Robert Schuman Centre

A New Social Contract?

European Social Citizenship: Why a New Social Contract Will (Probably) Not Happen

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My title makes it clear that I am sceptical about the possibility of a New Social Contract, either within the states that make up the European Union, or in the EU as a whole. The idea of a New Social Contract implies the emergence of social institutions that resolve collective action dilemmas by restraining wasteful competition or conflict, for the sake of mutual advantage. This could happen only through the emergence of new solidarities, based on the collective interests of members (of states and of the union). But I shall argue that the tendency of welfare states to fragment into smaller, narrower mutualities, that has characterised social interactions in the past 20 years or more, will continue to be stronger than the impetus towards collectivisation - especially in the Social Policy sphere.

The idea of new solidarities seems to imply one of two things: either social movements for collective action in the name of mutual interests (political pressure from below), or social engineering by elites, creating collective interests for the sake of efficiency or equity. I shall argue that there is little evidence of the former (and strong reasons for doubting that such movements will evolve, at least in the short term); and that the latter is now largely beyond the capacities of states, or the EU itself. My scepticism is an unwilling one, since I believe that new forms of social citizenship are in principle available, and would both strengthen and widen solidarities, for the benefit of all. But I am increasingly impressed by the difficulties of implementing the measures, creating the institutions, and hence achieving the purposes of a New Social Contract. Since my mood and my analysis are neo-Hobbesian, and my principles are democratic and participatory, I am driven to the position of a rather pessimistic, marginal commentator on the European scene (that is the Slovakian standpoint).

From this standpoint (that is outside the EU, and perilously, equidistantly proximate to the Bosnian conflicts and the internal convulsions of the former Soviet Union) it is difficult not to see events through the eyes of Karl Polanyi. It is like a speeded-up version of his *Great Transformation* (1944), with the movement towards free-market utopianism spreading from the West, and countered by increasingly nationalistic, violent, anti-democratic and atavistic movements for cultural social protection from the East. The clash between these two seems likely to produce - as in the first half of this century - Hobbesian conflict, before it can lead to a new social contract.

For Hobbes, the need for such a contract arose from individual striving for power and advantage, and from intergroup competition. Today the underlying needs are much the same - for institutions and policies that overcome the socially undesirable consequences of individualism (Barry, 1991, p.276) and the social

costs of antagonisms between groups. But globalisation and the changes it has wrought within European societies make solutions difficult. When the balance of power between capital and labour shifted - somewhere between the mid-1960s and the mid-1970s - old-style collectivism became much harder to sustain. Although they lost some security and protection through these processes, most citizens of welfare states gained new opportunities for strategic action for their own advantage, increasingly orientated towards international as well as national institutions. Both in terms of *identity* (what they made of themselves), and in terms of *strategy* (how they orientated themselves towards others' actions), there was a shift towards more individualistic or household-based approaches, and away from the older collective identities of labourism and social citizenship. I shall argue that these orientations represent formidable barriers to new solidarities.

In the same period, the power of global economic actors (multinational enterprises and international financial organisations) grew in relation to that of states. This challenged the basic assumption behind welfare states - that national polities are the form of organised collective system best able to overcome the unwanted consequences of individual actions and group strategies. If the characteristic forms of third-party enforcement of the postwar era - mutual insurance systems with compulsory contributions from all citizens - are more problematic, the obvious conclusion is that the collectivisation process needs to be further widened (de Swaan, 1988; 1994). European social citizenship appears the logical next step (Leibfried and Pierson, 1994), and this solution seems especially appropriate for those who see globalisation as primarily a process of accelerated exchanges between advanced welfare states, which are enabled, rather than hindered, by their social policy institutions (Rieger and Leibfried, 1995). But I shall argue that this analysis misses the central dynamic of social interactions in the final quarter of this century - mobilisation within groups of people with similar incomes and tastes. States find it increasingly difficult to overcome this tendency, even when its consequences are collectively perverse (for instance, the experience of Bill Clinton's national health insurance plan). I can see no reason why the European Union might find it easier to do so.

It might be an instructive use of the two days of this conference to attempt to reach a new social contract between the participants. I suspect that what would be revealed is that academics in political and social theory are rather strategic global bargain-hunters, seeking advantage across borders within the whole social scientific world, rather than simply in Europe, and therefore rather difficult to pin down with forms of restraint that might constitute Euro-solidarity. Perhaps I am merely generalising from my own case - a British socialist, robbed of his middle-

aged aspirations by Margaret Thatcher, now pursuing a postmodern lifestyle, earning a German salary, paid in Austrian schillings, working in a Slavonic country, while still owning his house (and paying his taxes) in Britain.

Within the scope of this paper, it will be possible only to sketch my arguments, more fully developed in a new book, *A Theory of Poverty and Social Exclusion* (Jordan, 1996). The method of analysis used here is derived from public choice theory and game theory, and emphasises that the social costs of individualism and intensified competition are now becoming more visible, especially in those countries which most enthusiastically embraced the new forms of free-market utopianism (the USA and UK); but that the relentless logic of these changes in social relations and social institutions will make them extremely difficult to modify through collective action. In a nutshell, some new form of restraint on costly competition, at present driving down the real incomes of median as well as low earners in those countries, is clearly desirable in the interests of all, but equally clearly unattainable, because it represents a public good that it does not 'pay' any political party to promise to provide, or any interest group to support. Instead, what is proposed (and widely supported) is a form of enforcement directed narrowly against the poor, requiring that they fulfil their 'social obligations of citizenship' (Mead, 1986) in exchange for welfare benefits and services. There is a real danger that the 'politics of enforcement', which have already spread from the USA to Britain (see for instance the moral panic over crime, benefit and fraud and single parenthood that led to a change in criminal justice policy in 1993, and a 25 per cent rise in the prison population since then) will now infect the European Union (Jordan 1995; Jordan and Arnold, forthcoming). If this is so, the only new social contract available to Europeans will be based on Newt Gingrich and his colleagues' 'contract for America' - a political programme that will intensify and institutionalise social division and exclusion, drive up social costs, and increase inefficiency and inequity. An alternative social contract is conceivable, but not politically available, under these circumstances.

Labour Markets, Households and the Division of Labour

In this first section of my paper, I shall focus on the emergence of nuclear-family households as the primary collective-action units in contemporary societies, and the economic and political consequences of this development. In order to make my point rather strongly, I shall focus on the case of Britain, but I believe that the same analysis could be made of social interactions elsewhere in the EU. The point of this section is to show how middle-income families have become trapped in a cycle of intensified competition that threatens their living standards; but that the

logic of their household strategies makes it unlikely that they would support the collective action programmes that might allow them to escape from this trap by restraining competition.

Seen from the perspective of the world economic system, welfare states were rather successful distributional coalitions (Olson, 1965) that captured the rents associated with advanced industrial production by restraining competition between national capital and labour, allowing them to institutionalise agreements about how to share these advantages. This gave the advanced industrialised countries, notably those of Europe, the opportunity for faster rates of economic than those achieved in developing countries in the 1950s and early 1960s. Welfare states in their heyday might be modelled as co-ordination games about economic growth; but after 1965, distributional struggles between capital and labour intensified (Brittan, 1975; Gough, 1979), as the share of wages in welfare states grew and profits fell (Kindleberger, 1967). In Olson's terms, this reflected the more successful mobilisation of internal distributional coalitions under conditions of institutional stability (Olson, 1982, pp.53-75). It led to capital seeking new, international strategies for rent seeking, involving the development of the newly industrialising countries on the peripheries of the advanced industrialised world, the gradual erosion of welfare states, and the crumbling of corporatist methods of national economic management (symbolised by the fall of the Swedish Social Democrat government in 1992).

Middle-income households did well from welfare states, not only because they provided security of income during employment and in retirement, but also because they provided opportunities for incremental careers in public services. From the point of view of national labour markets, welfare states can be seen as systems for 'managed crowding' (Hirsch, 1977), under which the oligopolistic collusions that previously restricted entry to lucrative professions like medicine, the law and education were 'democratised' (Harrod, 1958). State employment not only allowed many more such professionals to get well-paid work; it also extended the benefits of professionalisation to other groups, like physiotherapists, nurses, social workers and social pedagogues. In many ways, it allowed the bourgeoisie to enjoy 'job rents' by restraining the competition that would otherwise have threatened to destroy positional advantage - for instance, by subsidising higher education, and thus effectively providing access to professional employment.

When capital broke free of the constraints of national welfare-state games through new capacities for international mobility, this simultaneously transformed the strategic options open to individuals. Exchanges between individuals, not

negotiations between collective actors, became the relevant determinants of outcomes. The shift to more open economies, and the breakdown of the restraints imposed by collective agreements, increased the scope for individual actions. The New Right in the USA and UK pursued policies to accelerate this change, through programmes of deregulation, privatisation and narrowing social protection. One outstanding feature of social relations, particularly in these Anglo-Saxon liberal countries, has been the priority given to the household unit over other forms of interdependency, such as wider kinship, community, trade union or political party. It is not that individuals have ceased to belong to these (though active membership of class-based formal organisations in particular has fallen). It is more that choices seem to have become more strongly orientated towards the interdependency requirements of that unit, and less towards those of others. Research suggests that, as actors within the public sphere and as citizens, individuals are conscious of this, and justify 'putting the family first' (Jordan, Redley and James, 1994).

The new international division of labour allowed capital to use unskilled labour more flexibly; this in turn allowed firms to exploit some groups (such as people living in isolated, deprived communities, or immigrants, or home workers) for rents. But gradually skilled groups too began to find their advantages were competed away, as their collective action organisations weakened (only one worker in eight in the USA belongs to a trade union now). Eventually the same processes affected technical and professional workers also. In the United States by 1995 the real incomes of college graduates were falling as rapidly as those of high school graduates, between 1989 and 1993, median family incomes fell by $2737 in real terms (Elliott, 1995).

Thus by prioritising household strategies over other forms of collective action to protect job rents, mainstream citizens enjoyed improving living conditions in the 1980s, while the situation of the poor deteriorated; but by the 1990s they too had become vulnerable to interactional competition. The strategic combinations of male and female labour supply that had served the middle classes well began to be mutually frustrating, while the poor developed other (often illegal) strategies for self-protection. All these developments gave rise to forms of social organisation that differentiated mainstream households from marginal ones, and polarised strategic behaviour as well as incomes (Jordan and Redley, 1994), making any social contract between these groups improbable, and increasing costly social antagonisms.

One puzzle for social scientists about the labour-market patterns that are evident in presentday advanced industrialised societies is why women - who nowadays

achieve much the same educational qualifications as men, and often also gain technical and professional qualifications early in the working lives - still occupy relatively badly paid positions, relative to men with similar levels of education and training. They are to be found in subordinate roles, in part-time work, or in employment that does not reflect a good return on their investment in qualifications. Even in countries like Sweden, where female labour-market participation rates are highest, where women have most equal rates of pay in each occupation, and where they are predominantly members of trade unions, women work mainly in the public sector, and in part-time posts. Why do women not take more vigorous political action to seek equality in the world of work, or compete more strongly as individuals with men for positional advantage?

One approach to this issue is to model household decisions as best replies to employers' strategies, and as the outcomes of bargaining games between couples (Ott, 1992). Women seem to choose roles which are 'supportive' (in terms of their predominant share of child care tasks and the role of organising and running the household) and orientated towards maximising the incremental advantages that their male partners can gain through their 'careers' (that is pensions, perks and occupational welfare benefits). One way to analyse these decisions is as strategies within a Battle of the Sexes supergame between the couple, over where to live, when and how many children to have, and what employment each should take. The equilibrium solution is for the woman to sacrifice her career opportunities during their children's dependency in order to maximise the man's, in return for the prospect of better pensions and a higher material standard of living in the later part of their married life through his job assets (Jordan, Redley and James, 1994, Chs 5 and 7). This still leaves the woman with the option of developing the part-time work she does during the time when she is being 'supportive' of the man's career into a career of her own (with its own fringe benefits) when the children are older - for instance, if he takes early retirement, or if his career founders. The solution to the battle of the Sexes supergame thus consists in 'taking turns', not over specific decisions about promotion or geographical moves, but over phases of the life cycle, the first of which favours the man's advantages, and the second the woman's. Although 'dual careers' (that is simultaneous career development by each partner) occurs in some households in cities with good employment opportunities, and where both partners are in certain occupations (such as teaching) this alternation over the lifecycle seems to be a much more common pattern all over Europe.

Why then do women not pursue the alternative course of seeking a more reliable (given the prevalence of marriage breakdown) share of men's job rents through

collective action. Since the strategy of investing in their partners' careers has only a two in three chance of success (in terms of the survival of marriages in Britain), would it not be a better strategy (that is a better reply to employers' demand for flexible labour power, and men's for 'supportive' partnership) to act collectively in the political sphere to achieve equal opportunities - for example, by campaigning for state-funded child care provision?

But this would require women to compete with men for their share of the benefits from job rents. In this competition they would start as 'outsiders' in the present situation, because it is predominantly men who now enjoy the efficiency wages, training opportunities, promotion prospects, fringe benefits and occupational pension rights that constitute these 'insiders'' rents. But if all the qualified women entered the market for full-time 'core' jobs of this kind, they would represent a major alternative source of labour power, and offer employers a whole new strategic option. In competing for their share of rents, they would risk competing them away altogether.

This is the essence of Robert Solow's (1990) model of the labour market as a game between insiders and outsiders. The outsiders know that if they make their labour power available at anything below the going rates of pay (reflecting the rents of insiders), employers may simply offer a reservation wage, just sufficient to clear the market, thus eliminating rents altogether. Outsiders therefore opt to restrain competition, and accept low rewards (unemployment benefits, or marginal work) so as not to destroy the rents of insiders. In Solow's game, they wait in the hope that such jobs will eventually become available to them.

But Solow's version is not entirely convincing, because it assumes that outsiders are aware of a collective good (a sustainable stock of insiders' job rents) and restrain competition for a possible future stake in this. But it does not specify the collective action group, or the selective incentives or sanctions, through which such restraint is accomplished (Olson, 1965). Indeed, outsiders constitute precisely the kind of disorganised category of individuals that Olson treats as incapable of taking action for the sake of the benefits of restrained competition (Olson, 1982). To carry conviction, the model needs to identify something in the game that gives actors compelling or persuasive reasons not to compete for rents, in terms of private payoffs in the current situation, or group interactions.

This something can be explained in terms of women's situation. As individuals they would be only slightly better off in terms of personal earnings if they competed away men's job rents; and as partners in households where the man had

such a rent they would be much worse off if their actions destroyed these rents. In other words, the relevant collective action unit to restrain competition is the household where the woman has a stake in her partner's job rent. Women have strong incentives not to compete, and strong sanctions against such competition, within their partnerships. Seen from this perspective, unrestrained competition threatens their partner's career and job assets. Thus their best strategy is to accept the *status quo*, be supportive, and take a part-time job, for the sake of their stake in their partner's insider status and its benefits (Jordan, 1989).

It is this that most satisfactorily explains the present configuration of household labour supply as the 'best reply' to employers' strategies for flexibility, with men pursuing rents through careers, and women taking part-time work, usually with little career prospects or fringe benefits. Not all of these are low-paid, even though these well-qualified women could probably earn much more. Furthermore, as surveys repeatedly reveal, levels of job satisfaction for women in part-time employment are high. The strategy seemed successful in Britain in the 1980s, where the household incomes of couples with at least one member in regular full-time employment rose at quite a steady rate. However, auguries from the USA are now discouraging, as median household incomes continue to fall; this suggests that the job rents of more qualified and professional employees are becoming vulnerable to competition from abroad in a deregulated labour market (Elliott, 1995; Barker, 1995). Thus the restraint exercised by women as 'supportive' partners is no longer enough to protect the incomes of better-paid men.

The relevance of all this to the possibility of a new social contract is that households have become the most important collective action units in advanced industrialised societies, and hence household strategies have become the most significant form of collective action that must be addressed in any attempt to overcome the principal collective action dilemmas in our current interactions. The theoretical basis for a new social contract must either show how new social movements could arise that might campaign for such a contract, or how a social engineering scheme for overcoming these dilemmas from above might gain political support. In the next section I shall argue that such a solution is in principle available, but that the dynamic of household strategies, and the configuration of polarised economic interests, are against any such movements or support.

Collective Action and the Poor

In this section I shall analyse the choices facing individuals and households who are unemployed or in irregular, marginal work. These are people without job rents, some of whom are being exploited by employers who have gained a monopoly position to extract a rent from their labour. The aim of this analysis is to explain their actions as best replies to the strategies of employers, government agencies and each other in this situation.

Implicit in the model of mainstream households developed in the previous section is the claim that their strategies are aimed at excluding such people from access to job rents, and from a share of the benefits from such rents. Because it gives priority to the interdependency between household members, and is aimed at protecting this social formation by conserving those rents still available to employees, the mainstream strategy necessarily excludes those others from its benefits. As a collective action unit, the mainstream household both institutionalises the sharing of benefits and costs of men's career development and restrains women from competition in the labour market that might erode men's job rents; it also mobilises electoral support for policy measures that restrain competition from other outsiders, such as the poor. But I shall argue that it also blocks the formation of a distributional coalition (political pressure group) in favour of redistribution from insiders to outsiders.

In principle there is a third (collective) strategy open to women as an interest group, in addition to the two modelled in the previous section. This is to lead a grand coalition of outsiders in a bargaining game with insiders, that aimed to offer restrained competition for their rents, in exchange for a universal share in those rents (that is a New Social Contract). A coalition between women and the poor would have a clear electoral majority, and the institutional mechanism through which this could be achieved would be something like a basic income scheme (Van Parijs, 1992; 1995; Barry, 1994; Brittan, 1995; Young and Halsey, 1995; Atkinson, 1995). This would give all citizens an unconditional income as an individual entitlement, unrelated to their labour market or household roles (Walter, 1988; Parker, 1989). As a rough approximation, insiders as holders of job rents could be expected to be net contributors to such a scheme and outsiders net beneficiaries. The basic income would provide outsiders with a reliable form of income security, and would give them incentives to participate in labour markets on their current terms, rather than seeking to undercut insiders' rents; their interests would therefore be best served by keeping the bargain, and thus a self-enforcing social contract would be reached.

Many social and political theorists (of very different persuasions) have argued that, under present labour market conditions, basic income represents the only feasible inclusive institutional structure for balancing the market-orientated interests of the better-off with the protection of the poor (Dakrendorf, 1989; Jordan, 1989; Purdy, 1994; Duncan and Hobson, 1995). Yet this programme has never been widely canvassed, and no major political party in any advanced industrialised state has ever used it to mobilise electoral support; nor have the poor ever organised around it. I shall also analyse how the poor have responded to the strategies of employers and main stream households.

The defining characteristic of poor households is that the mainstream strategy outlined in the previous section is not open to them. Without access to a career and its attendant possibilities of security and job rents, they must orientate themselves towards the opportunities and incentives of the market for marginal work, the availability and rewards of informal work (including unpaid community work and various forms of illegal activity) and the structure and rules of benefits systems. Their choices of how to combine these reflect their strategic replies to employers in search of flexibility, to the benefits authorities, and to each other.

Unlike in the mainstream, where one lifetime strategy seems to emerge as the dominant equilibrium solution to such bargaining games, the labour supply behaviour of poor households seems far more variable. As seen through the official British statistics, there are large pools of unemployment, a large flow between unemployment and marginal work, and a large segment of households with one member in regular, long-term, low-paid work and others in part-time or irregular employment. It looks as if there are three groups who have adopted quite different strategies in relation to the same institutional structures of opportunities and constraints - the 'dependent', the 'risky' and the 'steady' households.

However British research in deprived communities suggests that all these strategies combine elements from the labour market, the benefits system, the informal economy, and communal systems of mutual support, and that households move between these strategies over time (Jordan, James, Kay and Redley, 1992). This is because labour-market deregulation has led to a situation of 'hypercasualisation', and means-tested benefits systems respond slowly to changes in household circumstances. The choice between the three strategies depends on what is the primary source of household income at any time. Workers who take low-paid regular jobs calculate that they will do better in these (supplemented by family credit and housing benefits) than through the much more variable earnings

available in marginal employment, if they compete with others using that strategy. Irregular workers assess these risks before accepting such offers, and the long-term unemployed assess the wage that would be necessary to make it worthwhile for them to sacrifice the continuity of their claims. All three strategies also include an orientation towards informal work opportunities (cash jobs that are not declared to the tax or benefit authorities), and to the support that is available through networks of kin and friends (Morris, 1992; Morris and Irwin, 1992).

In Britain, the significance of informal work, and especially undeclared cash transactions, reflects the changed structure of incentives that has followed deregulation. As the wages of unskilled workers have fallen, and demands for 'flexibility' have been reflected in more irregular (part-time, subcontract, occasional or short-term) work, formal employment has offered fewer incentives, relative to those from informal work, that can be combined with social assistance claims. Furthermore, the casualisation of the labour market has increased informal opportunities, while the decline in trade union membership has reduced collective pressures on workers to refrain from such activities for the sake of solidarity (Jordan, 1996, ch.2).

Policy debate has focused on benefits dependency and undeclared work by claimants. Hence policy in Britain, as in the USA, has been aimed at limiting the availability of income maintenance for the poor, while steering them towards the labour market. The government's programme since the early 1980s has been one of 'targeting' assistance on those 'in greatest need', but making it more conditional by stricter eligibility tests. Benefits administration increasingly involves detailed investigation of claimants resources, requirements and behaviour, in order to screen out claimants with adequate means, and those who are not truly incapable of work or 'involuntarily unemployed'.

But these measures also drive up transaction costs for each claim, since the individual investigations required consume large amounts of staff time. One way of counteracting this is to force claimants to bear part of these costs. It has become standard administrative practice to suspend payment of benefits in all cases requiring investigation of eligibility. Stricter testing and more complex assessments also involve delays in processing even standard claims (McLaughlin, Millar and Cooke, 1989). During such periods, it is the claimant who absorbs the costs; the household must survive without assistance, and can get into serious debt, or even become homeless.

In so far as many potential applicants consider the claiming process too costly (Craig, 1991), these procedures succeed in reducing expenditure. However, experienced claimants develop counter-strategies to resist the effects of official administrative practices. From the claimants' point of view, stricter testing, administrative delays and benefits suspensions all change the relative payoffs of declared and undeclared work, making the latter more attractive. Given that most of the work available in the formal labour market is low-paid and short-term, they reason that the risk of debt or destitution when they are forced to claim again is not worth taking, and prefer to take what work is available on an informal (undeclared) basis. In our research on low-income couples with children, two-thirds of the respondents indicated that they had done occasional small 'cash jobs', and most irregular workers justified this in terms of the transaction costs associated with claiming (Jordan, James, Kay and Redley, 1992, Chs 4 and 6). They told stories of how they had been unfairly disqualified, or had their payments suspended or delayed, to show that it was incumbent on them as responsible parents to do occasional undeclared work, to secure their children's living standards.

These interactions can be modelled as a prisoner's dilemma game between claimants and staff over transaction costs (Jordan, 1995). The equilibrium solution to the game is mutual defection (claimants always do undeclared work, staff always suspend benefits), because if either co-operates it is to the advantage of the other to defect. It could be argued, of course, that since most claimants are long-term, a one-shot prisoner's dilemma game misrepresents what is a series of interactions. Axelrod's work on iterated prisoner's dilemma games (Axelrod, 1984) suggests that the cycle of mutual defections can be broken by players 'signalling' willingness to co-operate by adopting a strategy of minimal retaliation. But the British government has signalled just the opposite of this with its well-publicised 'clampdowns' on fraud, and introduction of new restrictions. Policies that try to change the payoffs, by increasing the costs of defection, do not change the equilibrium solution to the game. Yet there is a strong impetus within the game for policy makers to try to increase enforcement, and in doing so to raise enforcement costs also, thus increasing both public expenditure and the impoverishment of those to whom the measures are applied (see also next section).

Furthermore, claimants' resistance to such policies is unlikely to take the form of isolated, individual action. In deprived communities informal activity, including undeclared work, becomes co-ordinated through networks of information, which reduce risks of detection, and allow a culture of resistance to benefits authorities to develop. Such forms of resistance rely on the 'hidden transcripts' of underground

communication and covert action, under a cloak of compliance (Scott, 1985; 1990). They are much more difficult to suppress through enforcement measures, because risks are dispersed through anonymity and collusion. Poor people's collective action uses these 'weapons of the weak' to compensate themselves for their exclusion from the benefits of mainstream society, and particularly from job rents. But they leave the poor free to take other collective action, such as riots, if the opportunities and incentives for open resistance become more attractive. The relative success of resistance strategies, including undeclared work and crime, is shown in the discrepancy between income measures of the living standards of the poorest household, and expenditure measures (IFS, 1995). By income measures the worst-of in Britain have suffered an absolute impoverishment since 1979; by expenditure measures they have not.

The full implications of these developments have only gradually penetrated the policy debate and the social scientific research agenda (Jordan and Redley, 1994; Evason and Wood, 1995). There is now growing recognition of the issues, with a government report estimating an annual £1.4 billion in false claims (BBC Radio 4, Today programme, 10.7.1995). Yet this has increased rather than diminished pressure for costly enforcement measures. The government is now introducing new measures, such as bar codes on payment books, to combat fraud; local authorities are trying to counter fraudulent claims of student grants; and the Labour Party leadership has pledged its support for councils which invite residents to inform on fraudulent claimants of housing benefits (BBC Radio 4, Today programme, 9.8.1995).

While the poor are able to take these self-compensatory actions, and while political parties are able to mobilise support in mainstream households to suppress them, no coalition for redistributing job rents is feasible, and the basic income proposal will not be put on the political agenda. The poor have come to rely on their own actions and strategies, and have turned away from orthodox political pressure. Like those of mainstream households, these strategies can be seen as individually rational but collectively mutually frustrating. They actually contribute to further casualisation of employment, and further falls in wage rates. Furthermore, the divergence between mainstream and poor households' strategies, due to social and economic polarisation, is now beginning to produce costly social conflicts. As mainstream households become less secure, and their incomes start to fall, they look for others to blame. In the USA, right-wing politicians have found ready scapegoats among the poor, and especially among black welfare mothers. Elsewhere too the blame for the endemic malaise, the 'feel-bad factor', is

settled on the 'enemy within' - immigrants, foreigners, deviants - dividing any potential coalition in favour of a new social contract.

The Politics of Enforcement

The new solidarities needed for a social contract, that could provide the basis for European social citizenship, would require political brokerage at the national and the EU level. Political elites would need to be convinced that they would get good electoral returns on policies for social integration, and new institutions to harmonise the interests of collectivities which are currently antagonistic or divergent in their orientations. In principle, as I have suggested, some such possibility exists, in the form of a programme for a European basic income scheme, guaranteeing every EU citizen a certain level of security, which could then be 'topped up' by member states. But I shall argue that politicians are far more likely to be attracted by the returns on programmes of enforcement, directed against marginal members of society (sometimes in the name of integration), that will drive up social costs, and increase antagonism and resistance.

The politics of enforcement can be seen as the other side of the coin of Tocquevillian democracy. Robert Putnam (1993) has distinguished between the virtuous circle of trust, co-operation, enterprise, prosperity and good government that occurs where citizens are active within a culture of civic involvement and voluntary association, and the vicious circle of mistrust, antagonism, clientelism, patronage, economic stagnation and administrative inefficiency that accompanies a regime of Hobbesian third-party enforcement, vertical bonds and authoritarian social relations. He postulates two long-term equilibria around these alternative systems of social relations, the former creating social capital and generating rapid economic growth, and the latter spawning high social costs and low-level performance. While most analysts of institutional systems associate the USA and Western Europe with the former characteristics (Olson, 1982; North, 1990), there is reason to believe that current collective action dilemmas are shifting political responses towards enforcement, especially against minority groups, and may be generating a move towards more costly and less efficient, as well as less democratic, systems of government.

The most obvious examples of such a change have been around the issues of 'underclass', 'dependency culture' and crime in the US and UK in the 1980s and 1990s, which peaked with the 'back to basics' turn of the Major government in the autumn of 1993 (Jordan, 1995), and the mid-term election of 1994 in the USA. It is reflected in figures on rising rates of imprisonment in both countries, and in the

ascendancy of a political rhetoric of punishment and revenge; in the USA this is accompanied by the escalation in executions, and the re-introduction of archaic practices, such as chain gangs. In California, state spending on criminal justice measures threatens to overtake spending on welfare before the turn of the century.

The movement in the USA towards the 'compulsory integration' of the poor is spread across a number of policy domains. On its analysis, most unemployment is 'voluntary', and caused by unwillingness or inability to recognise the social obligations that accompany guarantees of income and welfare security (Mead, 1986; 1988). Hence the provision of benefits should be more authoritative and conditional, so that applicants are made to accept work disciplines and the duty to provide for children out of earnings. In the European context, of course, the notions of individual responsibility, work obligation and compulsory inclusion are mediated by concepts of social citizenship, social inclusion and full employment. Hence 'workfare' as a form of conditionality and coercion is not preached or practised in the manner of the American politics of enforcement. Even so, many of the same theoretical arguments apply to US and European policies for retraining and reintegrating those receiving long-term benefits (Adriaansens and Dereksen, 1993). Ambitious plans for reducing unemployment through the co-ordinated efforts of employers, trade unions and the state have been canvassed by the EU (Delors, 1993), and the idea of a New Social Contract - the Treaty of Louvain - has been widely debated in Belgium (Dettane, 1994). Hence the issue of compulsory integration is an important part of any plan for European social citizenship.

There are circumstances in which workfare and its various derivatives ('trainfare', 'carefare', and so on) can promote efficiency, but these are quite circumscribed. One relates to the buoyancy of the labour market; if there are many adequately-paid jobs for those with skills, qualifications and a suitable personal profile, even quite expensive measures that require claimants to train and equip themselves for these available opportunities will be efficient, because they will overcome supply-side barriers to employment among the claimant population. Such examples can be found in many districts of the western states of the USA and Canada (Wiseman, 1993). Another set of conditions occur when unemployment benefits are high, there is a niche in which labour-market intervention can provide training or employment without substitution or displacement, motivated applicants can learn transferable skills, and enough vacancies occur to absorb 'graduates' over time. Research in Belgium (Schatteman, Van Trier and Késenne, 1994) found that various schemes in Flanders achieved efficiency because they met these conditions.

However, as a general rule there are many reasons why it is rare for compulsory employment or training to meet efficiency criteria. Coercion is itself demotivating; even a few disaffected participants can be disruptive and reduce the productivity of others. These forms of forced labour are ideal breeding grounds for cultures of resistance, using the 'weapons of the weak' (Scott, 1985) - petty pilfering, malingering, absenteeism, defection, shoddy workmanship and minor sabotage. Such practices can be well co-ordinated through underground channels of co-ordination, that cost the participants much less than open rebellion, and give the utility associated with revenge. History furnishes many such examples, from the Speenhamland system in England (Wakefield, 1831; Polanyi, 1944), to the whole system of labour under the centrally planned economies of the Soviet Bloc. All experienced low and falling productivity, as the resistance practices most common in Central Europe ('we pretend to work, you pretend to pay') were consolidated.

In the USA and UK, the New Right claimed that market-orientated institutional reforms would make efficient and equitable interactions self-enforcing. But these reforms ignored perverse incentives and moral hazard of a collective kind - the discrepancy between the pay-offs for broad, inclusive communal solidarity on the one hand, and narrow, snobbish, exclusive mutuality on the other; or between unskilled formal employment and trade union membership, and irregular, informal economic activity and membership of a semi-criminal network, for example.

Despite its disavowal of social engineering and planned outcomes, liberal democratic governance - even of the Hayekian kind - seeks to minimise coercion by providing a framework of rules for interactions in which citizens individual and collective decisions produce socially desirable outcomes. Neo-liberal institutions have proved, if anything, less strategy-proof than social democratic ones, because they have produced rational egoists who are designed to be good at self-interested strategies. Whereas participatory democrats would seek to educate and mobilise citizens for collective action in the common interest (Barber, 1983; Oldfield, 1990), neo-liberals can only fall back on measures of enforcement, that raise the price of selfish strategies, but often also raise the social costs of all exchanges, and hence reduce efficiency.

In the absence of opportunities for advantageous, legal economic activity for the poor, or payoffs for inclusive membership and co-operation between communities and groups, it was rational for many mainstream citizens to press for increased authoritative enforcement. Crime costs citizens and firms more, in insurance, taxes and inconveniences, as well as loss and pain. But these conditions rewarded populist politicians who exploited social conflicts, and drew dividends from

antagonism, rather than brokering co-operation. One problem for democracy is that there is always a temptation for politicians to use widespread fears (in issues such as crime and 'moral degeneration') through mobilising the public behind stronger enforcement measures. Populism on such issues can transform the nature of political participation by channelling intergroup conflicts into public policy.

The present situation poses two intractable problems to national governments, and thus presumably to the EU also. The first is one of implementation; any potential programme for inclusive social citizenship must appeal to (or coerce) large numbers of convert, risk-sharing 'informal clubs' for semi-legal or illegal activities, generating high returns - for instance from drug-dealing - for their members. This means that policies must either offer larger inducements for labour-market participation than the benefits these clubs supply their members, or break them up through enforcement measures. Small rewards (such as a low level of basic income, plus low and irregular wages) or small individual punishments and sanctions would not be enough to achieve either of these goals, since the payoffs to club members are so high. Poverty and social exclusion have thus already driven up the costs of effective policies of any kind to reintegrate those citizens, because they have provoked them into rather effective collective resistance.

Secondly, there is a problem of political legitimation and support. In a polarised society that has experienced a period of enforcement - orientated policies, it would be particularly difficult to switch to an inclusive orientation, especially one based on a fairly novel concept of social justice, such as the basic income approach. How could unconditional assistance be given to a population previously constructed as morally degenerate? And how could full employment, the sacred cow of Christian Democrats and Social Democrats alike, suddenly be sacrificed? Yet the problem of compulsory inclusion, as the alternative strategy for social citizenship, is the opposite one. The danger is that enforcement measures will develop a logic and a political support of their own, regardless of their contribution to efficiency or equity. Democratic political systems might not be able to contain populist excesses, particularly if minorities are able to build upon existing networks to construct more effective forms of collective resistance. In this situation, it would be difficult to stop the culture of contentment from rushing forward into the politics of punishment and revenge.

Conclusions

A new social contract, based on European social citizenship, is for some analysts the natural outcome of the collectivisation process (de Swaan, 1988; 1994), in the new context of globalisation. The latter process implies the interweaving of foreign and domestic policies (Parry, 1994), through the acceleration of transnational exchanges of all kinds - of goods, services, finance, people, pollution and crime (Held and McGrew, 1994). For Rieger and Leibfried (1995), effective social policies allow states to throw themselves open to world markets; economic integration between national economies is mainly a relationship between welfare states. The tendency is for economic links to grow fastest between countries with similar values, institutional structures and regulatory principles - in this case the relevant characteristics are political democracy and welfare statism, providing interdependence and institutional integration with a stable foundation. Thus shared domestic notions of social justice and social protection have enabled the faster integration of the EU, and will allow a new European social contract to emerge and be developed in the next century.

The alternative view, put forward in this paper, is based on an accelerated replay of Polanyi's *Great Transformation*. The notion of self-regulating markets, promoted within the international sectors of advanced industrialised economies, has a logic of its own that tends towards the creation of a global order, not of integrated blocs of welfare states, but of international institutions to uphold private property and contractual exchange. This in turn provokes various divergent movements for social protection, based on nationalistic, ethnic, religious, regional, class or sectional principles (all of which tend to fragment the rational-legal order of the welfare state era), and on narrower mutualities of like incomes and tastes, which erode the economic basis of collectivisation. These tendencies in turn subvert democratic citizenship, and substitute forms of populism and authoritarianism for the inclusive interactions promoted by the welfare state.

If any validity is conceded to my analysis, it points to collective action problems that will afflict the EU as much as its member states. The relative decline of Sweden, the most redistributive welfare state in Europe, and the slower growth of all the Western European economics, raise questions about the competitive implications of extensive social regulation. On the other hand, the escalation of both social conflicts and enforcement costs in the US and UK point to the difficulties associated with a Gingrich-style authoritarian social contract. Above all, there is a question over how mainstream, middle class voters in all the European countries will respond to slower growth, and the impact of international

competition (especially from the dynamic economies of Central Europe). Are the extraordinary costs of US health care, or the massive 'negative equity' in the British owner-occupied housing sector, merely specific consequences of policy mistakes, leading to a widespread 'feel-bad' factor among such voters? Or are they the unintended collective outcomes of the household strategies identified in the first part of this paper?

Far from implying further collectivisation in transnational units, globalisation might instead signal serious problems for existing collective institutions, at the international as well as the national level, and especially over social policy issues. The global citizen of the next century might be a sovereign bargain-hunter in search of his or her most favoured bundle of collective goods, available through the development of private sites by landlords, in partnership with minimalist local authorities. Such contractual communities (Foldvary, 1994) would allow comfortable households to move between self-selecting, homogeneous income zones, leaving a residuum in 'communities of fate', under the authoritative regime of private contractors of a Benthamite complexion. The result would be a medieval landscape of free (but walled) citadels, separated by a wasteland of panopticons and predation.

What seems to be at stake is thus the possibility of democratic community as the basis of a new social contract. The challenge for the next century is to discover forms of collective action and social institutions that are suited to sovereign, consumption-orientated, diverse and quarrelsome individuals, in a global environment with vastly unequal allocations of resources - a Hobbesian dilemma. As benevolence shrinks to narrower limits (the nasty, brutish, bourgeois, suburban family) social engineering becomes more necessary as well as far more difficult. Neither traditional liberal individualism nor compulsory collectivist socialism now seems feasible or attractive.

Above all, the task is to avoid social policy 'solutions' that block unexpected routes to greater benevolence (the Humean path of J.S. Mill, T.H. Green and liberal communitarianism) and abundance (the Utilitarian roadway of Bentham, Smith and Keynes). Social policy, as it exists at present, would be a barrier to the emergence of a more benevolent and prosperous international order. Democratic community will probably be more technically feasible in the next century, but more politically unattainable. The dynamic that excludes the poor may instead exclude the possibility of prosperity and progress.

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