

**-Draft Only-**  
**University of Queensland**  
**Road to Where? The Politics and Practice**  
**of Implementing Welfare to Work.**  
**17-18 July 2006**  
**Brisbane**

**REFRAMING THE WELFARE-TO-WORK DEBATE:  
RIGHTS, VALUES AND A NEW POLITICS**

The social sciences are intellectually vacuous and  
ethically nihilist.  
Alfred Schutz (1940/1986)

Rob Watts,  
Professor of Social Policy,  
School of Global studies, Social Science and Planning  
RMIT University

When things go badly the Chinese are wont to say 'we live in interesting times'. I think that the Australian composer Larry Sitsky was a bit closer to the mark, when he recently referred to ours as a kind of new 'dark age' (ABC Radio: *Late Night Live*, 27/6/2005). It's a time certainly when governments and universities, along with many other important public institutions like our political parties, our schools and hospitals and the big media organizations, all seem to have lost their way. In one sense it is odd that this should be so. This is because ours is a time when a motley crew of neo-liberals and neo-conservatives, many of them in the national government, prattle on about the need to 'promote 'values' especially 'Australian values'. Their latest bright ideas include the promotion of 'core Australian ideas' like 'freedom', 'tolerance' and 'respect' and the employment of cadres of chaplains to work in the 'godless' state schools to promote these values.

Yet the very same government that talks up 'core values' has made Australia a pariah state in the international community a consequence of its assault on values long held to constitute or to define traditions like liberalism and the rule of law. What is clear is that for all of the talk about values, it is core values like justice, respect, care, fairness and a 'fair go' that have been radically abrogated or displaced. The Howard government -and its ALP predecessors- have eg., created the circumstances that Giorgio Agamben (2004) calls a 'state of exceptionality' by suspending the rule of law and relying on ostensibly 'administrative practices' enabling a person to be held for the entirety of their natural life without a charge being laid or a trial ever taking place. In terms that warrant the use of words like a public or judicial scandal this practice was judged lawful in September 2004 by a majority of the members of the Australian High Court.

To assaults on principles central to the rule of law and the liberal tradition (like *habeas corpus*), and the denial of the rights to asylum seekers ostensibly provided by international law, the Howard government has made truth a kind of optional extra in its practice of politics. Abroad it has engaged in unlawful acts of war against the people of Iraq. We have been asked to be relaxed and comfortable in

the knowledge that no Australians took part in the 'interrogation' (accompanied by torture) of Iraqi prisoners because these were just 'interviews'. It has committed minor crimes against humanity like the killing of 353 asylum seekers in the SIEV X incident. At home it has assiduously promoted intolerance against Muslims and abused the human rights of young people, workers and indigenous people.

We live now in an ethical and political space characterised by an excess of synthesised fear, lots of manufactured intolerance, some quite real selfishness and a lot of authentic complacency. Governments generate endless and complacent talk about the need for security, freedom, self-reliance, the values of the market, and the peculiar kind of rationality said to characterise the market.

Precisely because this ethos is in place, it has now become possible for Peter Saunders (2004) (of the Center for Independent Studies, a hybrid neo-liberal/neo-conservative think-tank), to casually dismiss the idea of a 'welfare state' and a social security system able and willing to provide an income safety net. Saunders says such arrangements are not only old-fashioned and irrelevant, but dangerous because he says they subvert values like 'self-reliance' and 'independence'.

We do not need to believe that the 'welfare state' is actually in serious danger, to identify the kind of ethical and political space in which we now live, which in some measure is a consequence of policy advocacy by organizations like CIS.<sup>1</sup> We now have ALP spokespeople like Craig Emerson declaring that the ALP should become the party of 'self-reliance' and 'initiative' by 'getting government out of your faces'. In terms that borrow directly from Peter Saunders' medicalised metaphor of welfare-as-heroin addiction, Emerson suggests that:

Hooking people on welfare might be a clever political strategy but it destroys reward for effort, destroys self-reliance, diminishes self-esteem, corrodes individual freedom, and undermines democracy'.

(The *Australian* 28 June 2006:2).

And the Howard government began another round of assaults on the human rights of sole parents and people with disabilities by unveiling another installment of 'welfare reform' on Saturday 1 July 2006.

I want to take the invitation entailed in the title of this paper to reframe the welfare-to-work debate very seriously. I will argue we cannot think about what is at stake unless we put those of us who make up social sciences in universities back into the frame. What is in that frame? Well the short answer is lots of politics and lots of ethical ideas. This as you will quickly gather, is precisely why we are not in the frame. That frame –which is the political 'context' as we like to call it- which

---

<sup>1</sup> We need to remind ourselves endlessly that the idea that our 'welfare state' is now in trouble, under attack, or that people have various 'bright ideas' about reforming the welfare state or else are declaring its imminent demise, are not especially novel circumstances. On the one hand this reminds us that the 'welfare state' is an intensely political matter. The very idea that governments have some responsibility for securing whatever is meant by 'human welfare' is necessarily a political idea reminds us that 'the political' is inescapably agonistic because it involves conflict (*agon*). The welfare state is political then in this fundamental sense. We should not be surprised then that over the past three decades, debates about the form and content of welfare policy have been central to Australian political processes as successive government have carried out welfare reviews and implemented various welfare reform processes.

academics define as if we are not part of whatever the context is, is all important.<sup>2</sup> If we are to reframe the debate we need first to get back into the frame.

You will understand why I turn here to Hannah Arendt. Witnessing the near complete collapse into silence or complicity on the part of German academics and intellectuals following the Nazi takeover of January 1933, Arendt said she could never again trust academics. She surely had us in mind a quarter-century later when she (1958:5) made her challenging appeal to think well. Recall what she said at the height of the Cold War:

... the heedless recklessness or hopeless confusion or complacent repetition of 'truths' which have become trivial and empty -seems to me among the outstanding characteristics of our time. What I propose, therefore, is very simple: it is nothing more than to think what we are doing.

To flesh out this idea of 'thinking what we do' I offer some diagnosis and a few therapeutic suggestions.

While I focus on the social science community in what I have to say here, I think some of what I have to say relates to people who work in policy and human service settings. My diagnosis of some characteristic attitudes and dispositions –or borrowing from John Keats- what I might properly call the 'negative capabilities' of academic social scientists, goes some way to explaining the absence of robust political debate in our time and the temporary supremacy enjoyed by the neo-liberal/neo-conservative establishment. In saying this if we would also want to explain the current state of affairs we need to acknowledge the persistence, skill and resources available to the proponents of neo-liberalism and neo-conservatism, to say nothing of the affinities and interests shared between the organisational and institutional framework of the dominant spaces of social and economic power and the ideologues of neo-liberalism and neo-conservatism.

My reference to ethical space and values is not accidental and indeed is central to much that I have to say. One of the factors that begins to explain why the current policy landscape is the way it is, is because 'they' have taken values seriously and 'we' have not. Let me begin by paying attention to the ethical position of the neo-conservative/neo liberal framing of social policy which is giving us the next stage of the 'welfare-to-work' 'reform' process.

## **1. THE NEO-CONSERVATIVE FRAMING OF SOCIAL POLICY<sup>3</sup>**

In 2003 Peter Saunders (2003) from the Centre for Independent Studies (CIS) announced 'the demise of the welfare state'. He did so on the grounds that the 'mass welfare state' was now an 'historically transitional accomplishment' and that the circumstances that had brought it into being were now disappearing. This claim is one part of a long-standing exercise on the part of a network of writers like Saunders, Bolt, and Pierson (2003) et al, to promote a particular Australian neo-conservative version of 'welfare state' reform. Like Mark Twain's response to a

---

<sup>2</sup> The OED notes that definitionally 'context' means the act of weaving together of textiles or if applied to matters intellectual means connecting the parts of discourse or the weaving together of words and sentences.

<sup>3</sup> Parts of this section first appeared in Marston and Watts (2004).

news report announcing his death, we can be somewhat assured that Saunders' reference to the 'demise of the welfare state' is 'premature'.<sup>4</sup>

The policy advocacy of the Centre for Independent Studies over the past decade exemplifies the contemporary neo-conservative political discourse about welfare reform.<sup>5</sup> At the centre of the neo-conservative analysis is the claim that the Australian 'welfare state' is in essence a 'middle class' plot that mobilises a politics of envy to legitimate a shoddy system of services reliant on the practice of taxation as theft. Saunders eg., argues that people who claim that the 'welfare state' is a response to serious problems like poverty are essentially deceiving us. Saunders has argued vigorously eg., that there is a self-interested academic and 'Lefty' poverty research establishment in Australia that consistently overstates the scale of the problem of poverty with shoddy research, unsubstantiated data and unwarranted conclusions.<sup>6</sup> He is ever willing to chasten his *alter ego*, Professor Peter Saunders (long-time Director of the Social Policy Research Center (SPRC) at UNSW):

In common with most other members of Australia's social policy community, Saunders seems to believe that there is a serious poverty problem in this country and that it is getting worse. His problem however is that the downtrodden poor do not seem to realise it (Saunders 2002e: 49)

He likewise insists that the economic evidence does not point to any significant increase in income inequality through the 1990s so that academic policy writers

---

<sup>4</sup> Firstly the national welfare system far from being forced to contract has become ever larger and more costly in nominal, proportional and real terms across the second half of the twentieth century. In expenditure terms, the Australian 'welfare state' is proving to be quite robust. The average annual growth rate of total expenditure (Commonwealth Government, State and Territory Governments, Local government and non-government sectors) averaged 6.5 per cent (in real terms) between 1988-89 and 1998-99 (AIHW, 1999: 10). As a share of GDP welfare expenditures doubled in the 40 years 1965-2005. More Australians now than at any time in the twentieth century are reliant on social security payments (Bessant, Watts et al 2006: 17-19). Thirdly the national welfare policy makers have shown a reluctance to depart from certain long-standing principles like their reliance on general tax revenues or the continued use of eligibility criteria like means and assets testing. In short, far from accepting a simplistic story of how a once-progressive 'welfare state' has been either shrunk or undone by some nasty neo-conservative governments, we see a far more complex pattern of growth, continuity and change.

<sup>5</sup> The CIS buttresses its arguments with a version of class analysis that was once adopted by Marxists to discredit its opponents arguments. Marian Sawer (2003) eloquently draws attention to the dangerous consequences of this mainstream discourse where defenders of welfare are constructed as self-interested elites:

Anti-elitist discourse is serving its purpose. It has normalised a view of the world where there are no divisions between capital and labour or north and south. The only division is between elites selfishly pursuing a social justice and environmental agenda and ordinary taxpayers who just want to pay off their mortgage. The success of this strategy has been quite remarkable, considering that Australia is still a democracy and the majority do have an interest in welfare state protection from life-cycle contingencies, an equal start in life for all children, and a future that is not blighted by environmental pollution and degradation.

<sup>6</sup> Saunders (2003b: 3) argues eg., that:

... welfare lobbyists arm themselves with inflated and arguably meaningless estimates... they hope to convince us that the sorts of problems that led nineteenth century governments to get involved in mass welfare provision are still with us ... No matter how wealthy our societies become, and how much the living standards at the lower end of the income distribution improve year by year, the welfare lobby wants us to believe that we shall always need a huge, costly welfare state'

who insist on treating poverty or income inequality as real problems, or as problems that are increasingly significant should only be regraded as fraudulent, and/or as self-interested.

Saunders claims that the welfare state does not work. It does not work because it interferes with, even prevents people from taking a self-reliant approach to their own welfare and so perpetuates high unemployment and a culture of dependency amongst welfare recipients. As Saunders (2003a: 37) insists:

The main cause of poverty today is lack of employment and the principal solution to poverty lies in getting more welfare claimants into work ... After 50 years or more of the welfare state, it is time to recognise that increasing state welfare spending does not abolish poverty, it reproduces it.

The essential problem says Saunders is that welfare recipients are 'passive' who in turn become a kind of 'underclass' where there is abundant crime, unemployment, illegitimacy, broken families, drug use and alcoholism all funded at tax payer expense. No less predictable is his claim that the chief explanation for the persistence of unemployment is 'Australia's peculiarly inflexible and overregulated labour market' (Saunders 2002e: 50).

Saunders does not see any role for state investment in job creation. In promoting the value of a 'free market' logic over state intervention and regulation, Saunders relies on the presumption of scarcity (rather than distribution). He insists that we can't afford to support the increasing number of people 'dependent' on the welfare state. Saunders would rather make the long-term unemployed dependent on a deregulated labour market, evincing little concern about either the quality of the work available, or the wages and conditions attached to that employment.

In terms of what might be called his 'positive' suggestions for addressing the poverty/unemployment link, Saunders proposes reducing disincentives for moving between work and welfare and improving the motivational behaviour of the unemployed. All of this is underpinned by the constitution of an 'active citizenship' discourse, which is contrasted with the passivity and moral hazards associated with 'welfare dependency'. What this means is spelled out in one recent Centre for Independent Studies Issues paper with great clarity:

The danger is that a stratum of long-term unemployed people becomes almost permanently detached (the buzz word is 'socially excluded') from the world of work and settled into a routine of life on welfare.

Their solutions certainly have a robust quality since they envisage a time limited benefit period of six months after which all unemployed recipients would be turned over to the 'Work for the Dole' scheme:

To prevent this from happening, some sort of time limit is needed to establish a sense of urgency and priority, both for the unemployed themselves, and for agencies in the Job Network whose task it is to re-equip the unemployed for work and help them find a job. As a society we should commit ourselves to the clear principle that nobody who is capable of working should be left with no work for a period any longer than six months (Saunders & Tsumori 2003: 2-3).

These policy proposals may seem radical, yet they are merely the logical extension of the principles and practices that now define the 'Mutual Obligation' policies which have helped to shape social security policy since the late 1980s. By putting these ideas out into the public arena, they make the current Commonwealth Government's policies appear moderate and restrained. They also contain a kind of

double political resonance since it is plain that Saunders and the CIS have become primary advocates for an American model of 'welfare reform' entirely congruent with the current Australian government's close alignment with United States imperial policy. This in part is clearly suggested by the animus Saunders directs at European policy models as much as by the open enthusiasm for the lessons to be learned from American welfare reform. Hence his criticism directed at 'eminent figures in Australia's social policy establishment who continue to argue for 'European style' policies and to resist any move towards an American model' (Saunders & Tsumori 2003; 8).

While we might enter into a lengthy empirically grounded 'reality check of the main elements of Saunders' case, there is more immediate value in evaluating the ethical framework on which he is reliant. This reliance on ethical ideas is important and is more important than the empirical basis of his critique of welfarism. That this is so is suggested by the following consideration: Saunders acknowledges that the core idea of a 'welfare state' is not seriously at issue.

Like so many other social policy writers Saunders assumes that we cannot do without some kind of government intervention to secure human welfare. As Peter Saunders (2003b: 4) puts it:

Whether as a result of inability to work, lack of opportunity or personal deficiencies of one kind, there will always be a small minority of the population incapable of earning enough in the course of a lifetime to sustain themselves. Do we need a welfare state to support them? ...

In agreeing that some form of welfare state is needed Saunders goes on to accept that some provision will 'always have to be made' for that section of the working-age population who cannot or will not support themselves by working.

Because of the way he has framed his question, Saunders asserts that all that is required is an empirical assessment i.e. of the numbers of people who will need to be sustained. Yet why should we assume that the question is to be framed this way? (Saunders has framed his question in effect minimally i.e., as a question about what numbers of people are to be kept alive by the state in a condition of basic subsistence). The prior question he has begged and not addressed is this: what kind or degree of basic human capacities do we want our state interventions to support?

Does Saunders really want to keep a proportion of the population in subsistence conditions? In terms of what understanding either of human dignity or human rights is such an idea to be defended? Are there other criteria to be used to answer the basic question?

These are all properly ethical questions which must be determined by engaging in value debate and value analysis. This is something which Saunders has so far proved reluctant to engage in. For while Saunders is right to point to the importance of the ethical basis of various judgments made e.g., by his opponents about social policy interventions, he nowhere either spells out or defends the ostensibly 'liberal' basis of his own ethical position. (Equally should he declare that he is more conservative than liberal, again we would need to know which key conservative values he is relying on?)

That Saunders has a lot of sympathy for a 'neo-liberal' position is suggested by the fact that this is what he claims to be. Saunders asserts at various points that he is

advocating for a 'liberal ethic'. This is also clearly indicated when he advances a number of quite basic and alarming judgments. We propose to take him at face value and to assess him against the values of that tradition.

It is as a neo-liberal that Saunders claims eg., that the very existence of a mass 'welfare state' that relies on a re-distributive strategy that is immoral for several related reasons. Saunders insists that:

Self-reliance might be considered a good thing in and of itself. Liberals believe that rather than relying on handouts from others, self-reliance is virtuous and should therefore be encouraged wherever possible ... (Saunders 2002e: 47).

Secondly government taxation programs that takes money from self-reliant people ie., workers, and gives it to people who are not, is also immoral:

Liberals believe it is immoral for the government to take money away from people who are maintaining themselves and their families through their own efforts and to redistribute it to people who have no intention of even trying to achieve self-reliance. Saunders 2002e: 47)

Finally he asserts that it is immoral for welfare recipients to receive aid from their government. Saunders argues that we know this to be so because people who take government aid, experience things like shame, alienation and stigma and also feel dis-empowered. Saunders seems to argue that this is because the welfare relationship itself is 'an inherently asymmetrical and demeaning exchange' (Saunders 2002d: 11). Saunders insist that even where claimants for welfare benefits deploy a discourse of rights and assert a right to welfare, this does not undo the basic problem

It is a demand that others do something for you, not a decision that to do something for yourself and as such it is still based in weakness and dependency even as it tries to pretend otherwise.

Accordingly he accuses his *alter ego* (the SPRC Saunders) eg., of arguing that:

... the state should continue to bribe the middle classes with their own money so as to induce them to use and support public services which they would otherwise desert in droves. Saunders apparently sees nothing wrong with wasting millions of taxpayer dollars supplying second rate services to people who do not need them... (Saunders 2002e: 48)

It is as a neo-liberal that Saunders proposes that 'Self-reliance might be considered a good thing in and of itself (Saunders 2002e: 47) or when he claims that government taxation programs that takes money from self reliant people ie., workers and give it to people who are not is also immoral (Saunders 2002e: 47). He does not tell us why this might be so. Likewise he asserts without any explication as if it were a self-evident proposition that 'dependence' is a very bad thing and 'self-reliance' a very good thing. Finally he asserts that it is immoral for welfare recipients to receive aid from government welfare agencies. Saunders argues that we know this to be so because people who take government aid, experience things like shame, alienation and stigma and also feel dis-empowered. Saunders seems to argue that this is because the welfare relationship itself is 'an inherently asymmetrical and demeaning exchange' (Saunders 2002d: 11). Saunders insists that even where claimants for welfare benefits deploy a discourse of rights and assert a right to welfare, this does not undo the basic problem

It is a demand that others do something for you, not a decision that to do something for yourself and as such it is still based in weakness and dependency even as it tries to pretend otherwise.

Does this mean that all persons who are caught up in anything like an asymmetrical or dependent relationship -like children who ask for something from their parents, a student who is dependent on any teacher or any adult who is bedridden and dependent on the care of another adult and who asks for food care or some other service- are necessarily engaged in a morally shameful relationship or activity? Is this because any asymmetrical relationship induces shame, or is it the dependency relationship that leads Saunders to treat this as a problem. Or is Saunders simply mistaken?

Certainly Saunders fails to explicate fully what sort of ethical position it is that underpins his claims that a) it is unethical to receive welfare benefits, b) that it is unethical for governments to take money by way of taxes from the self-reliant and give them to dependent welfare recipients, or c) that self-reliance is an inherent good. Neo-conservatives like Saunders are preoccupied with the idea that citizens have a duty to engage in paid work, both as some kind of good role model for children and for the community at large, and for the benefits that paid work are said to confer on the worker-citizen. Implicit in much of this discussion is the way the active workers-as-citizen is constituted as the ethical benchmark for self and for the community at large. Yet nowhere is this ethical preference argued for. Likewise Saunders' reliance on the self-obvious nature of the argument that 'dependency is bad, self-reliance is good' fails to tell us anything interesting about why many of the forms of dependency we treat as both normal and desirable -such as the dependence of children on parents are now to be understood as morally suspect. There also has to be more than a suspicion that the ethical framework that informs Saunders' position is a relatively predictable mixture of individualistic calculative hedonism that yokes utilitarianism, methodological individualism and the political project of *laissez faire* into some kind of coherent refusal of mass welfare state provision. The way neo-liberals and neo-conservatives frame the problems they are preoccupied with -like welfare dependency, the lack of incentives to engage in paid work and the problem of guarding against welfare fraud- tells us eg., much about the entirely negative and/or minimalist conception of what is at stake (see eg., Williams 1999: 671-3).

Ultimately it seems that we are to treat as self-evident the morally superior nature of self-reliance, and the moral opprobrium that inheres in any 'dependent' relationship. Worse it adopts a negative framing of the core ethical issue at the heart of any discussion of justice, namely what do we owe to each other. The way Saunders frames the problem treats the ethical issue solely in terms of negative capability ie., don't ask anyone with anything to offer to you, because they have more of something, to do something for you because this will shame you.

In these last remarks what I have begun to do is engage in an absolutely central but hugely underestimated exercise ie., taking ethical ideas seriously. In particular I have engaged with a set of ethical ideas that have actually been remarkably successful to date in reframing social policy in our time. The neo-liberal/neo-conservative appeal to ideas like 'self-reliance', 'independence', 'hard work' and 'initiative' and so forth, has been remarkably successful in securing widespread popular support for the neo-conservative/neo-liberal social policy reform agenda. To put it in terms that I will return to, this framing has worked.

It has worked in part because there has been no contest. Those elements that might have been expected to contest the policy debate -like whatever we mean by the left, the community sector and key elements of the academic social sciences-

have failed to engage in the kind of debate about ethical ideas and have failed to make much difference by engaging in the kinds of advocacy that might have made a difference.

In what follows I want to say something firstly about the social science community and its characteristic failure to move beyond certain well-established prejudices so as to engage in value analysis and debate. I want to say why value debate matters and is even more important than an argument about rights. To ground this discussion I want to say why and how we can discuss key values like care as part of a rationally defensible idea of welfare. And finally I want to say something about the value of advocacy in the task of reframing the policy and political debates of our time.

Let me begin by confronting some of the conjoint attitudes and practices of the social science community which we cannot keep on complacently reaffirming.

## **2. WHAT'S WRONG WITH CONVENTIONAL SOCIAL SCIENCE?**

There are any number of problems with conventional social science academics and their privileging of certain attitudes and practices. One is the embrace of a certain conception of scientific knowledge which has sponsored a flight from responsibility and an inability to engage in anything more than a 'spectator role' in processes of social change. This owes much to what for strictly shorthand purposes only, can be called the 'Enlightenment project'. (Harvey 1989).<sup>7</sup>

The 'Enlightenment project' refers to that great movement of men and women and ideas of the eighteenth century that was variously secular, rational even scientific, liberal and democratic. It set loose a powerful big story or narrative about 'enlightenment' -or reason- would propel humans down a pathway of progress as we enjoyed more freedom, more knowledge and increased technology leading to increased wealth, social harmony, and equality.

This 'Enlightenment project' was important because it gave aid and comfort to such characteristic ideas and institutions of our time as:

- The widespread belief in the value and power of scientific rationalism and expert knowledge
- The spread of the belief systems and research projects of sociology, economics and medicine;
- The 'welfare state';
- Modern socio-technical professions like planning, social work and counseling

Given that the Enlightenment project began with a very strong conception of the practical value and use of knowledge, and the role played by an idea like the public sphere, what has happened to this impulse is very curious indeed. As David Harvey says the men of the enlightenment promoted a belief in:

Linear progress, absolute truths and rational planning of ideal social orders.

Harvey (1989:27) adds that the men who made the Enlightenment believed:

---

<sup>7</sup> Roy Porter (2000) is right to suggest that all such attempts at constructing essential definitions of the Enlightenment run up against the historical contingency and mess of what the men and women of the time actually did and said. Osborne (1998: 1-16) offers an incisive account of the various ways Enlightenment has been made to work.

That there was only one possible answer to any question. From this it followed that the world could be controlled and rationally if we could only picture and represent it rightly. But this presumed that there existed a single correct mode of representation which, if we could uncover it (and this was what the scientific and mathematical endeavors [of the Scientific Revolution] were all about), would provide the means to Enlightenment ends.

In what became social sciences like sociology, economics and criminology, the Enlightenment preference for empirical scientific knowledge sanctioned a broad-church kind of 'positivism'. (I accept that referring to it this way runs the risk of oversimplifying a history and a practice of research that has many complexities and twists and turns).

This commitment underwrote a redoubtable, persistent and authoritative account of the grounds upon which credible knowledge rested. The result is a model of knowledge linked to a practice of research that privileges:

- quantification and measurement;
- replication of research processes;
- the doctrine of operationalism which says if there isn't anything actually there to see touch or smell the social scientist can re-conceptualise the thing (eg., 'social capital', 'resilience' or 'unemployment') by setting up some replicable measuring process typically involving some kind of survey instrument;
- value freedom and objectivity;
- insistence on a fact-value distinction;
- rendering exemplary the practices and assumptions of natural sciences like physics or chemistry and the idea that a hypothetico-deductive model of explanation/prediction is the *sine qua non* of good scientific method.<sup>8</sup>

By and large 'empiricist' or 'positivist' principles and practices have retained their dominance in to the twenty first century. With crystal clarity, Pierre Manent (1998: 54) characterizes the effects within the social sciences of the privileging both of what social scientists loosely call 'scientific method', and the role of the spectator point of view which this has entailed.

Comte (in Manent 1998: 50-85) exemplifies the nineteenth century commitment to a deterministic logic at work in its 'science of man'. One effect was to obscure any real interest in the nature of human conduct. Unlike the classical political tradition (as Arendt eg., has shown) which adopted as its point of view the practical

---

<sup>8</sup> It is possible to mount a devastating critique of this tradition. Such a critique would notice that

- The natural sciences typically pointed to as exemplars have long since moved on from the kind of physics shaped by the Newtonian frame in ways that discredit the scientific method story told by social scientists
- Key contemporary philosophers like Putnam have shown convincingly why the fact/value distinction is itself a value-laden argument and that the distinctions drawn are simply untenable;
- Key philosophers of natural science like Holton (1988) have shown that all natural sciences rest on rock solid prejudices he calls 'themata' that have no empirical basis whatsoever.

intentions and actions of the citizen as political beings, social sciences like sociology:

... adopts the viewpoint of the spectator. The viewpoint of the spectator is all the more pure and scientific in that it accords no real initiative to the agent or agents, but considers their actions or their works as the necessary effect of necessary causes.

Since their origins and development over the past two centuries, one effect as Manent (1998: 51) puts it has been to stress 'the effect of necessity acting in history and society'.

The aim of proponents of this view of 'theory' in social science is to generate statements that contain 'covering law statements' seen to be capable of explaining and predicting certain combinations of data. This approach is often seen as a key feature of the 'positivist' approach to properly scientific knowledge. In these terms 'theory' refers to tightly defined deductive generalizations (or 'covering laws') that are said to have an explanatory and predictive capacity to explain or make sense of a mass of empirical data. Hempel (1983: 377) provides a canonical statement when he writes:

In empirical science, which includes both the natural and social sciences, the grounds for the acceptance of a theory consist in the agreement of predictions based on the theory with empirical evidence obtained either by experiment or by systematic observation.

Hempel famously spelled out the way covering laws work in all successful theoretical explanations. A 'covering law' is a deductive generalization that contains at least one universal law. An example may be: 'when events 'a' and 'b' occur, then by virtue of covering law 'x', 'c' must follow'.

From this account of the sociologist-as-spectator follows a preoccupation with objective definitions of concepts, the empirical capture of 'social facts' and the endless measurement and specification of variables. Objectivity on the part of the social scientist implied that the writer-expert was not only committed to eliminating 'bias' i.e., values, but also to eliminating the psychological dimensions of experience and even of 'the feeling and willing self' (Bannister 1987: 40).

The conceit of the scientist-as-spectator not only sustains a preoccupation with the measurement of objective 'social facts', so as to annihilate any interest in the role of values and feelings in human affairs and on the part of the scientist, but is also deployed in ways designed to flesh out the central idea that 'structures' cause or constrain human beings to act in particular ways.

The long love-affair of key social sciences like sociology with structural determinism and structural explanations (to say nothing of fake problems like the 'structure-agency' problem) has become both commonplace and pernicious –though the latter effect is barely remarked upon given the complacent privileging of structural discourse and structural explanations. If we want to mean anything by talking about 'structures', it is useful firstly to recall that when we use structure talk we are only talking about what other people think, feel and do and acknowledging that what other people think feel and do can affect our capacity to do what we would like to do if we had a perfectly free choice. Those other people may be important leaders, or simply somewhat invisible small or large groups of people working inside important institutions and organisations whose feelings thoughts and actions have the capacity to impact on me. Talking about structures rather than people helps to bolster ideas like the naturalness of the relations of domination that are

inherent to and help to define my relationships eg., with my employer, with my parents and with police, while helping to reduce my inclination to contest the claims to authority or power each of these people or groups of people might wish to make

One of the effects of this structuralism is a radical loss of interest on the part of some social sciences in understanding people and their belief systems, let alone both how and why we might want to engage with people with a view to changing their minds.

It is for this reason that this unreflexive privileging of 'structures' is pernicious in two ways. It encourages fake explanations and it encourages even licenses ethical and political irresponsibility. Explaining a process like decisions being taken across a series of companies to sack large numbers of workers in terms of 'global imperatives' or the 'needs of the market' and equating this structural imperative with a natural disaster –like a tsunami or an earthquake- and so essentially something to be borne stoically rather than resisted, is intellectually dishonest and ethically nihilist.

The spectator viewpoint has also sponsored the widespread acceptance of the famous Humean distinction between 'facts' and 'values'. Conventional social science has ruthlessly removed ethical ideas as improper objects of knowledge claims. This depends on David Hume's famous scissors metaphor. Hume argued that you cannot logically or empirically derive 'ought' statements from 'is' statements. This is what we call the fact-value distinction. In the twentieth century A.J. Ayer demoted ethical ideas and discussion to being the mere expression of emotional preferences.

This positivist idea held that feelings don't matter much because they had no cognitive or rational status.<sup>9</sup> If they were not facts then they were just bodily phenomena rather like a fart or a belch. Values likewise were dangerous and unscientific.

I want to draw attention to just two of the many effects that these prejudices produce.<sup>10</sup> One major effect of the conventional view of social research as value free has been the near complete occlusion or obliteration of both emotions and ethical values. The social sciences have ignored the importance of emotion and the rich texture of people's lives lived as emotional creatures. It has also condemned social science academics at worst to the status of spectator, and at best to fitful advocacy.

---

<sup>9</sup> As is well known Hume (1747) himself accepted that reason was really the slave to the passions and that if you wanted to know why and how humans did the things they did, you were well advised to pay more attention to feelings than to rationality.

<sup>10</sup> One other key effect, as writers from William James to Hans-Georg Gadamer have understood all too well, has been a persistent flight from experience and action. As Giddens (1979: 24) observed famously of Parsons' grand Theory of Social Action, there was not a lot of action in Parsons. The very pursuit of a Science of Society (or of Man) has seen sociologists in particular adopt a 'forceful and deliberate distancing from any familiarity with what is real in order to achieve the distance and height of Science' (Manent 1998: 55). I have argued elsewhere that what we desperately need is more 'ethnographic' research which tells us about the texture and quality of people's lives and experiences so that we can better inform policy makers. I think policy research need to cultivate an ethnographic sensibility that will pay attention to stuff not frequently encompassed in traditional social policy research.

It has led to the idea that academics should practice a kind of value freedom. For Weber value freedom was the *sine qua non* of the vocation as academic. As he put it ethical inquiry becomes a purely private matter:

Universities ... are not institutions for the inculcation of absolute or ultimate moral values. They analyse facts, their conditions, laws and interrelations ... They do not and cannot teach what should have happened – since this is a matter of ultimate personal values and beliefs, of fundamental outlook, which cannot be demonstrated like a scientific proposition (Weber 1973: 21)

This commitment to 'value-freedom' produced the crisis prompting Arendt's despairing observation that after January 1933 she could never trust intellectuals or academics again. This was also the basis for Schutz's despair after his encounters with American academics about the modern social sciences being both 'intellectually vacuous and ethically nihilist.' For Leo Strauss (1965) value freedom fed the modern crisis of western rationality. For Strauss political philosophy, understood by him in Aristotelian terms, has degenerated into ideology because it had ceased being political philosophy on the road to becoming 'political science'. As Strauss (1965: 7) insists:

Science cannot teach wisdom ... There are still some people who believe that this predicament will disappear when social science and psychology catch up with physics and chemistry. This belief is wholly unreasonable, for social science and psychology, however perfected, being sciences, can only bring about a still further increase of man's power; they will enable men to manipulate man still better than ever before' they will as little teach man how to use his power over man or non-man as physics and chemistry do. The people who indulge this hope have not grasped the bearing of the distinction between facts and values.

As Strauss (1965: 11) went on to suggest:

One can doubt the fundamental premise of present day social science - of the distinction between facts and values- by merely considering the reasons advanced in its support as well as the consequences following from it.

Several other consequences of these prejudices are noteworthy. There has been a conspicuous failure to define or constitute universities as valuable public spaces fulfilling the kinds of role any public institution should fulfill while doing so with regard to the special mission of a university.

A properly constituted university education will work towards developing the capacity to lead what Socrates called 'the examined life' by promoting and practising the capacity for critical examination of oneself and one's traditions. This is another way of saying what Arendt (1959: 13) meant when she said, 'the hardest thing we will ever do is to think what we do'.

Central to all of these ideas and practices is the idea that to acquire the capacity for deep thought and deep rationality is a core achievement that universities ought to promote. Alasdair MacIntyre (1990: 222) puts it well:

When it is demanded of a university community that it justify itself by specifying what its peculiar and essential function is, that function which if it were not to exist, no other institution could discharge, the response of that community ought to be that universities are places where conceptions of, and standards of rational justification are elaborated, put to work in the detailed

practices of enquiry, and themselves rationally evaluated, so that only from a university can the wider society learn how to conduct its own debates, theoretical or practical in a rationally defensible way.

Such a conception of higher education is one marked by its commitment to a vital public culture in which people learn how to develop their capacities to think what they do a task at once intellectual and ethical. This in part is understood in terms of Hannah Arendt's concern that we all aspire to be 'citizens of the world'. This demands a demonstration of what a commitment to the Socratic tradition implies for both the principles and the practices of good teaching in which universities might wish to engage especially in the social sciences and a willingness to engage in public talk and debate.

There are other entailments of this idea of being public. Against conservative defenders of the elite 'idea of the university', like Gaita, Leys and Coady, I read the Socratic tradition and the subsequent elaboration of a 'liberal arts' tradition by Stoics like Seneca, as arguing that a higher education has to be open to all citizens. This means quite literally supporting a project whereby as many as want access to tertiary education should have access. (A good test question: How many academic social scientists actually believe that all Australians have a right of entry to university as Martha Nussbaum (1999) suggests constitutes a universal right?)

It also entails an openness to clarity and accessibility.

The Socratic tradition suggests that it is a fundamental responsibility that falls on university teachers to both introduce their students to the basics of good thinking and writing *and* to 'turn them on' to the challenge of curiosity and the delights of thinking. That responsibility starts with the premise that because we are university teachers we are well equipped intellectually to do this and therefore ought to be able to both say and to demonstrate what this means in ways that connect deeply with students. One of the reasons we should look back to the Socratic practice and do so legitimately, is that quite precisely it reminds us why the 'transmission model of knowledge', still so widely adhered to by too many unreflective academics' needs to be by-passed and replaced by what Lingard (2003) has called a 'productive pedagogy'. This approach to teaching and learning rests on a student-centered inquiry and problem-solving based model of practice. Arguably these are the practices that alone are capable of building a viable public culture. Too many academics continue to rely on the idea that they own or control knowledge so as to sustain their expert status, a status further bolstered by their reliance on a transmission model of education. (For those who work in the disciplines this also sustains a palpable disdain for merely vocational and practical knowledge). None of these dispositions can sustain a viable pedagogy suited to a mass system of higher education or a public culture worth having.

To be good at this university teachers need to be relentlessly –and reflexively- clear in showing their students *and* their less experienced teaching staff (see below) what it is to read, to think, to engage in both robust critical inquiry and tolerant conversation, and what is needed to engage in research.

A delight in obscurity and inaccessibility of talk does little to aid the sustenance of the kind of public culture we need. There has been a failure on the part of the generality of social science academics to engage with a wider public on a basis of accessibility and a willingness to engage with ordinary people and doing so with

clarity. Gerald van Graff (1999) has spoken of the fear on the part of academics in the social sciences and humanities that there might one day be 'an outbreak of clarity'. Pierre Bourdieu (1984) too has analysed with his characteristic spare intensity, the games of complicity played by French academics and their prize students to practice a wide array of forms of speaking in tongues perhaps to keep the laity mystified or at least in the dark.

In Australia recently Mandy Thomas (The Australian 31 May 2006) -the Australian Research Council (ARC) executive director for the humanities and creative arts-encouraged us to believe that it is no bad thing that many scholars are incapable of explaining what they do to a general audience. I cite the press report verbatim:

"We have to re-enchant complexity," said Mandy Thomas, from the Australian Research Council. Scholars incapable of articulating their research to the public also deserved to be valued, she said. Inaccessibility was "part of the magic".

"There are going to be many scholars who are never going to be able to engage with the public in an accessible way," said Dr Thomas, who is the ARC executive director for the humanities and creative arts. "We should value that diversity and allow them to maintain their scholarly language." "Because people think it's accessible, it's actually devalued in some way ... [yet] obscurity is to some degree very much valued," she said. She said AR She said ARC staff equally valued presentations that they did not understand; they seemed pleased that someone was dedicated to the study of complex subjects that they did not comprehend.

The Left and academic social scientists need to get over the incipient anti democratic impulses that lurk within the social science community.

What we see too often is a high level disdain for ordinary people and some long, well-established preferences for experts and their specialist kinds of knowledge. The idea that what the social sciences call 'modernity' is actually characterized by the loss of authority or appeal of 'irrational', pre-modern institutions like 'religion' or that feelings and values have been displaced by 'rational institutions' like bureaucracy or by the knowledge systems like scientific of rationality is plain nonsense. The social science community have not understood or appreciated the powerful and continuing role of values and feelings for most people. People working in the social sciences need to remember the role of values and feelings in people's lives. The social science community needs to get over the simple faith that gathering all of the evidence together or engaging in critique by itself will win hearts and minds of those its needs to persuade. In saying this I am not saying we should give up certain fundamental ideas about rationality or the value of looking for and using evidence or the value even of critique: I am only saying that by themselves these things will never be enough.

If 'we' are to be successful we need to set out to persuade people by the value and clarity and goodness of fit between the things we stand for and the lives of ordinary people. Above all else we need to downplay critique and develop and promote our own positive vision, policies and values. In the rest of this paper I develop two lines of thought about what we should say and how we should say it.

Here we face the possibility that we should dust off what I will call a 'discourse of rights' and send it into battle. In a time characterized by a far-reaching erosion of basic human rights in this country, perpetrated chiefly by governments, I think that we have an obligation to pursue and promote the protection of human rights. While

I think there is some value in this, I suggest a one-sided emphasis on rights will not be all that successful. That we can and should engage with a defence of rights is encouraged by the fact that we have impressive things like the UN Charter of Human Rights (1947), Rawls' theory of justice (1971), and the establishment in 2002 of the International Court of Justice to point to. While I think there is some value in this, I suggest a one-sided emphasis on rights will not be all that successful. It is plain, at least intuitively, that while we may want to warm ourselves in the glow cast by Rawls, that Rawls has not done as much to shape the contemporary political culture as his accomplishments might suggest should have been the case.

Why has this happened? What does this suggest about the value of rights talk? In thinking about rights talk, we need to take Michael Sandel's (1998; 2005) advice to pay as much attention to values as we can. Indeed to be precise until or unless we show precisely what values those rights are designed to promote, we shall make little headway. If liberals have traditionally given rights first place ahead of the good we may need to turn this around. While I cannot spell out fully what is at stake here, there is value in focusing on the argument for developing a robust grasp of the values – the 'goods' – central to a progressive reframing of the policy debate.

In what follows I do two things. Firstly I spell out why a rights-based account of justice does not offer a secure basis for reframing the current welfare debates. I then go on to say why an idea of the good that identifies a concern to promote human welfare is a rational and defensible basis for a new kind of social policy. I say something about the rational grounds for specifying a set of core values before I turn to an account of how we can begin to reframe the policy debates.

### **3. WHAT'S WRONG WITH RIGHTS TALK**

With Rawls and others, I will treat as a given that liberalism provides one very powerful set of political and ethical ideas – like freedom, justice and a story about individual rights. Equally we can accept the place still occupied by a powerful and comprehensive tradition of utilitarianism, which continues to exercise a stranglehold in Anglo-American philosophy and ethical discussion. Indeed we cannot understand the very domain of welfare policy without understanding the contribution of utilitarians since Bentham to the idea that there is ultimate value in the conflation of individuals satisfying their desires and maximizing their happiness (utility) with the idea that this is the ethical value or good that matters. Yet again with Rawls and others, we also need to acknowledge that neither the kinds of rights talk produced by Rawls or the tradition of utility is able to provide the robust foundation needed on which to identify the core values upon which we may engage in the kind of reframing needed. We need to move beyond talking about rights and utility and engage with some core values. Let me say quickly why this is so.

Utilitarians since Hutcheson (1755) and Bentham have argued that individuals pursuing their own happiness (or 'utility'), will unerringly choose the good because as Hutcheson insisted, we all possess 'moral sense' and seek out those goods' that confer happiness. The highest good was defined as whatever made us happy. Bentham thought that through benevolent state action any community will likewise seek to maximise the 'greatest happiness for the greatest numbers'.

For subsequent utilitarians like J.S. Mill the identification of justice as the primary concern rested on a belief that via justice the accomplishment of utility as the highest good could be achieved. Mill eg., asserted that to have a right is:

To have something which society ought to defend me in the possession of (1863: 459).

He added that this claim is an 'absolute claim'. Justice for Mill sits at the center of all morality because it, 'is the chief part and incomparably the most sacred and binding part, of all morality (1863: 465). This is so says Mill because the requirements of justice:

... stand higher in the scale of social utility and therefore or more paramount obligation, than any others (1863: 469)

Mill was a consistent utilitarian holding that nothing including the idea of abstract right mattered more than or could be entertained without the prior idea of utility. As Mill (1849:485) said:

I regard utility as the ultimate appeal on all things ethical, but it must be utility in the largest sense, grounded in the permanent interests of man as progressive being.

Principles of justice, like all other ethical principles are defined in terms of their propensity to sustain or promote utility.

Questions of ends are ... questions about what things are desirable and happiness is desirable... the only thing desirable as an end because people actually do desire it (1863: 438)

Yet as Rawls (1971) has convincingly demonstrated, utilitarianism is unable to provide the kind of rigorous buttressing that any idea about the primacy or justice or a theory of justice needs. This is not just because utilitarianism has sponsored intellectual traditions and policy interventions that uphold hyper-individualism, or been used in market-based economies that can and do wreak havoc in the lives of individuals and whole communities. It is because as Rawls predecessor and mentor Immanuel Kant had shown two centuries before, utilitarianism as an ethical system provided an unstable basis upon which any idea of justice might rest.

Like J.S. Mill, Kant agreed that justice was primary both as a moral priority and as a privileged form of justification. However Kant believed that the principle of utility could not secure the primacy of justice. Kant argued that resting all ethical principles on the idea of utility (ie., on the idea that happiness as the satisfaction of individual desires defined the good), set loose a permanent and dangerous instability. Indeed Kant (1785) held that the principles of justice could be justified in a way that did not depend on any particular account of the good like the utility principle: Kant held that justice is not the ultimate principle because it supports some other good or end. It is its own end given prior to all other ends, and regulative of these. This account is consistent with his primary idea that we have a duty to do the good. As Kant 1793:73-4) put it we enter freely into mutual relations with others producing:

a union as an end in itself which they all ought to share and which is thus an absolute and primary duty in all external relationships whatsoever among human beings... only is such a union can no one compel me to be happy in accordance with the his conception of the welfare of others.

This was so for several reasons. As Kant pointed out, individual desires could and did change across a person's lifetime. Both desires and the means to satisfy them are highly contingent and changeable and so any principle that depends on them is highly contingent, a quality which Kant held meant that it provided a weak basis

for what he sought i.e. a strongly grounded 'practical law'. Worse there were cases where the imperatives of the general welfare overrode a utility-based idea of justice. This was something Mill had to concede by allowing that there could be cases where some other social duty, other than securing the greatest happiness of the greatest number might need to be acknowledged. (This led Mill to grump that that perhaps justice ought not to be privileged so absolutely or unconditionally).

Kant however was relentless in making the strong case that there were simply too many different desires the satisfaction of which may well produce happiness, but in ways that did not make any particular idea of happiness as the good regulative of human conduct. That is happiness as a consideration or criteria for the good is simply too abstract in one sense and too dependent on a very wide array of desires and forms of conduct to be all that robust a basis for defining the good. As Kant (1793:73-4) put it:

... men have different views on the empirical end of happiness and what it consists of, so that as far as happiness is concerned, their will cannot be brought under and common principle, nor this under any external law harmonising with the freedom of everyone.

In effect though Kant could not have said this himself, the utilitarian principle has striking affinities with a market-based society of individuals, each relentlessly pursuing their own idea of happiness as the satisfaction of their desires. In Kant's view this provides a version of what we call consumer sovereignty, offering a degraded proposition that the ethical life is essentially a set of individual preference satisfactions. Kant believed that it was possible to reconcile his core idea that men could be both free and rational with the idea of amoral law that was coercive, and on this basis freely and rationally choose the good. It was one part of his life's work to show what this would look like and how it would be possible.

Kant's deontic (i.e., rule-governed) ethics made justice the primary and unconditional principle. Obedience to the moral law is possible only said Kant, because I am a free subject able to know enough of myself -and my world- both empirically and analytically, to be judged rational, and understanding that he was both a subject of action and an object of action. That is Kant's ethics was vested in what he argued was the non-reducible existence of and the knowledge human persons have of themselves as a *subject* and as an *object*. As a *subject* of experience I live in an intelligent world where I am capable of autonomous action As an *object* of experience I belong to an empirical world or universe where my actions are determined by the laws of nature and by the regularities of cause and effect. It is only as a free autonomous agent that I can be said to exercise moral choice. Notions of right or wrong have an independent and overriding status because they establish our basic position as freely choosing entities.

As a subject/object a person can both exercise choice and understand the necessity of being governed by law because the universe such a subject is part of, is made up of free choosing subjects and rule governed objects. Because of our capacity to be free we can recognise in others the same nature and on this basis Kant claimed to be able to define the twin principles upon which a fundamental deontic ethical system might be founded. Kant derived by a formidable display of rational argument the rule that one should always treat other persons as ends in themselves i.e., as subjects and not as the means to other ends i.e., as an object, and always act as if your actions are to be adopted universally by all -a reworking of the Christian idea do unto others as you would have them do unto you. In this

way Kant hoped to insert a kind of value neutral account of justice which says nothing about the particular content of the ethically charged actions and motives which his process approach to justice set up. In this way it is very like utilitarianism which says simply identify and then pursue your own desires so as to achieve happiness: in this way utilitarianism is as value neutral as Kant's deontic approach.

For Kant the primacy of justice is both moral and foundational and its is so because is grounded in the idea of a transcendental subject given prior to its ends. As a theory it does not require any particular story about the self eg., as a bundle of specific desires or dispositions. However it is open to several large criticisms.

Firstly it is radically individualistic and un-sociological. In his constitution of the transcendental ego and in a way long associated with liberalism Kant privileges the individual and individualistic values. In doing this Kant offers a mistaken account of our personhood. As Todorov (1997) says Kant tells us a story about our condition in which each mother who has given birth to a baby never hears that bay's cry. There is no way we can even think about the existence of a human so radically outside of social relations both intimate and communal. Kant's is an unsociological view. It ignores the role played by our social relations and community life in framing and defining the values that matter. All social orders and their political arrangements embody some values -the question is *whose* values and interests are to prevail?

In effect, Kant's solution begs the very question of justice which Socrates memorably framed as the question 'what do we owe to each other'? As a question the idea of justice addresses the fact that in the social relations of people important differences of wealth, status and power both produce problems of fairness and get in the way of addressing this question fairly, a fact which lead Plato to observe - ironically- that justice is whatever serves the interest of the stronger. As Sandel (1998:11) says:

The ideal of a society governed by neutral principles is liberalism's false promise. It affirms individualistic values while pretending to a neutrality which can never be achieved.<sup>11</sup>

In one sense Rawls like Kant is a deontic liberal just as Rawls' theory of justice can be read as a second kind of criticism of Kant, rejecting his transcendental idealism and replacing it with what Rawls thought was a more reasonable empiricism (1977: 165). Equally Rawls contribution has been used to underwrite a lot of the contemporary talk about rights. As H.L.A Hart has noted it is because of Rawls that a 'new faith' has sprung up that 'the truth must lie with a doctrine of basic human rights, protecting specific basic liberties and interests of individuals' (Cited Sandel 2005: 152). For Kant the problem was how to reconcile his commitment to a an idea that people should be free to chose how to live while understanding that the ethical life rested on a certain compulsion requiring that we understand why they had a duty to obey the moral law. As I argue here if Kant could not escape certain fundamental contradictions so too Rawls found himself trapped in high level conundrums.

---

<sup>11</sup> Sandel (1998:12-13) goes on to argue that the sociological objection does not fully dispose of all the merits of Kant's deontic position but this objection in my view remains very powerful.

Rawls thought that Kant's account relying on a hyper-individualist account of the self or ego as an abstracted, disembodied transcendental subject, was only likely to produce arbitrary and indeterminate principles of justice. Rawls developed his empirical turn by way of a set of first principles –and a set of processes which he argued would give us a theory of justice.

Rawls proposed a hypothetical circumstance (the 'original position') in which two people confront each other not knowing anything of each others circumstances (the 'veil of ignorance') such as their gender, race, social status, wealth or power (etc) or what each values, who are asked to determine some principles of justice on such a basis that each agrees with those principles. The only exception to this 'veil of ignorance' is the Rawlsian premise that each of these two parties values and are oriented to achieving certain 'primary goods' which it is supposed 'a rational man wants whatever else he wants'. These 'primary goods' include rights and liberties income and wealth and opportunities and powers these in Rawls terms are a 'thin theory of the good' in that these are the minimal and widely shared assumptions that most rational people will assert to be important in any more detailed account of the goods. Rawls links the premise of (i) a veil of ignorance operating to produce both fairness and unanimity as rational men engage in rational choice oriented (ii) to achieving 'primary goods' which supply a motivation to work out what justice looks like. This produces a process in which the parties act only on the basis of those interests that are common interests i.e., common to all rational persons is said by Rawls to supply a minimal but powerful and empirical account of the principles of justice. These principles turn out to be an interest in securing terms of social cooperation such that each person will have the fullest liberty to realise his aims and purposes compatible with the equal liberty of others to achieve the same thing.

While there has been general admiration for the clarity, grace and robustness of Rawls account, it has not gone uncriticised. Nussbaum (2005) has trenchantly criticised the unexamined premise about the rational nature of the parties and has raised important questions about the exclusion this principle wreaks on children, young people and people with disabilities. Others have pointed to the way Rawls has smuggled quite particular, even quite biased assumptions into his thin theory of the good. There is the more technical objection that what Rawls sets out as principles of justice that are ostensibly deontic in nature and so somewhat 'transcendental' or 'ideal' in nature, are also relying to some extent on empirical claims which may allow in far too much actual variability, contingency or mess to satisfy the requirements of a genuinely deontic conception of justice.

Another set of critics have argued in a completely different way that that far from being empirical or well-grounded, Rawls account of the initial situation is still too abstract to be able to yield the principles of justice he says that it does. Sandel (1998:32-46) has examined the extent to which the conditions of co-operation, benevolence or altruism are actually existing empirical traits found in all societies in the way Rawls seems to assume to be the case. No less troubling is the way Rawls seems to have made assumptions about the moral nature of the subjects engaged as parties in the initial situation that again prejudice the development of the argument in ways that guarantee that Rawls can get to where he wants to get. That is he assumes that people possess certain moral dispositions which may not be empirically verifiable. Others have argued e.g., that the list of primary goods is not necessarily widely, let alone universally shared, or that prescribing them in the way he has done undermines the principle of fairness. Then there is the very vexing

problem that Rawls' idea of the good, while it ostensibly set out to bypass the utilitarian idea of the good as being whatever satisfies a desire and makes me happy in so doing, ends up being reinstated as Rawls own account of the good. A close reading shows Rawls precisely allowing back in what he had ostensibly set out to reject. On numerous occasions Rawls allows that the very principle of utility truly defines the good:

A person quite properly acts, at least when others are not affected, to achieve his own greatest good, to advance his rational ends as far as possible ... [T]he principle for an individual is to advance as far as possible his own welfare, his own system of desires (1971: 23).

It is hard not to see here a clear example of Rawls recycling the hyper-individualistic story of individuals-in-society, a story long preferred by liberals. How can Rawls allow that, 'A person quite properly acts, at least when others are not affected' as a possibility to be taken seriously? This is actually quite far-fetched. The claim that any action taken by one person will not affect another in some way that is either acknowledged or not, but that is nonetheless a real effect is subject to what is properly the sociological objection that we are not isolates.

It needs to be recalled that Rawls had criticised utilitarianism for its conflation of the principle of utility in ways that collapsed the individual-community distinction by allowing that what was good for one person could also be good for an entire community: as Rawls complained, you should not agree to adopt the principle that it is acceptable to adopt 'for society as a whole the principle of rational choice for one man' or 'to seek to combine the desires of all persons into one coherent system of desire'(1971: 26-7). The result is a degraded conception of ethical choice such that ethical choice for a utilitarian becomes:

... essentially a question of efficient administration (as, presumably individual choice can properly be reduced), and so fails to take seriously the distinction between persons (1971: 33).

In Rawls' view utilitarians have gone wrong by being indifferent to the way the satisfaction of individual desires are achieved within a community. Given that justice is designed precisely to acknowledge differences in power, wealth, status or whatever then this is a serious weakness. Yet it is precisely this weakness that Rawls seems not to have been able to leave behind. This is evident when Rawls allows that:

There is one formal principle that seems to provide a general answer to and individual's choice of life plan. This is the principle to adopt that plan which maximizes the expected net balance of satisfaction (1971: 416).

While Rawls' work represents an especially interesting exercise within the liberal project to show how it is possible to combine a traditional concern with freedom of choice with a minimalist idea of justice it is open to very powerful attack given the overly individualistic and abstracted nature of Rawls attempt to strike a bedrock foundation for talking about justice as rights. The rights based ethic developed by Rawls depends on an idea that we are actually separate independent selves that need a neutral framework of rights and justice understood as leaving us free to choose the values we want. That is to say as Sandel (2005: 153) puts it, 'the right is prior to the good'. To put this bluntly Rawls fails to appreciate the role or weight or communal values as he develops his defence of individual rights. He fails to understand the collective nature of our existence and the way that 'the who we are' is developed in specific kinds of intimate as well as abstracted social relations.

We are situated selves and not abstracted individuals. Rawls fails to appreciate that the ethos of a specific community helps to shape the values people admire or attempt to orient to in their lives. The who I am is embedded in the stories and values of the communities I inhabit which will include the family I live in workplaces sporting clubs, networks of friends and so forth out to the 'imagined communities' of tribe or nation. In their defence of individuals rights liberals have failed to pay attention to the question of common goods' those valuables which lots of ordinary people take seriously.

This is not just an abstracted academic critique. For the way liberal rights talk has been done in terms of its reliance on an abstracted account of justice and the attempt to run what could be called a thin account of rights, has had some disturbing and quite practical political effects.

Liberals propose a regime of rights and freedoms based on the core idea that people as individuals, should be left free to choose their own values and ends consistent with a similar liberty for others (ie., the Rawlsian principle of justice). This has tended to produce a thin defence of rights. Liberals will speak of a right to freedom from excessive state interference embodied in privacy protection or a right not to be subjected to discrimination when seeking employment or promotion.

As Sandel (2005:147) has noted one result of this defence of rights understood as a right to freedom of choice requires a constant distinction being drawn between *permission* to do X and *affirming* the value of doing X: this classically induces a profound conundrum for rights talk. The problem begins when liberals mount the standard defence by rights advocates which is to say that they value toleration, freedom of choice or fairness more than the particular good/bad represented by abortion or pornography. That is liberal rights talk will say we should be free to watch pornography or to be free to exercise choice to have an abortion without necessarily endorsing the rightness of pornography or abortion. Yet drawing this distinction is not without its problems.

Firstly the distinction does not quite address the question of the value attached to the activity which may leave some people wanting to defend the right to do X but not quite sure that the X itself is all that defensible or valuable. Worse the need to make this distinction has not occurred to neo-conservatives who have simply refused to make the distinction allowing them to go on to accuse rights advocates of supporting or valuing abortion or pornography, and so forth.

The response from rights advocates has again been predictably thin and not all that persuasive. Firstly liberals have advanced the idea that it is wrong to legislate for morality sake because all values are relative. However this is a disastrous response because it cuts every way including into the very values like tolerance, freedom of choice, justice and so forth. Invoking a relativist defence of values is not all that smart or persuasive something neo-conservatives have understood and been able to use to maximum effect to embarrass the defenders of liberal values. As Sandel (2005: 148) notes 'a relativist defence of values is no defence at all'. It is a thin defence because it does not say why there is a good inhering in values like toleration, freedom of choice or fairness.

Worse, in terms of an idea that there are common goods, it has created a space in which neo- conservatives can seize the opportunity to define the common goods in ways that suit their agenda or to connect with ideas about ethical values which

have widespread acceptance and purchase in the wider community in pursuit of their political agenda.

As policy advocates we must acknowledge that in terms of the politics of contemporary social policy, the neo-conservatives have won –albeit only temporarily. They have won the policy debates as George Lakoff (2005) has argued recently not because they have got more and better facts but because they have bypassed a thin idea of rights to engage more readily and easily with values and goods that are already widely admired or shared. How well we think about this is quite important.

#### **4. REFRAMING THE POLICY DEBATE**

This is where the idea of reframing comes into its own. It owes a lot to the work of the cognitive scientist George Lakoff. Lakoff has made the role of metaphor central to a radical recasting of how we think about policy frameworks

As George Lakoff (2004) has argued recently the neo-cons have won the political and policy debates not because they have got more and better facts, nor simply because they have spent large amounts of money getting their message out. (We should not and cannot discount these factors entirely but that is another matter).

Rather as Lakoff argues they have ‘won’ because they have spoken in terms using metaphors and appealing to common values that resonate with large numbers of ordinary people. And to speak plainly we have ‘lost’ because we have not done these things –yet.

George Lakoff is a cognitive scientist and a linguist in the United States who has spent several decades showing us how human beings think. His work possesses fundamental importance because he forces us to confront some myths about human knowledge and thinking and shows us how we can get our account of how people actually think and act in the world a little more accurate. He reminds us things too many of us have forgotten: our feelings are vital to how we think and make judgments and metaphors make thinking possible.

Firstly he says the neo-conservatives have won the policy debates in the USA because they have been able to construct a more authoritative and/or more appealing emotional and ethical framework of political and policy ideas. They have used important metaphors and values and feelings to make links with large numbers of ordinary people. They have not made the mistake too many progressives have of dismissing the views and ideas and feelings of large numbers of people as irrational, stupid, irrelevant or unworthy.

The neo conservatives have linked into widely shared feelings and values so as to construct compelling yet largely fictitious pictures of the world. This work has been successful at persuading lots of us that that there are lots of

- ‘slutty’ single mothers, some of whom –gasp- may even be lesbians’
- ‘lazy’ drug using unemployed teenagers
- sundry other ‘bludgers’ exploiting the ‘welfare system’
- all this at the expense of the rest of us ‘hard working’, tax-paying, self reliant citizens.

They know this as certainly as they know 'we' are fighting 'a war against terror' and Islamic terrorists engaged in an unprovoked war by 'the Rest Against the West'. On this basis neo-conservative policies and political programs get increasing support.

Secondly as Lakoff goes on to insist, an old habit that dies hard among 'the left' or progressive groups has not helped: I refer to the way that progressives love to critique their opponents -to say nothing of each other. The problem with critique is this.

As Lakoff insists every time someone tries to contest the neo-cons they've lost the debate before they have even started to talk. 'When we negate a frame, we evoke the frame'. When Nixon e.g. argued for his innocence during the Watergate affair and claimed 'I am not a crook' he was dead in the Watergate: everybody immediately thought about him as a crook. So when the welfare sector takes on the neo-con Saunders at CIS and tries to talk up the need for more 'welfare expenditure' because his data shows there is more poverty, they are playing directly in to the neo-con frame which says income support gives 'money for nothing' to 'welfare bludgers'.

Here we confront a third important idea of Lakoff's. Certainly he says the neo-conservatives have won partly because they have understood better than the progressives how people think and how to reach out to ordinary people to win their support. Equally however the neo-conservatives have won because the progressives have failed to do the things that were needed. Progressives have spent too much time critiquing the neo-conservatives and not enough time constructing an alternative and a no-less appealing set of ideas, values and metaphors so as to frame the kinds of policies we stand for or otherwise need to develop.

In effect there has been both a vacuum of alternative ideas and a viable and attractive way of framing the policies and ideas progressive stand for. The neo-conservatives have taken advantage of the failure of progressives and simply filled the resulting vacuum. The community sector/the Left needs to remember the role of values and feelings in people's lives

Progressives who work in the social sciences or the community sector need to get over its actual disdain for ordinary people and a long established preference for experts and their specialist kinds of knowledge. Progressives need to get over their simple faith that gathering all of the evidence together or engaging in critique by itself will win hearts and minds of those its needs to persuade. In saying this I am not saying we should give up ideas about rationality, the value of looking for and using evidence or the value even of critique. I am only saying that by themselves these things will never be enough.

The community sector needs to set out to persuade people by the value and clarity and good ness of fit between the things we stand for and the lives of ordinary people. It is imperative that an alternative policy paradigm be outlined and promoted. This process should begin by specifying the kind of ethical values that will secure a new and widespread consensus, and help to inform any outline of the design principles for a welfare state worth having. This analysis, and the arguments for new design principles for a contemporary welfare state rests on the very clear assumption that what is needed are a set of basic value commitments that either already possess a degree of widespread community support or are capable of

eliciting such a level of support. In this paper we seek to elucidate the basis on which governments can properly seek to secure the flourishing of all citizens as social beings and to do so by way of interventions based in part on material resource transfers and in part by conceiving of interventions that embed a regard for respect and equality of regard for all citizens in human services and programs. We think it is well and truly time for a new value discourse that can provide a set of new, yet relatively stable, design principles for a welfare state worth having.

## 5. ON FLOURISHING AND RESPECT

Our is a time when all sorts of spray-on categories like 'budget responsibility', 'efficiency and accountability', 'quality assurance' triple bottom line', 'managing risk' or 'strengthening community' clamor for attention in the policy bureaucracies and in what passes for public space. Whether those of us who fuss about such themes have got a better idea than Pindar about what the point of human development is, or what will best contribute to that development of excellence is to be seriously doubted.

Two and a half thousand years ago, the great Greek poet Pindar wrote movingly about what a young grape vine -and a young person- needs if it is to grow well. Says Pindar:

But human excellence grows like a vine tree, fed by the green dew, raised up among wise men and just, to the liquid sky (Cited Nussbaum 2003: 1).

Among the basic requirements needed to achieve this idea of human excellence (*Arete*), Pindar identifies a good heritage, fostering natural and social circumstances, the avoidance of catastrophe and/or good luck, and the ability to develop 'confirming associations' with other human beings. As Pindar insists:

We have all kinds of needs for those we love: most of all in hardships, but joy too, strains to track down eyes that it can trust (Cited Nussbaum 2003: 1).

The idea of working to promote human excellence, to assist people to flourish has a great deal to commend it. It requires that we understand better the conditions and circumstances in which humans flourish. It also forces us to ask whether our interventions into others lives will help them to flourish or whether they are likely to wither. It involves avoiding eg., false binaries like 'nature' versus 'nurture'. If we had no nature there would be nothing to nurture: if we were only the work of nurture not only would pigs fly but so would we with a few hours of nurturant pilot training

Addressing the conditions under which we can flourish begins with a robust recognition that all of us are born with diverse natural constitutions. We are all natural creatures who are constitutionally born to be short, fat, thin, tall, male, or female and all with different kinds of intelligences. We are not born as indeterminate creatures as if we really are like blank sheets of paper.

To that beginning state we can and ought to apply core ethical ideas like 'freedom' and 'equality'.

'Freedom' as Midgely (2003: 40) reminds us is the chance to develop what you have in you to become like those of your talents, feelings and capacities that are yours constitutionally. As she reminds us, if you had no such particular potentialities in you at the start, there would be no use for or need for freedom. Neither is equality a factual claim about how we are all actually identical blank sheets of paper but is

rather an ethical idea that we should all have a legitimate expectation that we can expect to be treated fairly whatever our capacities or disabilities

Mark Peel (2003:xii) reminds us of the politics of respect at play when he observes that apropos the naming of 'the poor',

... there are good and bad names, but nothing like the relative consensus over respectful identification we now have for groups such as the Aboriginal and Torres Strait Islander people, or people from non-English speaking backgrounds.

The key word here is 'respectful'.

In a recent intervention into the debate about the failure of the American welfare state Richard Sennett (2003) argues that too often the objects of state intervention are denied respect. He notes the ways they are 'infantilized' and rendered dependent and therefore not worthy of respect.

Lack of respect, though less aggressive than an outright insult can take an equally wounding form. No insult is offered another person but neither is recognition extended: he or she is not *seen* - as a full human being whose presence matters. When a society treats the mass of people in this way, singling out only a few for recognition it creates a scarcity of respect ... Like many famines, this scarcity is man-made; unlike food, respect costs nothing. Why then should it be in short supply?

What is at stake is suggested in Sennett's crisp observation about the difference between the private valuing of dependence and its public shaming:

Imagine a lover who declares, 'Don't worry about me I can take care of myself I will never be a burden to you'. We should show such al over to the door: this non-needy creature could never take our needs seriously. in private life dependence ties people together. A child who could not depend on adults for guidance would be a profoundly damaged human being, unable to learn, deeply insecure. As adults if we avoided people sicker, weaker, older than ourselves who needed help we would at best have a circle of acquaintances, not friends. In the public realm however, dependence appears shameful. At a Labour Party conference recently, the British Prime Minister (Blair) declared that 'the new welfare state must encourage work, not dependency'

Sennett is clear in saying that we no longer need a 'welfare state' reliant on altruism and compassion, attitudes he rightly sees as deeply wounding, even destructive to that basic capacity for respect. Some part of what Sennett is getting at in calling for a new politics of respect is suggested when he writes:

Rather than an equality of understanding, autonomy means accepting in others what one does not understand about them. In so doing the fact of their autonomy is treated as equal to your own. The grant of autonomy dignifies the weak or the outsider; to make this grant to others in turn strengthens one's own character.

One of Sennett's central conclusions is that what matters most is not so much the striving for greater equality between individuals and social groups, but how we name and represent unequal social relations and difference. The politics of practicing social respect is arguably more difficult than mouthing the platitudes of 'tolerance', yet it offers a more meaningful engagement with the silenced and disrespected 'other'. As Little (2002) argues in his critique of conventional understandings of 'community':

What respect does involve is the acceptance of the right of individuals to formulate conceptions of the good and to express them in the public domain. Tolerance presumes little of this and assumes moderation and temperance where none may exist.

What is at stake here is grasped with uncommon clarity and force by the philosopher, Raimond Gaita (1999) who has argued that 'justice' and 'respect' are co-terminous. Gaita insists that:

We also speak of justice when equality of respect is at issue. 'Treat me fully as a human being fully as your equal without condescension' ... Concern for justice as the acknowledgement that all human being beings are owed inalienable respect goes deep...

And later:

... when we speak of respect for human beings, we express a moral position that we would better express if we spoke of respect for persons.

The difficulty in according respect is well described by Gaita. His words speak to the problems too many welfare professionals and administrative staff still have in their dealings with their so-called 'clients'. Gaita recalls working in a certain back Ward in a psychiatric hospital in the 1960s where the inmates had spent decades in incarceration.

When patients soiled themselves as some did often, they were ordered to undress and to step under a shower. The distance of a mop handle from them, we then mopped them down as zoo-keepers wash down elephants. The patients were judged to be incurable and they appeared to have irretrievably lost everything which gives meaning to our lives. They had no grounds for self-respect insofar as we connect that with self-esteem; or none which could be based on qualities or achievements for which we could admire or congratulate them without condescension ... A small number of psychiatrists did however work devotedly to improve their conditions. They spoke against all the appearances of the inalienable dignity of even these patients. Most of their colleagues believed these doctors to be naïve, even fools. Some of the nurses despised them with a vehemence that was surprising.

Gaita goes on to suggest that to speak about dignity in this way 'is a sign of our conceptual desperation' because 'dignity is clearly alienable, because dignity is clearly tied to appearance'. What he is getting is not the need for dignity or compassion, but rather unconditional respect, based in part on what Hannah Arendt has called 'love for the world' and all who live in it.<sup>12</sup> Gaita recalls the moment when this insight came to him:

One day a nun came to the ward. In her middle years, only her vivacity made an impression on me. until she talked to the patients. Then everything in her demeanour towards them -the way she spoke to them, her facial expressions, the inflexions of her body –contrasted with and showed up the behaviour of those noble psychiatrists. She showed, that despite their best efforts were condescending, as I too had been. She thereby revealed that even such patients were, as the psychiatrists and I had sincerely and generously

---

<sup>12</sup> This is what Peel (2003: 9- 10) is gesturing at, though he seems to start off with the idea that his stories may possibly 'move hearts and change minds', a position suggesting that what the poor need is compassion. They don't. They simply need that respect all of us deserve, because as Peel goes on to acknowledge our common humanity warrants nothing less.

professed, the equals of those who wanted to help them: *but she also revealed that in our hearts we did not believe this.*

We should make no assumptions about the normal tendencies of any institutions or relationships like those found in the labour market or those found in 'welfare state' agencies to operate on the basis of respect. As David Fryer has argued eloquently, being poor and being unemployed in the 1990s, as in the 1930s was frequently experienced as destructive of respect and the possibilities of leading a life experienced as fulfilling (Fryer 1995). As Oakley put it, in 1936, the specific relationships and experiences that make up these processes restrict, baffle and discourage people with an overwhelming 'yet indeterminate feeling of being thwarted' (Oakley 1936: 396).

Here die-hard liberals like Saunders, who insist that there is some positive moral value in being 'independent' and earning one's own living need to be required to defend their preference. Fryer for one draws attention to the problem of being in the workplace *and* being poor, an experience recently documented by Ehrenreich (2002) in the USA. On this the evidence is overwhelming.

To be poor and working or to be poor and reliant on the existing welfare system is to be exposed to practices and systems that deny respect and repudiate and obliterate most people's agency. In all sorts of ways the distinction insisted upon by those who promote the idea of independence and citizenship-as-participation in the labour market ignores the very real similarities between all low-income persons whether they are in the labour market or in the social security system.

The very process of claiming benefits is reported as stressful, with reports of distress at the poor conditions of social security offices, perceived invasion of privacy, a sense of being passively processed, of humiliation and degradation (See Kay 1985; Trethewey 1989).

More generally there is impressive international and local evidence that state financial support is offered in ways that are stigmatising or experienced as deviant (compared with earned income) (see Marsden & Duff 1975; Fryer & Fagan 1994; McGhee & Fryer 1989; Trethewey 1989; Federation of Community Legal Centres; 1992). By simple extrapolation it is not too difficult to see in the experience of being treated as if one belongs to one of the great nigger classes, the same kind of loss of agency. Worse, far from offering 'income security' the whole system with its shifting modes of targeting those in most need, changing regulations and so on is also experienced as insecure-making.

All low-income persons experience persistently restricted agency, whether by virtue of adverse labour market experience or unemployment, or via labour market programs, and the subsequent experience of relative deprivation and economic insecurity. Fryer (1995:40) says simply:

I am inclined to emphasize the what unemployment, [labour market programs] and psychologically unsatisfactory employment share ...

All are social relationships between parties involving psychological contracts in which work determined by one party is done in exchange for income by another party in a context of mutual rights and obligations and regulated by powerful social, community, organizational and institutional forces. *In an interesting sense unemployed persons can be regarded as essentially poorly paid, low status insecure public sector workers with virtually no negotiating*

*rights whose work (persistent near hopeless job search, humiliating benefit related rituals, management of households on inadequate resources, etc) carries a high risk of occupational strain (Fryer 1995: 40) (My stress)*

This respect does not need to be lived or experienced as a constant state of emotional arousal. It can simply be embedded in simple and quite formal procedures and practices.

Think of the difference between the activities of two central agencies of late twentieth century government, one oriented to the idea of citizenship as participation, the other the very model of an institution committed to disempowerment, stigmatisation and disrespect.

The first is the Commonwealth Electoral Commission which since 1983 has quietly, and without fuss, worked to guarantee the formal opportunities for all citizens to engage in the electoral and political process by securing their right to exercise their right to universal suffrage. They deploy the modern technologies to remind people to notify the Commission of changes of address, maintain the basic data base enabling all who vote to do so, and then when the great electoral process winds up, run the machinery of political processes without fuss, or fear and favour and do so by beginning with the premise that all citizens have the right to vote. Crucially they have long ago accepted the logic of citizenship as an unconditional right. They do not carry out investigations, ask intrusive questions or impose eligibility tests before you vote. They even advertise to remind people of the civic values of voting and participating.

When did we last see a similar major TV campaign on behalf of Centrelink?

For most citizens the Electoral Commission is a nearly invisible supportive agency that secures a basic right and does so without actual or implied stigma. No one seriously doubts that this agency underwrites and secures what we all take to be a fundamental right.

The second is Centrelink and its partners dedicated -or so it seems to many of its clients -to not facilitating their access to income security. For some 'clients/customers' there is humiliation, for others painful intrusion into matters that are essentially private, for many the stressful insistence on eligibility and activity tests (relating variously to activities, education, income, assets and looking for work) and for many long waiting periods before security is possible. Espionage and incitements to inform, coldness, stress, humiliation, long queues, uncertainty and insecurity all attend the workings of this major agency devoted -or so the state's rhetoric puts it- to 'guaranteeing' social and economic security and citizenship. What is at issue here is not just claims of rudeness or lack of compassion on the part of this or that official or local office but a systemic problem grounded in the decision to *not* make a regime of citizenship rights available to all without question. The welfare economic model has, perhaps unwittingly, given aid and comfort to some of the moral and political defenses of an increasingly unjustifiable system. More generally poverty research -wittingly or otherwise- to legitimate an indefensible and exclusionary system of social security which reneges on any robust commitment to a comprehensive model of full citizenship rights. Further it links the economists and related social science researchers and much of the welfare industry in a largely unreflective alliance that will endlessly duplicate the wholesale dependency of large numbers of those Australians who are the clients

of the social security system. It does this by repressing the actual social role of the social security system as a system of social regulation and enforced dependence with serious consequences for citizenship.

Ultimately CenterLink and those governments which have brought it into being fails to understand the fundamental logic of citizenship understood as the right to full participation and to underwriting citizenship based on the premise of respect.

## **CONCLUSION**

Orwell argued that language should function so as 'not to anaesthetize a portion of one's brain' but that it should carry the capacity to perform or express our capacity for clear thinking. 'To think clearly is to a necessary first step towards political regeneration'. George Lakoff has added a crucial extra insight: the metaphors we use and the values we engage with play a fundamental part in constructing the political community and helping to represent the problems we take to be the ones that matter as well as the solutions we want to pursue. . .

Talking in terms that Don Watson (2002:48) used recently the neo-conservatives have been very successful in knitting 'the threads of a common sensibility which join the people to their representatives and institutions'. It is time now for the Left to change the pattern and knit some new threads for a common sensibility that links a renewed political vocabulary to membership of a community in which all of us can feel at home.

A little diagnosis suggests that the academic social science community have vacated the public space, a space into which certain kinds of politics and policies have flowed largely without too much resistance. (Note: I am not holding the academic social sciences uniquely responsible for what has happened. I am merely pointing out they have something to answer for here).

The academic social science community has failed because it has privileged in a one-sided way, old habits and old practices that help to define or make these 'community what it is. The academic social sciences community long been uncomfortable about the status of values, has eg., embarked on endless empirical research in the belief that that will somehow address the problems of our time. Too much social research especially that coming from our universities is informed by the high status mythos of 'objective' value-free research. When you add a fear of ethical engagement to the general fear of being political, and of academics actually using the idea of academic freedom as something that goes beyond the defence of academic privilege, then we confront an awesome failure.

The privileging of empirical research has long been informed by something called 'value-freedom' (an idea sitting on top of the positivist truism that there are 'facts' and 'values' which are neither commensurable nor equally valuable) and scientific method. The way social sciences like sociology, criminology etc., have disavowed or sought to obliterate any interest in or recognition of the vital role played by values, to say nothing of our emotions, both frequently lumped together since Max Weber's intervention as 'irrational elements' (Sica 1988), has led among other things, to an excessive valuation of rational evidence-driven policy advocacy and policy-making (Marston & Watts 2004). Without for a minute giving up on that kind of research work, we need to do more to develop an explicit discourse that takes values seriously.

Simply put more empirical evidence by itself is not enough. We need good social research to inform and transform that policy context but we also need to bypass certain academic dispositions like our much-vaunted commitment to objectivity and value free research -without giving up on the intellectual values they embody.

We need firstly to identify and legitimate those values that need our defence. As I suggest here rights talk is not enough. I suggest that the right have been right to focus on values and on advocacy which has taken the idea of talking with people seriously. If we are to re-energise the public sphere, we need more explicit engagement with values and we also need advocacy. And we need to engage in a major reframing exercise. Doing this means that we need to spell out why we don't like work-to-welfare models, but more importantly what we want to put in its place. This is an exercise that needs to be developed primarily as an exercise in rational value debate. Engaging with the community on this basis entails that we also need to develop new kinds of advocacy informed by clarity about how the political process depends on what George Lakoff (1999; 2005) has called 'framing'. Without entirely throwing the rational evidence model of social research out, we need to pay more attention to those ethical and emotional means with which we may reframe political and policy debate.

**Author:**

Rob Watts is Professor of Social Policy at RMIT University. He is author or coauthor of books like *Foundations of the National Welfare State* (1987), *Arguing About the Welfare State* (1992), *Making Groups Work* (1996), *Discovering Risk* (2004), *Abuse of Trust* (2005) and *Sociology Australia* (1999;2003;2007) and *States of Violence* (forthcoming)

**REFERENCES**

- Arendt, H., 1958, *The Human Condition*, University of Chicago Press, Chicago.
- Aristotle 1976, *Ethics* (Trans J. Thompson), Penguin, Harmondsworth.
- Berlin, I., 1969, 'Two concepts of liberty', in his *Four essays on Liberty*, Oxford University Press, Oxford : 118-82.
- Bessant, J., 1995, 'The discovery' of an Australian juvenile 'underclass', *ANZ Journal of Sociology*, (vol.) 31 no.3: 32-48
- Birrell, R., Maher, C., & Rapson, V., 1997, 'Welfare Dependence in Australia', *People and Place*, (vol.) 5 no..2: 66-77
- Bourdieu, P., Passeron, J-C, de Saint Martin, M., 1994, *Academic Discourse: Linguistic Misunderstanding and Professorial Power*, Polity, Cambridge.
- Crocker, D., 1995, 'Foundations of Development Ethics', in Nussbaum, M., & Glover, J., (eds) *Women, Culture and Development*, Oxford University Press, Oxford.
- Darwell, S., 2002, *Welfare and Rational Care*, Princeton University Press, Princeton.
- Ehrenraich, B., 2002, *Nickel and Dimed*, Black Swan Press, London.
- Flybjerg, B., 2002, *Making Social Sciences Matter*, Cambridge University Press, Cambridge.
- Fryer, D. & Fagan, R. 1994, 'The Role of Social Psychological Aspects of income on the mental health costs of unemployment', *Community Psychologist*, (Vol.) 27 (2): 16-17.
- Fryer, D. 1995, 'Benefit Agency? Labour market disadvantage, deprivation and mental health', *The Psychologist*, June: 55-67
- Gaita, R., 1999, *A Common Humanity*, Text, Richmond.
- Giddens, A., 1979, *Central Problems in Social Theory*, Macmillan, London.
- Gilbert, N. 2002, *Transformation of the Welfare State: The Silent Surrender of Public Responsibility*, Oxford University Press: Oxford.
- Graff, G., 2003, *Clueless in Academe*, Yale University Press, New Haven.
- Greig, A., Lewins, F., & White, K., 2003, *Inequality in Australia*, Cambridge University Press, Melbourne.

- Hempel, C.G., 1983, 'On the nature of mathematical truth', in Benecaref, P., (ed) *Philosophy of Science*, The free press New York.
- Hutcheson, F., 1755, *A System of Moral Philosophy*, Clark & Co., Glasgow
- Kant, I., 1787, *Critique of Pure Reason* (trans N. Kemp Smith) Oxford University Press, London.
- Kant, I., 1793, 'On the common Saying: This may be true in theory but it does not apply in practice', in *Kant's Political Writings*, Cambridge University Press Cambridge.
- Kay, D. 1984, 'Counter Benefits, Making Contact with the DHSS', *Working Paper No. 7*, Scottish Consumer Council, Glasgow.
- Lakoff, G., 1999, *Moral politics: how Conservatives and liberals think*, University of Chicago Press, Chicago.
- Lakoff, G., 2004, *Don't think of an Elephant*, Scribe, Melbourne.
- Le Grand, J. 1995, 'The State of Welfare' in (eds) Hills, J. *The State of Welfare: The Welfare State in Britain since 1974*, Clarendon Press, Oxford.
- Little, A. 2002, *The Politics of Community: Theory and Practice*, Edinburgh University Press: Edinburgh.
- MacIntyre, A., 1990, *Three Rival Versions of Moral Enquiry*, University of Notre Dame Press, Notre Dame.
- Manent, P., 1998, *The City of Man*, (trans. M. Le Pain), Princeton University Press, Princeton.
- Marsden, D. & Duff, E. 1975, *Workless: Some Unemployed Men and their Families*, Pelican, Harmondsworth.
- Marston, G., and Watts, R., 2004, 'Evidence-based policy: An essay in disruption', *Just Policy*, No 29, July : 32-48.
- McDonald, C., Marston, G. & Buckley, A. 2003, 'Risk Technology in Australia: An analysis of the Job Seeker Classification Instrument', *Critical Social Policy*, Vol 23, No 4, pp. 498-525.
- McGhee, J. & Fryer, D. 1989, 'Unemployment Income and the family', *Social Behaviour*, (vol.) 4 (1): 237-254.
- Midgley, M., 2001, *Wickedness*, Routledge, London.
- Midgley, M., 2003, *Heart and Mind*, Routledge, London.
- Mill, J.S., 1847, On Liberty, in *The Utilitarians*, Knopf, Garden City
- Mill, J.S., 1863, *Utilitarianism*, in *The Utilitarians*, Knopf, Garden City
- Mission Australia, 2003, 'Enriching lives: Young people, Poverty and Social Exclusion', A Response to Senate Inquiry into Poverty in Australia, March.
- Nussbaum, M., 1988, 'Nature, Function and Capability: Aristotle on Political Distribution', *Oxford Studies in Ancient Philosophy*, Supp. Vol. 144-184.
- Nussbaum, M., 1995, 'Human Capabilities, Female Human beings', in Nussbaum, M., & Glover, J., (eds), *Women, Culture and Development*, Oxford University Press, Oxford.
- Nussbaum, M., 2003, *The Fragility of Goodness*, (rev Ed), Cambridge University Press, Cambridge.
- Nussbaum, M., 2006, *Frontiers of Justice: Disability, Nationality, Membership*, Belknap Press Harvard University press, Cambridge.
- Oakley C. 1936, 'Some Psychological problems of a depressed area', *Human Factor*, (Vol.) 10 (2) : 393-404.
- Osborne, T., 1998, *Aspects of Enlightenment*, UCL Press. London.
- Pierson, C., 2003, 'Elites face being Left behind', *The Weekend Australian*, 22 November: 22)
- Porter, R., 2000, *The Enlightenment*, Penguin, Harmondsworth.
- Pusey, M., 1991, *Economic Rationalism in Canberra*, Cambridge University Press, Melbourne.
- Pusey, M., 2003, *The Experience of Middle Australia*, Cambridge University Press, Melbourne.
- Putnam, H., (eds), *Philosophy of Mathematics*, Cambridge, Cambridge University Press.
- Rawls, J., 1971, *A Theory of Justice*, Harvard University Press, Cambridge.
- Rawls, J., 1977, 'The basic structure as subject', *American philosophical Quarterly*, vol 14, pp 159-65
- Sandel, M., 2005, *Public philosophy: Essays on Morality in Politics*, Harvard University Press, Cambridge.
- Sandel, M., 1998, *Liberalism and the limits of Justice*, Cambridge University Press, Cambridge.
- Saunders, P., & Tsumori, K., 2002c, 'Poor concepts: Social exclusion, Poverty and the Politics of Guilt', *Policy*, Vol 19 (2), 30-37

- Saunders, P., & Tsumori, K., 2003a, 'How to reduce long term unemployment', *Issue Analysis* No. 40 CIS Sydney.
- Saunders, P., 1999, 'Families, Welfare and Social policy', *Family Matters* No. 54, Spring/Summer : 4-11
- Saunders, P., 2001a, 'Australia is not Sweden', *Policy*, vol 17. (3), Spring 29-32
- Saunders, P., 2002a, 'Poor statistics: Getting the Facts right About poverty in Australia', *Issue Analysis*, No 23, CIS, Sydney
- Saunders, P., 2002b 'The Spectator in the Breast of man', *Policy*, Vol 18 (2) 23-31
- Saunders, P., 2002d, 'Turning back the Tide: welfare lessons form America', *Policy* vol. 19 (1), 8-14
- Saunders, P., 2002e, 'The Poverty of Debate', *Policy*, vol 18 (3), 46-50
- Saunders, P., 2002f, 'The Poor are Not Poorer in Fact', *The Age*, 26 October
- Saunders, P., 2002g, 'Working to beat the Poverty trap', *Courier Mail*, 11 December
- Saunders, P., 2003b, 'Do we Still need a welfare State?', AIFS Conference Paper, [www.cis.org.au/SocialPolicy/Social%20Foundations/SaundersAIFS130203.htm](http://www.cis.org.au/SocialPolicy/Social%20Foundations/SaundersAIFS130203.htm)
- Saunders, P., 2001-02, 'What future for Welfare?' *Australian Social Policy*,
- Schutz, A., 1986, *The Correspondence of Alfred Schutz and Aaron Gurwitsch*, University of Indiana Press, Bloomington.
- Sen, A., 1983, 'Poor, relatively Speaking', *Oxford Economic Papers* 35, Oxford University Press, Oxford.
- Sen, A., 1989, 'Food and freedom', *World Development*, vol. 17: 769-81.
- Sennett, R., 2003, *Respect*, Allen Lane, London.
- Shapin, S., 1996, *A Social History of Truth*, University of Chicago Press, Chicago.
- Strauss, L., 1964, *The City and Man*, University of Chicago Press, Chicago.
- Travers, P. & Richardson, S. 1993, *Living Decently: Material Well Being in Australia*, Oxford University Press, Melbourne.
- Watts, R., 2003. 'We'll All be Rooned': Pusey and the disappearing Middle, *Dissent*, July.
- Weber, M., 1973, 'The Academic freedom of the Universities', in *Max Weber on universities: The power of the State and the Dignity of the Academic Calling in Imperial Germany*, (E. Shils (ed), University of Chicago Press, Chicago.
- Whiteford, P., & Angenent, G., 2002, *The Australian System of Social protection -An overview*, Department of Family and Community Services, Occasional Paper No. 6, DFACS, Canberra
- Williams, F., 1999, 'Good enough principles for Welfare', *Journal of Social Policy*, vol. 28, (4) :667-687.