

The rhetoric of «rights and responsibilities» 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. This shift was in accordance with major international trends towards a workfare discourse.

The 1994 labour market reform, and later the 1997 Law of 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 to unemployed gave them a right to continued unemployment benefits. After the labour market reform, the maximum unemployment benefit period was seven years, and activation no longer qualified the unemployed to 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 everybody's rights *and* obligations to exploit and develop their skills, and they restricted access to benefits. Clients who reject 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): 1. when the labour movement was a new social movement with strong reform/revolutionary ambitions: *Rights of labour*; 2. in the golden age of the welfare state in the early 1970s: *Right to labour*; and 3. today, when the welfare state is changing into a workfare state: *Duty to labour*.
2. Explain the Danish workfare discourse in different scientific analyses. Danish social scientists have quite different interpretations of the substance in the workfare discourse. Some are critical and others legitimise it. But how can different social scientists arrive at such disparate understandings and evaluations of the workfare policy?
3. Argue for a citizen income reform with a new understanding of how to connect rights and responsibilities. Everybody agrees that, at some basic level, all members in a society must contribute if they want to enjoy 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 og 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 scientific 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 the most astonishing thing 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 theorists in the discourse theory articulated by Ernesto Laclau and Chantal Mouffe (1985), and also inspired by British Marxist Bob Jessop's (1995) theory on a regime shift from the Keynesian welfare state (KWS) to a Schumpeterian workfare regime (SWR). Torfing analyses the Danish welfare state in Jessop's frame 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 conceptualisation 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 he 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 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.

The different Danish analyses of the new workfare strategy lack a long historical perspective in the understanding of the concepts of rights and responsibilities, and differ in their understanding of how these concepts were understood 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 your duty, demand your rights» in the infancy of the labour movement? (Callesen and Lahme, 1978: 100-15,45-47 and 50-52). 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 duties, no duties 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 duties, whereas the growing working class had duties without rights. Therefore, the labour movement's programme for The Social Democratic Society (1875) and «Gimleprogrammet» (1876) demanded tax liabilities for all: «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 a number of 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 duties, the new labour movement attacked the hegemonic discourse, which was a mix of feudal-bourgeois elements.

The labour movement had a political-legal understanding of the relation between rights and duties. To claim a right meant that the state (society) had a duty to make it possible to use this right. To demand suffrage did not mean compulsory suffrage, but that the state had a duty to make it possible to use the suffrage.

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 create 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 duties which has been very important in the discussion of rights and obligations in the labour movement. 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 the creation 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 the discourse was not only social democratic in its ideological profile; it was a mix, and mainly social-liberal in content.

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.

Another article in the Danish constitution also talks about the right to public assistance: «Any person unable 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» (§75, article 2). This article means that 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 connected with the obligation to self-provision in the constitution. Another element was the right to universal social transfers which were countered by universal tax liability.

What characterised the Danish welfare state model compared with the German «Bismarck» model and the English «Beveridge» model was that economic rights and responsibilities were separated, because the Danish model was a tax transfer model in contrast to other social insurance models.

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 string between contribution and rights is nearly severed. Services are financed via taxes, and most of them are free. The arrangement is built on the broadest possible solidarity: the entire society» (Andersen, 1984:35). «'Earmarked taxes', where the revenue from a specific tax is reserved for a specific purpose, are hardly used» (Andersen, 1996:136).

In the social democratic welfare state, individual citizens acquired rights as part of their citizenship, not as contributors to a social insurance as in the «Bismarck» social insurance system. The universal right to social welfare state services builds on the assumption that all citizens had an obligation to pay taxes so that the universal rights could be realised. In that period, the labour movement understood 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 help and services regardless of circumstances. If you instead build on the family, persons without family cannot get help; if you build on insurance, only people with insurance can get help; if you build on the local community and voluntary associations, people who are outside and live where there is no voluntary help 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).

Torfinn sees the former Danish model as a statist social democratic variant of a Keynesian welfare estate (KWS) ideal type. But he does not understand the macro welfare-economic conception with 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. Torfinn postulates that the former system was «never really linked to an obligation to take a job or be trained or educated».

When Torfinn describes the former welfare state, he nearly describes it as 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 the 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. For Loftager, the decommodification process happened in Denmark in a more liberal context than in Norway and Sweden, because Denmark has a tradition of more liberal labour market regulation and higher respect for freedom and autonomy for its citizens. To Loftager, the 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 understanding 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 the 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 any 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 understands 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. Duty to labour («activation»): The right to social transfer is primarily connected 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 which was inscribed in «the Danish model», and the Party's now only sees rights and duties from the perspective of the micro-economic exchange and the insurance contract.

The new workfare policy is based on the following arguments: 1. You have to contribute in order to receive – to get money from the state, you have to work; 2.

rights are related to duties. When you are entitled to income transfer, you have a corresponding duty to be available to the labour market. On a market, you must give to get, and here rights and duties are connected in a special way. But the labour market is not society, which the Social Democratic Party and the labour unions seem to have forgotten.

The following passage in a Social Democratic programme proposal from 1995: «Since the beginning of the labour movement, duties and rights were seen as two sides of the same issue, everybody must contribute if they want to receive», (Socialdemokratiet, 1995:8) is an attempt to conceal how the meaning of «rights and responsibilities» has shifted over the past 100 years.

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 market-economic or insurance logic.

That social clients today have acquired both a right and a duty to «activation» is an absurd political-legal construction. A right is normally not synonymous with an obligation. Common suffrage is not the same as compulsory suffrage. It is correct that rights and duties are connected, but normally it is not the same subject (individual) who has both right and duty. If an individual has a right, the other part – the state – has a duty to ensure that the individual can use this right.

Workers who cannot find a normal job on the market have acquired both a right and a duty to «activation». Where the labour movement originally fought for equal political rights and duties for all citizens, the labour movement today tries to justify unequal rights and duties. 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 businesses», are only moral, not legal obligations. The persons who need new legal rights are burdened by legal obligations. Instead, the group that is strong and should be burdened with new legal obligations acquires new rights (tax reductions and increased possibilities for mobility), and is not burdened with new legal obligations, but only moral obligations, which can be used in public relations.

8. Rights and obligations in different workfare analyses

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

He can do that because he constructs a picture of a bad and a good form of workfare; a good, Danish, social democratic workfare, and a bad, neo-liberal, British and

American workfare. The latter builds on: 1. work for benefit; 2. control and punishment; 3. lower benefits; And the good, Danish form of workfare is based on 1. training and education; 2. empowerment; 3. improvement of skills and work experience.

His conclusion is that the 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, primitive and bad». Workfare disempowers the client in a neo-liberal, residual welfare state, but empowers the client in a social democratic welfare state.

For Jensen, the relation between rights and duties has, in some ways, not changed. The duty to be available to the labour market is the same as earlier. Where Jensen sees a new improvement, which he interprets as a new right, is the right to a personal action plan. This concept is need oriented in relation to the client, and gives him/her a «positive choice», new possibilities for influence. Jensen uses Giddens' concept of «life politics», which is «about new and second chances in all aspects of life», and the new labour market policy gives the unemployed and the client «an action plan» which 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. Therefore, Jensen 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 a break in the development of the welfare state, where the rights are reduced and a new selective duty to be activated 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». For them, the key to understanding compulsory activation is that the workfare policy maintains discipline in the work force, it legitimises a relatively high level of unemployment benefits, and it is a remedy for the Social Democratic government to avoid neo-liberal solutions for labour market regulation.

How can Torfing and Jensen see improved justice in the new workfare policy? If you

compare with the rules and the critical analyses, you see that the legitimising approach ignores the reductions in rights for unemployed and social clients, the structural asymmetrical power relation behind the action plan, and the historical change in the interpretation of the rights-duties relation.

Torfining tries to conceal the fact that the Danish workfare also builds on: 1. work for benefit; and 2. control and punishment. There are differences between the Danish and the British workfare systems, 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 (1998:65-66) that: «Government has a whole cluster of responsibilities for its citizens and others, including protection of the vulnerable». 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 talk about rights and responsibilities. The new talk of responsibilities is only an «activation» duty for the poor.

A difference between the supporters of workfare and the critics is that the supporters to a large extent build their evaluation of the activation on the intention and goals as they are expressed in the law and among the political elite who has formulated the new policy. Jensen says, for example, that «in principle, there is no meaningless activation», and Torfining also follows the perspective of the system when he states that «participation in futile work – for the sake of working process - is limited». Jensen's and Torfining's analyses to a large extent legitimise the government's perspective. They have no 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. The supporters see a relative success, where the critics see a relative failure. Both parties 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 persons, 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 understood in relation to an

excluded citizen income discourse in the 1990s, which at that 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 political discourses must be understood in a fight with each other in an inclusion/exclusion process where a hegemonic discourse is developed.

What was the understanding of rights and responsibilities in the heretical citizen income discourse in the 1990s, and what could the justification for an citizen income be in the future?

A right to a minimum income could be seen as a compensation for all citizens' unpaid socially necessary work. 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 secures the functioning of the market and the reproduction of the political community, and is performed by people who are not paid for it. You can say that these groups are «contributing without receiving». On the other side, there are other groups of people who profit from this work without contributing to it, because they are so busy with the formal economic activities. You can say that they are «receiving without contributing». You can also, with a popular social science concept, say that there is 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 the 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 understanding of rights and duties in the same ways as in the early labour movement and a new formulation of the classical welfare state legitimation with a tax liability. The Danish social scientists who discuss and criticise the 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 launched by T.H. Marshall (1950), where citizen income can be seen as a fulfilment of the development of social rights, but he does not connect the right to a citizen income with the function of unpaid work. For him, the classical welfare state was 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 life, 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 duties has changed dramatically in the ideology of the labour movement over the last 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 a *duty to labour*.

When the Social Democratic Party today interprets rights and duties 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.

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

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

In frameworks where wage work is seen as «normal» 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 obtain legitimation, 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 the basis of the functioning of the 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, you would remove part of these two injustices, and 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 citizens income) instead of the hopeless fight for normal full wage work for all citizens.

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