

Reclaiming Responsibility: The Case of Welfare-to-Work Policy

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Abstract

Welfare-to-work programmes have a contested normative foundation. Critics argue that ‘citizen responsibility’ is being promoted to the sacrifice of more important social values, such as solidarity and fairness. This paper seeks to recapture what is valuable in citizen responsibility and to challenge the idea that the concept is intrinsically bound up with detrimental policy strategies. The paper develops a view of the responsible citizen as an appropriate addressee of moral expectations. This view highlights how addressing someone as responsible involves a presumption of reasonableness. Thereafter, the view is applied to conditions of street-level interaction, the design of policy instruments, and political discourse.

1. Introduction

This philosophical account investigates how the idea of citizen responsibility sets moral constraints on the way citizens can be addressed and how we should understand the preconditions of social citizenship. Using the debate on welfare-to-work as an example, it aims to reclaim the concept of citizen responsibility as a standard for assessing fair welfare policies and institutions.

Political talk of ‘responsibility’ is typically mere shorthand for expectations of greater economic self-sufficiency and labour-market participation on the part of citizens. According to several social policy analysts, this has had detrimental effects on the conditions of social rights.¹ The goal of promoting citizen responsibility is viewed as part of a fundamental shift in the normative foundation of welfare schemes. It is associated with turning away from solidarity towards a deeply individualistic mentality.

The political movement of the ‘Third Way’ is commonly considered to have delivered much of the ideological content of this turn. Hartley Dean uses the term ‘post-emotional’ to describe ‘the welfare society envisaged by the Third Way in which welfare dependency is stigmatized, personal responsibility is celebrated and social rights are strictly conditional’ (2003: 702). By ‘post-emotional’ Dean is referring to the ‘myth’ that

institutions and discourse should be governed by simplistic or one-sided ideas of motivation on the part of welfare providers and claimants.

The Third Way vision was given the most prominent expression in Tony Blair and Gerhard Schröder's joint manifesto, where responsibility was highlighted as a 'timeless value' (Blair & Schröder, 1998). Here, past social democratic policies and ideologies were accused of neglecting or even destroying this value. The Third Way was marketed as the modernisation of social democratic thought and the rejuvenation of responsibility as a counterweight to a mentality of entitlement. Anthony Giddens' motto for this strategy was 'no rights without responsibilities' (Giddens, 1998: 68).

It was part of the Third Way project to reform the welfare state in the name of citizen responsibility, but what does it mean for welfare institutions to address people as responsible citizens? The political focus on responsibility has been interpreted as part of an endorsement of 'neo-liberal social values', along with individual merit and market outcomes as metrics of good distribution (e.g., Schmidt, 2002: 176). Here, the very concept of responsibility is associated with narrow economic standards, and this has brought the concept into disrepute with regard to assessments of policies. Today, many social-policy analysts shun the concept as a standard for assessing the fairness of policies. For example, Bea Cantillon and Wim van Lancker argue that certain harmful welfare regimes are 'shaped by the very notion of responsibility' (Cantillon & Lancker, 2012: 664).

However, instead of relinquishing the notion, we should try to reclaim it by discovering the moral value at its core. Interestingly, Cantillon and Lancker refer to Peter Strawson's seminal article 'Freedom and Resentment' (2008 [1962]) as an example of a discussion of responsibility that is important for philosophical issues but, allegedly, not relevant to a practical evaluation of fair social policy. I will argue the contrary, that Strawson's theory of moral responsibility provides an invaluable framework for explicating the value of citizen responsibility. At its core, citizen responsibility is about being addressed as someone responsive to the reasons that flow from basic social values. It will be helpful to develop this idea against a current welfare backdrop and this is set up in the next section.

2. The citizen and the decision-maker

Towards the end of Ken Loach's film *I, Daniel Blake* (2016), there is a funeral for the eponymous main character, a 59-year-old carpenter who has died from a heart attack. In the scene, a pencil-written note found on Blake is being read, in which Blake articulates his creed in facing a grim welfare institution. His main appeal is to the attitude of respect

that is due all citizens; he was fed up with being treated as a mere social-security number, a scrounger and a beggar: ‘I, Daniel Blake, am a citizen, nothing more, nothing less’. But what specifically was wrong with the way he had been treated?

Blake’s complaint is not simply that he does not get the benefits to which he is entitled; rather, it is also that these benefits are being withheld in a way that fails to address him appropriately as a citizen. Film critic Peter Bradshaw (*The Guardian*) gives a good description of the interaction that grounds this complaint:

The officials have a chilling habit of defusing all complaint, whether face-to-face or on the phone, by insisting that they themselves are not making a ruling—it is all the responsibility of the “decision-maker”, as if it is one single person: ‘decision-maker’ is an almost laughably ungainly officialese (Bradshaw, 2016).

This portrayal seems to resonate with some of the research on the implications of welfare reform in the United Kingdom. For example, it has been claimed that ‘it is increasingly difficult for job seekers to challenge sanctions that are imposed on them or the advice and help they are given, and that street-level staff are insufficiently accountable for what they do’ (Adler, 2013: 230). It is common for qualified persons looking for jobs that match their skills to ‘feel especially strongly that providers have little to offer and that their goals and preferences are disregarded as they are pushed into any job or unpaid work placements’ (Rafass, 2017: 61).

How should normative theoretical analysis respond to such policies? Some philosophers argue that we should let the value of responsibility ‘find its way in the space left by the more aggressive assertion of other values’ (Wolff, 2015: 370). But if the invocation of responsibility is an invariant feature of political argument, then it is of primary importance to articulate a moral basis for this value. Rather than taking the currently dominant conception of responsibility for granted, we should ask: do these practices really promote citizen responsibility? The aim in this paper is to explain why the kind of institution Blake was subjected to fails to track genuine citizen responsibility.

Oddly enough, we can go to one of the leading intellectual advocates of the Third Way to begin an argument against the conception of responsibility currently ingrained in welfare-to-work practices. Giddens once operated with a conception of responsibility that precisely highlights the aspect of addressing citizens as responsive to and appropriately addressed by moral reasons: ‘[R]esponsibility implies the spelling out of reasons, not blind

allegiance. It runs counter to fanaticism, but has its own compelling power, for commitments freely undertaken often have greater binding force than those which are simply traditionally given' (Giddens, 1994: 21). This conception of responsibility jars with the standards that govern the practice Blake was subjected to. In fact, it was the 'spelling out of reasons' part that was most conspicuously lacking and that gave rise to the experience of lack of respect.

The task ahead is twofold. First, we need a firm basis for an alternative conception of citizen responsibility. While Giddens simply stipulated that responsibility is about the spelling out of reasons, the current aim is to find a defensible route to that idea and to unpack further the moral standards involved. Second, the new conception of citizen responsibility must be applied more systematically to the relevant aspects of welfare-to-work practices. Here, the main domains of application will be street-level interaction, policy instruments and legislative discourse.

3. Welfare schemes as continuous with ordinary moral thought

Part of arguing for a conception of responsibility for welfare institutions consists in showing that it coheres with reflectively acceptable standards and our broader moral practices. In political philosophy, an influential interpretive premise has been to take first-person ethics as the point of departure for determining what responsibility means in the welfare context. For example, Ronald Dworkin suggests that our notion of citizen responsibility in matters of welfare distribution should be 'continuous' with the logic of ordinary moral self-assessment, it should grow out of our 'internal lives' and our sense of appropriateness in taking responsibility for our own choices (2000: Ch. 9).

On the one hand, the idea of seeing citizen responsibility as being continuous with ordinary moral assessment is promising and something I will explore in more detail here. The point of departure for this paper is that citizen responsibility is a branch of ordinary moral responsibility, not some detached notion grounded in an exclusively political way of thinking. With this in mind, I propose to consider more carefully what continuity with ordinary moral address and welfare logic implies.

On the other hand, it is not evident that *first*-person ethics – our private sense of being blameworthy for freely made choices – is the right starting point. The problem with seeing our 'internal lives' as providing the standard is that it obscures how the most relevant concept of responsibility is inherently *interpersonal*; its meaning cannot be grasped independently of our practices of addressing and reacting to each other as moral agents.

As I will explain in this section, the concept of responsibility Dworkin derives from first-person ethics is substantively different from the one we can derive from our practices of interpersonal address or what Stephen Darwall calls ‘the second-person standpoint’ (2006).

Let us look briefly at the concept Dworkin extracts from first-person ethics. He proposes a ‘hypothetical insurance scheme’ which is ‘designed to serve the needs of an ethically sensitive theory of justice by making distribution sensitive to choice and conduct’ (Dworkin, 2000: 339). Here, ‘ethically sensitive’ means that a theory of just welfare institutions should track our sense of appropriateness in taking responsibility for our choices and character traits (cf. Dworkin, 2000: 323). In light of this, Dworkin’s theory is commonly sorted under ‘luck egalitarianism’, which is a group of views sharing the idea that distributive decisions should be sensitive to choice. Consequences incurred by choice are seen as less worthy of compensation than circumstances that have befallen citizens as a matter of bad luck. In other words, Dworkin’s invocation of the ‘first-person ethics’ as point of departure is explicitly geared to deliver claims about what kinds of consequences we must bear ourselves.

The important point now is that this form of responsibility for outcome is not the only – or even the primary – concept our welfare institutions should track. Another concept of responsibility can be derived from the second-person standpoint. While first-person ethics (as understood by Dworkin) is about our sense of owning the consequences of our freely made choices, the second-person standpoint is about *addressing each other as responsive to a shared space of reasons*. The task in this paper is to explain the importance of recognising that the second-person standpoint delivers a concept of citizen responsibility that is essential to the legitimacy of welfare institutions. **What then does it mean for a concept of responsibility to be derived from the second-person standpoint?**

First and foremost, it means that we cannot understand the concept independently of our practices of expressing demands and concerns to each other. This was key to Strawson’s view in ‘Freedom and Resentment’ (2008): he focused on how attitudes like resentment and indignation address wrongdoers. In particular, the attitudes summon the wrongdoer to comply with morally acceptable reasons. The wrongdoer is responsible in the sense of being an appropriate target of moral expectations. People are appropriate targets of moral expectations insofar as they can understand and comply with the demands and concerns expressed in attitudes like resentment and indignation. As Gary Watson puts it: ‘Strawson’s radical claim is that these “reactive attitudes” (as he calls them) are *constitutive* of moral responsibility; to regard oneself or another as responsible just is the proneness to

react to them in these ways under certain conditions' (Watson, 2004: 220, emphasis original). We understand the moral responsibility of the transgressor by reflecting on why certain responses are appropriate. Most prominently, attitudes of resentment or indignation express a warranted expectation that the transgressor can understand and comply with basic standards of moral interaction. The goal is not that the transgressor be made worse off as a consequence of the action (i.e., outcome responsibility). Rather, the reactive attitudes address the transgressor as someone who needs to change in order to re-establish the relationship.

Consider someone slandered by a supposed friend. The slandered agent reacts with attitudes of hurt and resentment directed at the slanderer. These reactive attitudes do not simply express anger or frustration; they convey that the transgressor has acted on reasons that fundamentally change their relationship. The reactive attitudes of ordinary interaction are not some brute punishment intended to deter further wrongdoing by mere force. Rather, they address the wrongdoer as someone who can freely accept the demands of morality. The slanderer is addressed as answerable in the sense of being the appropriate subject of a demand for justification. Whether one should be 'held accountable' in the sense of suffering consequences for the decision is a *separate* question.

We reclaim the concept of citizen responsibility by detaching the idea of *addressing* agents as answerable from the notion of *holding* agents accountable for their choices. The confusion of these two notions of responsibility pervades much political discourse, thereby obscuring the moral basis of both. As T. M. Scanlon (1998) has noted, political argument is prone to jumping straight from the observation that some state of affairs is attributable to faulty moral judgement (which means the agent can be addressed as responsible) to the conclusion that the person must be held responsible for the judgment in the sense of suffering the consequences (Scanlon, 1998: 293).

Welfare-to-work policies constitute an important example in this regard. In making benefits contingent on work-oriented activity, welfare institutions are responding to a claim with a counter-demand: 'If you want to claim this right you have to discharge this obligation'. Here, it is evident that the welfare state does not simply *confer* benefits and burdens, it also *engages* with citizens. The question is how welfare-to-work practices can engage with citizens in a way that addresses them as responsible.

The task of reclaiming responsibility should be seen as part of the broader project Sharon Wright describes as 'conceptualizing the active welfare subject' (Wright, 2016). Wright argues that the currently dominant conceptualisation delivers a 'deficit model'

which ‘relies on a blanket view of welfare subjects as naturally inactive and in need of activation – either because of their perceived incompetency or immorality’ (Wright, 2016: 236). She uses findings on lived experiences to develop a ‘counter model’ that ‘seeks to assert the voices and interests of competent yet disempowered actors’ (Wright, 2016: 236). This counter model warns against ‘misattribution of “personal responsibility”’ because of its damaging effects in terms of emotional distress and collapse of agency (Wright, 2016: 249).

In enjoining welfare-to-work practices to recognise claimants as ‘competent yet disempowered’, the counter model is in effect calling on institutions to address subjects as responsible. That is, rather than seeing the counter model as rejecting the very idea of responsibility as a key attribution of the active welfare subject, we should consider how it can draw support from the Strawsonian or second-personal concept of responsibility to be developed here. Recognising that claimants experience powerlessness is important in order to assess *which* conception of responsibility should be considered most normatively salient today. We should not construe the assessment as a matter of *whether* responsibility sets a relevant standard.

4. Exempting conditions and the objective attitude

In this section, I will explain how a ‘Strawsonian’ framework can illuminate a relevant concept of citizen responsibility and set important standards for welfare-to-work practices. By considering the moral premises of this framework in some detail, I hope to convey more clearly how a presumption of reasonableness sets constraints on interaction and justification.

As already discussed, Strawson’s (2008) main argument concerns how our idea of moral responsibility is intrinsically bound up with ‘reactive attitudes’ that are triggered by the actions of others as well as our own. They arise in us by recognition of ‘good or ill will or indifference’ directed towards ourselves or others (Strawson, 2008: 11). For example, we experience resentment when others lack the required level of regard for us and we feel guilt when we have failed to show the necessary respect or concern for others. In Strawson’s terminology, these are attitudes of *participation*; they are attitudes that are appropriate when the addressee is someone with whom we can engage as a participant in our moral practices.

The participatory stance is bound up with what I will call a *presumption of reasonableness*. In the participant attitude we appeal to others as reasonable and are,

thereby, inviting them to relate to us as equals. The presumption of reasonableness demands more of the addressee than mere rationality. It involves the further requirement of being able to engage on reciprocally respectful terms and share a space of reasons regarding the constraints of respectful interaction. Part of what it means to be a participant in our moral practices is being minimally responsive to basic values such as fairness and solidarity. This links up with the tradition of political thought where reciprocity refers to mutual acceptability rather than a requirement to reciprocate benefits (cf. Molander & Torsvik, 2015: 385). These two forms of reciprocity are sometimes conflated in discussions of welfare institutions; the idea of reciprocity as the sharing of reasons is sometimes taken – without argument – to translate directly into a morally substantive view on the duty to contribute a fair share (as noted in Paz-Fuchs, 2008: 43).

In Strawson's account, exempting agents from moral responsibility is to switch from the participatory mode of interaction to adopting the 'objective attitude'. This attitude sees the agent as 'one posing problems simply of intellectual understanding, management, treatment, and control' (Strawson, 2008: 18). One is made subject to the decisions of others without being dignified with an adequate justification. That is, the agent may, of course, be given insight into the reasoning behind the decision but not in the sense of being addressed as someone whose approval or understanding matters to the legitimacy of the decision itself. The merits of the decision will depend on whether it tracks certain given ends satisfactorily, and the opinions of the one subjected to the objective attitudes will be mere empirical input for strategic calculation, not something that has bearing on the ends themselves. The objective attitude does not operate on any presumption of reasonableness. Instead of assuming a shared space of reasons, it is governed by the idea of a moral divide; it is not willing to take a chance on citizens being responsive to basic social values (e.g., fairness, participation) but wants institutions to assume a failure of moral judgement. This is not true reciprocity, rather a form of hedging against burdens, a form of avoiding what Strawson called 'the strains of involvement' (2008: 8).

The participatory perspective, with its reactive attitudes, governs our second-person ethics; moral respect for persons prohibits taking the objective attitude when others attempt to engage with us sincerely in terms of reciprocal reason-giving. As already noted, the goal here is to understand how second-person ethics can provide a legitimate normative ground of welfare policy. We are now gaining a fuller understanding of what this can mean in terms of citizen responsibility. Insofar as current welfare policy is 'post-emotional' in Dean's sense, and thereby disengaged from second-person ethics, it

has taken the objective attitude towards citizens. The objective attitude may impose liabilities on citizens for the consequences of their actions but it does not take citizen responsibility seriously. The true value of citizen responsibility requires that policies respect the standards internal to the participant attitude.

5. Applying citizen responsibility to policy and practice

The preceding sections have articulated a formal idea of citizen responsibility that does not pre-empt the substantive content of social policy. Although it is not designed to deliver ready-made verdicts on concrete policies and practices, the conception of citizen responsibility derived from the participant perspective does aim to be an aid in assessments of fair social policy. Whether welfare-to-work policies strengthen or erode citizen rights depends on a range of characteristics of both the pre-existing arrangement and the new programme (Lødemel & Trickey, 2000: 11). Therefore, there is reason to provide a somewhat systematic overview of the range of distinct policy aspects that have a bearing on the question of respecting citizen responsibility, before discussing some substantive examples of how this general framework can be applied. This section, then, illustrates briefly how citizen responsibility can be operationalised.

Voluntariness: Can claimants choose between different options? Does the scheme promote client involvement in setting the terms? The presumption of reasonableness involved in citizen responsibility speaks in favour of seeing claimants as co-deliberators in staking out a course of action. While there has to be fairness across cases and determinate bounds of discretion, there should be space for giving claimants a sense of ownership of their future.

Administration: Who makes the decisions? Is the administration governed by a strictly managerial logic aimed at efficiency relative to standardised performance indicators or a professional logic that allows for more complex judgements based on the needs of the individual? The requirement of addressing citizens by appealing to reasons, as opposed to merely the content-independent authority of rules, favours institutionalising the professional logic (within the bounds of administrative justice). Citizens are engaged with the participatory mode of interaction when faced with an administration prepared to offer substantive considerations and to explain the meaning of the measures that are imposed.

Sanctions: How are sanctions enforced? Are they severe? The participant perspective highlights the expressive function of sanctions; instead of being punitive, they should constitute a mode of communicating certain standards and getting across to

claimants who fail to comply with reasonable conditions. Sanctions should, therefore, be clearly accompanied by accessible reasons and opportunities for contestation.

Narrative: What is the surrounding discourse? How do politicians justify policy? Addressing citizens as responsible requires that justifications appeal to considerations that are acceptable to all reasonable citizens. This bars narratives that aim to justify policies by appeal to the merely supposed presence of unreasonable attitudes in the citizenry.

Market: What kind of labour market does the policy serve? Is the unemployment high? Making reasonable demands requires practices of activation that are sensitive to the realistic prospects of clients. In an economy with low job security and specialised demands, a strict activation policy aimed at deterring free-riders fails to address citizens appropriately.

Offer: What activities does the scheme offer? Are the measures enabling or restrictive? The presumption of reasonableness counts against instituting measures that express distrust of citizen responsiveness to the value of fair cooperation. But presumptions can be defeated; restrictive measures can be a mode of addressing citizens as responsible in cases where trust has been abused.

The aim here has been to mark some distinct areas of normative salience and to indicate how the general framework applies. More context-sensitive interpretive work needs to be done before the framework can deliver adequate assessments of actual policies and practices. Nevertheless, it is necessary to explore the framework tentatively with more extended discussion of how it applies to distinct aspects of welfare-to-work practices, which is the mission of the next section. The aspects touched upon here will be returned to in various degrees in the cases below.

6. Domains of application

The following is offered as an illustration of how the Strawsonian framework of citizen responsibility can be used to assess distinct kinds of reasoning about welfare-to-work policies. In particular, the section aims to illustrate how the concept of citizen responsibility can be used to identify normative challenges in three domains of welfare policy. The objective attitude may be expressed in street-level interaction, it can govern the design of policy instruments and it can characterise legislative discourse. However, the idea of applying the framework to these three domains in separation should by no means suggest that they are independent of each other. For example, the meaning of a frontline remark may depend on the setting provided by policy instruments and the surrounding political narrative.

6.1 Street-level interaction

The participatory perspective requires a form of frontline interaction that engages with citizens on a presumption of reasonableness. How does that set standards for interaction? I will discuss two issues in this regard. First, the presumption of reasonableness involves a requirement of appealing to *reasons as opposed to mere rules*. Second, the presumption of reasonableness requires that frontline interaction is *respectful*.

The claim that frontline interaction should involve offering justificatory reasons may seem to fly in the face of the fact that appeals to rules are part of the logic of any public institution. Nevertheless, it matters that such appeals are embedded in an interactional framework that conveys the meaning of activities. Importantly, this is not a purely moral requirement detached from the functionality of meaningful activation. As research shows, reason-giving matters for the self-efficacy of the unemployed and thereby the success of welfare policies: ‘If the client does not believe in or cannot see the meaning of the given measure, it is very likely that this measure will fail’ (Andersen, Caswell, & Larsen, 2016: 16). Citizen responsibility does not require that all activities be freely endorsed by claimants, but it requires that mandatory measures aspire to connect with a presumed ability on the part of claimants to respond to the justificatory reasons behind the measures.

Apparently, a requirement that mandatory advice or obligatory training should be accompanied by justificatory reasons remains to be institutionalised in some welfare-to-work practices. For example, let us return to the UK study by Wright (2016) that was mentioned above. In the study, people who had participated in activities provided by the Jobcentre Plus were interviewed and Wright found that advice was sometimes ‘experienced as a standardised empty bureaucratic process without relevance to particular circumstances’ (Wright, 2014: 248). This suggests that some participants are met with appeals to predetermined and inflexible rules rather than considerations that explain the purpose of activities. Empty bureaucratic processes are an affront to citizen responsibility because they fail to address claimants as moral agents who orient themselves in a space of reasons governed by social values.

The participant perspective’s requirement of connecting with claimants in terms of reasons enables recognition of the claimant as having a moral status and being due a form of respect. A key form of respect is addressing the claimant as someone having requisite moral insight but lacking opportunities. Respectful activation is geared towards enabling claimants to find meaningful employment in a mode that recognises their

potential and aspirations. Perhaps the ‘capability approach’ to activation (Bonvin & Farvaque, 2007) offers the model that is most compatible with the conception of citizen responsibility developed here. On this model, frontline interaction should aim to help claimants convert their resources into opportunities. This requires sensitivity to the special circumstances of the claimant and intelligent use of activation tools. That is a way of engaging with claimants on participatory terms; it sees them as responsive to reasons but requiring work-related capabilities.

This contrasts with the idea that enforcement can only be successful if social programmes foster a ‘sense of responsibility’ by persuading people to ‘*blame themselves*’ for deviation (Mead, 1986: 10). As a policy for frontline interaction, this is apt to alienate claimants and prevent the creation of a shared space of reasons. Claimants are said to react with ‘anger, humiliation and depression’ (Friedli & Stearn, 2015: 44) to messages from welfare-to-work contractors who emphasize that it is the claimant’s own mindset that is the problem. In cases where claimants believe that they have done what can reasonably be expected of them in terms of finding work, the strategy of making claimants blame themselves for their situation will understandably give rise to a feeling of being met with the objective attitude.

The requirement that frontline interaction should be respectful is perhaps obvious once the Strawsonian conception is adopted, but it is less plain if one thinks that promoting citizen responsibility is primarily about tackling moral hazard problems. Setting ‘deterrence’ as the primary goal leads to practices that fail to express an attitude that recognises the moral status of the claimant. For example, economists discuss whether ‘threat effects’ are enhanced by making activities ‘known to represent a complete waste of time’ mandatory (Røed, 2012: 10). How can one engage respectfully with someone in a vulnerable situation by making deterrence the default strategy? The strategy of deterrence expresses a presumption of unreasonableness. It takes the objective attitude by seeing the claimant as mere ‘inflow’ to be prevented from entering into the system.

6.2 Policy instruments

How should policy instruments be designed to promote citizen responsibility? Here, I will briefly consider *work capability assessments* and then some different uses of *sanctions*.

Work capability assessments aim to determine the claimant’s disability and fitness for work. A recent comparison of the implementation of work capability assessments in the UK and Norway brought out some key considerations (Gjersøe, 2016). It is argued

that the UK's mode of conducting assessments adheres to a 'managerial logic'.ⁱⁱ This is partly due to its reliance on a medical test outsourced to a private healthcare company. Importantly, the reactions of those subjected to this medical test indicate how citizens expect policy instruments to allow for engagement beyond the objective attitude: '[C]laimants have reported that they are not listened to during the test, nor met in a respectful and empathetic manner' (Gjersøe, 2016: 148). These reactions harmonise with the criticism of policy analysts who argue that claimants are met with a technical and computer-driven process, where a rigid points system related to functional impairments has been implemented instead of a broader assessment that takes skills, age, and labour-market conditions into consideration as part of what constitutes working capability (see references in Gjersøe, 2016: 149). By contrast, the Norwegian work capability assessment is considered to conform to a more professional logic of administration: 'The advisors are expected to apply knowledge of the labour market and exercise discretion as to what the claimants need in order to improve their employability' (Gjersøe, 2016: 153).

It seems that the UK assessment can be criticised in light of the standards of citizen responsibility. It is almost exclusively geared to regulating inflow into the welfare schemes, while the Norwegian assessment is said to aim more at identifying needs for follow-up services and at finding constructive ways to achieve employability. The Norwegian mode of conducting assessments is more participatory in the sense that claimants are encouraged to be actively involved in the process by making self-assessments of resources and opportunities.

However, it should be noted that citizen responsibility does not favour an unlimited amount of frontline discretion to individualise activation. As another study of the Norwegian welfare administration argues, enhancing the scope for officers to tailor services to particular circumstances can increase the negative aspects of discretion, such as arbitrariness, uncertainty and insecurity (Nilssen, 2015: 89). This means that a more obscure form of power asymmetry may govern the claimant–caseworker relationship. The authority of the decisions should be grounded in a relationship that is sufficiently structured by public standards and not dominated by obscure power relations.

We now turn to the threat of sanctions, which is an essential part of *mandatory* activation and can be used in different ways. Two criteria for use of sanctions are particularly salient in light of the conception of citizen responsibility developed here, namely *understanding* and *ability-sensitivity*.

Concerning understanding, much evidence from the British and US context indicates that claimants have little knowledge of the sanctioning system and many are even unaware that sanctions have been imposed on them (Griggs & Evans, 2010: 29). This counts as failure **regardless of the specific conception** of citizen responsibility: people must know they are being sanctioned in order for this instrument to work. However, what it means for sanctions to ‘work’ depends on the responsibility conception at play.

The Strawsonian conception of citizen responsibility comes with the criterion that sanctions must communicate reasons as opposed to merely inflicting punishment or deterring free riders. An institution that responds with sanctions to claimant action without communicating reasons fails to take the participant perspective. Similar to how our affective reactions to the wrongdoing of others in ordinary moral relations are ‘incipiently forms of communication’ (Watson, 2004: 230), the institutionalised consequences of non-compliance should be transparently linked to the purpose of activation. Seeing as the official justifications of mandatory activation are typically couched in enabling or empowering terms, the criterion that sanctions reflect the purpose of activation entails some constraints on strictness. One cannot understand the meaning of sanctions if they undermine the purposes of activation such as increased wellbeing and enhanced opportunities to find meaningful work. Moralised sanctioning as retribution for wrongdoing will not uphold claimants’ commitment to activation measures. The punitive use of sanctions is said to diminish the supportive or enabling expression of activation schemes and create a form of unequal power that undermines the potential for genuine co-ownership of action plans (Newman, 2011: 98).

In order to address citizens as responsible persons, sanctions should primarily be designed to reengage with claimants and recalibrate a shared understanding of commitments. As a caseworker in a Danish study described it, the point of cutting benefits can be to get the claimant to ‘pop in’ and to get some meaningful activity going again (Caswell & Høybye-Mortensen, 2015: 46). Moreover, the consequences of transgression do not have to take the form of benefit reduction. In the case of social assistance, for example, consequences could involve altering benefit ratios or methods rather than reducing the basic support. In general, the presumption of reasonableness counts against using sanctions in a way that undermines the communicative relationship. Arguably, it counts in favour of the kind of hesitance that Norwegian caseworkers are said to exhibit with regards to enforcing sanctions; they are primarily interested in grasping the reasons

for failures to comply and in clarifying what the abilities of the claimants are (Terum, Torsvik, & Øverbye, 2017).

Concerning ability-sensitivity, the idea is that sanctions fail to engage with claimants in the right way if they do not connect with the actual set of opportunities that are available. A UK study revealed that those who are especially vulnerable – due to difficulty understanding requirements or restricted ability to make Jobcentre Plus appointments – were also those most likely to be sanctioned (Reeves & Loopstra, 2017). In other words, there is often a disconnect between the obligations and abilities of claimants.

The participant perspective, with its presumption of reasonableness, constrains institutions from taking the default position that claimants are unreliable in this regard. Nevertheless, there has been some suggestion that this is indeed a default position in some welfare-to-work regimes. A review of mandatory activation in OECD countries found that, while jobseekers point to factors beyond their control, welfare-to-work providers ‘consistently believe (and the terms of their remit probably condition them to) that it is poor motivation that holds their “clientele” back’ (Rafass, 2017: 360). Sanctions tend towards the objective attitude when they are grounded in a disconnect between obligations and abilities. The message they express is that claimants are failing to respond to reasons and in need of moral habituation. By contrast, the participatory perspective proceeds on the presumption of reasonableness and considers whether there were genuine opportunities to do otherwise. Addressing claimants as responsible persons requires that decisions on the consequences of any transgression are informed by the actual situation and not by some predefined conception of claimant motivation.

6.3 Legislative discourse

Political justifications of welfare reform declare principles according to which institutions will be governed. As with street-level interaction, one could argue that it is inappropriate to expect legislative discourse to express the participatory attitudes to the same extent as our direct and personal moral relations. That is, social policy may rightfully move some steps towards the objective stance, thereby making the necessary generalisations about psychology and motivation. It is legitimate to justify policies by appealing to how people react to system incentives or how an individual’s work ethics relies on social mechanisms. But we are speaking of a continuum here, and the question is at what point the standing of citizens as responsible agents is being scorned. On the account presented here, this

point is reached when legislative discourse ceases to address citizens as responsive to social values. How can this participant perspective be operationalised by concrete constraints? I will consider two related criteria: *non-attribution* and *non-stigmatization*.

The criterion of non-attribution is procedural in the sense that it prohibits political justifications from attributing unreasonable views to claimants based on assumptions of attitudes rather than on claims that have been publicly voiced. Treating citizens as responsible involves justifying policies *to them* in the participant attitude. This calls for responding to the content of actual claims, as opposed to merely inferring certain attitudes from employment statistics.

As illustrations of violations of the criterion of non-attribution, consider first Gerhard Schröder's now infamous response to rising unemployment figures; 'There is no right to be lazy in our society' (Bild, April 5, 2001). Many interpreted the claim as both resulting from prejudice and as likely to trigger more of it.ⁱⁱⁱ This violates the principle of non-attribution because it ascribes an unreasonable view to claimants in the absence of real and representative expressions of this view. Naturally, there was no social movement voicing a 'right to be lazy'. Schröder's remark therefore attributed a view to claimants rather than engaging with their actual concerns. In this regard, it is worth noting how the principle of non-attribution is parallel to Elizabeth Anderson's (1999) point with regards to egalitarian theorising. She saw a need to re-establish a connection with actually existing egalitarian movements: 'It is not a moral accident that beach bums and people who find themselves slaves to their expensive hobbies are not organizing to make claims of justice on behalf of their lifestyles' (Anderson 1999: 337). This call for responsiveness to actual political movements applies no less to legislative discourse.

Schröder's remark was presumably intentionally provocative, but less blatant violations of the non-attribution criterion can also be dangerous because they are likely to be more pervasive. For example, take the notion of the 'calculating unemployed' that for a time dominated public and political debates in the Netherlands (Spies & van Berkel, 2001: 113). The debate attributed a distinct normative outlook to a large portion of the unemployed, namely that whether to stay on welfare benefits is a matter of self-interested rational calculation. As it happened, the notion of the 'calculating unemployed' was derived from research where it was one category in a broader typology of claimants. The research identified the calculating outlook only in one-fifth of the research population of 221 (Spies & van Berkel, 2001: 113, referring to Engbersen *et al.*, 1993). Appealing to the calculating outlook to justify stricter welfare-to-work practices is thereby a way of falsely attributing

unreasonable views to the unemployed. To use Strawson's expression, it is a way of avoiding the 'strains of involvement' by reducing claimant rationality to responsiveness to economic incentives.

The criterion of non-stigmatisation is related to this, but it is more substantive in the sense that it sets moral constraints on categories used to justify legislation. That is, it concerns the alienating and harmful content of certain descriptions, rather than their correspondence to actual claims. Some political narratives are geared to frame recipients of unemployment benefits as morally deficient. As Ruth Patrick observed in the 2015 UK general election, the division between the 'deserving' and 'undeserving' has been reinvigorated and recast as a dichotomy between 'strivers' and 'shirkers' (Patrick, 2016: 245). In her qualitative study of how claimants live with this narrative, Patrick found that they saw it as 'demarcating them as members of a problematic, threatening, even abject population' (Patrick, 2016: 257; see also Garthwaite 2014: 789-791).

These are paradigm cases of experiencing the objective attitude; the narrative casts claimants as posing problems purely of management and control. The effect was demoralising and damaging for claimant self-esteem. In other words, by failing to address claimants *as* responsible, stigmatizing narratives are undermining the ability of claimants to *take* responsibility. By contrast, taking the participant attitude requires using categories that express a presumption of reasonableness (in the absence of plain evidence that this is unwarranted). This involves decoupling unemployment from moral character and renouncing strict dichotomies between deserving and undeserving. Narratives that genuinely seek to promote citizen responsibility must acknowledge claimant responsiveness to social values (as opposed to merely responding to the brute force of sanctions).

7. Conclusion

Over the last decades, central welfare reforms have been initiated in the name of the 'timeless value' of responsibility. That is a public justification we should take seriously and to which we should hold the institutions answerable. This paper has highlighted how citizen responsibility generates a need for street-level interaction that communicates the reasons behind decisions, policy instruments that allow for structured participation, and public justifications that address actual claims in political discourse. Clearly, more context-sensitive interpretive work needs to be done before the framework can deliver adequate assessments of actual policies and practices. Nevertheless, the tentative exploration

provided here should indicate how Strawson's second-person theory of moral responsibility constitutes a counterweight to currently dominant conceptions of citizen responsibility.

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References

Adler, M. (2003), 'A socio-legal approach to administrative justice', *Law & Policy*, 25: 4, 323-352.

Adler, M. (2006), 'Fairness in context', *Journal of Law and Society*, 33: 4, 615-638.

Adler, M. (2013), 'Conditionality, sanctions, and the weakness of redress mechanisms in the British "new deal"', in E. Z. Brodtkin & G. Marston (Eds.), *Work and the welfare state*, Washington, DC: Georgetown University Press.

Andersen, N. A., Caswell, D., & Larsen, F. (2016), 'Innovation of employment services for vulnerable groups: the case of Denmark', conference paper for 'Changing Labour Markets: Challenges for Welfare and Labour Market Policy', Linnaeus University, Växjö, Sweden, December 7-9.

Anderson, E. (1999), 'What is the point of equality?' *Ethics*, 109: 2, 287-337.

Blair, T. & Schröder, G. (1998), *Europe: the Third Way/die Neue Mitte*. Friedrich Ebert Stiftung, working documents, 2.

Bonvin, J.-M. & Farvaque, N. (2007), 'A capability approach to individualised and tailor-made activation', in R. van Berkel & B. Valkenburg (Eds.), *Making it personal: individualising activation services in the EU*, Bristol: Polity Press.

Bradshaw, P. (2016), 'Ken Loach's welfare state polemic is blunt, dignified and brutally moving', *The Guardian*, 12 May.

Cantillon, B. & Van Lancker, W. (2015), 'Solidarity and reciprocity in the social investment state: what can be learned from the case of Flemish school allowances and truancy?' *Journal of Social Policy*, 41: 4, 657-675.

Caswell, D. & Høybye-Mortensen, M. (2015), Responses from the frontline: how organisations and street-level bureaucrats deal with economic sanctions. *European Journal of Social Security*, 17: 1, 31-51.

Dean, H. (2003), 'The Third Way and social welfare: the myth of post-emotionalism', *Social Policy & Administration*, 37: 7, 695-708.

Dermine, E. & Dumont, D. (2014), *Activation policies for the unemployed: the right to work and the duty to work*, Brussels: Peter Lang.

Darwall, S. (2006), *The second-person standpoint*, Cambridge, MA: Harvard University Press.

Dworkin, R. (2000), *Sovereign virtue*, Cambridge, MA: Harvard University Press.

Engbersen, G., Schuyt, K., Timmer, J., & van Waarden, F. (1993), *Cultures of unemployment: a comparative look at long-term unemployment and urban poverty*, Oxford: Westview Press.

Ervik, R., Kildal, N. & Nilssen, E. (Eds.) (2015), *New contractualism in European welfare state policies*, Farnham: Ashgate.

Friedli, L. & Stearn, R. (2015), 'Positive affect as coercive strategy: conditionality, activation and the role of psychology in UK government workfare programmes', *Critical Medical Humanities*, 41: 1, 40-47.

Garthwaite, K. (2014), 'Fear of the brown envelope: exploring welfare reform with long-term sickness benefit recipients', *Social Policy & Administration*, 48: 7, 782-798.

Giddens, A. (1994), *Beyond left and right*, Cambridge: Polity Press.

Giddens, A. (1998), *The Third Way*, Cambridge: Polity Press.

Gjersøe, H. M. (2016), 'Regulating inflow or outflow: a comparison of the work capability assessments in the UK and Norway', *Journal of Social Policy*, 45: 1, 141-158.

Griggs, J. & Evans, M. (2010), 'Sanctions within conditional benefit systems: a review of evidence', Joseph Rowntree Foundation.

Kaufmann, M. (2013), *Kein Recht auf Faulheit* [No right to be lazy], Wiesbaden: Springer Fachmedien.

Lødemel, I. & Moreira, A. (Eds.) (2014), *Activation or workfare: governance and the neo-liberal convergence*, Oxford: Oxford University Press.

Lødemel, I. & Trickey, H. (Eds.) (2000), *'An offer you can't refuse': workfare in international perspective*. Bristol: Policy Press

Mashaw, J. L. (1983), *Bureaucratic justice: managing social security disability claims*, New Haven: Yale University Press.

Mead, L. (1986),. *Beyond entitlement: the social obligations of citizenship*, New York: The Free Press.

Molander, A. & Torsvik, G. (2015), 'Getting people into work: what (if anything) can justify mandatory activation of welfare recipients?' *Journal of Applied Philosophy*, 32: 4, 373-392.

Newman, I. (2011),. 'Work as a route out of poverty: a critical evaluation of the UK welfare to work policy', *Policy Studies*, 32: 2, 91-108.

Nilssen, E. (2015), 'Contractualism and street-level discretion in Norwegian activation policy', in R. Ervik, N. Kildal & E. Nilssen (Eds.), *New contractualism in European welfare state policies* (pp. 73-92), Farnham: Ashgate.

Patrick, R. (2016), Living with and responding to the 'scrounger' narrative in the UK: exploring everyday strategies of acceptance, resistance and deflection. *Journal of Poverty and Social Justice*, 24: 3, 245-249.

Paz-Fuchs, A. (2009), *Welfare to work: conditional rights in social policy*, Oxford: Oxford University Press.

Rafass, T. (2017), 'Demanding activation', *Journal of Social Policy*, 46: 2, 349-365.

Reeves, A. & Loopstra, R. (2017), 'Set up to fail?' How welfare conditionality undermines citizenship for vulnerable groups, *Social Policy and Society*, 16: 2, 327-338.

Røed, K. (2012), 'Active social insurance', *IZA Journal of Labor Policy*, 1: 8, 1-22.

Scanlon, T. M. (1998), *What we owe to each other*, Cambridge, MA: Harvard University Press.

Schmidt, V. A. (2002), 'Does discourse matter in the politics of welfare state adjustment?' *Comparative Political Studies*, 35: 2, 168-193.

Spies, H. & van Berkel, R. (2001), 'Workfare in the Netherlands': young unemployed people and the Jobseeker's Allowance Act' in I. Lødemel & H. Trickey (Eds.), *An offer you can't refuse: workfare in international perspective* (pp. 105-132), Bristol: Policy Press.

Strawson, P. F. (2008), *Freedom and resentment and other essays*, Abingdon: Routledge.

Terum, L. I., Torsvik, G. & Øverbye, G. (2017), 'Når vilkår og aktivitetskrav brytes: frontlinjearbeideres tilnærming til sanksjoner' [When conditions and mandatory activation are breached: frontline workers attitudes to sanctions], *Søkelys på arbeidslivet*, 34: 3, 147-166.

Watson, G. (2004), *Agency and answerability*, Oxford: Oxford University Press.

Wolff, J. (2015), 'Political philosophy and the real world of the welfare state', *Journal of Applied Philosophy*, 32: 4, 360-372.

Wright, S. (2016), 'Conceptualising the active welfare subject: welfare reform in discourse, policy and lived experience', *Policy & Politics*, 44: 2, 235-252.

Notes

ⁱ There have been several critical comparative anthologies on how welfare-to-work policies have attempted to implement an idea of citizen responsibility. Recent contributions include Dermine & Dumont (2014), Lødemel & Moreira (2014), and Ervik, Kildal, & Nilssen (2015).

ⁱⁱ The concept of a 'managerial model of administrative justice' stems from Adler (2003; 2006) and is part of his development of six models of administrative justice (which is an expansion of Mashaw, 1983). These models have quite technical meanings; I use the terms managerial and professional a bit more loosely in the text.

ⁱⁱⁱ While some German newspapers defended the rhetoric, others (notably Frankfurter Allgemeine Zeitung (30.04.2001)) emphasised how it stimulated more prejudice. See Kaufmann (2013: ch. 4) for analysis of the debate.