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**The Rhetoric of “Rights and Obligations”
in “Workfare” and “Citizens’ Income”
Paradigms/Discourses in Denmark
in a Labour History Perspective**

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1. Introduction

In the 1990s, the Danish hegemonic discourse on welfare policy, especially in labour market and social policy, shifted from a so-called “passive” to a so-called “active” policy in accordance with major international trends towards a workfare discourse.

The 1994 labour market reform, and later the 1997 Act on Active Social Policy, changed the paradigms in labour market and social policy. It represented a break with the former so-called “passive” policy under which job and education offers qualified unemployed for continued unemployment benefits. After the labour market reform, the maximum unemployment benefit period was seven years, and activation no longer qualified for continued unemployment benefits. Before 1997, the social policy was based on an income disappearance principle. The idea was that adequate public cash benefits would prevent social stigmatisation due to loss of income, but also that the system required unemployed to be available to the regular labour market. The two reforms emphasised the universal rights *and* obligations for everybody to exploit and develop their skills, and restricted access to benefits. Clients who decline an activation offer are no longer entitled to social benefits. This is the background of the Social Democratic government’s philosophy about rights and responsibility that dominates their new politics.

My aim in this article is to:

1. Explain the shift in the political discourse from welfare to workfare in a long historical perspective. I will show how the concepts of rights and responsibilities in the ideology of the Danish labour movement have been applied in three periods of Danish labour movement history (Christensen 2000A): a) when the labour movement was a new social movement with strong reform/revolutionary ambitions: *Rights of labour*; b) the golden age of the welfare state in the early 1970s: *Right to labour*; and c) today, when the welfare state is changing into a workfare state: *Obligation to labour*.

2. Explain the Danish workfare discourse in different scientific analyses. Danish social scientists interpret the substance in the workfare discourse quite differently. Some are critical and others legitimise it. But how can different social scientists arrive at such disparate conceptions and evaluations of the workfare policy?

3. Argue for a citizen income reform with a new understanding of how to link rights and responsibilities. Everybody agrees that, at some basic level, all members in a society must contribute if they want to enjoy the benefits. Philosophers and social scientists therefore talk about a norm of reciprocity, which exists in all societies. But the concrete interpretation of rights and responsibilities has changed. The traditional Danish welfare state had one interpretation of justice, the workfare strategy another, and a citizen income strategy must build on yet another interpretation.

2. Hegemony and political discourses/scientific paradigms

Society can be seen as a hegemonic community, held together by a hegemonic political discourse. This discourse reproduces and transforms society in an antagonistic interplay with other discourses (Christensen 1999 and 2000).

In general, politics deals with the articulation of specific interests and the exclusion of rival interests. As a rule, it is only by creating alliances between actors, by establishing a hegemonic project that social power can be maintained. And a hegemonic project must be supported by a hegemonic discourse.

A scientific paradigm and a political discourse are different types of frames, which differ with respect to purpose, function and logic.

The function of political discourse is to create political understanding and support among political actors for certain political solutions to the exclusion of other and undesired solutions.

The function of scientific paradigms is, in particular, to create new knowledge and understanding in the scientific community. This normally means that the theoretical element (the explanatory and interpretative dimensions) is emphasised, while the normative and praxis-oriented elements are downplayed.

But often there is a connection between scientific paradigms and political discourses, because social science paradigms can support and sometimes steer a political discourse.

3. Different conceptualisations of workfare in Danish social science

Danish social scientists conceptualise and evaluate the new activation policy in different ways: there is criticism from social workers (Carstens 1998) and social policy scientists (Abrahamson 1998), but what is most astonishing is that formerly critical neo-Marxist scientists now defend and legitimise the policy with reference to modern sociological paradigms.

One example is Jacob Torfing (1999, 1999A), political scientist and leading theorist in the discourse theory formulated by Ernesto Laclau and Chantal Mouffe (1985), and inspired by British Marxist Bob Jessop's (1995) theory on a regime shift from a Keynesian welfare state (KWS) to a Schumpeterian workfare regime (SWR). Torfing analyses the Danish welfare state within Jessop's framework and describes the Danish workfare policy in a discourse perspective. His conclusion is that the Danish workfare strategy is offensive and neo-statist in contrast to UK and US policies, which are described as defensive and neo-liberal.

Another analysis of the Danish workfare system, which in some ways is similar to Torfing's analysis, is sociologist Per H. Jensen's analysis (1999). He disagrees with Torfing's conceptualisations of a movement from welfare to workfare and seems to think that there has always been a sort of workfare logic in the welfare state. He sees "activation" in a "life politics" perspective inspired by Anthony Giddens (1994), and calls the workfare strategy "the enabling perspective" because it enables the individual to achieve self-actualisation and personal autonomy.

A critical perspective on the Danish workfare policy is launched by Henning Hansen, Jens Lind and Iver Hornemann Møller (2000) in a Marxist-inspired "industrial reserve army approach". The size and composition of the industrial reserve army may vary, but its presence is important for capital accumulation since its function is to keep the price of labour down. Hansen, Lind and Møller see the

workfare strategy as “a tightening of the work and activity norm”, which goes as follows: All adults must do paid work or other income-generating work and will hereby contribute to their own and society’s reproduction.

Jørn Loftager (1998, 1999) also has a critical perspective on Danish workfare policy. He interprets it as a paradigm shift in welfare policy thinking from a universal social-liberal to a new communitarian conception of community. Loftager uses Durkheim’s classical distinction between mechanical and organic solidarity and sees the workfare policy as an attempt by the political elite to create an old mechanical solidarity, where the essential substance of community is shared norms and values, and performing paid work is the invariable top norm par excellence. If you do not have paid work, you are not a real member of the community. Activation creates a new power structure which goes against the principle of the individual’s autonomy and integrity, and it creates a new group without normal labour rights and with a special obligation to accept activation.

Where Torfing and Jensen see Danish workfare policy as a success, Hansen, Lind and Møller document “very poor” results for long-term unemployed in terms of ordinary work or education after activation. Where Torfing – along with the Danish government and OECD – talks about a “Danish miracle”, Hansen, Lind and Møller show that long-term unemployment has only been reduced by approximately 10,000 persons.

Danish analyses of the new workfare strategy lack the long historical perspective in the understanding of the concepts of rights and responsibilities, and differ in their understanding of how these concepts were perceived in the former “Danish” or “Scandinavian” model.

4. Rights of labour: Equal political rights and responsibilities and protection of wage work

What was the real meaning of the old slogan: “Do you duty, demand you rights” in the infancy of the labour movement? (Callesen and Lahme, 1978: 100-115, 45-47 and 50-52). The IAA’s (the International Association of Labour in Denmark) rules from 1871 state that: “The Congress considers it a duty to claim civil and human rights, not only for its own party, but for everybody who does his duty. No rights without obligations, no obligations without rights.”

The slogan was turned against the privileges of the upper class, and the goal was "to abolish all privileges from status and birth". The upper class had rights without obligations, whereas the growing working class had obligations without rights. Therefore, the labour movement's programme for The Social Democratic Society (1875) and "Gimleprogrammet" (1876) demanded universal tax liability: "introduction of direct income tax with increasing progression and higher taxes on land", and conscription: "establishment of a national army instead of a standing army". These demands were turned against the upper class. Furthermore, the labour movement demanded certain equal rights, e.g., equal and common suffrage, rights to education, freedom of speech, thought and faith, and freedom of association and assembly. With the slogan of rights and obligations, the new labour movements attacked the hegemonic discourse, which was a mix of feudal-bourgeois elements.

The labour movement understood the relation between rights and obligations in a political-legal terms. To claim a right meant that the state (society) had an obligation to make it possible to use this right. The demand for suffrage did not mean compulsory suffrage, but that the state had an obligation to make suffrage possible.

The new labour movement did not fight for the right to wage work and full employment; these demands came later. Instead, they fought for the right to organise as workers, for state protection of wage work, i.e., normal work day, a ban on child labour, on harmful women's work, on Sunday work, and for a "stop to competition from labour in the workhouses with free wage work". This was "workfare" in that period.

5. Right to labour: Right to wage work corresponding to an obligation for the state to ensure full employment and a universal right to social transfers corresponding to universal tax liability

The labour movement first fought for the right to organise as workers and for social control and limitation of wage work. As part of the general democratic movement, the labour movement was successful in its struggle for civil and political rights and therefore became part of a new hegemonic discourse.

Already in 1907, a state-subsidised employment insurance system was established in Denmark. This new institutional structure introduced a new insurance concept of rights and obligations, which has been very prominent in the labour movement's discussions. Membership of an unemployment insurance fund meant entitlement to unemployment benefits on certain terms, corresponding to the obligation to be available to the labour market.

From the 1930s, and especially after the Second World War, the social democratic movement fought for the right to work and to full employment as part of a welfare state. A new hegemonic political welfare state discourse was born. The social democratic movement was a major part of the power block behind that discourse, but rather than being purely social democratic, the ideological profile of the discourse was a social-liberal mix.

The concept of the right to work and full employment gained a foothold when the Danish constitution was revised in 1953. §75, article 1 says that: "In order to advance the public interest, efforts shall be made to guarantee work for every able-bodied citizen on terms that will secure his existence". But according to constitutional experts, this provision only states a goal and does not give the individual able-bodied citizen a right to a state-guaranteed job.

§75, article also talks about the right to public assistance: "Any person unable to support himself or his dependants shall, where no other person is responsible for his or their maintenance, be entitled to receive public assistance, provided that he shall comply with the obligations imposed by statute in such respect". In other words, all citizens have the primary obligation to provide for themselves, and public provision is only a secondary obligation.

In the 1960s and 1970s, the golden age of the welfare state, an element in the understanding of the relation between rights and responsibilities said that you have a right to work, but it is not secured by the constitution, and the state had an obligation to secure full employment. The goal of full employment was linked with the constitution's self-provision obligation. Another element was the right to universal social transfers countered by universal tax liability.

In contrast to social insurance models like the German "Bismarck" model and the English "Beveridge" model, the Danish tax transfer model separated economic rights and responsibilities.

What does that mean? Former economic advisor and secretary of social security, Bent Rold Andersen, points out that one of the most important features of the Danish welfare model was "that the ties between contributions and rights are almost completely severed. The benefits are financed via taxes and many of them are free. The scheme is based on the broadest possible solidarity: the whole society" (Andersen, 1984:35). "'Earmarked taxes', in which the proceeds from a certain tax are reserved for a specific purpose, are almost never used" (Andersen 1996:136).

In the social democratic welfare state, individual citizens acquired rights as part of their citizenship, not as contributors to social insurance as in Bismarck's social insurance system. The universal right to social welfare state services builds on the assumption that all citizens have an obligation to pay taxes so that the universal rights can be realised. In that period, the labour movement defined rights as equal rights for all citizens, and equal obligations as joint tax liability.

As Rold Andersen notes, the advantage of the Danish model is "that only the public sector can guarantee that every citizen has access to assistance and services regardless of circumstances. If, instead, the family is the precondition, people with no family cannot get assistance; if insurance is the precondition, only people with insurance can get help; if the local area and voluntary organizations are the preconditions, people who are excluded or who happen to live far away from voluntary aid may fall through the cracks" (Andersen 1996:136).

6. Disagreements about the understanding of "the Danish model"

Social scientists disagree not only on how to conceptualise the workfare policy, but also about the theoretical and empirical description and assessment of the former social democratic welfare state, labour market and social policy (the "Danish" model or the "Scandinavian" model).

Torfinng sees the former Danish model as a statist social democratic variant of a Keynesian welfare state (KWS) ideal type, but he does not define the macro welfare-economic conception as a separation of rights and responsibilities.

His description of rights and obligations in that regime is unsatisfactory because he describes it as a system with “unconditional rights and almost no obligations” in contrast to “conditional rights linked to obligations” in the new workfare system. Torfinng postulates that the former system was “never really linked to an obligation to take a job or be trained or educated”.

In Torfinng’s description of the former welfare state, it is almost a citizens’ income system with “unconditional” rights to social benefits. But this has never been the case. The rules in the unemployment insurance system and social assistance system have always required benefit recipients to be available to the labour market and to register as job seekers at the Public Employment Service.

Loftager’s description of the former welfare state is both similar and different. He prefers to see the Danish model as social-liberal in contrast to the mainstream tendency to call it a social democratic model because of the decommodifying effects of social benefits. Loftager claims that the Danish decommodification process took place in more liberal context than in Norway and Sweden due to Denmark’s traditionally more liberal labour market regulation and greater respect for freedom and autonomy for its citizens. Loftager finds that British sociologist T.H. Marshall’s (1950) concept of universal citizenship corresponds to the Danish tradition of universality in the welfare state.

Loftager emphasises that the unemployment benefit system and the social assistance system have always contained rights and obligations, but before the new workfare paradigm, the unemployed only had to be available for jobs on normal conditions. The new workfare reforms have introduced new forms of activation (counselling, job training, education).

Hansen, Lind and Møller’s definition of the classical welfare state is influenced by Gösta Esping-Andersen’s (1990) concept of a social democratic welfare state. They interpret the Danish unemployment policy during the 1970s and 1980s when unemployed received benefits for longer periods and activation measures were

relatively marginal and mainly aimed at securing access to unemployment benefits instead of the lower level of social benefits, as a form of "decommodification".

They also mention, without further explanation, what they call "the classical social democratic principle of disconnection between charge (taxes) and benefit". They only hint at the important Danish tax transfer, welfare-economic understanding of rights and responsibilities, where the state was responsible for creating full employment.

The conclusion is that Loftager as well as Hansen, Lind and Møller see "decommodification" as a positive indicator of the former Danish welfare state, which has been reduced with the new workfare reform. Torfing sees the "Danish model" almost as a citizen income model, and for him "decommodification" is not only a positive goal and indicator, which is why he welcomes the workfare policy.

7. Mandatory labour ("activation"): The right to social transfer is primarily linked with the obligation to be available to the "real" labour market or to an "artificial" labour market

Today, the Danish Social Democratic Party has abandoned not only the political-legal understanding of the relation between rights and responsibilities, but apparently also the main welfare economic conception inscribed in "the Danish model", and the Party now only sees rights and obligations from the perspective of the micro-economic exchange and the insurance contract.

The new workfare policy is based on the following principles: 1. Reciprocity: You have to work in return for the money you get from the state; 2. rights are linked to obligations. When you are entitled to income transfer, you have a corresponding obligation to be available to the labour market. On a market, you must give to get, and there is a special link between rights and obligations. But the labour market is not society, which the Social Democratic Party and the labour unions seem to have forgotten.

In the following passage from a programme proposal from 1995, the Social Democratic Party attempts to conceal how the meaning of "rights and responsibilities" has changed over the past 100 years: "Since the beginning of the

labour movement, obligations and rights were seen as two sides of the same issue, everybody must contribute if they want to receive", (Socialdemokratiet, 1995:8).

In the labour movement's infancy, nobody used the principles of "contributing in return for receiving", "giving and taking" the way they are currently used in a logic of market economy or insurance.

That social clients today have acquired both a right and an obligation to "activation" is an absurd political-legal construction. A right is not normally synonymous with an obligation. Common suffrage is not the same as compulsory suffrage. It is correct that rights and obligations are linked, but normally they do not apply to the same subject (individual). If an individual has a right, the other party – the state – has an obligation to ensure that the individual can enjoy this right.

Workers who cannot find a normal job on the market have acquired both a right and an obligation to "activation". Where the labour movement originally fought for equal political rights and obligations for all citizens, it is now busy justifying unequal rights and obligations. A political emancipatory slogan has been turned into a disciplinary slogan.

In the new social democratic philosophy, the obligations for the upper class, e.g., "social responsibilities for corporations", are only moral, not legal obligations. The people who need new legal rights are burdened by legal obligations. Instead, the strong group that should be burdened with new legal obligations acquires new rights (tax reductions and increased mobility); rather than new legal obligations, it is "burdened" only with moral obligations, which may even improve their public image.

8. Rights and obligations in different workfare analyses

How does Torfing see the relation between rights and obligations in workfare? He calls it "conditional rights linked to obligations", and describes the relation as good, fair and empowering.

He can do that because he constructs a picture of a good and a bad form of workfare: A good, Danish, social democratic workfare, and a bad, neo-liberal, British and American workfare. The principles of the latter are: 1. work for benefits; 2. control and punishment; 3. lower benefits. The principles of the good, Danish form of workfare are: 1. training and education; 2. empowerment; 3. skill enhancement and work experience.

His conclusion is that Danish workfare, because it is good, restores rather than dissolves the universal Danish welfare. The Danish case undermines the myth that workfare is "essentially neo-liberal, punitive and bad". Workfare disempowers the client in a neo-liberal, residual welfare state, but empowers the client in a social democratic welfare state.

In Jensen's opinion, the relation between rights and obligations has, in some ways, not changed: The obligation to be available to the labour market is the same as earlier. However, he sees the right to a personal action plan as an improvement, and interprets it as a new right. This concept is need oriented in relation to the clients, and gives them a "positive choice", new possibilities for influence. Jensen uses Giddens' concept of "life politics", which is "about new a second chances in all aspects of life", and the new labour market policy gives the unemployed and the client "an action plan", a tool that enables individuals to gain control over their lives.

At the micro level, Jensen's analysis sees wage labour as the defining role in relation to self-identity, and at the macro level it sees wage labour as the key cultural value in modern society. Jensen therefore calls the new strategy an "enabling life policy strategy".

Where Jensen sees continuity with a new right to an action plan as a room for empowerment, Loftager sees it as disrupting the development of the welfare state where rights are reduced and a new selective obligation to be activation is created. Activated persons have lost their former access to the unemployment insurance system through activation. It creates a new power structure which is against the principle of individual autonomy and integrity, and a new class of people without normal labour rights and with a special duty to activation is created.

Hansen, Lind and Møller agree with Loftager in the description of an asymmetrical relation in the new workfare policy with reduced rights and the dictate of a new obligation to work. They interpret it in a disciplinary perspective and see it as "a sudden and flagrant break with a century-old right for members of unemployment funds to receive benefits during unemployment. The only condition is to be available to the labour market". Their key to understanding compulsory activation is that the workfare policy keeps discipline in the work force, it legitimises a relatively high level of unemployment benefits, and it is a tool for the Social Democratic government to avoid neo-liberal solutions to labour market regulation.

How can Torfing and Jensen see improved justice in the new workfare policy? A comparison with the rules and the critical analyses shows that the legitimising approach ignores the reductions in the rights for unemployed and social clients, the structural asymmetrical power relation behind the action plan, and the historical change in the interpretation of the relation between rights and obligations.

Torfing tries to conceal the fact that the Danish workfare also builds on: 1. work in return for benefits; and 2. control and punishment. The Danish and the British workfare systems differ, but the similarities are more pronounced.

When Jensen uses Anthony Giddens' theoretical framework and support of the "third way" slogan "no rights without responsibilities", he overlooks Giddens' critical remarks to that slogan. Giddens points out that: "Government has a whole cluster of responsibilities for its citizens and others, including protection of the vulnerable" (1998:65-66). Giddens stresses that, "As an ethical principle, 'no rights without responsibilities' must apply not only to welfare recipients, but to everyone. It is highly important for social democrats to stress this because otherwise the precept can be held to apply only to the poor or to the needy – as tends to be the case with the political right".

Giddens here describes exactly what has happened with the Danish workfare strategy and the social democratic rhetoric about rights and responsibilities: The new talk of responsibilities is only compulsory "activation" for the poor.

A difference between the supporters and critics of workfare is that the supporters to a large extent build their evaluation of activation on the intention and goals as

expressed in the law and by the political elite who formulated the new policy. Jensen says, for example, that "in principle, there is no meaningless activation", and Torfing also follows the perspective of the system when he states that "participation in futile work - for the sake of the work process - is limited". Jensen's and Torfing's analyses largely legitimise the government's perspective. They lack a critical distance to the goals as they are expressed in the law.

But the difference in their scientific framework also determines the interpretation of the empirical analyses of the activation project. Where the supporters see a relative success, the critics see a relative failure. Both sides admit that the result can be interrelated in different ways. The glasses you wear determine what you see as problematic. Supporters focus especially on the short-time unemployed and satisfied individuals, and critics on long-term unemployment and the dissatisfied.

9. A new universal right to a minimum income (citizens' income) as compensation for all citizens' unpaid, socially necessary work, corresponding to a joint universal tax liability

The new hegemonic Danish workfare discourse must be seen in relation to an excluded citizen income discourse in the 1990s, which at the time represented a heretical discourse and a fulfilment of universal social citizenship in the welfare state (Christensen 2000). Political discourses can only be understood in relation to other discourses, because they must be defined in a mutual struggle in a process of inclusion/exclusion where the hegemonic discourse is developed.

How were rights and responsibilities defined in the heretical citizen income discourse in the 1990s, and what could a future justification for a citizen income be? A right to a minimum income could be seen as compensation for all the unpaid, socially necessary work carried out by citizens. And a right to a minimum income should correspond to a joint tax liability.

In modern society, a lot of unpaid, socially necessary work is done in the form of housework, care work, political work and cultural work. This work ensures that the market functions and that the political community is reproduced, and the people who perform this work are not compensated. You can say that these people are "contributing without receiving". However, other people profit from this work

without contributing to it. You can say that they “receive without contributing”. Or, with a popular social science concept, you can call it widespread “free riding”, some groups are “free wheeling”, profiting without paying.

The structure of society can be described as a situation where a few persons (who have capital) have freedom from wage work as opposed to compulsory wage work for the majority. Those with capital have a right to an income, which is created by society, but they have no further responsibilities (other than the obligation to pay taxes).

The new citizen income concept can be seen as a combination of a political-legal definition of rights and obligations just as in the early labour movement days and a new formulation of the classical welfare state legitimation with a tax liability.

The Danish social scientists who discuss and criticise workfare lack a clear alternative concept of rights and responsibilities in society and on the labour market. Only Loftager directly supports a citizens' income model. He sees citizen income in the historical perspective introduced by T.H. Marshall (1950), where citizen income is a fulfilment of the development of social rights, but he does not link the right to a citizen income with the function of unpaid work. He sees the classical welfare state as characterised by two contradictory norms, a liberal state notion with equal citizenship, where the state aimed at neutrality and universality, treating people as citizens with freedom and responsibility to design their own lives, and a norm of doing paid work as an important part of being a full member of the community.

10. Conclusion

In the article I have shown that:

1. The meaning of rights and obligations has changed dramatically in labour movement ideology over the past 100 years. As Guy Standing (1999:337) points out, the agenda of the labour movement has in this period changed from a strategy for *rights of labour* to a *right to labour* and with the new workfare strategy to *an obligation to labour*.

When the Social Democratic Party today interprets rights and obligations within a narrow logic of market and insurance, it not only breaks with the original ideological foundation, but also with the core meaning of the welfare state after the Second World War.

In the infancy of the labour movement, the slogan, "Do your duty, claim your right" was understood in political-legal terms as a fighting slogan for new rights against the privileges of the upper class (lacking duties). Today, that slogan is used by the Social Democratic Party to justify that the upper class (the permanent full-time workers) can maintain the marginalized (unemployed and social clients) as a second-rate workforce (in workfare) with a special obligation to work for their social transfers.

2. Political discourses are often supported and legitimised by scientific paradigms. In Denmark, both the political discourse on workfare and a new political citizens' income discourse are supported by different scientific paradigms. I have shown that the different view on Danish "activation" in different social science analyses are determined by the different scientific frames.

In frameworks where wage work is seen as the norm and as the foundation of society, the new workfare system can easily be interpreted as an "empowerment" strategy. On the other hand, in a framework where universal political citizenship is seen as the core of a democratic society, a new citizen income concept of rights and responsibilities is possible, and here the workfare strategy will be interpreted as a disciplinary power strategy against a new underclass without wage work.

3. All rational political strategies must have a concept of justice to be legitimate, and if it is not possible to go back to classical welfare legitimation, you must develop a new alternative concept. You can also only criticise the workfare strategy if you have an alternative understanding of rights and responsibilities, a new concept of justice.

Injustice always exists in the maintenance of privileges, while justice is characterised by equal rights for all, and former privileges are extended to all. In the contemporary market society, the busiest participants on the market make a good deal of capital on the informal, socially necessary work, which is a precondition for a

functioning market, and a small group receives income without wage work. I have argued that if all citizens were guaranteed an existence income without wage work, part of these two injustices would be removed, and a new space for development of the political democracy would be created.

A way to create another ideological and logic order (than workfare) in the social democratic ideology would be to fight for a universal minimum (basic) income (or citizen income) instead of the hopeless fight for normal full wage work for all citizens.

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