘persistently misguided’ minority. Another who influenced Labour’s social policy was Richard Layard, also ennobled for his endeavours, an avowed admirer of Bentham. Layard helped shape Labour’s various New Deals, and became its ‘happiness and therapy czar’, inducing the government to coerce youths into jobs

and provide cognitive behavioural therapy for the unemployed. The New Labour government also introduced snooping on the homes of benefit claimants, dressed up as a device to 'help' the unemployed.

Dividing society into 'Them' and 'Us'

Growth of more flexible labour relations went with abandonment of models of social solidarity built up in the twentieth century. Deconstruction of the welfare state was part of the strategy, as not corresponding to the open flexible labour process being constructed.

Although varying from country to country, the welfare state consisted of a mix of universal or citizenship-based social rights, a contributory social or national insurance system, and means-tested social assistance for those on the edge of society. It drew on principles of solidarity. While sexist and labourist (linking entitlements to the performance of labour), it provided a framework for limiting inequalities and for legitimizing reciprocities, on top of a floor of basic rights. But from the 1980s onwards, this framework was dismantled by both neo-liberal and social democratic governments. In shifting to means-testing, they abandoned the solidaristic basis of social protection. Respect for universalism – rights for all – was tossed aside. Values of compassion, empathy and reciprocity were replaced by pity, contempt and individualism.

This shift was at the heart of Margaret Thatcher's infamous war cry that there was 'no such thing as society'. It also influenced New Labour's Third Way, with its simplistically appealing view that there are 'no rights without obligations', and Conservative Prime Minister

David Cameron's insistence that nobody has a right to receive 'something for nothing'. Of course, this ignores the fact that wealth inheritors receive a lot of something for nothing.

The twentieth-century progressive agenda had been to extend universal rights, as our due as human beings, not the result of privilege, contributions or prior obligations. But the routes chosen by social democrats ultimately ran into contradictions; they linked entitlements to old notions of the working class and ignored the rising precariat.

Social policy became dominated by 'targeting' on 'the poor', an amorphous category that assumed the character of a sub-species. The argument that benefits should go only to the poor was inevitably followed by distinctions between the 'deserving' and 'undeserving'. This meant policymakers had to make rules for entitlement and disentanglement. They then had to make more rules for punishing those deemed to have broken entitlement rules. Arbitrary judgments are required at every point. The system generates unfairness.

There is also a contradiction between guaranteeing everybody the right to subsist and the right to a life of dignity, and the belief that those in need of support should conform to state-set norms of behaviour. Ironically, those who claimed to believe in curbing the role of the state led the way in demanding more state regulation of those in need of support.

The drift to means-testing and 'targeting' inevitably created poverty traps – situations where many faced losing benefits that exceeded the income they could gain from available low-paying jobs. Poverty traps lead to more rules of disentanglement and penalties to combat the inevitable moral hazard – deciding not to take a low-paying job

– and the inevitable immoral hazard – concealing small additions to income in order not to lose benefits. An edifice of arbitrary decisions and moralistic judgements is constructed, creating an increasingly complex barrier to full citizenship.

Mainstream politicians have posed the issue as one of a ‘hard-working Us’ versus ‘Them’, an undeserving, lazy, state-dependent bunch living off benefits paid for by ‘Us’, or unwelcome outsiders intent on stealing ‘Our jobs’. Many who preach this dualism may do so cynically, perhaps telling themselves that it is necessary to avoid being outflanked by others who not only believe it but who would also drag the public further to the right. Few politicians have had the political courage and morality to challenge the hardening utilitarianism.

Modern utilitarianism has several guises, but each seems to justify actions in favour of a majority and against a minority, even to the extent of rationalizing a form of collective punishment, beyond the rule of law. Let us consider a few topical examples.

‘Our culture’ and ‘liberal values’

The most blatant is playing the cultural card. In 2011, following a speech condemning ‘multiculturalism’ by German Chancellor Angela Merkel, the Council of Europe’s Secretary General, Thorbjørn Jagland, said: ‘Multiculturalism allows parallel societies to develop within states. This must be stopped. It is also clear that some parallel societies have developed radical ideas that are dangerous. Terrorism cannot be accepted’ (Hollinger 2011). He claimed multiculturalism posed a threat to security.

Besides earning Merkel's approval, Jagland was also in tune with French President Nicolas Sarkozy, who said that encouraging diverse cultures to live together had damaged national identity. What does damaging national identity mean? A society contains numerous identities. One could say that letting Old Etonians or financiers run a country damages its identity. They are scarcely in any majority. But note how Jagland elided from multiculturalism to 'parallel societies' to 'terrorism', as if the first causes the third.

Instead of supporting a system to combat individual acts of violence, there is a veiled threat of collective punishment of minorities deemed to have separate cultures. The enemy is particular 'cultures'. It is relevant that shortly afterwards Sarkozy expelled from France thousands of Roma, although they had not broken any law, let alone indulged in terrorist acts. Unwittingly, the person representing the body that defends the European Convention on Human Rights had contributed to the condemnation of political and cultural denizens.

A second example is as menacing. In the UK, in the early days of his government, Cameron advocated a 'new muscular liberalism', a term hardly suggesting gentleness. He argued that benefits should be denied to those who did not show British liberal values, thereby combining jingoism with a sinister utilitarianism and a disregard for liberal values and due process. Who decides what are and are not 'liberal values', and who decides whether someone holds them? Unless someone is charged with a specific offence that is on the statute books, and is found culpable in a procedure respecting due process, it is illiberal to take rights away – and all the more so from any group, which amounts to collective punishment.

Migrants, 'illegal, dirty, alien, terrorists'

In recent years, across the world, the group most singled out for demonization has been 'migrants', a term laden with innuendo. In the UK, as in many countries, the main narrative has been a drive to withhold benefits, although doing so has been made harder by the liberalization of labour markets (including free movement within the European Union) and by the shift from social insurance to means-tested benefits based on 'need'.

Study after study show that migrants play a productive role in society and contribute more to national income than they 'cost' in public services and benefits. They tend to work hard and do jobs others do not wish to do, including in vital social services. They often have higher education than natives and tend to be more innovative. Yet they are demonized as 'taking Our jobs', 'living on benefits paid for by Us' and 'threatening Our culture'. They are easy targets for utilitarians, at the top of a slippery slope. 'National identity' and 'muscular liberalism' rhetoric, advocating denial of rights to those who do not share 'liberal values', easily slides into a darker version of utilitarianism that justifies penalizing all non-conformists disliked by the political establishment.

In 2013, the British government stepped up spot checks in a search for illegal migrants, sending squads of immigration officials and police wearing stab-proof vests into train stations at rush hour and taking off people for questioning. Then, in what was described as a pilot scheme that could be extended nationally, the Home Office sent vans into ethnically mixed areas of north London displaying a

picture of handcuffs and the message: 'In the UK illegally? Go home or face arrest.' Liberals were shocked, but that was surely factored into the action, to give added publicity. The vans experiment was later abandoned as ineffective. But it was an example of thin democracy, utilitarianism and the new technique of 'wedge' politics associated with Lynton Crosby, the Conservatives' electoral strategist – appealing to a group that traditionally supported Labour, low-educated whites from the old core working class who make up the first variety of the precariat. Sadly, opinion polls suggested that 47 per cent supported the campaign while 41 per cent opposed it. Other similar actions of this type will follow, unless more people stand up for a position based on values rather than opportunistic posturing.

The Precariat ended by citing the famous chilling admonition attributed to Pastor Martin Niemöller on the rise of the Nazis in 1930s Germany, to the effect that by not standing up for one targeted minority after another, no one will be left to stand up for you when it is your turn. The targeting of 'illegal migrants' – 'undocumented' or 'without papers' – is a reminder of that dark time. Those arrested were denizens, denied the rights of citizens. We must resist.

Strivers versus skivers

Utilitarianism has given the political mainstream a narrative to justify taking away social rights from the precariat. Thus benefit recipients are characterized as 'Them' – 'scroungers', 'dependent on welfare', 'idle' or 'not doing the right thing'. As such, they must be deprived of entitlements due to citizens, because they do not meet their 'obligations'.

In a speech in June 2012, David Cameron listed 17 ideas for reforming the welfare system, designed – he claimed – to save £10 billion from the welfare budget. The media reported ‘Downing Street sources’ as saying the speech was ‘pitch rolling – preparing public opinion for future reforms’. Cameron began by reiterating a dualistic distinction between ‘those who work hard and do the right thing’ and those on benefits. He did not mention that a majority – 60 per cent – of people receiving benefits are in jobs, presumably working hard to survive on low earnings.

He asserted that benefits had encouraged people to have children and not to work. ‘If you are a single parent living outside London, if you have four children and you are renting a house on housing benefit, then you can claim almost £25,000 a year. That is more than the average take-home pay of a farm worker and a nursery nurse put together.’ He did not demand that employers raise the low wages of farm workers and nursery nurses. Instead, he set up a straw woman to condemn, juxtaposing the image with two types of well-liked worker.

The speech was designed to justify benefit cuts and pressure people to take low-paying jobs. Labour’s then spokesman Liam Byrne criticized the speech solely on the grounds that cutting tax credits was the wrong way to achieve Cameron’s target, adding that he agreed that ‘work should be encouraged’. The speech had not been about encouragement; it had been about cutting benefits and coercing people to labour.

The manipulation of public opinion, aided by a pliant media, into thinking that most benefit recipients are lazy and dependent on the state has had success. According to the British Social Attitudes survey

by NatCen Social Research, a majority believe most unemployed could find a job ‘if they really wanted one’ and say unemployment benefits are ‘too high and discourage work’. When the Chancellor of the Exchequer announced more benefit cuts in late 2012, a poll showed that 52 per cent thought the cuts were reasonable. As *The Economist* (2012f) observed:

In a speech delivered at the Tory party conference in October, the chancellor painted a sympathetic portrait of a fictive blue-collar striver, rising early for work only to see the drawn curtains of his neighbour ‘sleeping off a life on benefits’. Nasty as that may sound, it is probably as good a way as any to go about slashing the welfare budget at a time of economic hardship.

The imagery was a gross distortion of reality, appealing to prejudice to justify cutting benefits. How could dishonesty be a ‘good way’?

Youth, ‘lazy and non-contributing’

Modern utilitarianism has seen a demonization of youths and erosion of their rights. In that 2012 speech, Cameron drew an image of youths on housing benefits:

For literally millions, the passage to independence is several years living in their childhood bedroom as they save up to move out; while for many others, it’s a trip to the council where they can get housing benefit at 18 or 19 – even if they’re not actively seeking work.

To end this 'culture of entitlement', he said housing benefit should be denied to anyone aged under 25, who should not be entitled to any benefits until they had paid contributions.

The reality is that millions of youths cannot 'save up to move out' because they are in the precariat, with intermittent jobs and interrupted benefits. Many cannot live with parents, including those with families of their own. Denying them benefits would also worsen a poverty trap as youths could not afford to move in search of low-paying jobs. As it is, they experience the highest unemployment and most precarious existence. In 1990 youths were 50 per cent more likely than others to be unemployed; by 2013 they were three times more likely.

Cameron then foreshadowed tougher rules for the young jobless, noting that in some countries claimants were made to undertake work in return for benefits within six months of becoming unemployed. Not to be outdone, Labour announced that it would introduce a 'compulsory jobs guarantee', forcing all youths who were unemployed for over 12 months into low-paying jobs. Youths in the precariat were henceforth to be treated as denizens, denied the rights of citizens.

Cameron's speech coincided with publication of a study by the Intergenerational Foundation showing that the young's living standards had deteriorated since 2008, and that the intergenerational gap was 28 per cent wider than a decade earlier, due to higher unemployment, increased housing costs, stagnant wages and greater university costs. The proposed policies would increase intergenerational inequality, while Cameron's rhetoric created a false imagery of youthful sloth.

The disabled, 'faking it'

The disabled are another target. Many of us are disabled in some way, or will be. But in a society based on competitiveness and flexibility, impairments become more stratifying and stigmatizing. Disadvantages accumulate. In the austerity era, politicians and commentators have created a new caricature, the 'undeserving disabled'.

In his June 2012 speech, after disparaging youth, Cameron turned on the disabled. Referring to the disability living allowance (DLA), he said: 'It is not right that someone can get more than £130 a week DLA simply by filling out a bit of paper. But on the other hand, it is not right that those with serious disabilities have nightmare 38-page forms to fill in.' This is the logic of the witches' ducking stool. The 'bit of paper' is that 38-page form. How is it simple for fraudsters and a nightmare for others? In fact, £131.50 was the highest someone 'virtually unable to walk' and needing care or oversight day and night could obtain, if they received both care and mobility components of the DLA. In 2005, the latest data at the time, only 36,000 were awarded the high rate for both components, less than a fifth of all DLA awards and less than a tenth of all DLA claims.

Cameron said he was aware of incapacity benefit claimants being fit for work, implying this was widespread, and that it might be necessary to make those on sickness benefits do more to improve their health, implying people want to be sick. In the post-truth utilitarian mood, the Prime Minister was suggesting there were numerous undeserving benefit claimants, without any evidence,

fanning hostility towards the disabled. Disability ‘hate crime’ has doubled since the start of the financial crisis, with disabled people increasingly subject to insults and assault.

The ‘fitness for work’ tests introduced by the Labour government have been tightened further, resulting in more disabled people losing social rights despite evidence that the assessment methods are unreliable and unfair. Collective punishment has led to loss of civil and social rights.

‘Welfare queens living in mansions’

Another imagined minority to be targeted consists of people living in subsidized council or social housing, depicted as unemployed and unwilling to ‘work’, claiming housing benefit to occupy spacious dwellings, with rooms to spare and luxuries the average worker cannot afford. Although the number corresponding to this caricature is negligible, the imagery helped legitimize a cap on benefits that households could claim, irrespective of need, and a cut in housing benefit for those deemed to have ‘spare bedrooms’ – the ‘bedroom tax’.

In his June 2012 speech, Cameron proposed that councils should give priority in waiting lists for social housing to those ‘in work’ rather than to those in most need. The Labour leader made the same proposal shortly afterwards. The precariat, at most risk of unemployment, would be hit hardest. Such a move would deny a social right to those already denied economic rights. In fact, only one in eight drawing housing benefit was unemployed. Higher benefits

were needed, as a housing shortage had forced up rents, which had risen faster than earnings. Cameron's plan to peg housing benefit to wages rather than prices will hit the precariat hard. Wages are falling, housing costs are rising, so cut benefits! It is unjust.

Squatters as enemies of the public

In the unequal society of the neo-liberal state, homelessness has become commonplace, its extent only partly captured by the numbers sleeping rough, in bus shelters, train stations, parks, special hostels and so on. Many cadge a spot with friends and relatives. Many squat. Squatting has become a mass reaction by the precariat in some countries, such as Italy. In Rome, a thousand people, many of them migrants from the south of the country, some from Africa and Latin America, took over a disused army barracks and converted the rooms into makeshift apartments. Such was the popularity of this action with Rome's wider precariat that the mayor decided to leave them alone.

However, the state understands that unrestricted squatting breeds civil disobedience and rejection of respect for private and state property. So, rather than tackle the causes of squatting, most governments target squatters, penalizing the victims. In the UK, it is now a criminal offence to squat in an abandoned house. Yet often the homeless have no real choice. Registered shelters are overcrowded and many face closure due to lack of funding, made worse by a court ruling that those using night shelters cannot claim housing benefit. Local councils, particularly rich ones, have lobbied the government

to amend the 1986 Housing Act so as to make it easier for them to refuse to house young homeless people and remove the right of appeal against refusals.

In May 2013, police raided a disused building in Ilford, a London suburb, to remove a group of rough sleepers, confiscating their sleeping bags and food, which had been donated by charities and individuals. The chief inspector in charge said: ‘The public rely on police to reduce the negative impact of rough sleepers’ (Fogg 2013). So, squatters are not members of the public; they are denizens in every sense.

‘Philpotts’

In early 2013, an odious man, Mick Philpott, who had fathered 16 children by three women, was convicted of murder after intentionally setting fire to his council house, killing six of his children. In the coverage of this shocking crime, the media latched on to the fact that Philpott had been unemployed and receiving benefits. The Chancellor of the Exchequer seized on this to say the murders raised questions about the welfare system; the Prime Minister agreed. The message was that benefits had enabled Philpott to live in depravity, showing that benefits were depraving, requiring reforms of the welfare system. The crime was depicted by *The Economist* (2013d) as ‘a signal crime’ that would shape public opinion and policymaking.

A. N. Wilson, a prominent literary figure, wrote in the *Mail on Sunday*, a popular newspaper, that Philpott epitomized what was wrong with the welfare system (Wilson 2013). He claimed the case

‘lifted the lid on the bleak and often grotesque world of the welfare scroungers – of whom there are not dozens, not hundreds, but tens of thousands in our country’, suggesting this unique case was typical of those living on benefits. He gave no evidence. He just asserted that the system encouraged Philpott to live in a threesome with his wife and another woman, to maximize child and other benefits. In support of the government’s reforms, Wilson added:

The government argues calmly that what is immoral is leaving families such as Michael Philpott’s to languish on benefits for generations. Indeed, Philpott never even attempted to find a job. The children owed their existence to his desire to milk the welfare system.

As it happens, Philpott had been in the British army. While in it he was charged with attempted murder, years before he started to receive any benefits. Why did Wilson not attribute his violent behaviour to his being in the army? Instead, with prose clearly intended to inflame emotions, Wilson went on: ‘Those six children, burnt to a cinder for nothing, were, in a way, the children of those benevolent human beings who, all those years ago, created our state benefits system.’

Wilson then attributed the London riots of 2011 to ‘the perversion of our benefits system.’

We have turned into a country where ordinary morality – the simple concept that you do not take what is not yours – does not seem to register in whole rafts of society. Many of the looters were in full employment, many were grown-ups, but they still had the Philpott morality – they had been programmed into believing they

were entitled to ‘something for nothing’. What the Philpott trial showed was the pervasiveness of evil caused by benefit dependency.

What Wilson did not wish to contemplate was the possibility that the riots stemmed from a society based on commodification and unprecedented inequality that was generating deep tensions, anomic alienation and status frustration. Those riots were sparked by the police shooting of a young man in murky circumstances that were still awaiting elucidation more than two years later.

Moralizing on benefits ill becomes those who accept the inequality, much due to inherited privilege. Wilson, like Cameron and Osborne, was brought up in privilege, with all the benefits that come from affluence and high status. Iain Duncan Smith, the minister praised by Wilson for welfare reforms, was living on a 1,500-acre estate inherited by his wife – ‘something for nothing’ – which received over a million pounds in farm subsidies from the European Union over a decade, for which he had done nothing. Wilson did not claim that these larger unearned benefits had led to a ‘pervasiveness of evil’.

Articles such as his, fanned by casual comments of senior politicians, create caricatures that help in the construction of a utilitarian dystopia. The Philpott story was indeed a parable for the age, but not the one Wilson asserted.

The elderly, ‘your turn to come’

The elderly have become a vociferous part of the utilitarian majority. In Britain, as in some other countries, old-age pensioners were the

one group protected in the austerity era and were excluded from Cameron's plans in his June 2012 speech. Again, this was utilitarian politics, since the elderly are a rising share of the population, have an above-average propensity to vote, and are relatively likely to vote Conservative. However, pensioners, particularly those experiencing economic insecurity, should beware. Proposals in the air involve means-testing certain benefits they receive, such as free bus passes. One can anticipate that will be followed by images of deserving and undeserving pensioners.

Strikers as 'skivers'

In June 2012, the UK government found another minority to target, proposing to cut entitlement to benefits by low-paid workers on strike. Under rules derived from the National Assistance Act of 1948, workers who strike continue to receive housing benefit and working tax credits for up to ten days, as well as extra tax credits if they lose pay. But Duncan Smith said that with the planned universal credit (which consolidates various benefits into a single payment), these entitlements would end. Justifying the measure, the minister said:

It is totally wrong that the current benefit system compensates workers and tops up their income when they go on strike. This is unfair to taxpayers and creates perverse incentives. Striking is a choice, and in future benefit claimants will have to pay the price for that choice, as under universal credit, we no longer will (Peev 2012).

This argument presumes that somebody striking does so voluntarily and without just cause. The move restricts the hard-won right to strike by depriving strikers of social rights. Over a million UK workers went on strike in 2011, most of them low-wage public sector workers, such as nurses, teaching assistants, cleaners and transport workers. Many were in the precariat. They will be doubly penalized by the new rules, through loss of benefits as well as earnings. It is class-based utilitarianism.

A utilitarian check-card

In sum, the tendency of utilitarian politics is to create minorities, each targeted for denial of rights, transformed into denizens, approved by a citizen majority. Each minority is painted in some way as ‘undeserving’. In the neo-liberal state, the overlap between them and the precariat is considerable.

The state is becoming more directive and punitive towards minorities, proposing forms of collective punishment justified by caricature. In 2013, the UK government proposed that mothers with children aged three should be required to prepare résumés for jobs or lose benefits; the Labour leader said the same, adding that under a Labour government ‘workless’ parents of pre-school children would be required to attend ‘regular interviews in the Job Centre, undertaking training, finding out what opportunities exist’ in preparation for a requirement to ‘go back to work’ when the youngest child turns five (Miliband 2013). Duncan Smith is reportedly considering denying child benefits for children after the second. Why should

people be subject to such paternalistic dictates? They encroach on freedom.

Neo-liberal utilitarians are moralistic paternalists, wishing to cut benefits for minorities so that taxes for the majority can be reduced. This is why they draw a dualism between ‘taxpayers’ and ‘claimants’, even though taxpayers are the main beneficiaries of benefits.

The progressive instinct

What is the alternative to utilitarianism? Progressives start from a premise that inequalities are accentuated by market forces, competition and exploitation, are morally unacceptable and can be reduced. Seeing society in class terms, not just an aggregation of individuals, they believe policy must respect principles of compassion and empathy.

Compassion is a feeling of concern for others that prompts a desire to alleviate their suffering. It inspires altruism. Compassion requires empathy, the ability to imagine oneself ‘in the shoes of’ the other. Instead of dividing people into ‘Them’ and ‘Us,’ an empathetic imagination recognizes all as worthy of support and dignity, appreciating that we too could be in the position of the disadvantaged. It also allows the other to be different. Karl Polanyi ([1944] 2001) made the point when he wrote, ‘Socialism is the right to be a non-conformist.’ He meant that institutions should preserve the space to be different. Forcing everybody to be ‘normal’ is anathema.

Celebration of empathy is linked to a tradition going back to Aristotle, and brought to modern form by Hannah Arendt, that we

realize freedom in association, because only by acting in concert can we find out what full freedom means. This is republican freedom. Empathy and compassion mean that, while perhaps not understanding or liking your views or actions, I have no right to condemn or punish unless you do harm to others. Even then, a progressive should accept that penalties are justified only if someone is found to have violated a democratically approved law by a procedure that respects due process.

The difference between a utilitarian and a progressive can be highlighted by the role of empathy in attitudes towards unemployment. A neo-liberal sees unemployment as the person's fault, or as 'voluntary', or as due to the person being uncompetitive or not sufficiently 'employable'. There is a strong moralistic tone. A progressive sees unemployment as mainly the outcome of market malfunction, government mistakes, deliberate maintenance of labour slack to hold down inflation, and misguided incentives. In these circumstances, the fortunate owe a right to compensatory benefits to those who are unlucky enough to be the ones unemployed.

The role of empathy in that reasoning is clear. Empathy is what divides progressives from utilitarians. Some believe history is marked by spreading empathy – from family to tribe to nation (Rifkin 2009). But simply enlarging a circle of contacts does not strengthen empathy. It may dilute it. Indeed, a wider market society penalizes empathy in favour of selfishness and competitive opportunism. Social empathy is weakened by inequalities and social stratification; fewer find it easy to imagine themselves in the position of others. A number of psychology studies (e.g. Kraus, Côté and Keltner 2010) have found that the rich have less empathy and compassion than others. And

if there is low social mobility, people tend to rationalize discarding empathy. As long as the elite, salariat and core workers have no exposure to the insecurities of the precariat, they will have little empathy with it. So they can be easily persuaded to support policies that hit the precariat.

In one egregious example of lack of empathy, Lord Freud, the UK Minister for Welfare Reform and former merchant banker, claimed that the reason why more people were resorting to food banks was the chance to obtain free food, as increased supply of 'a free good' created its own demand. The reality is that many desperate people, on the wrong side of changes in benefit rules, would go hungry without the rations food banks provide. To suggest they are just after 'a free lunch' shows an extraordinary insensitivity to hardship, made worse coming from someone overseeing welfare reform.

Loss of social empathy in the neo-liberal dystopia has been fostered by other developments too. Schooling has become more functionalist, given to preparing 'human capital' for jobs at the expense of the liberating disciplines of moral education. Exposure to the great realist literature of the world, for example, instils empathy, developing the capacity to understand the complexities of the human condition. The ancient Greeks devoted a great deal of time to the theatre, which was part of *scholē* and helped reproduce empathy. The neo-liberal model rejects such time use; it does not add to growth or competitiveness.

Empathy has also been eroded by the drift to means-testing, the shrinkage of universalism and the privatization of public social services. The economically successful obtain a better service than the precariat and those on the edge of it. A true public sector is ruled by an ethos of universalism and empathy. All are equal, and come

as citizens. Privatized services become vehicles of inequality. Those who pay demand and expect better and quicker treatment than those reduced to being supplicants.

Perhaps the most ignored factor in the erosion of empathy has been the dismantling of the occupational guilds (Standing 2009). They were vehicles for the intergenerational transfer of codes of ethics, standards and reciprocity. Whatever their flaws as rent-seeking institutions, they provided a work-based framework by which ethics and reciprocity were reproduced. In dismantling them, governments killed a major source of social empathy.

While the progressive's challenge is to revive empathy, that is also the case for another progressive value, social solidarity. We need institutions to defend our commonality. Solidarity can only be sustained by big and little 'platoons', recognizing that every interest must be represented in them. In the neo-liberal model, such bargaining bodies are rejected as distorting the market. The plutocrats, elite and salariat do not need them; they can hire lawyers and accountants.

Social democrats' other Faustian bargain

In the 1990s, social democrats made their own Faustian bargain. To gain credibility with their version of 'the middle class', and potential backers, they abandoned solidarity principles in the briefly popular Third Way and opted for labour market flexibility and means-tested targeting of welfare, with a hard edge of workfare. This was epitomized by US President Bill Clinton's 1996 pledge to 'end welfare as we know it'. Others followed suit.

In doing so, they surrendered the space traditionally occupied by progressives, since means-testing necessitates distinctions between the deserving and undeserving poor. The poor once again became a social category, with emphasis on reducing their number. Principles of compassion, empathy and solidarity were abandoned, and social democrats helped to legitimize a mood swing in the way of looking at society. No mainstream party kept faith with progressive values.

In the UK, this Faustian bargain ended with the General Election in 2010, by which time many Labour supporters had come to believe in the dichotomy of deserving and undeserving. They were convinced Labour had not done enough to stop the undeserving from gaining benefits while they themselves had been denied them. In 2013, the Joseph Rowntree Foundation found that even Labour supporters no longer believed social injustice was the main cause of poverty – only 27 per cent thought so, compared with 41 per cent in 1986. Instead, 22 per cent of Labour supporters said laziness and lack of willpower were the main causes, compared with 13 per cent who said that in 1986.

Labour was hoist by its own petard. But it ploughed on, trying to present as hard a line as the government. At a time when reforms were worsening poverty, Labour's then work and pensions spokesman, Liam Byrne, said benefit cuts were a 'strivers' tax' and that Labour would attack 'the great evil of benefit dependency'. In that case, why did he not focus on the subsidies going to the elite and salariat? If social democrats play to prejudices, they help legitimize them. Instead of challenging these prejudices, and trying to draw people away from them, Labour has tried to court popularity by going along with what it thinks is majority opinion. In wanting to avoid criticism from the right, it betrayed the progressive heritage. The progressive

has always risked short-term unpopularity by challenging established ways of thinking.

Social justice principles

The progressive agenda is in disarray. A counter-movement for the Global Transformation is needed. In the second half of this book, some elements are proposed. However, we may set the scene by suggesting five justice principles (developed in Standing 2009) by which any proposal should be judged.

The *first* is the Security Difference Principle. It derives from the seminal work of John Rawls (1971), a progressive liberal. Put succinctly, a policy or institutional change is socially just only if it improves the security of the most insecure groups in society. Numerous utilitarian measures fail this principle. Basic security should be a human right.

The *second* is the Paternalism Test Principle. A policy or institutional change is socially just only if it does not impose controls on some groups that are not imposed on the most free groups in society. Paternalism is a pervasive outcome of neo-liberalism and utilitarianism. Neo-liberals claim to believe in a free unregulated market. But they have devoted an extraordinary amount of effort to building a tighter regulatory framework for directing the behaviour of those in and around the precariat. Unless the same rules apply to the idle rich as to the idle poor, they must fail the Paternalism Test. Unless all of us are enabled to pursue our idea of freedom without state direction, the principle is disregarded.

The *third* is the Rights-not-Charity Principle. A policy or institutional change is socially just only if it strengthens *rights* and does not increase the discretionary and unaccountable power of those dealing with citizens. Charity is welcome, but it must be marginal. Giving bureaucrats and their agents discretionary power, domination that is unaccountable and arbitrary, is clearly a regressive move, chipping away at freedom and doing so for vulnerable groups much more than for others. Policies that require people to show deference and grateful humility are offensive.

The *fourth* is the Dignified Work Principle. A policy or institutional change is socially just only if it promotes the capacity to pursue work that is dignifying and rewarding in other ways. This requires respect for all types of work, not just labour in subordinated activity.

The *fifth* is the Ecological Constraint Principle. This is critical today. A policy or institutional change is socially just only if it does not impose ecologically damaging externalities. For instance, a job creation scheme that results in more pollution or environmental degradation is unacceptable. Jobs are instrumental, not an end in themselves. Of course, there are trade-offs. But respect for the principle requires constant search for alternatives to activities that jeopardize today's and tomorrow's environment and the sustainability of species.

Where do these five principles lead? They should lead to a demand for social protection to be reframed from a progressive perspective, with the precariat's insecurities at the forefront of consideration. We might call this a 'social empathy' strategy. And the elements of the Precariat Charter outlined later should be assessed by all five principles.

Concluding reflections

Utilitarianism could lead to something close to neo-fascism, with authoritarian control over minorities. The austerity era has created a perfect storm of adverse outcomes: economic stagnation, chronic insecurity, rising inequality and commodified politics of dubious morality. The utilitarian way of thinking sets up dichotomies. When a prime minister divides people into those who 'do the right thing' and those who do not, he means those not doing the right thing should not have the rights afforded to those who do. To translate that into policy, you must define, measure and monitor rules. Once on that path, directive regulations and state control grow. The outcome is loss of freedom for the precariat.

The unemployed are told they must search for jobs every day and be on permanent standby. They must be prepared to move home and go to where they have no friends, relatives or support system. They must give up housing if they have one room not currently in use. This is not freedom. This is the moralistic and coercive Big State.

One interpretation of what is happening is that 'society' is shrinking, in that the share of the population with full citizenship rights is falling. But a lesson of history is that as outsider groups grow, so does the perceived illegitimacy of the structures that make them outsiders. At some point, the edifice becomes unmanageable, since too many people are being hurt. The opportunity that moment provides for a radical change in a progressive direction must not be missed.