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## Neoliberalism in the Anglophone World

Marc Lenormand, Simon Dawes

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THE CITY ON TOUR II



LONG LIVE THE INVINCIBLE NEO-LIBERAL  
REVOLUTION AND DAVID CAMERON THOUGHT!



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## Angles

New Perspectives on the Anglophone World

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8 | 2019

# Neoliberalism in the Anglophone World

Simon Dawes and Marc Lenormand (dir.)

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# Video introduction to issue 8

Simon Dawes and Marc Lenormand

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## Transcript:

- 1 I'm Marc Lenormand, senior lecturer in British Studies at Université Paul-Valéry Montpellier 3. I'm primarily a scholar of trade in history and industrial relations. In my research, I've looked at the evolution of trade unions and their responses to neoliberal policies and austerity policies from the 1970s.
- 2 I'm Simon Dawes, lecturer in British Studies and cultural industries at the university of Versailles Saint-Quentin. I'm particularly interested in the neoliberalization of media policy in the UK, as well as theories of neoliberalism and liberal theories of press freedom.
- 3 Particularly outside of academia at the moment since the financial crash, the word 'neoliberalism' has been used more and more, by more and more people without necessarily understanding what the term means or agreeing on what the term means. It's something that people are talking about quite a lot. Inside academia, there are some disciplines in which they have had a methodological debate about what neoliberalism is, whether it exists or not, how best to analyse it... and other disciplines that have been lacking behind somewhat. I think it was important for us to look at the fact that the word 'neoliberalism' is used a lot when we talk about different aspects of the Anglophone world to assess the extent to which it is, or isn't, a useful word to use, and to highlight the different perspectives that are drawn on different academic perspectives, different disciplines, different theoretical and methodological approaches, not necessarily to argue that one is better than others, but just to present the diversity of different approaches to studying various aspects of the neoliberal Anglophone world.
- 4 There's also this sense that the use of the term has become so inflated that no one knows what it means anymore. There are now some academic journals, for example, that refuse to accept any article that uses the word 'neoliberalism' without making it

explicit which theoretical position you are adopting, which theorists of neoliberalism you're using. So it's important for us to question whether the word is useful. If we do use it, we can't just use it and assume that everyone understands what we mean. We have to actually engage with the literature on the subject.

- 5 These debates in the field of literature specializing in neoliberalism are generally structured around Marxist or Marx-inspired approaches versus, or combined with, Foucault and Foucauldian approaches. They are broadly two different camps. There are those who argue that neoliberalism is an ideology, that we can talk about neoliberal hegemony, and these people tend to adopt a broadly Marxist approach, often using Gramsci. They would cite David Harvey and/or Stuart Hall on neoliberalism. And then we have the different camp which would be Foucauldian or post-Foucauldian, who would cite Foucault's lectures from 1979, his book on the birth of biopolitics. There's also lots of literature that has been written by others since then, using Foucault's ideas, who talk more about neoliberalism as a form of governmentality rather than ideology. And then there are also those who draw on both approaches to argue that we can make bridges between these approaches. And there are those who argue that you cannot, that they are two fundamentally different approaches.
- 6 What's important for us with this issue was just showing the diversity. As long as the authors were engaging with the literatures and situating their own perspective within these debates, that was the main thing.
- 7 This special issue of *Angles* is a follow-up to a conference that we organized in Montpellier in 2017 on neoliberalism in the Anglophone world. It was very important for us to show this diversity of topics and approaches, by getting contributions from all the various sub-disciplines of English Studies in France. We have British and American civilization essays, essays on American literature, essays from linguists, as well as from people from all sorts of different disciplines from the Anglophone world.
- 8 We've got analysis of public policy in certain specific areas, and we've got discussions of economic policy, employment policy, and also the effects of neoliberal economic policies on a society and on bodies. And you've also got articles dealing more with representations: representing neoliberalism and the crisis, either in terms of visual studies analysis, or more in terms of linguistic analysis, or at least the analysis of rhetoric in discourse. The issue ends with a paper on resistance.
- 9 This conference happened just after the Brexit vote in the UK and the election of Trump in the US, so those issues were on the minds of everyone at the conference and it's issues like this, events like this, which many people would argue are consequences of neoliberalism, of austerity policies that have been pursued around the world after the financial crash.
- 10 As you'll see, in all of the articles in the issue, these issues are mentioned at least briefly. We're filming this video introduction in the middle of the yellow vest protests in France, protests against the French iteration of the neoliberal agenda. And there's also relevance to our immediate context in academia. Academia has been one of the testing grounds for neoliberal policies in the UK and France, among others.
- 11 If you look around you, and consider the increasing workload, top-down management, project funding, all the talk of excellence... well, think 'neoliberalism'.
- 12 We hope you enjoy the issue!

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## ABSTRACTS

This video introduces the thematic contributions on 'Neoliberalism in the Anglophone world'.

La vidéo présente les contributions thématiques sur « Le néolibéralisme dans le monde ».

## INDEX

**Keywords:** neoliberalism, United States, United Kingdom, South Africa, economics, politics, governmentality

**Mots-clés:** néolibéralisme, États-Unis, Royaume-Uni, Afrique du Sud, économie, politique, gouvernementalité

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# Changes in Official Poverty and Inequality Rates in the Anglophone World in the Age of Neoliberalism

Nicholas Sowels

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- <sup>1</sup> This article presents an overview of official poverty and inequality rates in the Anglophone world, which are key issues related to the emergence of neoliberal capitalism since the late 1970s. They have had an important role to play in the rise of populist political movements leading to protectionist and nationalist politics, especially in the United States and the United Kingdom (Gamble 2017). In both countries, neoliberalism and globalization have left significant sections of society behind, fuelling popular anger against the *status quo* and so-called metropolitan elites, especially since the financial crisis and Great Recession. The Brexit referendum in June 2016 and the election of Donald Trump in November 2016 are clear manifestations of such anger in the face of public policies that have largely pursued a back-to-business agenda since the crisis.
- <sup>2</sup> The rise of inequality has been especially strong in the United States, where the “top 1%” of rich households has demonstrably pulled away from the rest of society in terms of income growth and wealth accumulation. Meanwhile, “middle America” has been largely left out of the growth that has accompanied neoliberal economic policies that go back to the 1970s, as a way of tackling stagflation at the time. Broadly speaking, these policies have included significant reductions in direct government intervention in economies and the strengthening of market forces to make product, financial and labour markets more flexible. Specifically, policies have been based on: the abandonment of fiscal policy as a tool for managing demand and supporting employment in favour of monetary policy aimed primarily at achieving low inflation, steep tax cuts for top income earners, the deregulation of markets, the privatization and contracting out of public service provision, the deliberate weakening of trade union power, the pursuit of international trade liberalization, and the financialization of the world economy which has been in the forefront of globalization. Such policies have varied from country to country, as has their impact on inequality and poverty

levels in the industrialized world. But among the developed countries, these policies have been especially pronounced in the Anglophone world, and they contrast strongly with the more interventionist policies of government that shaped capitalism in the post-war era.

- 3 To examine the broader impact of neoliberalism on poverty and inequality, this article will begin by providing a brief overview of the definitions of both phenomena which are linked but distinct. Section 2 will then present the key basic data on inequality and poverty trends, using standardized data provided by the OECD. It will also provide summary statistics concerning the income share of the “top 1%” provided by the World Inequality Database, constructed by the team of researchers working with Thomas Piketty.<sup>1</sup> The final section will review and analyze the specificity of the Anglophone world’s experience with neoliberalism.

## Key definitions of poverty and inequality

- 4 Poverty and inequality are linked but separate phenomena and affect the lives of millions of people on a daily basis in the Anglophone world (and beyond). Before turning to the dry statistics, it is important to recall — I believe — that the daily hardship of poverty is lost in the data and is generally absent in the media, and even in art. We may be exposed to war and terror on TV, while the audio-visual and plastic arts can shock. Abject poverty is also easily visible on the streets of major cities, where homeless people and refugees huddle under shelters, in cardboard boxes or simple tents. But most of the time, the daily grind of, say, the 40 million US citizens living below the poverty line takes place out of sight. Only occasionally it is captured on film, in TV documentaries, or in written fiction.

## Measuring poverty

- 5 There are two traditional definitions of poverty which split the Anglophone world. The first definition is more politically conservative and is based on assigning an absolute monetary value to poverty. This approach is used in the United States, where a poverty threshold is calculated on the basis of a “dollar amount for the sum of three broad categories of basic goods and services — food, clothing, and shelter (including utilities)” (Citro and Michael 1995). The poverty threshold is then adjusted to take into account household composition, with successive adults and children being weighted less in terms of the resources they need. Thus, in 2017, the poverty threshold for persons living in mainland America (i.e. not Alaska nor Hawaii) was a yearly income of \$12,750 for a single adult under the age of 65, and \$24,858 for a household with two adults under 65, and two children under 18 (see Table 1) (US Census Bureau 2018).
- 6 The other principle definition of poverty is a relative definition. Used in the European Union and by international organizations such as the OECD, this definition sets the poverty threshold at 60 (or 50) percent of the median household disposable income, equalised to take into account household composition. This means that all state benefits/transfers are first added to households’ initial earned income and taxes are subsequently deducted. Again, adults in a household have diminishing weights, as do children.<sup>2</sup>

- 7 Poverty — or “low income” — is usually measured like this in the United Kingdom. Government statistics however also use an absolute definition of poverty/low income. This is calculated by adjusting the 60 percent median income threshold in a base year (currently 2010/11) for inflation, to provide a more absolute measure of poverty (McGuinness 2018). Relative measures of poverty by definition follow the evolution of median wages. By contrast, this calculation of absolute poverty in real money terms increases more slowly, as it does not reflect real growth in the economy, only price increases. In an expanding economy, this leads to more visible falls in poverty. An important issue in the UK statistics (and in other Anglophone countries) is also the inclusion or not of housing costs. Given the slow growth of housing units in recent decades in the UK, housing is an increasingly pressing expense on household budgets. As a result, the percentage of people living on low income “after housing costs” (AHC) is about 5 percentage points higher than the share on low income “before housing costs” (BHC).
- 8 In Ireland, the official measure of poverty relates to “consistent poverty”, which draws on two overlapping indicators: i) the at-risk-of-poverty indicator of individuals living in households below 60 percent of the median income, and ii) the basic deprivation indicator which captures individuals lacking 2 or more of 11 basic necessities, which include two pairs of shoes, a warm waterproof overcoat, new (not second-hand) clothes, the ability to eat a meal with meat, chicken or fish (or the vegetarian equivalent) every second day, and have a roast joint or equivalent once a week, the ability to keep adequately warm, etc. (Dept. of Employment Affairs and Social Protection 2016).

Table 1: Monetary Values of Poverty Thresholds (and equivalent in euros\*)<sup>3</sup>

	Indicator	Year	Income per year, 1 person	Income per year, 2 adults & 2 children
United States	Poverty line (absolute value: basket of goods and services)	2017	\$12,750 (€9,960)	\$24,858 (€20,209)
United Kingdom	60% median income BHC	2016/17	£17,200 (€19,770)	£36,000 (€40,900)
Ireland	60% median income		€12,358	€25,823
Canada	LIM (Low income measure)	2015	C\$22,133 (€14,097)	C\$44,266 (€28,194)
Australia	60% median income BHC	2013-14	A\$26,600 (€16,729)	A\$55,862 (€35,133)

New Zealand	60% median income BHC	2016	NZ\$22,620 (€13,464)	NZ\$49,400 (€29,404)
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Sources: (full references are given at the end of the article): US: Census Bureau, "Poverty Thresholds", 2018; UK: DWP, "Households Below Average Income: An analysis of the UK income distribution: 1994/95-2016/17"; Ireland: European Anti Poverty Network Ireland, "Relative Poverty Rates"; Canada: Statistics Canada, "Census in Brief: Children living in low-income households"; Australia: Australian Council of Social Service [ACOSS] and Social Policy Research Centre [SPRC], "Poverty in Australia 2016"; New Zealand: Ministry of Social Development, "Household incomes in New Zealand: Trends in indicators of inequality and hardship 1982 to 2016".

- 9 Canada has no official poverty line. A number of low income lines are nevertheless used by government agencies to inform public debate. Thus, Statistics Canada formulated the Low Income cut-offs (LICO) in the 1960s. These are thresholds below which families that spend more than 20 percentage points than the average family on certain necessities are defined as having a low income. The necessities include food, shelter and clothing. This is a low, but relative definition of poverty. The Market basket measure (MBM) in contrast defines a family as having a low income if it does not have enough money to buy "a specific set of goods and services that represent a basic standard of living". The MBM is therefore an absolute measure of poverty, similar to the US poverty line. Lastly, Canada also uses a Low income measure (LIM) which identifies families with income below the 50% median household income. This is similar to the EU definition — but lower. In 2014, it was estimated that 8.8% of the population (3.0 million people) were living below the LICO; 11.3% (or 3.9 million) below the MBM rate, and 13.0% (4.5 million) below the LIM (Government of Canada 2016). The relative definition using the 50% of median income threshold therefore seems to be the broadest, most inclusive definition.
- 10 Australia has no official definition of a poverty threshold either. Instead, poverty is principally measured by two independent, non-governmental organizations, albeit using public data. The Melbourne Institute tracks an absolute measure of poverty. This is done by updating a benchmark of weekly disposable income for a family of two adults and two children, as originally calculated in December 1973 (at A\$62.70). Other thresholds for different types of families are calculated using equivalence scales: there seems to be no calculation for isolated individuals. These poverty lines are updated using an index of per capita household disposable income. Thus, in September 2017, the poverty line for this two-adult, two-child household was A\$961.21 per week, including housing costs, and A\$744.07 other than housing (Melbourne Institute 2018). For its part, the Australian Council of Social Service and the Social Policy Research Centre regularly report on relative poverty lines at the 50% and 60% of median disposable household income, before and after housing costs. For a couple with two children, the poverty line in 2013-14 at the 60% threshold was A\$1,074.27 BHC and A\$864.26 AHC (ACOSS and SPRC 2016).
- 11 Lastly, New Zealand also uses a mix of absolute and relative measures. Thus, two relative thresholds are calculated at "50 and 60 percent of the current year's household disposable income median net-of-housing-costs". An absolute measure is also calculated, based on 50 % of the 2007 median household income (net-of-housing-costs), which has been subsequently updated to ensure its real value (Ministry of Social Development 2017).

## Defining inequality

- 12 Measures of inequality typically relate mainly to income. The two most common measures are the Gini coefficient which is derived from the Lorenz Curve and the ratio of the top 10% (or 20%) of incomes to the bottom 10% (or 20%) of incomes. The Gini coefficient provides a scale indicator of inequality running from 0 (or 0%) indicating total equality, to 1 (or 100%) indicating total inequality (in which the top 1% takes all). It is usually used for income inequality, where statistics tend to be more reliable as they are usually based on households' tax declarations.
- 13 Some qualifying comments need to be made about this, however. There are limits to the upper-most value of the Gini coefficient concerning the distribution of income, simply because all members of a society need to receive some income to ensure subsistence, otherwise a society (or community) will collapse. Also, as societies get richer, the quantity of basic necessities needed to function in society – and the economy – rises. As a result, Gini coefficients have historically never exceeded 0.6 in today's major industrialized nations (including in the 19<sup>th</sup> century) (Milanovic 2016). In the post-World War II period and even with the rise of neoliberalism, Gini coefficients for disposable household income (after benefits and taxes) tend to cluster in a relatively narrow range from 0.25-0.3 for fairly equal societies (as in Scandinavia), to 0.35-0.4 for unequal societies (as in the United States today). It is only in extremely unequal societies, where national income is sufficiently higher than total, national subsistence income, that higher Gini values of 0.45 and more may be found (typically in Latin America).
- 14 The Gini coefficient may also be used to indicate wealth inequality. This however is less common because estimating wealth inequality is hard: declarations are less frequent (for example inheritance tax declarations) and wealth may often be held more in families than by individuals. Moreover, holders of wealth frequently avoid declaring assets fully, which is also the case for incomes. As a result, Gini coefficients are generally likely to understate inequalities.

## An Overview of Current Poverty Rates and Inequality Trends in the Anglophone Countries

- 15 Table 2 is taken from the OECD Income Distribution and Database (IDD). It provides two indicators of poverty: a relative measure at the 50% threshold of median disposable income; and a more absolute measure: the “anchored” 50% threshold of median disposable income in 2005 uses the same procedure to adjust for inflation as described for the UK and New Zealand above. The Table ranks poverty rates for 2015 in ascending order.
- 16 Not surprisingly, the United States comes nearly bottom of the list, just behind Turkey, with 17.2 percent of its population living in poverty, based on this measure – compared to 13.5% of the population living below the official poverty line in 2015 (Semega et al. 2017: 43). Canada too has a poverty level that was above the OECD average: respectively 14.2 percent and 11.6 percent in 2015. In diminishing order, Australia (12.8 percent), New Zealand (10.9 percent) and the United Kingdom (also at 10.9%) are clustered around the OECD average. Only Ireland, with a poverty rate of 9.2

percent, has a significantly lower rate, more akin to the rates found in continental and northern Europe. A quick glance at the table does indeed provide some impression of loose country groupings. Thus, the emerging countries (Turkey, Mexico and Chile) have significantly higher poverty rates than the OECD average. By contrast, poverty rates in the Scandinavian countries (Denmark, Finland, Iceland, Norway and Sweden) are all lower – sometimes much lower – than the OECD average. Northern European countries (the Netherlands, Austria, Germany and Belgium) along with France are also all situated around the OECD average. On the other hand, the Mediterranean countries (Portugal, Italy, Greece and Spain) all had above-average poverty rates in 2015. Finally, the Central European countries have relatively low poverty rates, which is not the case for the Baltic States of Estonia and Latvia – Lithuania is not a member of the OECD but with 16.5 percent, it has a similar poverty rate to its Baltic neighbors.

- 17 This broad breakdown corresponds in general terms to the image one has of the different welfare states and “varieties of capitalism” in the developed world (see below). Poverty rates are lower on average in the more equal societies in Scandinavia, followed by countries with traditionally strong welfare states in northern Europe. In contrast, countries with more limited welfare states in the Mediterranean also have higher rates of poverty on the whole. As for the Anglophone countries, they stand out collectively as having liberal welfare states, with minimal state income support for pensions and unemployment pay, which are backed up by private welfare schemes. The US stands out strongly as having a very high poverty rate by OECD standards.

Table 2: Poverty Rates in the OECD Countries

15 December 2017 Updated countries and values are shaded	Poverty rate (relative threshold: 50% median disposable income)								Poverty rate (threshold "anchored" in 2005)		
	2007	Total 2014	2015 or	By age group, latest available year				2007	Total 2014	2015 or	
				Children	Youth	Adult	Elderly				Working
Denmark	5,9 e	5,4	5,5	2,9	21,6	4,0	3,2	4,0	4,7 e	4,7	4,6
Finland	7,8	6,8	6,3	3,7	18,1	5,5	5,2	4,0	6,4	4,6	4,3
Czech Republic	5,5	5,9	6,4	10,5	6,6	5,7	4,2	3,9	3,4	3,6	3,2
Iceland	6,6	4,5	6,5	7,2	8,5	6,1	5,4	6,0	3,7	4,5	6,9
Netherlands	6,5 e	7,7	7,9	10,2	19,7	6,2	3,7	6,1	5,6 e	6,1	6,2
Luxembourg	7,1	8,3	8,1	11,3	9,9	7,5	3,9	7,6	7,0	8,9	8,4
France	7,5 e	8,1	8,1	11,3	13,9	7,4	3,1	7,1	..	7,3	7,1
Norway	7,8	8,1	8,1	7,3	24,1	6,3	4,4	6,4	..	4,4	4,4
Slovak Republic	6,8	8,7	8,4	14,8	8,2	7,5	3,4	5,9	3,4	3,3	2,9
Austria	9,7	9,0	8,7	9,6	11,4	8,2	7,8	6,6	9,7	8,4	8,2
Slovenia	7,9	9,4	9,2	7,0	7,9	8,8	13,5	5,9	6,1	8,5	8,3
Sweden	8,4 e	9,0	9,2	9,1	12,1	7,7	11,4	5,2	..	3,2	2,8
Ireland	9,6	8,8	9,2	9,2	14,7	8,8	6,8	3,5	7,2	14,2	11,4
Germany	9,0	9,1	9,5	9,5	14,7	8,8	9,4	3,7	8,8	8,6	8,6
Belgium	9,2	9,1	9,8	11,0	10,3	9,4	9,5	4,5	8,3	7,1	6,8
Switzerland	9,7 e	8,6	9,9	9,9	9,3	7,2	19,4	7,1	..	6,9	7,5
Hungary	6,4 e	10,3	10,1	11,8	11,9	9,6	8,6	7,2	..	13,0	9,1
United Kingdom	12,8	10,5	10,9	11,2	10,6	9,9	13,8	5,9	11,8	9,5	9,0
New Zealand	11,0 e	9,9	10,9	14,1	9,6	9,8	10,5	6,6	5,5 e	5,7	5,6
Poland	9,6	10,4	11,1	13,4	12,1	10,8	8,5	8,4	5,2	3,6	3,2
OECD	11,5 e	11,7	11,6	13,1	13,7	10,1	12,9	8,0	8,5 e	9,7	9,4
Portugal	12,8	13,5	12,6	15,6	14,1	12,0	10,8	9,0	10,8	13,8	11,8
Australia	14,9 e	14,0	12,8	13,0	8,0	10,6	25,7	4,8	..	8,2	7,1
Italy	11,9	13,3	13,7	19,3	15,5	13,4	9,3	12,4	10,6	15,6	16,3
Korea	14,8 e	14,4	13,8	7,1	7,9	8,6	45,7	5,6	14,4 e	11,4	10,9
Canada	12,9	12,6	14,2	17,1	17,3	13,5	10,7	11,0	11,3	9,0	9,6
Greece	13,2	14,8	14,9	18,9	18,8	15,6	7,7	13,1	11,3	33,6	33,2
Spain	14,2	15,3	15,3	22,1	21,0	15,3	5,9	14,8	14,2	22,5	21,9
Estonia	13,8	15,5	16,1	12,1	13,1	12,8	31,9	8,8	4,3	..	..
Chile	17,8	16,8	16,1	21,1	15,1	13,9	16,3	13,8	14,0	7,8	6,4
Japan	15,7 e	16,0	16,1	16,3	19,7	13,8	19,0	13,3	..	19,6	17,2
Latvia	18,6	16,2	16,2	12,2	9,9	13,5	30,9	8,5	5,2	4,9	4,3
Mexico	18,4 e	18,9	16,7	19,7	12,0	14,4	25,6	15,3	13,3 e	16,0	14,7
United States	17,4 e	17,5	16,8	19,9	18,4	14,1	20,9	11,0	..	19,3	17,6
Turkey	17,0 e	17,3	17,2	25,3	15,5	13,0	17,0	15,5	..	6,8	5,2

Source: OECD Income Distribution Database (IDD). *Gini, poverty, income, Methods and Concepts*. <http://www.oecd.org/social/income-distribution-database.htm>

- 18 Table 2 also shows that with relative poverty at the 50% threshold, the impact of the 2007-2008 financial crisis and ensuing Great Recession has been largely absorbed in the Anglophone world. The figures for 2015 indicate that relative poverty rates are now lower than in 2007, with the notable exception of Canada, where this measure of the poverty rate rose from 12.9 percent in 2007 to 14.2 percent in 2015. Canada's figures are comparatively high in terms of the OECD average, and their increase has been substantial.
- 19 At the same time, Canada and the UK have seen quite clear falls in the percentage of persons living at or under the "anchored" threshold (in the UK, this percentage fell from 11.8 percent in 2007 to 9.4 percent in 2015). Other things being equal, fewer people are therefore living in poverty in real terms, indicating that the effects of the financial crisis have been mitigated to some degree. In Canada, this likely stems from the fact that the financial crisis had far less impact on its banking system, and so on growth. In the UK, government measures to protect pensions mean that incomes of older people were safeguarded after the crisis. This probably explains much of the reduction in "anchored" poverty, though it should be noted that young people have been particularly badly affected by the crisis. The measure of "anchored" poverty is also particularly telling for Ireland. While Ireland too has seen a fall in the percentage of persons living under the 50% threshold, the share of persons living at or under the "anchored" rate actually increased from 7.2 percent in 2007 to 11.4 percent in 2015, reflecting the huge economic shock experienced by Ireland due to the financial crisis (Whelan 2013).

**Table 3: Inequality Indicators for the OECD countries (Gini coefficient and ratio of top 20 percent to bottom 20 percent)<sup>4</sup>**

15 December 2017				Gini coefficient			Increase 1980 to 2015	S80/S20 income share ratio		
Updated countries and values are shaded	1980*	1985	1995	2007	2014	2015 or latest available year		2007	2014	2015 or latest available year
	Iceland				0,286	0,241	0,246		4,1	3,4
Slovenia				0,239	0,251	0,250		3,5	3,7	3,7
Slovak Republic				0,245	0,247	0,251		3,5	3,7	3,7
Denmark	0,255	0,221	0,215	0,244	e 0,254	0,256	0,001	3,4	e 3,6	3,6
Czech Republic				0,256	0,257	0,258		3,6	3,7	3,7
Finland	0,217	0,209(86)	0,22	0,269	0,257	0,260	0,043	3,9	3,7	3,7
Belgium	0,226			0,277	0,266	0,268	0,042	4,1	3,9	4,0
Norway	0,235	0,222(86)	0,243	0,250	0,257	0,272	0,037	3,7	3,9	4,1
Austria	0,266(83)			0,284	0,274	0,276	0,010	4,4	4,1	4,2
Sweden	0,2	0,198(83)	0,211	0,259	e 0,274	0,278	0,078	3,9	e 4,1	4,2
Luxembourg		0,247(86)		0,277	0,280	0,284		4,0	4,2	4,2
Hungary			0,294	0,271	e 0,289	0,288		3,9	e 4,5	4,5
Germany	0,251	0,251	0,266	0,285	0,292	0,289	0,038	4,3	4,4	4,4
Poland				0,316	0,298	0,292		5,0	4,7	4,6
France	0,291			0,292	e 0,293	0,295	0,004	4,3	e 4,4	4,4
Korea				0,312	e 0,302	0,295		5,6	e 5,4	5,1
Switzerland	0,303			0,298	e 0,295	0,297	-0,006	4,6	e 4,4	4,6
Ireland	0,311			0,304	0,308	0,298	-0,013	4,6	4,8	4,6
Netherlands	0,248	0,272	0,297	0,308	e 0,305	0,303	0,055	4,6	e 4,6	4,6
OECD				0,318	e 0,316	0,317		5,5	e 5,5	5,5
Canada	0,282	0,293	0,289	0,317	0,313	0,318	0,036	5,3	5,2	5,5
Italy	0,291	0,291(84)	0,327	0,313	0,325	0,326	0,035	5,2	5,8	5,9
Japan	0,244	0,304	0,323	0,329	e 0,336	0,330	0,086	6,0	e 6,2	6,1
Estonia				0,313	0,346	0,330		5,2	6,2	5,8
Portugal	0,224			0,361	0,338	0,336	0,112	6,3	5,9	5,8
Australia	0,269		0,309	0,338	e 0,326	0,337	0,068	5,8	e 5,5	5,7
Greece	0,33(81)	0,352*		0,329	0,339	0,340	0,010	5,6	6,4	6,4
Spain	0,318			0,324	0,344	0,345	0,027	5,2	6,6	6,5
Latvia				0,374	0,350	0,346		7,3	6,4	6,3
Israel		0,326	0,338	0,365	e 0,360	0,346		7,5	e 7,1	6,5
New Zealand	0,281	0,272	0,335	0,330	e 0,333	0,349	0,068	5,3	e 5,3	5,8
United Kingdom	0,267	0,309	0,337(94)	0,373	0,356	0,360	0,093	6,6	6,0	6,1
United States	0,304		0,361	0,374	e 0,394	0,390	0,086	7,9	e 8,7	8,3
Turkey				0,409	e 0,398	0,404		7,8	e 7,7	7,8
Chile				0,480	0,465	0,454		11,8	10,6	10,0
Mexico	0,452(84)			0,450	e 0,457	0,459		10,8	e 11,5	10,4

Source: OECD Income Distribution Database (IDD). *Gini, poverty, income, Methods and Concepts*. <http://www.oecd.org/social/income-distribution-database.htm>

- 20 In terms of child poverty, at the relative 50% measure, Ireland had a comparatively low rate of child poverty at 9.2 percent in 2014. The UK too was somewhat below the OECD average (respectively 11.2 percent and 13.1 percent). Relative child poverty rates were however markedly higher in Canada (17.1 percent) and the United States (19.9 percent). The United States and Australia also had particularly high relative poverty rates among the elderly: respectively 20.9 and 25.7 percent, compared to the OECD average of 12.9 percent.
- 21 Turning to inequality, the Gini coefficient for equivalised disposable household income indicates that Ireland had a slightly more equal income distribution on this measure in 2015 than the OECD average (respectively 0.298 and 0.317). This distinguishes Ireland from the other Anglophone countries. Canada at 0.318 was only a little more unequal, followed by Australia at 0.337. For New Zealand, the Gini coefficient was 0.349, while the UK was at 0.360 and the US at 0.390. The high Gini coefficients of these last four countries — Australia, New Zealand, the UK the US — are strong manifestations of the rise in inequality associated with neoliberalism in the Anglophone world. In all cases, the Gini coefficient rose substantially from 1980 (roughly the beginning of neoliberal tax cutting policies) to 2015: up by 0.068 in both Australia and New Zealand, by fully 0.093 in the United Kingdom and by 0.086 in the United States. It should be noted however that these increases were not uniform. In particular, reviewing global inequality trends in 2017, François Bourguignon distinguishes countries like the United States (as well as France, Denmark and Sweden, Israel and Japan) which have experienced a rising inequality trend, from those which have been characterized by a “one-step” rise. The latter include the United Kingdom and New Zealand (where inequality rose strongly in the second half of the 1980s, and then remained largely unchanged before actually falling somewhat after the financial crisis), and Canada and Australia (both experiencing their one-step increase in the second half of the 1990s, and again small drops in the immediate years after the crisis) (Bourguignon 2017).
- 22 An alternative way of perceiving the rise in inequality in the Anglophone countries (and elsewhere) is based on looking at the share of income going to the top 1% of households. Data from the World Inequality Database show very clearly how the pre-tax national income share of the Top 1% has risen since 1980, when neoliberal policies began taking effect (see Table 4). This follows the long “great compression” of inequality in the middle of the 20<sup>th</sup> century (discussed in the next section). The income share going to the top 1% of households has increased strongly in the Anglophone countries, especially in the UK (up from 6.67 percent of all income in 1981 to 13.88 percent in 2014) and in the United States (up from 10.67 percent in 1980 to 20.2 percent in 2014).

Table 4: Pre-Tax National Income Share of Top 1%

	1920	1950	1980	2014
Australia	11.63 (1921)	14.13	4.57	9.1
Canada	14.40	10.88	8.88	13.6(2010)
France	20.07	10.34	8.17	10.80

Ireland	16.93(1938)	12.92(1943)	6.65	10.50(2009)
New Zealand	11.34(1921)	9.43	5.65	8.09
UK		10.89(1951)	6.67(1981)	13.88
US	18.40	15.88	10.67	20.2

Source: World Inequality Database. <http://wid.world/>.

## The Impact of Neoliberalism on Inequality in the Anglophone Countries

- 23 The precise impact of neoliberalism on inequality in the Anglophone countries is hard to measure, given the variety of factors which have affected changes in income and wealth in these countries, and elsewhere in the world. That said, inequality has risen more strongly in these countries than in other industrialized nations, and the evidence provided by the “varieties of capitalism” literature indicates that these English-speaking countries have implemented neoliberalism more strongly than other developed nations, consolidating their nature as “liberal market economies”. This section briefly reviews the concept of neoliberalism, how the strengthening of market forces and transactions-based economic relationships have contributed to the specific form of capitalism prevalent in these countries today, and what forces have driven greater inequality.

### The concept of neoliberalism

- 24 Neoliberalism is a concept that is broad and widely-used to describe the trend in public policies which emerged from the 1970s onwards, and that have accompanied the process of globalization. These policies have narrowed the scope of government intervention in developed and developing economies, while weakening the power of organized labor in pursuing wage claims and protecting workers’ rights. The policies include specifically: the deregulation of markets; the shift away from fiscal policy as a tool for managing demand and supporting employment in favor of monetary policy aimed primarily at achieving price stability; the privatization and contracting out of public services; steep tax cuts for top income earners and the shift to regressive taxation (like VAT and sales taxes); ongoing cuts in corporation tax and the financing of public deficits through the sale of bonds to private and institutional investors; the pursuit of international trade liberalization; domestic and international capital market liberalization, and more generally the financialization of economic activity (i.e. the expansion of financial services and the transformation of assets into securities and financial instruments); as well as the deliberate weakening of trade union power, through anti-union legislation and cuts in numbers of tenured public sector workers.
- 25 To be sure, these processes have not been uniform across countries. As Jamie Peck notes, neoliberalism has taken a “zigzagging course”: its path has been strewn with “policy failures, oppositional pushbacks, and stuttering forms of malregulation”. He also rightly points out that in many countries total government spending has not much

declined as a share of GDP, the State's powers have been extended in certain areas, and more generally that markets have always needed the State to enforce the protection of private property and contracts. Yet Peck also describes how neoliberalism as the dominant economic ideology and practice reasserted itself fairly quickly after the financial crisis (Peck 2013). Similarly, David Harvey has argued that neoliberalism has benefitted from the "uneven geographical developments" of nations, noting that "competition between territories (states, regions, or cities) as to who had the best model for economic development or the best business climate... heightened in the more fluid and open systems of trading relations established after 1970" (Harvey 2005: 87). Harvey too is skeptical about "extract(ing) some composite picture of a typical neoliberal state", yet he notes there are two arenas in particular in which neoliberalism restores class power. The first concerns the way labor and the environment are treated as mere commodities, to be subordinated to business interests. The second stems from how neoliberal states favor the financial system over the well-being of their populations and environments (ibid: 70-1): an observation he made in the mid-2000, shortly before the financial crisis and which has turned out to be highly prescient. Moreover, Harvey points to the privatization of assets as key component of neoliberal agenda, and the imperative of States to use their power to impose or invent market mechanisms (ibid: 65). Significantly, he observes that the main "substantive achievement of neoliberalization" has been to redistribute, rather than generate wealth and income (ibid: 159). This rapacious nature of neoliberalism is laid bare in even starker terms by Naomi Klein. In *The Shock Doctrine*, she argues that "disaster capitalism" emerged in the 1970s as a comprehensive policy approach to restructuring societies in states of disaster and shock, following: violent political takeover (Chile under Pinochet in the 1970s), internal collapse (the Soviet Union and its satellites in Eastern Europe in the early 1990s), invasion (Iraq in 2003) or natural disasters (hurricane Katrina in New Orleans, in 2005). Preying on profound societal disorientation associated with such upheavals, private interests restructured economies and societies for their own profit. This was (and is) achieved by drawing not only on neoliberal theory and policy-prescriptions, but also on techniques of psychiatry (including electro-shocks) experimented in the 1950s to remodel troubled personalities. Such policies were pursued very visibly in the aptly named, pro-market "shock therapies" applied to the transition economies of Eastern Europe during the early 1990s (Klein 2008).

- 26 Returning to the Anglophone countries, a considerable heterodox economic literature developed during the 1990s and through to the mid-2000s, examining their political and economic trajectories, in contrast to developments in other industrialized countries. In 1990, the Danish sociologist Gøsta Esping-Andersen published his landmark study on *The Three Worlds of Welfare Capitalism*, in which he identifies so-called "liberal welfare states". These are found in the English-speaking countries, and are characterized by minimal public social insurance (unemployment support, pensions, etc.), and incentives for households to subscribe to private health, pension and even unemployment schemes. A year later and very much in the wake of the fall of the Berlin Wall, Michel Albert (a senior civil servant turned insurance financier) contrasted what he called "neo-American capitalism" and "Rhineland capitalism", in *Capitalisme contre capitalism* (1991). Albert specifically pointed to the deepening of stock market finance for firms and the rise of shareholder capitalism in the 1980s, allied to tax cuts, deregulation and high military spending as characteristics of the new economic regime

established by the Republican Presidency of Ronald Reagan (January 1981 to January 1989). In contrast, Rhineland capitalism — exemplified most clearly by (West) Germany — was based on stable relationships between companies and their “house banks”, as well as more stable relationships between firms, their suppliers, their customers and their employees. Indeed, a notable feature of Rhineland capitalism has been the involvement of companies in training apprentices and the negotiation of collective branch agreements between employer organizations and unions. This dichotomy of models of capitalism was extended in the collective research project and publication coordinated by Peter Hall and David Soskice: *Varieties of Capitalism: The Institutional Foundations of Comparative Advantage* (2001). By investigating the functioning of companies in a series of economic sectors, the study argues that a basic distinction can be made between “liberal market economies” (LMEs) and “coordinated market economies” (CMEs) in terms of five relational spheres: industrial relations, vocational training and education, corporate governance, inter-firm relations and employees. Although nuances exist, the Anglophone economies are all identified as LMEs, characterized by much clearer transaction and market-based relationships than CMEs. Two distinguishing characteristics of these countries involve the way the financial rewards of higher education grew during the 1980s and 1990s, while their educational systems produced quite large minorities of workers with relatively limited skills, even if overall educational levels were comparatively high.

- 27 In fact, the evolution of wages for low-skilled workers has been widely noted as a cause for inequality in the economic literature. In a recent, summary article of global inequality trends, François Bourguignon notes that “almost by definition, globalization and technological progress are the most obvious common factors of income distribution across countries”, and that “[i]n the developed countries, globalization and skill-based technological progress are certainly responsible for a rise in the share of total income going to capital and for the slow growth of wages and employment of unskilled labor” (Bourguignon 2017). For much of the 1980s and 1990s, technological progress was strongly identified as the main source of rising inequality in the United States especially, due to skills differentials. Yet with the rise of Chinese exports, trade competition has played a more important role too. This follows almost mechanically — as indicated by the theory of international economics — from the way greater international trade favors the returns on capital as a production factor in rich countries, either directly or through the geographical relocation of manufacturing via foreign direct investment or outsourcing to low-wage countries. The financialization accompanying globalization has further enhanced rewards to capital, including investment income received by high-income households (specifically of top executives and leading employees/managers in finance). More specifically, Bourguignon quotes an OECD study published in 2011 which estimated that — *on average* — globalization and technological change explained 40 percent of the increase in the Gini coefficient since the early 1980s. A further 22 percent of the average increase was due to assortative mating and changing household composition. Furthermore, among the country-specific factors aggravating inequality, changes in tax and welfare systems have had the most direct impact on inequality (Bourguignon 2017).

## Policy shifts

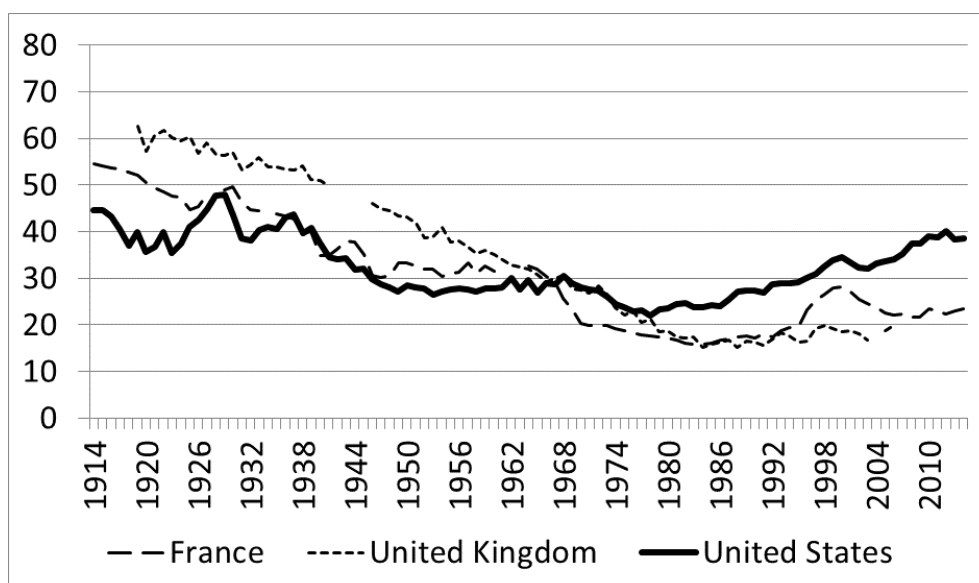
- 28 Indeed, tax policy changes have been of fundamental importance in inequality trends in the Anglophone countries. It is now often forgotten that both the UK and the US were high-tax countries in the decades after World War II, compared for example to France and Germany. The top income tax rate in Britain in the 1970s was 83 percent, and in the US it was 70 percent. Substantial tax cuts by the Thatcher and Reagan governments then brought the top income tax rates down to 40 percent in the UK and to 28 percent in the US by 1988, whereas the rates in Germany (56 percent) and France (57 percent) remained much higher at the time.<sup>5</sup> At the beginning of 2018, the top personal income tax rates were 37 percent in the US,<sup>6</sup> 45 percent in the UK,<sup>7</sup> 53 percent in France,<sup>8</sup> and 42 percent in Germany.<sup>9</sup> These figures indicate both a spread of neoliberalism's anti-tax policies, yet also continued divergence among countries.
- 29 The tax-cutting agenda in the UK and US has been largely described as a tax revolt by the middle classes. It began with the successful referendum in the state of California on Proposition 13 to cut property taxes in 1978. In the United States, such tax cutting subsequently became part of the "supply-side" agenda to break with the economic policies of the past, and which was frequently referred to as "Reaganomics" after Reagan's election in 1980. This agenda involved market deregulation, but also the clear belief that tax cuts would stimulate economic activity and ultimately lead to higher overall tax revenues, a relationship promoted publicly and visually by Arthur Laffer and his "Laffer-curve" (Laffer 2004). Allied to the idea that tax cuts would lead to faster growth and higher tax revenues was the belief that greater wealth (of the rich) would "trickle down" to the rest of society. Everyone would finally be better off. While the economics of Thatcherism were not couched in exactly the same terms, the policies of successive British governments (first Conservative, then New Labour) were based on similar beliefs: for the Conservatives, cutting taxes would encourage people to work more and build businesses; for New Labour, strong growth – including the success of financial services – would provide the tax revenues to fight child poverty and pay tax credits for low-income families. The same is broadly true wherever neoliberal reforms have been implemented, especially in the Anglophone world. Thus, the mid-1980s saw fundamental shifts to neoliberal economic policies in Australia and New Zealand pushed through by Labor governments elected in both countries in 1984. In Australia, reforms began by liberalizing international trade through lower tariffs, the removal of exchange controls and the floating of the exchange. The neoliberal agenda was then pursued incrementally, throughout the following two decades, affecting all aspects of the economy (De Brouwer 2003). In New Zealand, reform was led especially by Finance Minister Roger Douglas who implemented a draconian, rapid neoliberal program of market deregulation and tax reform, dubbed "Rogernomics". Subsidies to agriculture (and industry) were scrapped, as were tariffs, while the top tax rate was gradually brought down from 66% to 33%. A second sharp wave of reforms to deregulate markets was subsequently driven through by Ruth Richardson, Finance minister in the National government of 1990 to 1993, whose policies became known as "Ruthanasia" (Evans 1996). In Canada, reform came later and was pushed mainly to rein in public deficits and public debt by cutting taxes and decentralizing spending to Canada's provinces. As a result of massive fiscal restructuring, the overall government deficit was cut from 6% of GDP in 1995, to a balanced position by 1997, with surpluses thereafter, leading to significant downsizing of government and strong pay restraint (Thiessen 2001).

- 30 By contrast, the policy shift in Ireland was more complex and intriguing. While pursuing a tax-cutting agenda in the late 1980s, tripartite coordination with management and unions also allowed the authorities to tackle inflation by using an incomes policy as part of a national development plan. This, together with Ireland's increasing integration into the European Union and the inflow of EU monies, paved the way for Ireland to become the Celtic Tiger in the 1990s. At the same time, the rock-bottom corporate tax rate of only 12.5% helped lure substantial US high-tech investment to the country (Whelan 2013).

## Forces driving inequality

- 31 While the dislocations of neoliberal reforms in the Anglophone world during the 1980s did not bring immediate clear improvements in their economic performance, the situation changed quite notably from the early 1990s onwards, through to the financial crisis of 2007-2008. This was a period of long, sustained growth on the whole. Even the stock market crash of high-tech companies in 2000, followed by conventional falls in stocks in the wake of 9/11 and a shallow recession in the US in 2001 did not upset this broadly buoyant picture. These were the heyday years of the Anglo-Saxon economic model, with even an American "liberal" (i.e. progressive) economist like Paul Krugman celebrating the "certain *je ne sais quoi* of *les Anglophones*" (Krugman 1999). What was less apparent at the time, however, was the way prosperity in these countries, and especially the United States, was dependent on household borrowing and rising property prices. Put simply, financial deregulation had allowed middle-income households in the United States, in particular, to "eat credit" in order to maintain their living standards, while their real wages stagnated (Rajan). When the crash came, the reality of neoliberalism for "middle America" was brutally revealed.
- 32 More fundamentally, the historical reality of capitalism was subsequently revealed to the US economics profession with the publishing of Thomas Piketty's seminal work in English in 2014, *Capital in the Twenty-First Century*. While this mammoth investigation into the long-term dynamics of capitalism had received some media attention in France, the release of the book in English in spring 2014 turned it into an international bestseller, with sales topping 1.5 million. Apart from its dazzling assembly of data, the central thesis of the book is that when operating normally, capitalism inevitably leads to greater inequality, especially of wealth. This proposition was supported by rigorous reasoning and long-term trend analyses conducted by Piketty (and his team) which led to the spectacularly simple conclusion that the real rate of return on capital ( $r$ ) generally exceeds the growth rate ( $g$ ): or in a formula which anyone can understand  $r > g$ . Other things being equal, capital in the hands of the few — including non-working rentiers — will therefore accumulate at a faster rate than growth and so lead to ever greater inequality. Moreover, Piketty argues that in periods of high capital values relative to labor income, the tendency for capital to concentrate is especially strong. This was the case in the 19<sup>th</sup> century, as it is again true today, with high real-estate values in much of the developed world, and high stock market values: Graph 1 shows the rising share of total wealth held by the top 1%, especially in the United States, and the typical U-shaped evolution of inequality measures during the 20<sup>th</sup> century. As the world was still reeling from the financial crisis, Piketty's analysis clearly hit its mark.

Graph 1: The Share Net Personal Wealth Held by the Top 1% (in percent)



Source: World Inequality Database. <http://wid.world/>.

- 33 Piketty's book therefore explicitly overturned the previously held belief that while capitalism and industrialization had indeed led to a massive rise of inequality in the 19<sup>th</sup> century, the 20<sup>th</sup> century had experienced falling inequality, especially in the industrialized nations, but also elsewhere. This apparent behavior of capitalism was first identified by the economic historian Simon Kuznets, and became known as the "Kuznets curve", a bell-shaped curve in which inequality first rises over time, before subsequently falling. Piketty points out that Kuznets himself was aware that this optimistic outcome of capitalism was partly empirical and largely speculative. In fact, Piketty argues that the substantial reduction in inequality for much of the 20<sup>th</sup> century had nothing to do with the internal workings of capitalism. Instead, it resulted from the political shocks of the World Wars and the economic consequences of the Great Depression. These unusual events led to massive falls in the value of accumulated capital relative to the output of labor, and hence to falls in the returns on capital relative to wages. Since the end of the 1970s, however, the slow post-1945 build-up of capital, along with the liberalization of markets and especially financial markets, have allowed the historical tendencies of capitalism to reassert themselves. As a result, inequality is once again rising. The explosion of pay for top managers, which today combines salaried income with earnings related to stock price movements, is a notable driver of the present surge in inequality (Piketty 2014: 30-61). This phenomenon has been especially marked in the Anglophone world, notably the United States and the United Kingdom. In both these countries, top managers' overall compensation has exploded from being twenty or thirty times average workers' pay in the 1960s and 1970s, to anything up to 200 or 300 times workers' pay today (Davis and Mishel 2014).

## Conclusion

- 34 Neoliberalism has been a global phenomenon. It emerged first, most clearly in the United States and the United Kingdom in the late 1970s, coincidentally at a time when Deng Xiaoping began initiating market-oriented reforms in China. As time went on, and

especially following the fall of the Berlin Wall in 1989 and the collapse of Soviet central planning as an alternative economic system, neoliberal policies have been adopted in many parts of the world. In the developed world, neoliberal reforms have generally been strongly pursued in the Anglophone nations, and these countries have all been clearly identified as “liberal market economies” in the varieties of capitalism literature.

- 35 One consequence of their stronger pursuit of neoliberalism has been the rise in inequality observed since 1980 (although Ireland is a notable exception, as its history of tripartism has likely fostered greater social cohesion, so that its level of disposable income inequality has remained unchanged). The United States on the other hand stands out as its levels of income and wealth inequality have soared since the late 1970s. Given that the US makes up 70% of the population of the Anglophone world studied in this paper, its experience largely dominates this country group. But it is important not to lose sight of the fact that, while all these countries today have higher levels of inequality than the OECD average (on the basis of Gini coefficients of their disposable household incomes), their experiences are varied.

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## NOTES

1. Both Thomas Piketty in his book (2013) and the WID (<http://wid.world/>) credit a large team for creating this database, including the WID Executive Committee of Facundo Alvaredo, Lucas Chancel, Piketty himself, Emmanuel Saez and Gabriel Zucman, and the late Anthony Atkinson.
2. For the OECD, the standard household of two adults is given a weight of 1 (0.67 for the first adult and 0.33 for the second adult). Children are then each weighted 0.2, so that a household with two adults and two children has a weighting, or equivalence value, of 1.4.
3. \*The conversion into euros has been done using exchange rates prevailing in early April 2018. These rates differ from those prevailing in the years indicated. Nor do they reflect purchasing power parity. The calculations just serve to give a rough indication of the euro equivalent of the values in the other currencies.
4. The Gini coefficients for 1980 are taken from Walter Scheidel (2017: 406-8). The figures in brackets indicate other years of available data (e.g., (84) = 1984).
5. The figures here are taken from Thomas Piketty, *ibid*, Chapter 14. They can all be downloaded from his webpages at the Paris School of Economics. <http://piketty.pse.ens.fr/fr/capital21c>.
6. Trading Economics. “United States Personal Income Tax Rate.” <https://tradingeconomics.com/united-states/personal-income-tax-rate>.
7. GOV.UK. “Income Tax rates and Personal Allowances.” <https://www.gov.uk/income-tax-rates>.
8. 45 percent top income tax rate plus the 8 percent CSG. Wikipedia. “Barème de l’impôt sur le revenu en France”. [https://fr.m.wikipedia.org/wiki/Bar%C3%A8mes\\_de\\_l%27imp%C3%B4t\\_sur\\_le\\_revenu\\_en\\_France](https://fr.m.wikipedia.org/wiki/Bar%C3%A8mes_de_l%27imp%C3%B4t_sur_le_revenu_en_France).
9. Steuerklassen.com. “Spitzensteuersatz”, <https://www.steuerklassen.com/steuern/spitzensteuersatz/>.

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## ABSTRACTS

This article reviews the evolution of inequality and poverty in the Anglophone countries (the United States, the United Kingdom, Canada, Australia, New Zealand and Ireland) since the shift to neoliberal economic policies in the late 1970s. It provides brief summaries of the key definitions of inequality and poverty, which are separate but related phenomena. The article confirms the general impression that inequality has risen more quickly in this country group than in other developed countries. This is especially so for the United States, although Ireland is a notable exception with unchanged inequality levels. The article goes on to identify key policy characteristics of neoliberalism which have favoured capital over labour, and how they have contributed to consolidating the economic structure of these countries as “liberal market economies”. This in turn has impacted inequality, especially through strong cuts in top income tax rates.

Cet article examine l'évolution de l'inégalité et de la pauvreté dans les pays anglophones (États-Unis, Royaume-Uni, Canada, Australie, Nouvelle-Zélande et Irlande) depuis la mise en place des politiques économiques néolibérales à partir de la fin des années 1970. Il donne un bref résumé des définitions clés de l'inégalité et de la pauvreté, qui sont des phénomènes distincts mais liés. L'article confirme l'impression générale selon laquelle les inégalités ont augmenté plus rapidement dans ce groupe de pays que dans d'autres pays développés. C'est particulièrement le cas pour les États-Unis. L'Irlande constitue à l'inverse une exception notable, avec des niveaux d'inégalité inchangés. L'article poursuit en identifiant les principales caractéristiques politiques du néolibéralisme qui ont favorisé le capital au détriment du travail et comment elles ont contribué à consolider la structure économique de ces pays en tant qu'"économies de marché libérales". Ceci a eu un impact sur les inégalités, particulièrement par le biais de fortes réductions d'impôts pour les tranches supérieures.

## INDEX

**Keywords:** neoliberalism, globalization, taxation, inequality, poverty

**Mots-clés:** mondialisation, néolibéralisme, fiscalité, inégalité, pauvreté

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# Robots and Immigrants: Employment, Precarisation and the Art of Neoliberal Governance

Kostas Maronitis

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- 1 Employment is one of the defining topics of contemporary economies and societies. Prosperity, education, equality, well-being and overall social and political progress are largely imagined through the prism of employment. Qualitative differences in employment regarding income and location constitute a powerful metric system for evaluating education, cultural capital and social mobility. Most importantly, employment has become synonymous with existential anxieties concerning social hierarchy, identity and self-worth. However, employment has never been more precarious and employees have never felt more insecure. Fixed and zero-hours contracts, low incomes and continuous corporate restructurings are permanent features of the present political and economic landscape. These features can either be justified as a means to overcome low productivity in capitalist societies or can be explained as a manifestation of dysfunctional economies.
- 2 Arguments about low productivity, inefficient labour force, and lack of appropriate skills in the UK labour market have generated strong socio-political responses: from enthusiasm about the implementation and economic benefits of Artificial Intelligence (AI) and automation to sectors of the economy previously immune to such technological changes, to wider scepticism about massive loss of jobs and lack of a transition period for workers to acquire new skills for a new technological capitalist environment. At the same time, Britain's insecure position within the world economy due to the result of the referendum on membership of the European Union (EU) and to the subsequent negotiations with EU officials have given rise to business demands for sustaining the current rates of immigrant labour force in the British economy. More specifically, these demands focus on the need for cheap and/or low-skilled immigrant labour in the service and agriculture sectors for a competitive and growing economy. The competitiveness of the economy and national living standards appear to be

interdependent with an uninterrupted flow of immigrants from the EU and elsewhere, usually defined by low salaries, elastic working hours, and limited rights.

- 3 Whilst there is a growing body of research which convincingly examines the intellectual history of automation via the work of Marx (2004) and the Italian *operaismo* movement (Virno 2004; Berardi 2017) as well as the working conditions and rights of immigrant workers, there is very little on the ideological and political infrastructure that brings those two seemingly disparate discourses together. In this article, I argue that automation and demands for low-skilled immigrant labour are not only part of a political and economic agenda dealing exclusively with economic growth and productivity but also of a conscious attempt to produce a subject best suited to fulfil this agenda. Considering those two discourses, the article raises the following question: is there a connection between contemporary economic imaginaries of employment and productivity and specific modes of political governance?
- 4 The empirical material of this article derives, on the one hand, from economic and business reports dealing with the advent of AI and automation and its impact on productivity and employment and, on the other hand, from reports putting forward the argument that the flow of immigrant labour is integral to economic growth and prosperity. More specifically, the article will engage with relevant details from the Autumn Budget presented by the UK Government to the House of Commons in 2017; reports from PricewaterhouseCoopers (Berriman 2017); the World Economic Forum (Gray 2016); the International Transport Forum (2017); the Future of Work Commission (2017); the National Institute of Economic and Social Research (Rolfe 2016; Rolfe and Hudson-Sharpe 2016); the Royal Association of British Dairy Farmers (2017); and the National Farmers Union (2017).
- 5 For the purpose of avoiding a reductionist and economics-centred understanding of the discourses of technological displacement and low-skilled immigrant labour respectively, the article has to confront the socio-political devices which contribute to the detachment of the economy from politics and society and to the reification of terms and concepts such as productivity, training and competition. The analysis of the empirical material is not limited to questions over the dominant reading of reports, policies and public statements but extends to the way these discourses contribute to an all-encompassing art of neoliberal governance. This article provides an analysis of the narratives of the aforementioned reports in order to discover common themes and salient socio-political constructs. In particular, this article describes the dominant terms and themes featuring in the reports, policies and statements and then identifies the ways in which they are culturally and historically specific, and how they relate to each other; it reveals the commonalities that exist between the data, and then aims to produce generalised knowledge of neoliberalism and governance based on the selected data.
- 6 The article is organised as follows: the first section will focus on the meaning(s) of neoliberalism as an economic system and political logic and will establish its relationship with the state. The second and third sections will focus on the content and ideological implications of the reports and policies regarding automation of labour and low-skilled immigrant labour. The fourth section will bring the discourses of automation and low-skilled immigrant labour together under the concept of *homo oeconomicus* and will examine their points of convergence and divergence by considering qualitative differences of precarity as an art of neoliberal governance.

## The State of/in Neoliberalism

- 7 Any discussion about neoliberalism as a system of political and economic organisation needs to consider the ambiguous relationship between the state and the economy. Despite its dominance as a political and economic order, neoliberalism is hard to define. As Jessop (2012) notes, neoliberalism is more often used by critics of contemporary capitalist systems than by its proponents. In fact, Jessop refers to the impossibility of talking about neoliberalism as a singular and coherent term and the need to acknowledge multiple forms and manifestations of neoliberalism. However, there exist two permanent features in neoliberalism in all its manifestations. First, it aspires to expand the mechanisms of competitive markets to all aspects of social and political life. Second, it has a problematic and occasionally hostile relationship with the state. If the state prohibits the expansion of the market and, by association, individual freedom, then its powers need to be either minimised or adjusted to new economic and political realities.
- 8 Initially, the state was seen as counterproductive or even threatening to capital accumulation and economic growth. Theoretical economist Ludwig von Mises (1998) notably equated state intervention in economic affairs with socialism and effectively with the loss of individual freedom. For Mises, the formulation of a middle way between consumer democracies and state intervention is socially and politically hazardous, mainly due to the detrimental effects state control has on the choice and actions of the consumer citizen. State intervention, according to Mises, creates dependent beings lacking imagination and, most importantly, entrepreneurial skills. Individuals are perfectly capable of pursuing their interests without the help of the state and all economic science and activity can be stripped down to basic human action – a “praxeology” in Mises’ lexicon.
- 9 As soon as we start considering contemporary forms of neoliberalism and neoliberal practices, political theorisations permeated by state phobia appear naïve and parochial. Mises’ theorisation prevents us from understanding how the state coexists with the autonomy of the market and the individual pursuit of interest and freedom. In the final analysis, the issue at stake is not how to minimise the operation of the state but rather how to deploy and legitimise specific governmental actions and policies for supporting and reproducing the pivotal role of the market in all socio-political relations. Contrary to the *laissez-faire* economics and prevalent state phobia, Friedrich A. Hayek (2011:331) argued for a “permanent legal framework which enables the individual to plan with a degree of confidence and which reduces human uncertainty as much as possible”. Hayek’s references to law and human uncertainty indicate that neoliberalism should not necessarily be seen as a destructive force threatening established institutions while imposing the rule of the market. Most importantly, Hayek’s argument points out to the “denaturalisation” of both markets and competition (Gertenbach 2017; Foucault, 2004). Competing in global and national markets cannot and should not be perceived as some form of a primordial act that has been tamed and distorted by state regulation but rather as a political artifice whose function is to create a specific code of conduct and then evaluate this conduct according to specific benchmarks such as economic growth and profit maximisation.

- 10 Following the theoretical elaborations of Foucault (2004), Brown (2005) and Dardot and Laval (2013), neoliberalism should also be seen as productive in terms of establishing new social relations and new ways of living. Neoliberalism delineates competition between workers, the unemployed, policymakers and technological forces as a normal socio-political condition in which all social inequalities are legitimised on condition that the market dictates the rules of the competition. Part of neoliberalism's productive character is the transformation of the state into an ally and an enabler of market competition by designing and implementing policies aspiring to create the ideal political and economic conditions for profit maximisation. The main criticism directed towards the state is its general lack of efficiency and entrepreneurial spirit. In turn the state needs to respond to these criticisms by directing its focus from welfare to enterprise and to appear as an equal partner in the implementation of the agenda of competitiveness and economic growth. This new "disenchanted" conception of public action" (Dardot and Laval 2013: 217) is legitimised by the state's commitment to the common good. The latter mirrors the values and aspirations of neoliberalism, of course, and it is usually understood as a series of abstract economic indices such as high productivity, low unemployment, trained and efficient labour and, ultimately, a growing economy.
- 11 If and when the doctrine of the competitive market fails to deliver economic growth, higher productivity and a more efficient labour force, it is because the state has not been supportive enough of corporations and is not in tune with the free-market doctrine. The discourses of technological displacement and low-skilled immigrant labour have been developed as part of a solution to the problem of low productivity and competitiveness of the UK economy. As the two case studies will demonstrate, the state is regarded as a political actor tasked with reforming and managing society and its members in order to create the optimal conditions of corporations to thrive and, by association, to contribute to the growth of the economy.

## Automation and Productivity: The Categorisation and Training of the Labour Force

- 12 Political and economic tensions between labour and technology have been a permanent feature of capitalism. Karl Marx (2004) argued in *Capital* that such tensions are the direct outcome of the continuous development of the forces of production. The technological advancements of industrialisation and automation expose the contradictions between productivity and the constant fear of being excluded from the production process and between unequal distribution of wealth and belief in the legitimacy of capitalism as a particular socio-political order. A logical step into this inquiry would be to identify the workers and, more specifically, the social classes mostly affected by technological advancements. Human labour has always been under threat by industrialisation, automation and, more recently, with robotics and AI. Even though processes of technological advancement have been at the forefront of arguments about efficiency, productivity and economic growth, they have now been incorporated into debates about the future of capitalism itself. According to Streeck (2016), capitalism's existential crisis can be explained by two distinctive, yet interrelated, phenomena: first, the processes of replacing human labour are steadfast and largely unopposed; second, the target of automation has now shifted from the

manual working class to the middle class to the defenders of an economic system based on private property, market economy and entrepreneurial activity. Robots and automation might render a significant percentage of jobs obsolete, but their sole purpose is to minimise taxation and maximise profits.

- 13 Does capitalism demarcate new battle lines between workers and robots? Is it possible for contemporary capitalism to survive without the support of wage earners? The driverless car is one of the most indicative examples for communicating both anxieties about labour displacement and a sense of optimism about a productive, growing economy. If cars can drive themselves, what will happen to professional drivers? Will they be permanently displaced by technological advancements? The UK government's 2017 Autumn Budget illustrates the need for more automation and autonomous technology in order to combat chronic low productivity. Relying on figures from the OECD, the budget states that productivity growth amongst developed economies has been at least 1 percentage point slower since 2008 than in the preceding decade. However, in the UK, the Autumn Budget points out that the slow-down has been more severe and productivity growth averages 0.1% since 2008 compared to 2.1% in the preceding decade (HM Treasury 2017: 11). One of the main arguments of the Autumn Budget (2017) is that "an economy driven by innovation will place the UK as a world leader in new technologies such as Artificial intelligence (AI), immersive technology, driverless cars, life sciences and FinTech" (HM Treasury 2017: 43). A significant part of this new technology and innovation agenda deals with what the government calls "connected and autonomous vehicles (CAVS)". The government wants to see autonomous, self-driving cars on UK roads by 2021. This ambition will come to fruition through changes in the regulatory framework for testing autonomous vehicles without human operators, and through the adjustment of present and future road networks to support these vehicles. In a subsequent interview, Philip Hammond, the Chancellor of the Exchequer, predicted that a million British workers would have to retrain and acquire a new set of professional skills to be employed in new jobs created in this new economy. "It is going to revolutionise our lives, it is going to revolutionise the way we work. And for some people this will be very challenging".<sup>1</sup>
- 14 The ambition to populate roads with driverless cars extends to the transportation of goods. While corporations such as Google and Toyota have been active in the development of cars which will revolutionise work and everyday life, lorry manufacturers are developing similar technologies aiming at minimising costs in transporting goods. "Labour accounts for up to 45 per cent of total road freight cost" (International Transport Forum 2017: 9) and driverless lorries will redefine profit margins and ultimately redefine the rules of competition. As a result, up to 4.4 million of the 6.4 million professional trucker jobs in the US and Europe could be eliminated by autonomous technology (ibid.: 7). Even though the report asserts the resilience and adaptability of the work force under consideration, it concludes that their relatively low education level would be almost prohibitive for acquiring new and diverse training skills and knowledge.
- 15 The links between automation, education and labour displacement are further explored in a report published by PricewaterhouseCoopers (Berriman 2017). The report emphasises the potential loss of jobs due to accelerated automation and predicts that 30% of jobs in the UK could potentially be at high risk by the early 2030s, compared with 38% in the US, 35% in Germany and 21% in Japan (Berriman 2017). According to

the report, employment sectors such as “transport and storage”, “manufacturing” and “wholesale and retail” are more exposed to the risks of automation and subsequent loss of jobs, whereas “health and social care” appears to be immune to automation and robotics. The figures presented by the report largely depend on the educational level of workers. Workers with undergraduate or higher degrees will be better equipped to adapt to a new economy and labour market, while for workers with GCSEs or no formal qualifications automation presents a clear threat to their employment prospects. The report argues that labour displacement can be managed by the proliferation of new jobs created by new technologies and by (re)training initiatives for workers in order to acquire the right skills for a challenging new labour market.

- 16 Governmental intervention in the domains of education and vocational training are at the forefront of the report of the Future of Work Commission (2017). Falling real wages and increasing inequality are considered by the report to be some of the most significant by-products of automation. On the whole, the report welcomes the new technological shift towards automation, robotics and AI due to its potential to decrease working hours, increase productivity and contribute to higher standards of living. Such potential can only be realised with policy intervention in the areas of “good work”; “skills for the future”; “innovation”; “corporate governance”; “labour rights”; and “ethics”. The report advocates a stronger and more active role for the state in the new economy in order to assess the quality of the work that workers are engaged with, and the equal distribution of wealth. Lifelong learning and the establishment of education trusts in conjunction with new tax rates for incentivising business to invest more in their workforce will position the state as an active actor in the management of the new economy.
- 17 Skills, training and education, innovation and investment appear to be constant themes in the analysis of technological displacement. The “Future of Jobs” report published by the World Economic Forum does not necessarily diverge from these themes, yet introduces the issue of diversity as another defence strategy for avoiding skills shortage in an economy dominated by automation. In what the report refers to as the “Fourth Industrial Revolution”, human resources departments will have to be able to analyse skills gaps and determine how to align their workforce to meet present and future challenges (Gray 2016). The report states that diversity in the workplace will increase in significance as corporations and smaller businesses will have to recruit workers from across the world to fill gaps in skills specific to technological innovation and automation.
- 18 Overall, the above-mentioned reports shift the focus from the integration of workers as a collective into a new economic and social order, to a “project of self-realisation” (Boltanski and Chiapello 2007: 217) by establishing links between performance, knowledge and the ability to remain employable in the new, and more demanding, corporate environment. As a result, the flexibility that all reports implicitly or explicitly demand through retraining and acquiring new skills transfers the uncertainty of insecure employment from the corporation to the actual workforce. Lack of access to retraining programmes or the unwillingness of corporations to provide such programmes will inevitably lead to the casualisation of a big proportion of the current labour force. The new technological displacement is presented by these reports as an unstoppable force whose missions are primarily to address low productivity and ,secondly, to categorise the current and future labour force according

to the binary oppositions of competent and incompetent, trained and untrained, educated and uneducated, flexible and inflexible. The overwhelming emphasis on training and future investment also indicates the selection process of corporations and other businesses regarding their labour force. Access to training will be offered to those “whose disposition is deemed sufficiently promising to justify the investment” (Boltanski and Chiapello 2007: 237). Once retrained, workers need to fulfil the promise of a productive, automated and growing economy, and will be indebted to the corporation for maintaining their employment status. The anxiety over employment and skills is designed to prevent workers from challenging the structures of the new economy either as individuals or as part of a union.

- 19 As the alliance between state and corporation for the sustainability of the competitive labour market depends on the marginalisation of workers both as productive force and as active agents capable of challenging economic norms and structures, new contested sites emerge around the issues of workers’ unionisation, working hours, income and taxation. Despite the fact that trade union membership is at an all-time low (Department for Business, Energy and Industrial Strategy, 2018), precarious work and social insecurity have generated action by smaller unions such as the Independent Workers Union (IWGB) and the Industrial Workers of the World (IWW), and in collaboration with the Trades Union Congress (TUC) have enabled precarious workers at the intersections of automation and self-employment to share their experiences and take part in legal battles over employment status and bargaining powers (Trades Union Congress 2017; Chakelian 2018). By acknowledging the automation of work as an irreversible process, unions demand the spreading of the benefits of new technologies. Secure employment, a reduced number of working hours and the introduction of Universal Basic Income (UBI) as a basic wage paid to every citizen constitute a new set of demands for a new type of society. Even though the description and implementation of UBI are subject to theoretical and policy debates (Srnicsek and Williams 2016) unions and supportive policy-makers hope to set in motion a radical reconsideration of policy over the categorisation of citizens into employed and unemployed, skilled or unskilled. Due to the shrinking workforce, the implementation of UBI will not necessarily rely on income tax but on the actual taxation of the agents of automation, namely corporations and their technological infrastructures.

## The Use of Immigrant Labour

- 20 Arguments about productivity and economic growth are not limited to the discourse of automation and technological displacement. Rather, they extend to the mobility of labour and immigrant labour in particular. Immigration has either been articulated by media and political discourses as labour mobility that needs to be assessed according to a cost-benefit analysis, or as a socio-cultural process capable of re-defining the limits of national identity, belonging, and of dominant cultural patterns. More specifically, in order for immigration to be considered positive, the input of immigrant workers needs to surpass their impact on public services such as housing, health and education. However, for the Leave campaign and its affiliated media, the impact of immigration on the dominant definitions of national culture and social cohesion became a powerful persuasive tool for the lead-up to the UK’s decision to disentangle itself from the structures, laws and policies of the EU (Pencheva and Maronitis 2018). In anticipation of

the communication of a concise post-Brexit immigration policy, the Migration Advisory Committee (2018) published a report outlining a socio-economic structure that supports economic growth while recognising the predominantly Eurosceptic electorate's anxieties over the control of national borders, access to housing, employment and welfare. The report argues for the need to offer visas to immigrants in a tiered system based on skills and income in proportion to their contribution to the UK economy (Financial Times 2018). However, such suggestions have been rebuked by business who demand access to a larger pool of unskilled and low-skilled workers to fill in vacancies in the construction, hospitality and haulage sectors of the economy. In principle, as David Goodhart (2018) suggests in the Public Policy Exchange report on post-Brexit immigration policy, employers could attract workers from the local and national labour market if they were willing to increase salaries and improve working conditions. This would result in higher prices for products and services. Eventually, the economy's competitiveness would be compromised. Present and future immigration policies will have to reflect public anxieties generated by media discourses and political rhetoric about the impact of immigration on cohesion, identity and public services and at the same time to address the needs of the economy in terms of skills, salaries, and overall number of the working population (Maronitis 2016).

- 21 The prospect of a new immigration policy framework that would enable the government to refuse EU immigrants the right to work in the UK, as well as forcing employers to recruit British citizens to perform jobs previously considered as unattractive, has led a number of thinktanks, political and business figures to defend current levels of immigrant labour solely for maintaining economic growth and existing standards of living. The National Institute of Economic and Social Research (NIESR) differentiates between "middle range" and "hard" Brexit and provides an assessment with respect to immigration and economic growth (Rolfe and Hudson-Sharp 2016). In the "middle range" scenario where immigration falls by as much as 91,000 a year, the GDP per head will be 3.4% lower than it would have been by 2030. In the "hard" Brexit scenario, the institute estimates that if immigration were cut by 150,000 a year then the annual GDP would be lower 5.4%. According to the NIESR, both moderate and sharp cuts in immigration would not necessarily have a positive impact on the wages of British workers employed in the most immigration-dependent sectors of the UK economy, namely construction, hospitality, retail and food processing. In particular, the "middle range" scenario would only contribute to a 0.5% rise in wages whereas the "hard" Brexit scenario would increase wages by 0.82% (Rolfe and Hudson-Sharp 2016).
- 22 The NIESR continues its investigation into the impact of Brexit on immigration and employment by illustrating the employers' concerns over possible free movement restrictions. The report indicates that most employers believe that Brexit and restrictions of free movement of labour would exacerbate their chronic recruitment difficulties and labour shortages. According to the report, these concerns are not only about the quantity of workers but also about the quality of work they perform.
- Everywhere you go in the leisure sector you will see lots of people from Eastern Europe. And it is not because they are any cheaper because we have the minimum wage and we have the national living wage. But they deliver a far better experience (Rolfe 2016: 8).

- 23 The report concludes by stating that the inflexibility of British workers and their expectations for higher wages constitute their recruitment as almost prohibitive for the future of businesses in a post-Brexit economy.
- 24 Farmers expressed similar concerns over immigration restrictions. In 2017, fruit and vegetable farms in the UK were in need of thousands of immigrant workers and as a result produce were left to rot in the fields. According to survey data from the National Farmers Union, more than 4,300 vacancies were left unfilled, which approximately covers 50% of the horticultural labour market. The survey points out that 99% of the seasonal workers employed in the sector are from Eastern Europe and 0.6% from the UK. Farmers in the UK claim that the vote to leave the EU has created the perception among foreign workers that the country is xenophobic and unwelcoming. The Secretary of State for Environment, Food and Rural Affairs and a prominent political figure in the campaign to leave the EU, addressed the concerns of farmers by insisting workers from the EU would still be able to work in UK farms, but they would have to get registered and sign temporary contracts in order to “augment” the horticultural labour force post-Brexit (Ferguson 2017). For the Secretary of State, one way to reconcile popular demands for control of immigration with economic growth would be to import seasonal workers according to specific demands in the labour market and effectively reinstate the Seasonal Agricultural Workers Scheme (SAWS). He explains that the current limited mobility of immigrant workers is not due to the negative perceptions of the UK as racist, but due to the growing economies of their countries of origin. “It’s already the case that the supply of labour from EU27 countries is diminishing as their economies recover and grow. So, in the future, we will need to look further afield” (Hughes and Daneshkhu 2018).
- 25 Yet, a survey conducted by the Royal Association of British Dairy Farmers (2017) has revealed that EU migrant workers are neither employed on a temporary basis nor are they perceived as transient workers. They are usually employed and perceived by their employers as permanent and integral members of the workforce. As in the leisure and hospitality sectors, employers in the farming and horticultural sectors are reluctant to employ and invest in the training of workers from the local and national labour markets. Preference for immigrant over domestic workers is usually explained by the willingness of the former to work more hours, positively respond to flexible working schedules, and live in the accommodation spaces provided by farms.
- 26 Reports on the state of the economy during and after the Brexit negotiations and demands from professional bodies for sustaining the current levels of immigrant labour in the UK illustrate the importance of immigration and of immigrant workers. Following Abdelmalek Sayad’s remarks on the social implications of immigration, it can be argued that immigrant workers are only accepted as long as they are defined by the work they perform. For Sayad, “the immigrant is only a body” (2007: 213) that is required to perform certain tasks and subsequently present her/himself as labour power. Outside the environments in which immigrants work and live, they are considered “minors” who need to be taught the local customs and the demands of the host economy and society. Sayad substantiates his argument on the singular perception of the immigrant as a working body by distinguishing between body and head, between working and thinking. Here, the implicit references to Aristotle’s “use of the body” for defining the nature of the slave are too strong to ignore. Aristotle defines the slave “as the human being whose work consists only in the use of the body” (Agamben 2016: 5).

Agamben argues that Aristotle does not necessarily deny the slave's human nature but insists that the work performed by the slave is not human work. The simultaneous exclusion and inclusion from humanity provides the slave with a special status that can be explained as an act of legislation and of necessity. Agamben points out that even though the slave is excluded from political life, his actual presence is an integral part of it. "The slave in fact represents a not properly human life that renders possible for others the *bios politicos*, that is to say, the truly human life" (Agamben, 2016: 20).

- 27 Agamben's reading of Aristotle enables us to perceive the socio-political exclusion of certain workers as a necessary condition for flourishing economies beyond the chronological confines of antiquity. From Hegel to Keynes and Beveridge, the presence of disposable, unskilled labour with no rights and access to welfare, also known as the "rabble", is not an historical anomaly that has been or will be rectified by civil society, but rather a product of civil society's unresolved contradiction between freedom and deprivation (Mann 2017). For Beveridge, this contradiction would dissolve with the introduction of the welfare state and the subsequent re-understanding of civil society's purpose: "Whatever the bearing of full employment upon industrial discipline one thing is clear. A civilised community must find alternatives to starvation for preservation of industrial discipline and efficiency" (Beveridge 1944: 300).
- 28 While it would be extreme and controversial to draw parallels between the slave of the Ancient Greek city-states and the low-skilled immigrant of the UK, it is worth noting that the marginalisation of workers and, in particular, the permanent otherness of immigrants, have been historically beneficial to national economies for growth and productivity. Low-skilled immigrant workers embody a cultural, ethnic and economic otherness that determines their position in economy and society. They come from poorer countries, underdeveloped economies and are part of different historical processes, which are sometimes incompatible with the host country's social and political order. Up to a certain extent, the otherness and incompatibility that immigrants embody are desirable qualities for the regulation of their mobility and control of their rights. They find themselves at the bottom of the social and political order, due to their perception by employers and policymakers as convenient and advantageous work accessories. The attempt of the UK's Conservative government to tame anti-immigration sentiments with plans to prioritise the inflow of high-skilled over low-skilled immigrants has been refuted by businesses in agriculture, farming, hospitality and leisure businesses. Minimum wages, the willingness to do jobs British citizens are unwilling to do and objective difficulties to form or be part of workers' unions constitute low-skilled immigrant workers as vital components for the country's economic growth and productivity.
- 29 The route to economic growth and productivity via the exploitation of low-skilled immigrant workers has been contested by the formation and subsequent action of new trade unions such as United Voices of the World and Independent Workers Union of Great Britain (2018). These unions address the pervasive precarious working conditions in hospitality, care and domestic services and campaign for minimum and living wages, dignified and safe conditions, and access to legal representation for all low-skilled immigrant workers. According to these unions, such actions aim at the integration of low-paid immigrant workers in a labour market in which standard rules, regulations and rights should be applied to all workers irrespectively of their ethnicity, qualifications and type of work.

## *Homo Œconomicus*: Constructing and Governing the Subject of Neoliberalism

- 30 The discourses of technological displacement and cheap, low-skilled immigrant labour normalise uncertainty and insecurity for the working population. On the one hand, there are people in work who have to be flexible, responsive and always willing to be retrained in order to be employable. On the other hand, there are people who are willing to work in jobs which are considered to be undesirable, low-paid and less secure. The uncertainty and fear communicated by the reports, policies and statements are by no means an indication of a political and economic system in disarray. In fact, fear and uncertainty are part of the motivational strategy ingrained in the “new spirit of capitalism” (Boltanski and Chiapello 2007).
- 31 Fear and uncertainty as well as the categorisation of labour in relation to training programmes, exposure to technological advancements and immigration flows indicate that neoliberalism is much more than an economic system. Foucault argued that neoliberalism is an all-encompassing political system in which new subjectivities emerge (2004). The ways these subjectivities conduct themselves in competitive environments, and at the same time are being evaluated by the rules and standards of competition, reveal the political character and aspirations of neoliberalism. For Foucault, neoliberalism is a political rationality that aspires to produce a permanent consensus amongst all those who operate within its confines. Industrialists, manual workers, employees, business executives, politicians, policymakers, and law and order enforcement need to operate and conduct themselves according to the principles of competition and of the free market. This consensus requires and at the same time manifests itself with the existence of a collective subject that transcends class and status, capable of navigating under insecure and challenging political and economic conditions. This subject is predominantly defined by the dominance of the market and has been known historically as *homo Œconomicus*. From Adam Smith and Adam Ferguson to Ludwig von Mises, Friedrich Hayek and Milton Friedman, *homo Œconomicus* has been the defining subject of both liberalism and neoliberalism. However, for Foucault, there is a noticeable change in the understanding and actions of *homo Œconomicus*. In liberalism, *homo Œconomicus* was understood as “the partner of exchange and the theory of utility based on a problematic of needs” (Foucault 2004: 225). According to this conception, the market serves as a social space where participants offer what they have, in exchange for what they need. In neoliberalism, the market as a place of exchange is transformed into a place of competition where the participants are not necessarily interested in exchange, but instead in “investing” in themselves as both producers and consumers (Foucault 2004: 226).
- 32 At this point, it has to be noted that the neoliberal *homo Œconomicus* is not a subject constructed and understood within the limitations of structuralism. Following the theoretical elaborations of Michel Wieviorka (2012) and Alain Touraine (2000, 2010), it can be argued that *homo Œconomicus* is an achievement and a product of constant struggle against institutions which seek to regulate the market and personal interest. However, *homo Œconomicus* needs to be reconsidered across the multiple manifestations of neoliberalism and the relationship the latter establishes with other social and political spheres such as technology and immigration. Wendy Brown suggests that

Foucault's conceptualisation of the neoliberal subject needs to be updated in order to capture new power dynamics between the individual, employment and the market.

Put it differently, rather than each individual pursuing his or her own interest unwittingly generating collective benefit, today, it is the project of macro-economic growth and credit enhancement to which neoliberal individuals are tethered and with which their existence as human capital must align if they are to thrive (Brown 2015: 84).

- 33 Neoliberalism demands from economic actors to trade off their rights and liberties for access to, and participation in, the market. At the same time, the state's input is not limited to the design and implementation of a legal framework that allows the expansion of the market in all spheres of social and political life but rather extends to the minimisation and, if possible, the elimination of all opposing forces to such expansion (Streeck 2014). In addition to the transition from liberalism to neoliberalism identified by Foucault, Brown highlights a new transition in the history of neoliberal subjectivity. *Homo oeconomicus* is transformed from a subject attached to power, to a subject existing in precarity: job insecurity and labour flexibility; private and national debt; austerity and fiscal consolidation. For Brown, the *raison d'être* of the contemporary *homo oeconomicus* is not necessarily self-interest but survival and sacrifice in a political and economic order that disregards notions of social security and employment stability.
- 34 The present employment conditions, in conjunction with anxieties about technological displacement, low productivity and the need for a flexible labour force with minimal rights constitute *homo oeconomicus* as the defining collective subject of neoliberalism's strength and fragility. The indiscriminate exposure to precarious living conditions functions as a disciplinary mechanism for all those partaking in the competitive market economy delineated by neoliberalism. The way the competitive labour market affects the existing and aspiring labour force creates the perception of permanent employment as a privilege that needs to be preserved, regardless of the cost.
- 35 Is it possible to speak of a social class based on the common experience of competition and precarious working conditions? Is it possible to speak of a social class created in the ruins of the state as the central organising principle of both the economy and society (Hardt and Negri 2001; Virno 2004)? At this stage, it is important to underscore the critical role inequality plays in the neoliberal order. The competitive labour market does not aspire to the creation of a level playing field of insecurity and exploitation. As Hayek notes, "people in general do not regard mechanical equality of this kind as desirable" (2003: 65), because it restrains the individual's willingness to perform. With this in mind, the experience of precarious working conditions and social insecurity needs to vary in order to discourage the formation of a social class challenging the neoliberal order and also to encourage individuals to increase their performance in order to remain in employment. Compliance with the political system no longer depends on a strong state capable of protecting its subjects from lawlessness, insecurity and external threats. Instead, the new art of governance involves the precarisation of individuals and their subsequent hierarchy and relations. In the absence of social protection, precarisation needs to be regulated in order to remain politically legitimate and, more importantly, its "extent must not pass a certain threshold such that it seriously endangers the existing order: in particular, it must not lead up to insurrection. Managing this threshold is what makes up the art of governing today" (Lorey 2015: 2).

36 Precarisation, then, becomes not only the main governmental device of neoliberalism but also an effective medium for understanding social order and hierarchies between precarious workers. The normalisation of precarisation indicates that British society is quintessentially governed through insecurity. The art of neoliberal governance consists in maintaining a balance between the maximum precarisation of working conditions with the minimum safeguarding provided by the state, such as (re)training schemes and controlled flows of immigrant labour. Whereas precarisation refers to governance, precarity refers to a specific order that groups individuals according to their exposure to insecurity, and at the same time determines their rightful compensation. This is the moment of the fragmentation of the neoliberal subject *homo oeconomicus* – a fragmentation that occurs along the dividing lines of national and foreigner, domestic and immigrant. Even though higher productivity and economic growth targets remain elusive, yet of paramount importance, the state still retains the obligation to discriminate between domestic and foreign workers. The dynamic relationship between employment and unemployment, security and insecurity becomes an integral part of the art of neoliberal governance. Governmental precarisation aspires to create substandard working environments for immigrant workers with minimal rights and lower salaries in order to maintain a sense of security and certainty for domestic workers and ultimately manage the acceptable threshold of precarisation in society.

## Conclusion

37 The discourses of technological displacement and low-skilled immigrant labour construct a narrative in which competition, precarious employment and insecurity are normalised. This narrative is produced, disseminated and controlled by businesses and the government, and occasionally contested by trade unions and individual workers. Despite differences and conflicting interests, the government and corporations are able to defend and promote the values and ethos of neoliberalism, as manifested in the competitive labour market, by pointing out to the necessity of economic growth, ever-higher productivity, and the country's ability to compete in the global economy. This article demonstrates that the construction of this narrative is based on two developments. Firstly, those two discourses aim at the de-politicisation of the economy and of the labour market, in particular. Economic growth, productivity and competitiveness appear as objectives that need to be achieved regardless of political and ideological inclinations. To that effect, technological displacement and workers with minimal rights appear as a necessary trade-off. Secondly, the two discourses under consideration formulate a new collective subjectivity within the theoretical and empirical frameworks of neoliberalism. Individual workers are deprived of their collective defences, and their sole aim is to survive in the competitive labour market by re-training and accepting lower wages, flexible working hours and substandard working conditions.

38 In order to politicise the labour market, the article juxtaposes the discourses of technological displacement and labour mobility with union responses, and establishes a theoretical and empirical connection between precarisation and neoliberal governance. By situating *homo oeconomicus* as the defining subject of the competitive labour market, the article argues that technological automation and immigration are not inherently progressive, instead, their character depends on the political organisational framework

of the economy. Neoliberal governance asserts its dominance through the fragmentation and further categorisation of *homo œconomicus* according to nationality, ethnicity, levels of precarisation and state compensation. The contemporary labour market as an empirical manifestation of neoliberalism becomes an art of governance by simultaneously uniting and fragmenting its collective subject through the process of precarisation.

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## NOTES

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## ABSTRACTS

This article identifies the points of divergence and convergence between the discourses of technological displacement and low-skilled immigrant labour and argues for the understanding of a new model of neoliberal governance. New technologies, new managerial and organisational strategies, and new models of exploitation emerged in the aftermath of the 2008 financial crisis in the UK. What are the main features of this crisis? The article points to two different yet interconnected processes. First, due to demands for higher productivity and economic growth the advent of automation, robotics and AI is presented as an irreversible process capable of

producing a new corporate environment in which low labour costs and efficiency co-exist with massive job losses, waning of workers' collective defences and re-training programmes. Second, for all the increasing popularity of protectionist politics and of demands for tight immigration controls the need for low paid and low-skilled immigrant labour across several sectors of the UK economy remains unchanged. Demands for economic growth render the presence of low-skilled immigrants necessary as long as they are subjected to the minimum political, economic and social provisions such as wages, political participation and mobility. As a result, low-skilled immigrants must exist within a political and economic environment in which they are perceived as useful and at times essential accessories for sustaining economic growth and public services. The concepts of precarisation and precarity provide a useful insight into the underlying logic that connects and differentiates those two discourses. In particular, precarisation becomes at once the dominant mode of governing the population and the most effective means for capital accumulation. In contradistinction to old understandings of government that demanded political compliance in exchange for the promise of social protection, the neoliberal process of precarisation increases instability and provides the minimum of insurance. Precarisation is not limited to employment but more generally to the formulation of *homo œconomicus* as a collective neoliberal subject living in fear and uncertainty. Precarity, on the other hand, designates a sense of hierarchy amongst insecure workforce and the compensations they receive. The article concludes by arguing that the dividing lines between national and foreigner, domestic and immigrant, become integral notions of neoliberal governance for differentiating between precarious groups and maintaining order in contemporary capitalism.

Cet article identifie les points de divergence et de convergence entre les discours portant respectivement sur l'automatisation et sur la main d'œuvre immigrée peu qualifiée, pour défendre une compréhension nouvelle du modèle de gouvernance néolibéral. De nouvelles technologies, de nouvelles stratégies managériales et organisationnelles et de nouveaux modèles d'exploitation ont émergé à la suite de la crise financière de 2008 au Royaume-Uni. Quels sont les aspects principaux de cette crise ? L'article met en exergue deux processus, distincts mais reliés. Tout d'abord, en raison des exigences croissantes en termes de productivité et de croissance économique, l'avènement de l'automatisation, de la robotique et de l'intelligence artificielle est présenté comme un processus irréversible susceptible de produire un nouvel environnement professionnel, dans lequel la réduction du coût du travail et les gains en efficacité sont concomitants de suppressions massives d'emplois, d'un affaiblissement des protections collectives dont bénéficient les travailleurs et de programmes de requalification professionnelle. Deuxièmement, en dépit de la popularité croissante des politiques protectionnistes et des appels à un contrôle plus strict de l'immigration, les besoins de plusieurs secteurs de l'économie britannique en matière de main d'œuvre immigrée peu qualifiée demeurent inchangés. Les exigences en termes de croissance économique rendent la présence de ces immigrants peu qualifiés nécessaire, pour autant qu'ils bénéficient de droits politiques, économiques et sociaux minimaux – salaires, participation politique et mobilité. Il en résulte que les immigrants peu qualifiés doivent exister dans un environnement politique et économique dans lequel ils sont perçus comme des rouages utiles - parfois essentiels – de la croissance économique et des services publics. Les concepts de précarisation et de précarité fournissent un éclairage précieux sur la logique sous-jacente qui relie ces deux discours tout en les différenciant. La précarisation est devenue le mode dominant de gouvernement de la population et le moyen le plus efficace de permettre l'accumulation du capital. À rebours des conceptions anciennes du gouvernement, dans lesquelles l'obéissance politique était échangée contre la promesse d'une protection sociale, le processus néolibéral de précarisation accroît l'instabilité et ne fournit qu'un minimum de protection. La précarisation n'est pas limitée à l'emploi, mais s'inscrit dans la formulation plus large de l'*homo œconomicus* comme sujet collectif néolibéral vivant dans la peur et d'incertitude.

La précarité, quant à elle, désigne la hiérarchie établie au sein des travailleurs vivant dans l'insécurité, et les formes de compensation qu'ils en retirent. L'article conclut en affirmant que les lignes de partage entre le national et l'étranger, le natif et l'immigrant, font partie intégrante d'une gouvernance néolibérale qui opère des distinctions entre groupes précaires pour maintenir l'ordre au sein du capitalisme contemporain.

## INDEX

**Mots-clés:** automatisation, immigration, néolibéralisme, précarisation, homo œconomicus, gouvernance

**Keywords:** technological displacement, immigration, neoliberalism, precarisation, homo œconomicus, governance

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# The Zombie Economy and the Aesthetic of Austerity

Ruth Cain and Johnna Montgomerie

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## Introduction

- 1 A decade after the Global Financial Crisis (GFC) began, Anglo-American economies are still in the grips of protracted austerity. As many countries in the Global South have already experienced, the afterlife of neoliberal crisis is the prolonged period of 'structural adjustment' required by the entire economy to pay the costs of financial market boom and bust. The immediate demands of financial bailouts are to prevent cataclysm, quickly followed by calls for fiscal consolidation, and then protracted economic stagnation sets in, which leads to marked declines in living standards. What began in Mexico in the 1980s, and matured across multiple iterations of financial crisis, like chickens coming home to roost, austerity is the economic reality of the financialised heartland of Anglo-America and across much of Europe. Most political economy analysis focuses on debating the scale and scope of the different crises of neoliberal financialised capitalism (Lapavitsas 2009; Gamble 2014). Amidst the ongoing economic stagnation, new upheavals puncture austerity's unfolding with political polarizations. It seems neoliberalism faces a global crisis on a scale that may be hard to grasp using the well-worn analytical tools that mainstream economics and politics provide (Sassen 2014; Earle et al. 2017), not least because the mainstream methodologies were useless at analysing or understanding the eruption of political fissures that have manifested in the vote for Brexit in the UK and Donald Trump's election in the US. Indeed, the very connection between austerity and the rise of the far-right in Anglo-America is contested.
- 2 This article seeks another explanatory path for articulating the severity of austerity. We will focus on the theme of protracted crisis as 'undeath.' We connect the peculiar 'non-death' of neoliberalism (Crouch 2011) with forms of personal undeath, particularly through the decline experienced at the scale of the body. Whether mental or physical, the absolute decline of human health as a result of austerity is well

documented in academic literature (Stuckler and Basu 2013; Bambra 2016; Schrecker and Bambra 2015; Mattheys et al. 2017). The extent to which austerity perpetuates a type of unacknowledged harm compliments the cultural analyses of the depredations of late neoliberalism on increasingly unsupported individuals, expected to look after themselves economically, physically and mentally, amid dwindling resources and opportunities (Fisher 2014). However, in the main, the violence and harm perpetuated by austerity is insufficiently addressed in political and cultural economy analyses of contemporary capitalism.

- 3 Drawing together both political economy and cultural studies, we advance the explanatory power of the monster as metaphor. Yet, this brings its own problems of coherence and justification. Why take the zombie and not the vampire, for example, as the undead monster with the most explanatory potential? After all, the literary vampire is part of the gothic revival under neoliberalism (Wilson 2016). The vampire is an undead monster that embodies the image of an elite aristocrat with wealth and power capable of violence without fear of repercussions.<sup>1</sup> Marx identified capital as 'dead labour which, vampire-like, lives only by sucking living labour' (Marx 1976: 342). Marx's 19<sup>th</sup>-century solitary vampire conveys the emergent power of capital as an abstract form of domination by a remorseless monster that is not easy to identify or act against. Vampires are plausible monsters of our financialised age because of the historical association with the blood-sucking parasitic characteristics of high finance (Crosthwaite et al. 2014). Today, the vampire is the liminal figure of the psychopath, a hollow, yet driven man, who is calculating and operates in the dark shadows of society (Seltzer 1998; Taplin 2017). Vampires need not be people, but capital made person in the corporation itself, a psychopathic legal entity gobbling up human (and natural) resources in an endless drive for 'growth' (Bakan 2012; Boddy 2011). Indeed, the anonymity of the asset-stripping '1%' suggests vampires with coffins stuffed with offshore assets; capital kept out of living economic circulation. The story of the vampire elite (1%) sucking the value out of global assets to leave the rest of society anaemic because they can no longer share in the wealth created by global markets is plausible, but not the undead monster story being told in this article.
- 4 Instead, the undead monster metaphor of the zombie is used in this paper to communicate the specificity of the contemporary aesthetic of austerity. In other words, the zombie and vampire are not rivals competing for pole position as best cultural political-economy metaphor for the current epoch (McNally 2012). Rather, the vampire tells one story about the nature of elite rule under financialisation, and the zombie tells another story that highlights the grotesque embodied violence of austerity.
- 5 Here, we detail how finance-driven growth has become the zombie economy of austerity. In doing so, this article explores how the zombie as undead monster captures the multi-scalar manifestations of crisis under conditions of austerity in unique ways. Firstly, the zombie demonstrates how protracted crisis manifests as harm and violence to the *demos*, as it is manifest at the scale of the body. The vision of the undead monster with its open wounds, dishevelled clothing, decaying skin, lifeless eyes, dead brain, missing limbs, stumbling gait is collectivised into a marching horde that is disorganised but relentlessly moving forward as a cacophony of groans. It is the gruesome characteristics of the zombie that connect us to the inhumane outcomes of austerity: the numbers of humans that succumb to hunger and illness, the growing levels of squalor and homelessness, the gaps in social security that leave the sick without

treatment and the disabled without assistance, or the armies of workers living in poverty because wages cannot sustain life. Thus, the zombie is the embodiment of austerity because it connects the corporeal manifestations of crisis to the macro- and global economy as the source of harm to the body.

- 6 This paper uses the zombie as a political economic metaphor to open up another way of communicating across disciplines the monstrous harm inflicted in Anglo-American society in the name of austerity. The zombie problematises the boundary between life and death, which in a corporeal form is an absolute binary, but in political-economic terms is currently in flux. The zombie allows us to read through the political economy of crisis to better imagine the embodiment of harm caused by austerity: the zombie as undead, unthinking, reanimated corpse relentlessly searching for another life to devour, marching in hordes whose voracious appetite cannot be satiated. The cultural capital of the zombie allows us to articulate in a new way the aesthetic of austerity. It is precisely the in-between existence of the zombie, the *Dead Alive*<sup>2</sup>, that allows us to think through what is dead, and what still lives, in neoliberal financialisation, a decade after the onset of the GFC (Orpana 2016).
- 7 Bringing together the political economy understanding of austerity with the cultural studies readings of the zombie, we explore the afterlife of the GFC as it is embodied as a monstrous violence perpetuated on society. Austerity is not just a public policy platform that can be assessed in terms of policy successes and failures, costs and benefits. Austerity is a (necro-)political force transforming the role of the state in markets and society. The harm and violence inflicted by austerity is embodied in the zombie, the undead monster seeking to devour the *demos*. The first section explains how TINA ('There Is No Alternative') acts as zombie overlord, providing the battle plans for the march of austerity; yet, TINA remains ever vulnerable to alternative political-economic imaginaries that want neoliberalism to end. In the second section, the zombie is the mass violence of undeath; the visceral way austerity inflicts harm is understood in terms of the experiential and emotive. The mythical zombie monster evokes the tone and substance of the transformations induced by austerity, the harm caused by cuts to social security, and the everyday subtle violence of declining living standards. Finally, the paper concludes by making the connection between the aesthetic of austerity as the zombie and the rise of right-wing proto-fascism in Anglo-America.

## TINA – the Neoliberal Zombie Overlord

- 8 The continuity between neoliberalism and austerity is most obvious in the 'There Is No Alternative' (TINA) ethos, which is used for every manner of justification, but in this case is used to demand that austerity must follow a financial crisis. Austerity articulates the current phase of economic fatalism; with financial crisis comes bailouts for some, and austerity for the rest (Montgomerie 2016). The permeation of popular and academic culture with zombie metaphors is a product of a volatile and intensifying hyper-neoliberal economic climate (Randell-Moon et al. 2013: 55). According to various zombie mythologies, zombies may be summoned into existence by a zombie-master: a witch doctor or other person or entity with demonic power. Thus, zombies evoke the 'necropolitics' of increasingly authoritarian Western states which deal out routine violence both to citizens of foreign countries in acts of war, and to their own domestic

- ‘underclass’ (Mbembe 2003). Necromancy, or the magical control over the dead, offers a different way of understanding the sociology of power under conditions of austerity.
- 9 Capital has long been theorised as a fundamentally ‘undead’ force, as the worker is alienated from the products of his labour and increasingly from an over-commodified culture itself: the most Gothic description of capital is also the most accurate. Capital is an abstract parasite, an insatiable vampire and zombie-maker; but the living flesh it converts into dead labour is ours, and the zombies it makes are us (Fisher 2009: 15). Literary historian E.J. Clery (1995) writes of the haunted Gothic fiction of late 18<sup>th</sup>-century England, a troubled land where industrialisation was restructuring the nature of work at a ferocious pace, consuming human flesh to solidify its advance. Reminiscent of the accelerated neoliberal techno-capitalism of the early 21<sup>st</sup> century, in these horrific industrial tales “the living dead join a host of other spectral figures — vampires and other monsters [...] who have been vectors of an affective engagement with the visceral implications of the factory, the plantation, the market, the mine” (Clery 1995: 9). Zombies are the stuff of ‘estranged recognition’ (Clery 1995: 114).
  - 10 The zombie offers a deeply troubling recognition of the “invisible predations that seem to congeal beneath the banal surfaces of new forms of wealth” (Comaroff and Comaroff 2002: 795). Zombies tell us of the colonial legacy of capitalism as they roamed the plantations as slaves summoned into being by acquisitive witchcraft.<sup>3</sup> In contemporary times, zombies populate the blasted landscapes of dystopian literature, film and television (Romero 1978). Their living death is the death of state-backed systems of social reproduction, and of the individual forced to emulate an empty entrepreneurial ethic of constant expansion and consumption. “In their iconography of forced migration and wandering exile [...] the living dead comment on the disruption of an economy in which productive energies were once visibly invested in the reproduction of a situated order of domestic and communal relations” (Comaroff and Comaroff 2002: 796). On a broader metaphorical level, the zombie is our future in a post-apocalyptic nightmare where global warming and/or accelerating political instability have created a world fit only for the already-dead.
  - 11 From a cultural perspective, zombies represent the abject aspect of a broader and previously utopian cultural move to ‘post-humanity’ (Lauro and Embry 2008); they are what is left when humanity has completely or almost wiped itself out. They embody the blind neoliberal drive to keep consuming, to reproduce and grow exponentially regardless of environmental, social and personal destruction. Thus, we often see the cinematic or televisual zombie staggering on as bits of its body fall off or are amputated, until perhaps a still-crawling torso or disembodied head continues to grope for, or gnash at, its prey. Since the zombie consumes all living matter in its path, and creates only endless copies of itself, it can only usher in a post-apocalyptic state. Necromancy also predicts the inevitable future caused by raising the dead. Thus, an effective metaphor “not only for how capitalism transforms its subjects but also for its relentless and devastating virologic march across the globe” (Canavan 2010: 432) has only one reasonable outcome — extinction. The zombie thus represents the endless inhuman ‘drive’ of capitalism, which has a sinister resonance with the malfunctioning machinery of financial capitalism itself (Dean 2013).
  - 12 For the zombie to emerge in times of crises suggests the fear generated by shifts in the unfolding of capitalism. Thus, the zombie articulates the alienation felt by those whose increase in labour is accompanied by a decrease in control and autonomy over their

own lives (Randell-Moon et al. 2013: 59). This same theme of undeath is echoed by the post-GFC analysis of Ben Fine that notes neoliberal financial capitalism “is alive but it is not well because it is also dead” (Fine 2008: 2), his description of the creation of ‘zombieconomics’ is worth quoting at length:

There are two reasons why the mainstream economics in the current phase of neo-liberalism is zombie-like. First, it is both dead and alive at the same time, undead as popular culture would have it. That it prevails within its own disciplinary boundaries with little or no contest and with scant respect for alternatives is more or less uncontroversial [...]. [Zombie economists] are totally insensitive to the considerations of the living but merely respond to an inner inescapable logic and, occasionally, perpetrate mysterious jerking movements of their own. (Fine 2008: 1)

- 13 In the immediate moment of crisis, speaking in 2008, Fine evokes the unthinking and unfeeling monster that the discipline of Economics has unleashed on humanity. In this account, the zombie is not so much brainless as without mercy or reflexivity. Fine is not alone; the GFC immediately provoked many metaphors of living death. “When our computers are compromised by hackers or viruses, they become zombie computers, and when our financial institutions fail, it is because they are zombie banks” (Canavan 2010: 432). Indeed, it was the Japanese financial crisis in the 1990s that gave rise to the popular term ‘zombie banks’ as a way of explaining how financial institutions can operate when ‘functionally insolvent’ (or, with more liabilities than assets or cash) because state-funded bailouts and central bank administered Quantitative Easing (QE) reanimates a failed bank, without making it solvent again. Following the GFC, multiple scholarly analyses described a global ‘zombie economy’, and gothic and zombie metaphors for the post-GFC world began to proliferate in left-wing political, economic and cultural analyses (Peck 2010; Fisher 2013; Giroux 2010; Wilson 2016; McNally 2012; Kuhling 2017).
- 14 Indeed, Colin Crouch’s (2011) analysis of the ‘strange non-death of neoliberalism’ juxtaposes the comparatively rapid historical death of liberal England in the early 19<sup>th</sup> century — as argued by Dangerfield (2017) — with the contemporary resilience of neoliberalism to emerge from financial collapse “more politically powerful than ever” (Crouch 2011: x). In the same time period, descriptions and confessions of personal feelings of ‘living death’ (by which we mean to indicate depression and other uncategorisable forms of mental suffering and mental health decline) among relatively affluent inhabitants of Anglo-America have increased across all age-categories (Knapp 2012). Austerity is materially affecting people’s brains, as the mental and emotional strain of protracted economic stagnation and political polarisation creates states of depression in both people and the political economy. It is ‘The zombie named TINA’ (Casey 2011) acting as the personification of Thatcher’s famous dictate that ‘there is no alternative’ that forecloses any way out of depression, stagnation and economic fatalism. It was TINA that brought the death of post-war Keynesianism; this threat now looms large in the everyday life of austerity. For Casey, TINA is a zombie overlord, the principle of economic undeath personified; for us, TINA the zombie overlord captures the aesthetic of austerity in a very meaningful way because it connects the death of economic ideas with the living death of the economy itself.
- 15 Zombie as the living death of economic ideas is articulated in John Quiggin’s *Zombie Economics* (2012) which details how long-dead economic ideas about the existence of ‘efficient markets’ or ‘dynamic stochastic’ models of general equilibrium (DSGE) continue to be used within academic economics, economic policy and governance,

despite the widely-acknowledged reality that economic ideas (concepts, models and theories) do not work well as tools for analysing empirical reality. In the GFC and the calls for (yet more) bailouts of the financial sector, we can see the same dead economic ideas “clawing their way up through the soft earth” (Quiggin 2012: 8) to once more dominate policy-making. The zombie epitomises a relentless desire implicit in the systems and logic of neoliberal financial capitalism, to *remain undead* rather than accept the finality of ‘real’ death.

- 16 Thus, the aesthetic of austerity is expressed in the agenda of economics enacted by political elites seeking to sustain the system that continues to benefit them. TINA acts as zombie overlord in which the neoliberal political economy ‘wins’ by doing wrong and causing harm, by being ‘too big to fail.’ As Jamie Peck (2010) articulates, neoliberal capitalism has “become mired in the unending challenge of managing its own contradictions, together with the social and economic fallout from previous deregulations and harmful interventions. It fails, but it tends to fail forwards” (Peck, 2018: 106). The pattern of sustained economic crisis does not discredit neoliberalism; on the contrary, crisis emboldens neoliberalism to advance with ever more deregulation and wrong-headed economic and political interventions. The zombie is ‘Dead but dominant’:

[T]he brain has apparently long since ceased functioning, but the limbs are still moving, and many of the defensive reflexes seem to be working too. The living dead of the free-market revolution continue to walk the earth, though with each resurrection their decidedly uncoordinated gait becomes even more erratic. (Peck 2010: 109)

- 17 Thus, dead ideas continue to rule the global economy as austerity in the Anglosphere demonstrates. Fact and truth do not diminish the intellectual credibility of austerity as an economic agenda because of the political force that sustains it.

## Austerity and the Violence of Undeath

- 18 In zombies we recognise human form without the vulnerability of the corporeal or agency bestowed by life. The zombie is thus a resonant ‘crisis metaphor’ for the increasingly dystopian aesthetic of austerity. What is rendered dead by austerity is the political credibility of the post-war welfare state; what we see today is a reanimated monster no longer able to provide collective provision of social security. What stays alive in the zombie economy is the boom-and-bust cycle, debt-led economic growth, and globalised financialization. As such, the zombie can also help us to understand how crisis at the scale of the body in terms of death and death-like states connects to the macroeconomy and global economy. Austerity produces forms of undeath; a violence or harm that is not absolute or obvious, contingent and subtle at the individual level, but obviously visible on the aggregate.
- 19 The power of austerity is first meted out by way of the economic ideas that justify it, the political project that sustains austerity and the harm austerity perpetuates on people’s lives, which is embodied in the gruesomeness in the unthinking, remorseless zombie seeking to feast on anything in its path. Thus, the necromancing power of neoliberalism becomes evident in the persistence of discredited neoliberal ideas of Friedrich A. Hayek, Milton Friedman and Ayn Rand as they are wielded by the political elite. This resembles necromancy inasmuch as dead economists and political

philosophers are reanimated and deployed to destroy alternative futures. It does not matter that the economic and political ideas of the first generation of neoliberals have spectacularly backfired, indeed imploded; they cannot die as long as political choice continues to reanimate them. Necromancy explains what problematising the practices of scientific knowledge cannot, namely the almost mythical power of political elites to use dead ideas. If something is disproven, inasmuch as it does not exist in evidence, it is not real and, therefore, should not be used to inform political economic analysis or public policy. This is exemplified by the Reinhart and Rogoff (2011) controversy, in which rigorous economic analysis of the connection between cutting government debt and increasing economic growth was proved to be methodologically and statistically dubious (Coy 2013), yet persists as the dominant policy paradigm in Anglo-America and Europe. For academics, especially those committed to both enlightenment principles and the scientific method, the continued existence of the discredited idea of austerity is 'dangerous' (Blyth 2013) because it contradicts dominant belief systems around what political economy is and how it is used. For instance, austerity continues to live on in political, economic and public policy circles despite overwhelming evidence that it will not foster a 'recovery' from crisis and perpetuates harm to people who did not cause the crisis in the first place.

- 20 Taking zombie form problematises the boundary between life and death itself, which in a corporeal form is (supposedly) an absolute binary, but in political and economic terms is fluid, and is in particularly obvious flux in these 'end times' of neoliberalism (Peck 2013). The zombie metaphor provides a means of reflecting on the political tumult and personal harm caused by present-day austerity as it connects what is normally threatened as three separate spheres of the economy, politics, and the body.
- 21 Economic and political living death manifests in the body as the many forms of physical and mental illness, decline and necrosis that accompany rising inequality and savage cuts to social security in the name of austerity (Schrecker and Bamba 2015). The sense of hopelessness arising from the apparent final triumph of neoliberalism over its alternatives links individual mental depression to global economic depression. Thus, rising unemployment and underemployment, combined with welfare conditionality, acts to limit the opportunities for meaningful collective community and sustaining of life.
- 22 Understanding austerity as the latest articulation of neoliberalism makes room for understanding how political and economic aesthetics change, sometimes very rapidly. Both economic and non-economic analyses of austerity apply a reductionism that endows zombie economics with life but with little content, both in terms of analytical elements and understanding of the necessities of human life. Zombie economics is dead in that it is based upon an unquestioned methodological individualism and technical apparatus of the narrowest type; it is ignorant of its own history, of its methodology and of alternatives (Cooper 2012).
- 23 Exploring the monstrous characteristics of austerity in the Anglosphere seeks to examine the inner workings of living death at the scale of the body and macroeconomy. Living death can be seen in mental ill-health. It should be noted, however, that large-scale studies of the effects of relative deprivation and inequality (Wilkinson and Pickett 2010) demonstrate that mental and physical suffering, as well as other pathologies such as addiction and decreasing trust in others, are *connected* responses to late-neoliberal social and economic policies. Encroaching death or restricted life is another, and thus

we look to the explanatory potential of the undeath metaphor to understand the contemporary political-economic and physical/mental pathologies of Anglo-America.

- 24 In the period immediately following the financial crisis, individual bankers were temporarily portrayed as pathological ‘gamblers’, and the ‘boom-and-bust’ capitalist system as a mass-manifestation of pathological mania (Dean 2013). From the bipolar symptomatology of market ‘boom-and-bust’, to the manias and panics of market crashes, to Great Depression, economic malaise or financial melancholia, the psychological dynamics of economics tend to only be articulated as explanations for the onset of the crisis, not the lived reality of austerity (Davies et al. 2015). Notably, market movements and their makers were pathologised by most commentators only *after* the GFC; when the market continued to boom, it was simply behaving gratifyingly, rewarding appropriate investment.
- 25 At the same time, the ‘zombie bankers’ who marched and danced during the Occupy London and Wall Street protests (Nyong’o 2012: figs 1-3) expressed the appetite of austerity with signs ordering onlookers to ‘feed me your hospitals, feed me your schools.’ Like the zombie, the banker often preys in herd formation. The sub-prime borrower, conjured as a person of colour who wanted to buy a home he/she could not afford, is an image that lasts in the collective memory far longer than the gambling ‘banksters’ (Giroux 2012). Thus, the harm experienced by sub-prime borrowers, credit-defaulters and everyday debtors in Anglo-America was deserved because they ‘lived beyond their means’ for far too long (Montgomerie 2010; Walker 2012). The power of guilt and collective moral responsibility for austerity was critically underrated by post-crash commentators who believed that the GFC would be followed by a complete reformation of neoliberal financial and political structures (Konings 2016). Instead, as Stanley (2014) also notes, collective values of thrift, personal responsibility and resilience were emphasised, and quickly gained traction in Anglo-America.

## The Monstrous Embodiment of Austerity

- 26 Traditional political-economy understandings of crisis are usefully refracted through the lens of affect when we use the zombie metaphor to examine the connection between psycho-social and socio-economic harm and the everyday life of austerity. The ‘living dead’ subject appears in more complex guises than ever, at a time of widespread and documented depression and other mental health issues (Knapp 2012; Pokonorwski 2016). Living death thus becomes an existence and culture without affect or future, a non-life endured particularly by the young, for whom previously-normal economic aspirations such as a family home have become remote. Mark Fisher sums up the eerie disappearance of a better or different future in the coherent epoch: “this place is nowhere, and it’s forever” (2014: 2). Austerity brings a new theoretical focus on depression and states of living death in the lives of the harassed citizens of late neoliberalism (Cain 2018). In its dissociation, numbness, persistence and lack of feeling, the zombie very effectively encodes the complexities and contours of a very contemporary epidemic of economic and affective living-deadness (Fisher 2009). Mental illness, particularly depression and anxiety, is increasingly prevalent and articulates a specific aesthetic of contemporary Anglo-American variant of austerity. Here, the falsehood of ‘free choice’ demotivates and depoliticises, forcing individuals

endlessly back upon diminishing resources of energy and capital. Thus, depression, anxiety and narcissism are manifest in the ethos of austerity.

- 27 Scholars are increasingly making thematic and material connections between the social and economic causes of the measurable decline in physical and mental health in post-austerity states such as the UK. Connecting austerity, health-service cutbacks and the resulting biological disenfranchisement, Matthew Sparke claims that “in relation to austerity across Europe after the 2008 financial crisis [...], the embodied experience of austerity repeatedly leads from market discipline to widespread morbidity and mortality” (2017: 288). The relentless march of spiralling inequality, withdrawal of basic state support, unemployment and precarious work is making people physically and mentally sick. Sparke elaborates: “efforts to restore business confidence and promote pro-market growth by cutting the costs of public services tend also to make poorer populations vulnerable to disease, disability and premature death” (Sparke 2017: 289). Adapting the acronym for structural adjustment programs (SAPs), this involves what Steve Gloyd (2004: 289) calls “SAPping the poor”, a process through which already-overburdened health systems for poor populations are sapped of all resources. The zombie is an avatar of the horrors of austerity capitalism, where *homo economicus* is transformed from a rational-acting profit-maximiser who collectively benefits through the market mechanism, to a monster immune to the pain and suffering of others, relentlessly searching for fresh brains to devour.
- 28 Zombies, in their expendable de-individuated horde of groans (Shaviro 2002), are most feared because they destroy the future, the promise of life not yet lived. Here the aesthetic connection between austerity and the precarious millennial generation is most chilling. Today’s young people might be figured as the ultimate contemporary victim/avatar of undeath, depleted youth without vitality because they are denied the promise of a better future. These disappointed youth are trapped by student debt or trapped by the empty ‘depressive hedonia’ of consumer capitalism, which is all there is to offer the heavily-leveraged young (Fisher 2009: 21-22). As David McNally (2012) suggests, the undead represent the agents as well as the victims of rapacious capitalism. Zombies represent the despair of living death in a physically- and emotionally-deadening era. Resistance is more likely to be a process of convalescence than a dramatic act of refusal (Cain 2018). Giving up is reasonable when faced with a system too complex to understand, capitulation or abdication of political responsibility is appealing to those seeking to protect themselves from the violence of austerity. As TINA pushes on, more debt feeds the indebted to make them ripe for securitisation, just as depleted debtors are easy prey for zombie banks.
- 29 Yet, there are always alternatives to the economics of living death; we are simply discouraged from contemplating them, until such a time that austerity is accepted as eternal and deserved. No solutions are being offered to the living-deadness of social and economic life other than to simply pull up one’s socks, take responsibility and get on with it. As the zombie devours the human body, making a copy of itself, it destroys identity and the collective future of humanity. Instead, the zombie creates a proliferative living death as the horde invades everything around it.

## Conclusion: Fight the Dead, Fear the Living

- 30 This article sought to bring together the cultural political-economy reading of austerity with the cultural-studies readings of the zombie, to explore the afterlife of the GFC as it is embodied as the undead monster perpetuating violence on society. We conclude by considering how the zombie economy as the aesthetic of austerity creates new ways of understanding the emergence of far-right, potentially proto-fascist, politics festering within Anglo-America.
- 31 The term ‘fight the dead, fear the living’ refers to Robert Kirkman’s (2010) *The Walking Dead* graphic novel series, in which the reader encounters the tensions and ambiguities of living in a post-apocalyptic world destroyed by zombies. We use it here to evoke the tensions of political resistance that must simultaneously fight the undead economic ideas of neoliberalism that continue to dominate the political agenda despite the obvious social and economic decay it fosters, and fight the ideas of far-right populism that continue to gain traction. As the necromancy of neoliberalism’s non-death enslaves the future by foreclosing alternatives, as austerity inflicts harm on ever-growing segments of the population, a violence is building up in the Anglosphere. At times the anger is directed at elites, the 1%; at other times, anger and rage are focused on the identities and bodies of women, migrants, Muslims or just dark-skinned people. At the same time, austerity imposes cuts on social security and services to the elderly, the sick, the disabled, children and anyone on a low income. The zombie metaphor allows us to consider how the aesthetic of austerity shapes and influences the rise of far-right politics and proto-fascism in Anglo-America.
- 32 The zombie metaphor forces us to consider the degree to which the aesthetic of austerity is embodied as various states of decline and necrosis, which is manifest as the deep structural crisis indicative of the terminal decline of financialised capitalism. Neoliberalism is in a state of permeant crisis; this political economic condition is best described by Antonio Gramsci as the ‘interregnum’: “The crisis consists precisely in the fact that the old are dying and the new cannot be born; in this interregnum a great variety of morbid symptoms appear” (Gramsci 1971: 77). It is these ‘morbid symptoms’ that are manifest in the zombie economy, as austerity produces different bodily states of decline and necrosis. The toxicity of economic and embodied/subjective living death should be seen not only as a property of the victims and sufferers of austerity; the elites contribute — as the zombie overlords — to the values and aesthetic of austerity by continuing to profit from relentless consumption, debt culture and the degradation of living conditions rampant across Anglo-America. The undead zombie horde is relentlessly marching ever forward, with no capacity to improve their condition. We see the rage of this condition expressed in the case of the Brexit ‘majority’ who want to ‘take back control’ or the Trump-voting ‘masses’ that want to ‘make America great again’, each expressing an ethos of re-animating a long-dead past.
- 33 The connection between austerity and far-right populism is articulated as the harm perpetuated on the marginalised communities ‘left behind’ by the zombie economy. The angry white working-class communities, whether in the American Rust Belt or post-industrial Northern Britain, exist as states of political economic undeath. They exist without economic vitality, sustained by state-funded life-support, without a future. Goodwin and Heath (2016) and Inglehart and Norris (2016) identify Brexit and Trump voters with the ‘left behind’ or ‘have-nots’ of globalisation, resentful of their

loss of opportunity and privilege. These forgotten places and the people that inhabit them have no capacity to change their condition, these communities direct and mobilise their anger at ‘immigrants’ or ‘foreigners’ or the immoral Welfare Queens and Skivers (Hall et al. 2017). “Older, working-class, white voters, citizens with few qualifications, who live on low incomes and lack the skills that are required to adapt and prosper amid the modern, post-industrial economy” (Goodwin and Heath 2016: 404). The strangely numb acceptance of austerity and inequality among these ‘left-behind’ populations of voters, who include many people who are themselves relying on social security, is indicative of the power of TINA to annihilate alternatives (Forkert 2014).

- 34 Another connection with the zombie economy aesthetic of austerity is the relative states of undeath represented in the ageing population supporting the far-right in both the Republican Party and the Brexit campaign. The theme of near-death is expressed in the decrepitude and myopia of the over-60 voters who delivered both Trump and Brexit narrow victories (Hitchings-Hales 2016). Mapping the various states of bodily decline with the political-economic necrosis of the US and the UK reveals the very specific populations that swung support behind the far-right (Monnat and Brown 2017; Bor 2017). In the UK, health geographers have recently warned that ‘life expectancy in England and Wales [since 1945] has now slowed markedly, and at older ages may even be reversing’ (Hiam et al 2018). Post-industrial areas of Britain, especially the North East of the UK and South Wales, have seen the parallel outcomes of restricted lifespan because of austerity and voting Brexit, particularly among white voters (Dorling 2016). Suicide rates and acts of intentional death are also on the rise in these left-behind communities; in the UK, these rates are especially elevated for middle-aged men (ONS 2017a). Among young people who have a weaker generational attachment to ideas of nationalism and racial identity, as Fisher notes (2014), the awareness of ‘no future’ appears to lead to the ‘depressive hedonic’ state of apathy brought on by continual attempts to relieve anxiety. Addiction, suicide and earlier death among younger people is also rising in the areas where overall health outcomes and age of death are in the most precipitous decline (ONS 2017b, 2017c).
- 35 When we consider the ways in which the harm and violence inflicted by austerity is expressed as bodily decay and undeath, and how the violence of undeath connects in a visceral, experiential and emotive way to how austerity inflicts harm, the connection between austerity and far-right populism and proto-fascism is that they share an aesthetic (Rawnsley 2018). The mythical zombie monster evokes the tone and substance of the transformations induced by austerity, the harm caused by cuts to social security and globalisation, and the subtle but persistent violence of declining living standards amplified through the anger and distrust of voters supporting the far-right, seeking to resist the undeath of financialised capitalism by fighting the living people they consider the enemy of national capitalist interests.

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## NOTES

1. The short novel by John William Polidori (1819), *The Vampyre: A tale*, was inspired by the poet Lord Byron to whom Polidori acted as personal physician; in turn, Polidori's book influenced Bram Stoker's novel *Dracula* (1897).
2. *Dead Alive* is the US title of the cult zombie horror comedy *Braindead* (1992) directed by Peter Jackson.
3. Jean and John Comaroff (2002) describe the zombie as a personification of labourers' fears of abduction into slavery and reduction to 'ghost labor' in late 19<sup>th</sup> and early 20<sup>th</sup> century South Africa. Such motifs, they argue, were coincident with new structures of colonial labour and social organisation.

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## ABSTRACTS

This article explores the present-day zombie economy as the embodiment of the aesthetic of austerity in Anglo-America. It uses the zombie monster metaphor to capture the multi-scalar manifestations of crisis under conditions of enduring austerity in unique ways. The theme of undeath, or living death, connects ‘dead’ economic ideas that are reanimated through the zombie economy to the logic of ‘there is no alternative’ (TINA). Moreover, the zombie monster permits a visceral connection between the harm inflicted on people’s physical and mental health and the underlying set of values perpetuated by austerity. It is the crisis at the scale of the body that manifests as the zombie macroeconomy of austerity. The contribution of this paper is that it articulates the aesthetic of austerity as the troubled boundary between what is alive and what is dead, which in a corporeal form is an absolute binary, but in political-economic terms is currently in flux.

Cet article s’attache à étudier l’économie zombie contemporaine, en tant qu’incarnation de l’esthétique de l’austérité dans le monde anglo-américain. Il recourt à la métaphore du monstre zombie pour saisir de manière originale les manifestations multi-scalaires de la crise dans un contexte d’austérité continue. Le thème du mort-vivant relie les idées économiques « mortes » qui sont réanimées par l’économie zombie à la logique de l’absence d’alternative (« There Is No Alternative », ou TINA). Par ailleurs, le monstre zombie permet de connecter, de manière viscérale, les atteintes portées à la santé physique et mentale des personnes, et les valeurs sous-jacentes perpétuées par l’austérité. C’est la crise à l’échelle du corps qui se manifeste sous la forme de la macro-économie zombie de l’austérité. Cet article propose de penser l’esthétique de l’austérité comme la frontière problématique entre ce qui est vivant et ce qui est mort — une distinction binaire en termes corporels mais fluctuante en termes politiques et économiques.

## INDEX

**Keywords:** zombie economy, austerity, aesthetic, neoliberalism, health, mental illness

**Mots-clés:** économie zombie, austérité, esthétique, néolibéralisme, santé, maladie mentale

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# The Neoliberalization of Public Spaces and the Infringement of Civil Liberties

The Case of the Safer Cities Initiative in Los Angeles

Marine Dassé

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- 1 “We have the largest number of millionaires, the largest number of mansions, but also the most acute poverty in the country” (L’Obs 2014). With this statement, Gary Blasi, a Law Professor at UCLA, highlights urban segregation as a particularly striking contradiction that lies at the heart of the city of Los Angeles. Wealthy neighborhoods, such as Beverly Hills, are famed for their luxurious villas and expensive hotels, yet they stand only a few miles away from one of the poorest and most dangerous areas of the nation: Skid Row, which concentrates the highest number of homeless people in the country in a very confined area of the city. For homeless people, enjoying daily access to public space to perform life-sustaining activities is a necessary condition for their survival. However, several anti-homeless laws have been passed in Los Angeles in recent decades. In 2006, the municipality implemented a program called the Safer Cities Initiative (SCI) to secure the streets. Its primary goal was to eradicate misdemeanors such as sleeping or urinating in public.
- 2 The publicness of an urban space — the state of a place being public — is open to interpretation. Indeed, the concept of public space is both a spatial and temporal construct, dependent on what one studies. In several papers, cultural geographer Don Mitchell has shown how rights over public spaces are not universal, they have been acquired through social struggle (Mitchell 2003). Public spaces are shaped by complex norms, and their emergence or decline is in constant evolution depending on their spatial and temporal setting. In other words, if some people can walk in some areas and not others, it is not a natural occurrence, but rather a result from specific, normative policies.
- 3 In this paper, the term “public space” will be understood as an urban, public area that can be accessed by anybody regardless of their social class, race, age or gender.

However, these components affect the way individuals use public spaces. Class, race, gender and age play a tremendous role in the frequency and motives for using a public space. For instance, research has shown that young girls are discouraged from exploring their environment from a very early age (Franck and Paxson 1989: 127). If the presence of homeless people in public spaces is of tremendous importance, it is because being visible to the non-homeless population prompts the following questions: to whom should public spaces belong? What actions should be allowed in public spaces? Most importantly, is it legitimate for cities and courts to make decisions regarding the use of public spaces?

- 4 Local authorities have argued that safety was the primary concern for initiating the Safer Cities Initiative. However, one may question the underlying reasons behind a policy excluding homeless people from an area they have massively occupied for decades. To what extent does a program such as the Safer Cities Initiative represent new incentives to put neoliberal policies into practice in public spaces and underpin the development of neoliberal ideals? This desire to “clean up the street” results from an evolution that started in the 1980s (Brenner and Theodore 2002; Jamie Peck 2002). In recent years, anti-homeless laws have multiplied. Several questions arise from recent anti-homeless initiatives such as SCI. How can neoliberalism, as a political and economic concept, be applied to public spaces? To what extent have they become “neoliberalized”? Perhaps most importantly, to what extent does it normalize the criminalization of poverty?
- 5 Although the SCI has been largely covered in the local press, especially in the *Los Angeles Times*, it has rarely been linked with public spaces or neoliberalism. For instance, the book *Down, Out and Under Arrest: Policing and Everyday Life in Skid Row* by sociologist Forrest Stuart deals with Skid Row, but rarely mentions the term “public space” and practically never analyzes its link with neoliberal policies (May and Cloke 2014: 896). Similarly, in an article entitled “Spillover of the Private City: BIDs as a Pivot of Social Control in Downtown Los Angeles”, German geographers Nadine Marquardt and Henning Füller offer a fascinating analysis of the close relations between public-private partnerships and the municipality in their attempts to control the homeless population (Marquardt and Füller 2012), but they do not explore how this type of social control originated in neoliberal principles. This article seeks to fill this gap, providing new insights in the SCI’s social consequences. More particularly, it aims at shedding light on the relationship between securing the street and the criminalization of poverty, as well as demonstrating the intrinsic link with neoliberal doctrine (Peck and Tickell 2002: 391).
- 6 This paper shall proceed in three parts: I will firstly provide a theoretical framework to explain the extent to which securing the street can be connected to neoliberal urbanism. I will then analyze the Safer Cities Initiative in terms of socio-spatial exclusion. Finally, I will explore its impacts on civil liberties and human rights.
- 7 This empirically-informed paper rests on the use of several methods, primarily observant participation. From September 2013 to June 2014, I conducted ground-level research on privatization and neoliberalization in Los Angeles, focusing mainly on newspaper archives, specialized websites, and interviews. While based in California, I went to Skid Row once a month for 10 months with a group of volunteers to distribute hygiene kits and to best understand and report on the residents’ daily lives and struggles. In addition, I conducted a series of interviews with local urban actors who

were involved with the Skid Row residents at the time when the program was being implemented — among whom local activist General Jeff, also known as the “unelected mayor of Skid Row”. A sample of those interviewed include Police Officer Giddens from the Los Angeles Police Department (LAPD). The interviews, ranging from 20 to 120 minutes in length, were conducted in person and the interviewees were asked several open-ended questions. Their responses were all transcribed and analyzed. On top of reports, press releases and other academic sources, the year-long evaluation of the Safer City Initiative undertaken by Gary Blasi proved particularly useful, as his research team recalculated and refuted all of LAPD’s statistics on the supposed crime reduction brought about by SCI.

## Theoretical Framework: Homelessness in Neoliberal Cities

- 8 Neoliberalism usually refers to an economic concept advocating the promotion of free markets and the reduction of state intervention. Geographer David Harvey defines it as
- a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets and free trade (Harvey 2005)

### Neoliberalism: A versatile Term with Numerous Ramifications

- 9 Geographers Jamie Peck and Adam Tickell divide neoliberalism in three main phases. The “proto neoliberalism” of the postwar period was succeeded by the “roll-back” phase of the 1980s, a “destructive moment,” when the social rights and protections established after the Second World War were dissolved. However, since the 1990s,
- the agenda has gradually moved from one preoccupied with the active destruction and discreditation of Keynesian-welfarist and social collectivist institutions (broadly defined) to one focused on the purposeful construction and consolidation of neoliberalized state forms, modes of governance, and regulatory relations (Peck, Tickell 2002: 384)
- 10 This marked the beginning of the “roll-out” period in the 1990s, which can be considered as an “evolutionary reconstitution of the neoliberal project in response to its own immanent contradictions and crisis tendencies neoliberal strategies”. As a result, city space became “a purified arena for capitalist growth, commodification, and market discipline [and] remained the dominant political project for municipal governments throughout the world economy” (Brenner and Theodore 2002).
- 11 It should be noted that substantial theoretical differences exist. Marxist thinker David Harvey considers neoliberalism as an ideological, hegemonic project aimed at transferring wealth and power from the poor to the rich. Since the Great Depression, the American economy has been reorganized through massive suburbanization while new markets as well as major innovations in transport and communication technologies have emerged. These were necessary conditions for capitalist expansion to occur. According to him, capitalism constantly seeks out new spaces so that it can keep growing. These “spatial fixes” reflect the “intrinsic need of capital to spread out over space in order to overcome its inherent crises of overaccumulation” (Charney).

Peck and Tickell also draw on Michel Foucault's work and consider neoliberalism as a process and a form of governmentality.

- 12 In the light of these considerations, neoliberalism can be envisioned quite differently depending on the aspects highlighted by different approaches. Although this would go beyond the scope of this paper, the case study presented here reveals how these analyses proved useful to understand the predominance of neoliberal ideology. On the one hand, Harvey's work helps understand intricate power relations in the city. On the other, Peck and Tickell help unfold the dynamics leading to the establishment of neoliberalism as a dominant doctrine. This account of history is necessary when studying the shaping of specific urban decisions that bolstered neoliberal policies. Indeed, these authors help understand to what extent the municipality, as well as other public entities such as the Police and judicial courts, are involved in instantiating local policies that reinforce neoliberal ideology. Neoliberalism is not just a matter of political and economic theory. It has concrete, urban implications with dramatic consequences on the most destitute individuals living in the city.

### Budget Cuts and their Consequences

- 13 In that regard, Peck and Tickell's theory is also useful to understand how the "spacialization" of poverty in Skid Row resulted from Reagan's "roll back" neoliberalism, how it helped prepare Los Angeles to more easily introduce the "roll out" phase, and ultimately SCI.
- 14 In the 1980s, the reorganization of welfare spending (deinstitutionalization) coupled with economic restructuring (deindustrialization) paved the way for homelessness (Wolch et al. 1988). Principles of deregulation and privatization were applied to many sectors. The Reagan administration cut public spending while encouraging free enterprise, stimulating competition and innovation. The idea of individual accountability led to drastic cuts in welfare state budgets. Under the Reagan presidency, many federal programs were transferred to state and local governments, while the non-profit sector was gradually called upon to replace federal government intervention, privatizing social aid (Wolch et al. 1988).
- 15 Some examples include the Housing and Urban Development budget. Under Reagan, \$18.2 billion was allocated to assisted housing, compared to \$30.9 billion under the Carter administration: between 1980 and 1988, the HUD budget was cut down by more than 50%. In 1981, the Reagan administration also passed the Omnibus Budget Reconciliation Act, which notably provided an increase in rent for housing tenants. Cardiss Colin, chairwoman of the House Government Operations Subcommittee on Manpower and Housing, warned that it would put more homeless people on the street (Biles 2011: 251-6).
- 16 Between 1982 and 1985, the administration cut the annual amount of federal funding for the poor by \$57 billion. Between 1980 and 1988, the proportion of federal housing budget allocated for building new public housing units fell from 80% to 4 % (Stuart 2016: 58-59). This shift toward greater wealth for some and declining aid for others corresponds to what Harvey has called "the restoration of economic power of high social classes" (Harvey 2005: 26).
- 17 In the same vein, the government decided to lower federal aid to cities, meaning that they had to find other sources of investment. Local governments were, and are now,

not only “expected to ally with business to improve their plight, they are also increasingly expected to behave as businesses as well.” The consequences of the Reagan administration’s “trickle-down economics” on the urban fabric were immense, and it comes as no surprise that homelessness intensified in the 1980s (Hackworth 2006: 26, 285).

## The Neoliberalization of Public Spaces

- 18 The neoliberalization of public spaces can be defined as a set of policies designed to attract more capital to alleviate cuts in local budgets. Finding strategies to attract more tourists and businesses has become a major characteristic of these policies, and this new approach to urban development has normalized market logic. In response to the growing and ongoing pressure of new entrepreneurial norms, cities must be more competitive and find new investment opportunities. For example, public-private partnerships are now a commonly-used tool in order to provide services to residents.
- 19 The withdrawal of the federal and local government paved the way for the removal of the homeless, as most major municipalities are engaged in a strong interurban competition to attract new urban actors and investors to develop growth. More than ever, urban spaces are a central element of a city and showcase its primary image. These spaces need to look appealing to attract more capital. The emphasis on cleanliness as the key strategy to revitalize neighborhoods has entailed getting rid of the “undesirables” — panhandlers, prostitutes, the mentally ill and homeless people. These “undesirables”, who do not fit the expected profile and are perceived as impediments to downtown revitalization, are removed from zones designed for economic development. Homeless people in particular are viewed as obstacles to the attractiveness of public spaces.
- 20 SCI serves as an indication of how the withdrawal of government funding, coupled with competition between cities, have shaped cities into entrepreneurial entities. SCI reflects the municipality’s desire to push the undesirables further away from places of interest, and how interurban competition has led public powers to sanitize urban areas. In an illustration of the pervasiveness of neoliberalism, public places are perceived as investment opportunities, and cities feel compelled to defend their marketing images.
- 21 In the words of Randall Amster, Director of the Program on Justice and Peace at Georgetown University, “once domains of private property began to dominate the cultural and physical landscape, vagrancy began to be seen as a threat to capitalism” (Amster 2004: 110). As a result, one of the direct consequences of the neoliberalization of urban spaces has been the emergence of a strong incentive to “clean up the streets,” enabling fewer people to access these once-inclusive areas. Urban public spaces have become commodified entities that serve private businesses’ interests. The predominance of economic competition shows how entrenched neoliberal policies have become in urban settings.

## A Punitive Turn

- 22 The Safer Cities Initiative and other anti-homeless policies also reflect a “punitive turn” in criminal justice. Hyper-punitive policies can best be understood by looking at what French sociologist Loïc Wacquant called the “crisis of the welfare state.”

Wacquant argues it took the form of “the irruption of the penal state in America, and its practical and ideological repercussions upon the other societies subjected to the ‘reforms’ fostered by neoliberalism” (Wacquant, 2009: xiii).

- 23 At the end of the 1970s, the punitive model became a “managerial model” whose goal was to “make a profit” (Body-Gendrot 1998: 43). At the turn of the 1980s, a new punitive model emerged: rehabilitation and reintegration were supplanted by repression and exclusion. The goal of this new approach was to “handle flows and contain costs by carefully eluding the question of the causes and consequences of hyper-incarceration, and [to] turn away from the social fate of the inmate once his sentence has been served.” Statistics clearly show this shift in penal policy. The index of “punitiveness” rose from 21 prisoners per one thousand crimes in 1975 to 37 in 1985 and 75 in 1995, before jumping to 113 in 2000. In addition, by comparing the numbers of prisoners to the number of violent crimes committed, statistics also show that the justice system mostly sentences petty delinquents (Wacquant 2009: 127-8, 145).
- 24 In the last four decades, Wacquant notes there has been a clear shift in the role of the State:
- a protective (semi) welfare state [was gradually replaced] by a disciplinary state mating the stinging goad of workfare with the dull hammer of prison fare, for which the close monitoring and the punitive containment of derelict categories stand in for social policy toward the dispossessed (Wacquant 2009: 79)
- 25 The city of Los Angeles can be regarded as an especially fertile ground for neoliberal policies as the Safer City Initiative aptly illustrates both the neoliberalization of the city and punitive policies. Even if the official policy of the program was to “secure the street” and not to “clean it up,” it did remove the “undesirables.”

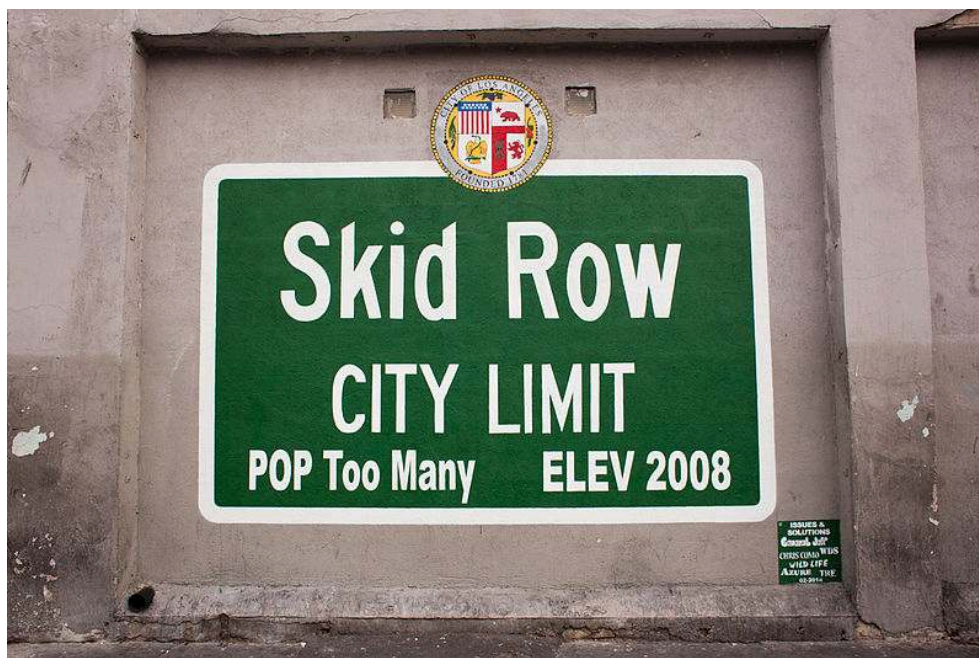
## Social Exclusion, Spatial Exclusion: The Safer Cities Initiative in Los Angeles

- 26 Before analyzing the program’s implementation and its consequences, one must understand how the spatialization of Skid Row shapes social exclusion.

### Skid Row, Los Angeles

- 27 Skid Row is a fifty-block area where thousands of people live in extreme poverty in a specific perimeter. Crime rates there are among the highest in Los Angeles and it is also the most impoverished area in the city (Ghorra-Gobin 2002: 250). Many inhabitants live on the sidewalk and hundreds of tents are the homes of mentally disabled individuals, veterans and undocumented families. It is the largest homeless community in the United States: between 11,000 and 12,000 people sleep there each night (Gerry 2007: 239-51). Anyone walking through Skid Row can observe the blatant human misery. One does not need to be a psychiatrist to see that a great number of mentally-ill residents live on the streets of Skid Row. When I went there to distribute hygiene kits, people would run up to my group and rip the kits right out of our hands. I met numerous severely mentally-disabled individuals and illegal South- American families with children, some only toddlers. I also met a veteran who quickly became homeless after coming back from Afghanistan and losing his job, with no family support. There were also many people in wheelchairs.

Figure 1. Los Angeles. June 2014.



Source: picture taken by the author.

- 28 This urban segregation is a result of a “containment policy” that started in the 1970s when the municipality decided to concentrate all forms of extreme poverty in one designated area. Historian Mike Davis considers that official policy has transformed Skid Row into one of the “most dangerous ten square blocks in the world” (Davis 1990: 232). On top of that, Downtown Los Angeles has a very high concentration of low-skilled employment. After losing manufacturing jobs, the district has surged in “internationally oriented producer services and finance capital”. According to geographers Robin Law and Jennifer R. Wolch, the rise of homelessness in Los Angeles occurred through the globalization of the urban economy of the city-region (Law and Wolch 1991: 129).
- 29 In the 1960s and 1970s, most residents of Skid Row were mainly working poor. Following a logic of individual responsibility as opposed to collective responsibility, the Reagan administration initiated several laws that led to a dramatic increase in poverty. Among others, it severely restricted federal aid for housing low-income people (Scott 2014: 869). In 2006, by the time SCI was implemented, the average rent in Los Angeles was 1750 dollars a month, 82% more than ten years earlier (Reese et al. 2010: 315). California has experienced a lack of residential construction in comparison with the job and population growth. This has led to increased housing prices driven up by wealthier residents (Khouri 2017). As a consequence, rents have risen steadily. Moreover, between January 2005 and October 2006, Los Angeles lost 9,000 rent-controlled apartments (Cleeland 2006). Such an increase undoubtedly gentrifies the neighborhood, pushing low-income residents further away from the area.
- 30 Social exclusion has been reinforced through the spatial organization of the city itself, since shelters, as well as aid which benefit homeless people, are only located inside the most impoverished urban communities, far from residential and commercial areas (Von Mahs 2015: 70). Therefore, the concentration of misery is the result of specific

political decisions. The history of Skid Row shows that it spatially segregated a population that was already isolated socially. Such policies, as well as anti-homeless laws, are symbolic of the pervasiveness of the neoliberal doctrine. Peck and Tickell rightly point out that

zones of deeply impacted poverty and social exclusion may have been no-go areas for neoliberals during the 1980s, in its rollout guise, neoliberalism is increasingly penetrating these very places, animated by a set of concerns related to crime, worklessness, welfare dependency and social breakdown (Peck and Tickell 2002: 395)

- 31 This is particularly the case for Los Angeles. In the 1990s, Skid Row and the inner city started to attract the interest of developers and businesses. The “containment policy” was meant to appease them. But in the 2000s, the municipality had to find other solutions.

## A Strategy for Revitalization

- 32 The neoliberal rhetoric implies that it is in society’s best interest that public resources should be used to facilitate and protect private investors. It is particularly striking in the case of Los Angeles where the business community is quite powerful and has been heavily involved in displacing homeless people through the use of private security forces. General Jeff, commonly referred to as the “unelected mayor of Skid Row”, has been a local social activist for the last twenty years and remembers when the anti-homeless policy was launched. He explained the underlying reasons behind the project: “the problem with this sales pitch is no matter where you go in Los Angeles, right in the middle of the donut is the hole: right in the middle of anything in LA is Skid Row” (General Jeff 2014). Indeed, Skid Row is located in Downtown Los Angeles and can be considered as an obstacle to revitalizing the city. Whereas the rest of the city looks attractive, Skid Row is discordant. This perception is also predominantly held by the business sector. Carol Schatz, CEO of the Downtown Association of Local Business declared: “Investment dollars will not flow to neighborhoods that suffer from crumbling sidewalks and pothole-filled streets” (Los Angeles 2020 Commission Report 2013).
- 33 In 2003, the newly-appointed LAPD Chief William Bratton and the mayor of Los Angeles decided to revitalize the city and suddenly enforce section 41.18(d) of the municipal code which provided that “[n]o person shall sit, lie or sleep in or upon any street, sidewalk or other public way except during parades and upon benches” (Gerry 2007: 241). Overnight, homeless people were banned from the streets and camping was deemed illegal. Even if this had been in the municipal code since 1968, this section was rarely applied. The police carried out mass arrests of those who committed minor offenses such as jaywalking, public drinking or loitering. This resulted in police harassment towards homeless people as well as the repeated use of extremely repressive methods.
- 34 Homeless people fell foul of the new policy. Hundreds of citations were given for misdemeanors such as sitting on the sidewalk or urinating in public. Those refusing to cooperate faced \$1,000 fines and six months’ imprisonment (Gerry 2007: 241-2). For a homeless person living on public assistance and earning little more than \$220 dollars a month, paying such fines entailed not being able to meet their basic needs such as feeding themselves (Stewart 2003).

- 35 In February 2003, the American Civil Liberties Union (ACLU) filed a suit against the city of Los Angeles in the name of Jones and Robert Lee Purrie who lost all their belongings during an arrest. The judges did not consider that the new policy had targeted homeless individuals, but rather their behavior. The plaintiffs lost their first trial and appealed to the Ninth Circuit Court of Appeal. The Court of Appeal ruled in favor of ACLU and homeless people, and against the city of Los Angeles. The Court remarked that “human beings are biologically compelled to rest, whether by sitting, lying, or sleeping” (ACLU 2016). Given that the number of beds was limited in Los Angeles, the Court also stated that if “the only alternative to violating an ordinance is death, its enforcement cannot be anything but cruel and unusual punishment,” (Gerry 2007:250) which is prohibited by the Eighth Amendment to the Constitution. *Jones v. City of Los Angeles* (2006) represents a historic judicial decision stating that “The Eighth Amendment prohibits the City from punishing involuntary sitting, lying, or sleeping on public sidewalks that is an unavoidable consequence of being human and homeless without shelter in the City of Los Angeles.” In the final decision, judges considered that “section 41.18(d) is one of the most restrictive municipal laws regulating public spaces in the United States”.
- 36 Eventually, an agreement was reached between both parties. The homeless were allowed to sleep on the street but could not stay by business entrances during operating hours. Such anti-homeless laws, as well as the SCI, which I analyze further down, were made possible by the emergence of the so-called “broken-window theory”.

### The “Broken-Window Theory” and its Consequences

- 37 Also known as “zero-tolerance policy,” the broken-window theory refers to a strategy to fight urban crime which emerged in New York City in the 1990s. This theory considers that physical decay and incivilities (e.g. graffiti or public urination) may incite other people to do the same. By suppressing “quality of life offenses” — all sorts of minor offenses such as drinking, sleeping, jaywalking, begging or littering in public — you will prevent more serious crimes from happening. The broken window theory was designed by conservative political scientists James Q. Wilson and George Kelling, the former Chief of Police of Kansas City who became a senior fellow at the Manhattan Institute, a neoliberal think tank. They were paid half a million dollars to help the city of Los Angeles design the SCI (Blasi and UCLA 2007: 5).
- 38 However, the “broken-window theory” is not a fully coherent concept and was not expounded in an academic journal, but rather in a cultural magazine, the *Atlantic Monthly*. Most importantly, it has never received any empirical verification (Wacquant 2009: 267). Published as a nine-page article lacking scientific grounding, this popular theory nonetheless became the main justification for harassing non-standard individuals, or “fixing the poor” in the words of anthropologist Forrest Stuart. It should come as no surprise that the broken-window theory sparked controversy. Scholars and sociologists have pointed out its multiple inconsistencies; Christian Parenti referred to it as “science of kicking ass;” and sociologist Loïc Wacquant wisely observed that “rapists and killers don’t head for another town when they see that graffiti is disappearing from the subway” (Wacquant 2009).
- 39 Three years after the *Jones v. The City of Los Angeles* decision stipulating that homeless people could not be banned from the streets, the city launched SCI, which represented

a “softer version” of the previous policy. SCI’s official primary goal was to make the area safer through 80 additional law-enforcement officers, making it the densest concentration of standing police forces in the country (Stuart 2016: 6). It continued to target quality of life offenses and the core idea remained the same: policemen could arrest any individual (mostly homeless people) for any type of minor offense. Twelve thousand citations were given in 2007, between 48 and 69 times the rate at which such citations are issued citywide (Blasi and UCLA 2007: 5).

- 40 General Jeff harshly condemned the LAPD’s harassment strategies:  
 It’s bullying tactics but on paper, it’s the “broken-window theory” [ ...] The officers were targeting low-level crime: jay walking, public intoxication, urination. They would beat people up, arrest people for nothing and that for a whole fifty blocks. That’s idiotic but that’s what the business sector wanted... (General Jeff 2014)
- 41 With SCI, the police continued to harshly condemn minor infractions and harass “the undesirables.” Unsurprisingly, it led to the increasing incarceration of homeless people who could not afford to pay the fines (Marquardt and Fuller 2012: 162). Countless homeless people were arrested for insignificant misdemeanors and repression was taken to extremes. One person reported being issued a littering ticket for simply flicking his cigarette ash into the breeze (Stuart 2016: 5).
- 42 On top of harassing people for insignificant misdemeanors, the program was problematic for several reasons. Contrary to its official policy aim, it failed to reduce crime. The LAPD claimed that crime had dropped by 35 % after the first 8 months of SCI, as compared to 5% observed in the eight months preceding it (LAPD 2007). Blasi and his team, who conducted a one-year research to evaluate the impacts of the project, refuted such findings. They analyzed all the data again and found that criminality fell in the Skid Row area, without being able to prove causality. Firstly, special forces made few arrests for serious and violent crime (e.g. murder, rape), and most violent crime rates declined more outside Skid Row than within its limits. Secondly, given the greater density of officers on patrol compared to the rest of the city, it should come as no surprise that the crime rate fell. Thirdly, as numerous residents left the area because of police harassment and others were behind bars, it is legitimate to assume that it automatically led to a significant drop in the number of crimes reported (Blasi and UCLA 2007: 44). Despite the LAPD’s claims, the crime reduction cannot be attributed to SCI.
- 43 Ultimately, the multiplication of punitive measures for insignificant actions that neither pose a real threat nor harm anyone is both unfair and inefficient to fight urban crime. Rather than contributing to eradicating poverty, such programs only displace and ignore misery.

### **“People need shelters, not jail cells” (Los Angeles Times 1987)**

- 44 Focusing exclusively on minor infractions such as public urination can be regarded as an interventionist mode of social control. The goal of such programs is to normalize the behavior of individuals considered as “undesirables” and force them to adhere to hegemonic expectations and norms: only the individuals deemed “desirable” may remain in public spaces; the others are to be displaced or incarcerated.
- 45 This disciplinary model can be considered as a spatial approach to social regulation as this measure is clearly applied against people who are unwanted in certain spaces. As

cultural anthropologist Joanne Passaro has noted, “public space has come to be seen not as the last frontier of freedom, but rather as a frontline in battles over social control” (Passaro 1996: 82).

Figure 2. Public bans. Skid Row. Los Angeles. June 2014.



Source: picture taken by the author.

- 46 These anti-homeless laws reflect a discriminatory and ineffective approach to poverty, whose real goal seems to be making way for gentrification. They not only fail to fight serious and violent crimes; they also reinforce the processes through which neoliberalism exacerbates social differences and criminalize poverty.
- 47 According to Don Mitchell, these policies also redefine the very concept of citizenship: “These laws have a goal – perhaps not explicit but clear nonetheless – the redefinition of public rights so that only the housed may have access to them” (Mitchell 2012: 171). Therefore, they work as a social filter where only those who respect the current norms and standards are deemed acceptable in public spaces.

## Civil Liberties and Human Rights

- 48 The ideal of unfettered capitalism and its implementation in neoliberal policies had intense repercussions on urban areas, where it fostered uneven spatial development. Whereas some areas grew even wealthier, the poor neighborhoods went from bad to worse.

## Neoliberal Urbanism

- 49 As explained earlier, removing homeless people is a key feature of neoliberal urbanism. This aims at allowing the public spaces of a city to become viable sites for capital accumulation so that the urban core can be reinvigorated. Ideologically, policies targeting homeless people reflect the belief that individuals should be held responsible for their own condition and actions. Geographers Steve Herbert and Elisabeth Brown suggest that neoliberalism “increases the degree of ‘responsibilization’ devolved to local areas and individual citizens/consumers. In the process, notions of a collective public wither, as does the degree of shared obligation to the disadvantaged members of that collective” (Herbert and Brown 2006: 772). Indeed, neoliberalism portends that the emphasis should be put on the individual while rendering local authorities unaccountable.
- 50 Anti-homeless laws and policies revolve around this understanding of *laissez-faire* individualism that reached its height when homeless people started to be considered as deserving their condition. Following the neoliberal logic of minimal state intervention and the individual’s responsibility for itself, this type of policy conveys the belief that urban poverty finds its roots in an individual’s bad decision-making or simple lack of willpower. Instead of being helped, poor people need guidance and treatment. These policies serve as a means to justify discrimination and criminalize poverty.
- 51 General Jeff is aware of this endeavor to promote a positive image of the city and to secure urban spaces for new investments: “A lot of people have bought into the ‘smoke and mirrors’ campaign, the marketing hype: they thought great they’re cleaning up Skid Row, it is only going to be a matter of time and the property values are gonna go up...”(General Jeff 2014). His observation concurs with statements by the local business community:
- Downtown Los Angeles is on the cusp of an urban renaissance. Our fondest dreams of Smart Growth, with workers living in affordable, high-density buildings near transit, employment, cultural, and retail centers may finally become a reality in Downtown. However, this renaissance is threatened every day by street encampments, drug deals, overdoses, and panhandlers (Blasi and UCLA 2007: 10).
- 52 Restructuring the spatial organization of the city so it can serve business interests and ultimately help to enhance profits, has become the official priority. The goal is to attract a homogeneous middle class, made up of clean, passive consumers who actively contribute towards the local economy. Achieving this requires mobilizing the entrepreneurial identity of the city, which does not feature thousands of people sleeping on a sidewalk.
- 53 General Jeff also explained that the municipality’s primary goal is to support commercial interests rather than to create public spaces that would be as inclusive as possible: “The business sector is trying to project this image of a newly-revitalized downtown around the world, so that international tourism and commerce can increase, and businesses can benefit from the additional revenue” (General Jeff 2014). For the municipality, the primary concern is protecting downtown land values and serving local commercial interests, and more precisely, those of public-private partnerships. On top of wasting public money and being incoherent, SCI and its ilk pose a real threat to civil liberties.

## Neoliberalism and the Right to the City

- 54 Marxist thinker Henri Lefebvre shed light on the direct link between urban planning and sociology. He showed that the way a city is laid out can serve as a tool of social control by segregating individuals. To counter this socio-spatial segregation, he coined the concept of the “Right to the City” (in French: “droit à la ville”). Despite its ambiguity, this expression is helpful to understand that even though the street is commonly thought of as a public space that anybody can access, not everyone is equally welcome. Who has the right to the city of Los Angeles in the early 21<sup>st</sup> century? The answer appears to be only those who comply with current standards and can afford a roof over their heads.
- 55 Anti-homeless policies pose problems for several reasons. Firstly, they seek to cure the symptoms of poverty instead of addressing its causes. Not only does SCI oversimplify the concept of criminality, it conveys a paternalistic approach to poverty. Some of the SCI lieutenant’s words illustrate it well: “Our job is to help them to make the right choice. If they don’t want to make the right choices to get better, to move up and out of here, then we have to step in”. Another officer made a similar comparison: “Ultimately, it’s our job to set the standard. There is really nobody else who is doing it. When you look out on the streets, most people have pretty much communicated to us that they aren’t willing to make good choices in their lives” (Stuart 2007: 108). During a personal interview, Officer Giddens took the comparison further and associated shelters with a family:
- They [shelters] have certain hours of operation just like a parent’s house, they [homeless individuals] don’t want to conform. People don’t want to take advantage of them [...] There are lots of resources, we can house a lot of the population, there are 50% of them utilized (Giddens 2014)
- 56 However, this figure is highly inaccurate. Gary Blasi’s report states that “The median number of actually available shelter beds in Skid Row has been four beds, at a time when the LAPD was counting about 1,000 homeless people living on the sidewalks each night” (Blasi and UCLA 2007: 5).
- 57 Even more worrisome, one of the policemen tried to dissuade homeless people from using the provided facilities if they weren’t ready to make a real “change” in their “lifestyle.” He went in front of a shelter and used speakers to broadcast the following message:
- There are people trying to get help here in the mission. If you want to get help, you’re welcome to be here. If not, if you want to poison yourselves and engage in criminal activity, you’re going to have to leave the block. I will not let you interfere with their positive change. If you decide you want to get better, you can come back (Stuart 2016)
- 58 His statement illustrates the neoliberal logic and how the local authorities make a stark distinction between the “deserving poor” and “undeserving poor.” This binary perspective sends a clear message to the residents: those lacking the willpower are not welcome in Skid Row; worse, they do not deserve help.
- 59 Secondly, anti-homeless policies question the right to be different or to have an alternative lifestyle. The repression or prevention of serious crime no longer seems to be the priority of the police. Instead, their role is conceived of as guiding and educating individuals who are considered ill-adapted, if not abnormal. The police and the municipality have set new normative parameters for an “acceptable” public. The

systematic exclusion of “undesirables” embodies this desire to impose dominant norms. In urban spaces such as Skid Row, only people who respect the new standards are allowed. Decisions targeting homeless people are representative of the growing belief that those at the bottom of the social hierarchy should not be helped but rather disciplined.

- 60 These policies can only generate more resentment toward state institutions as they fail to tackle the real causes of poverty. Indeed, the municipality and the police can be held responsible for their respective proactive roles in supporting some users’ use of public space over others and, by extension, directly favoring a specific social class over another. This new way to govern social relations in the inner city is aimed at attracting and maintaining a new affluent upper middle class that is actively consumerist. Forrest Stuart considers that this strategy of “social cleansing” is not about “disorderly places or quality of life” but about “policing poor people in poor places” (Stuart 2016). Finally, and maybe most importantly, these policies pose direct threats to democracy.

## Public Spaces and Democracy

- 61 If citizenship goes beyond voting, then streets play a vital role within democracy, and having a common space available to all is essential. Even in the Internet era where most citizens can express themselves freely online, physical spaces have not become irrelevant, since the very concept of democracy requires access for everyone to a neutral, free and accessible space. The existence of an inclusive space where any group can express itself is of paramount importance to democracy. Under a tyrannical regime, demonstrations in public spaces are generally forbidden, demonstrating that public spaces possess a highly symbolic function. Public spaces can thus be considered as democratic linchpins and should be understood as forums for civil expression.
- 62 According to cultural geographer Don Mitchell, “the regulation of public space necessarily regulates the nature of public debate: the sorts of actions that can be considered legitimate, the role of various groups as members of the legitimate public and so forth” (Mitchell 2003: 182). By regulating behavior considered as “acceptable,” the authorities also regulate who should be allowed in public spaces. Mitchell described how anti-homeless laws aim at creating a “world in which a whole class of people simply cannot be, entirely because they have no place to be.” By criminalizing insignificant misdemeanors that pose no threat to others, anti-homeless laws endanger core principles of tolerance rooted in democratic societies: they question individuals’ and groups’ very right to exist.
- 63 Further to the importance of maintaining a public space that is accessible to everyone regardless of their social status, respecting civil liberties for all citizens is a key component of a democratic society. Civil liberties, like public spaces, are a social construct. They have often been legally defined, but result from collective action. They are not a natural occurrence, and if they have been socially constructed, they can also be “deconstructed” as it is the case with the SCI. In the light of rampant neoliberalism in advanced capitalist societies, the legacy of civil liberties remains extremely fragile in America in the early 21<sup>st</sup> century. Jim Crow laws, which enforced racial segregation in the Southern US, represent a relevant example in recent history that shows how freely accessible public spaces should not be taken for granted.

64 My case study only illustrates a more general tendency towards exclusion. Multiple laws passed across the US against panhandling and the like clearly target poor people. In Indianapolis, homeless people were even temporarily prohibited from voting. In some shelters, homeless people must wear orange outfits, similar to prison garb. In other cities, such as Atlanta, one cannot lawfully cross a parking lot unless one's car is parked within it (Wyly & Hammel 2003: 10-11). Harassing homeless people for their condition rather than for their actions has become increasingly ubiquitous. These policies threaten democracy as they inevitably entail punishment practices that not only intensify social divisions rooted in class and race, but also entail the criminalization of poverty.

## Conclusion

65 This paper has explored the dramatic importance of public spaces in contemporary societies in the context of pervasive neoliberalism. Entrepreneurial cities which prioritize economic profit increasingly remove “undesirables” (i.e. homeless people and other people perceived as problems) who tarnish the image of their public spaces.

66 The Safer Cities Initiative reflects a punitive turn that started in the 1970s and can be analyzed as a paradigm of neoliberalization through exclusion. Poor people are being evicted so that urban spaces can look attractive in order to gain capital. Police harassment fails to reduce criminality and further demonstrates the ways in which spatial exclusion and social exclusion mutually reinforce each other. Public spaces have become a commodity, serving the interests of the privileged few. According to geographer Myron Levine:

Urban patterns are not inevitable. Patterns of growth and decline are not simply the product of human desires (for a better life, a larger home, and a safer neighborhood) and the workings of an unfettered free market. Rather, government policies as well as the exercise of private power, play a great role in determining just which communities grow and which decline (Levine 2016: 13)

67 In other words, if some dilapidated neighborhoods are plagued with violence and poverty while others benefit from a brand-new infrastructure, it did not result from a natural urban cycle but from a specific social construct, initiated by specific political choices.

68 Envisioning a more inclusive, more accessible city is possible. Many foundations and non-profits organize events that seek to promote public spaces and reverse the trend of privatization of public spaces. In Los Angeles, CicLAvia is an open streets initiative whose goal is to make various roads and streets accessible to non-motorized vehicles such as bikes or pedestrians so that they can enjoy urban areas they normally do not have access to. CicLAvia, whose goal is to “catalyze vibrant public spaces”, “engages with people to positively transform our relationship with our communities and with each other”.

69 In a different vein, the Right to the City was adopted by the World Urban Forum and also elaborated to form the World Charter of the Right to the City in 2004. Associations such as the Right to the City Alliance strive to put it into practice and fight to build a better urban future. They are a national alliance of racial, economic and environmental justice organizations seeking to fight against gentrification. Be it with car-free street

events or long-term initiatives, means exist and solutions depend on political willpower and struggles for social justice.

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## ABSTRACTS

Neoliberal policies have required a new way to envision urban areas. Municipalities try to bolster their image in order to attract new capital, which entails getting rid of the undesirables (the homeless and other people perceived as problems) who tarnish the image of their public spaces. This article explores the socio-political impacts of the Safer Cities Initiative, a zero tolerance policy program initiated by the city of Los Angeles in 2006. Drawing on the 'broken-window theory', the program's official policy was meant to secure the streets and its primary goal was to firmly condemn misdemeanors. Camping was deemed illegal and homeless people were banned from the streets, jeopardizing civil liberties and questioning the right to be different. Drawing on first-hand interviews and reports, this article shows that this type of program represents a discriminatory and ineffective approach to poverty. It not only fails to fight serious and violent crimes, but also reinforces the processes through which neoliberalism exacerbates social differences and criminalizes poverty.

Les politiques néolibérales transforment l'appréhension des espaces publics. Les municipalités qui souhaitent redorer leur image pour attirer de nouveaux capitaux, s'emploient à se débarrasser des « indésirables » (les sans-abris et autres personnes perçues comme des nuisances) qui ternissent l'image de leurs espaces publics. Cet article explore les effets socio-politiques de *Safer Cities Initiative* (Initiative pour des villes plus sûres), un programme de « tolérance zéro » mis en place par la municipalité de Los Angeles en 2006. En s'appuyant sur la théorie dite de la « vitre brisée », la politique officielle vise à sécuriser la rue, en condamnant des infractions mineures avec fermeté. Camper est devenu illégal et les sans-abris ont été exclus de la rue, remettant en cause les libertés publiques ainsi que le droit à la différence. En s'appuyant sur des entretiens de première main et des rapports, cet article montre en quoi ce type de programme représente une approche de la pauvreté à la fois discriminante et inefficace. Ce programme est ne parvient non seulement pas à enrayer la criminalité la plus grave mais il renforce également les processus au moyen desquels le néolibéralisme exacerbe les différences sociales et criminalise la pauvreté.

## INDEX

**Mots-clés:** néolibéralisme, espaces publics, sans-abris, libertés publiques, Los Angeles, politiques urbaines, États-Unis

**Keywords:** neoliberalism, homelessness, civil liberties, public space, Los Angeles, United States, urban policies

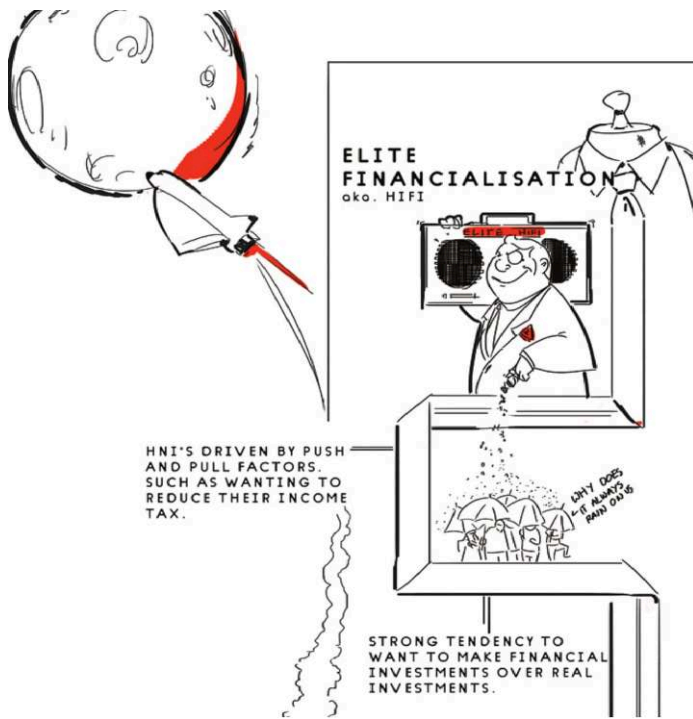
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Figure 2. Elite Financialisation



Source: Eduardo Bardi.

Figure 3. Lived Experience of Austerity



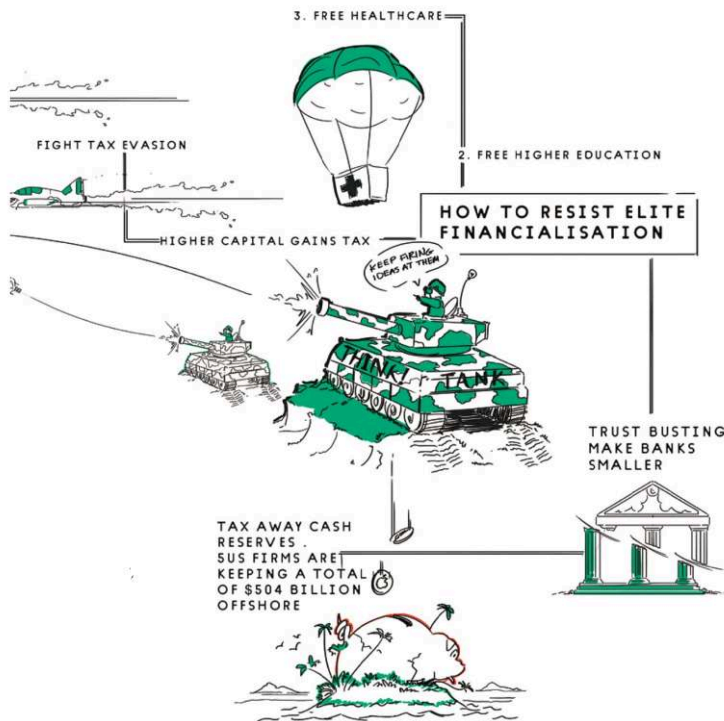
Source: Eduardo Bardi.

Figure 4. Mass Financialisation



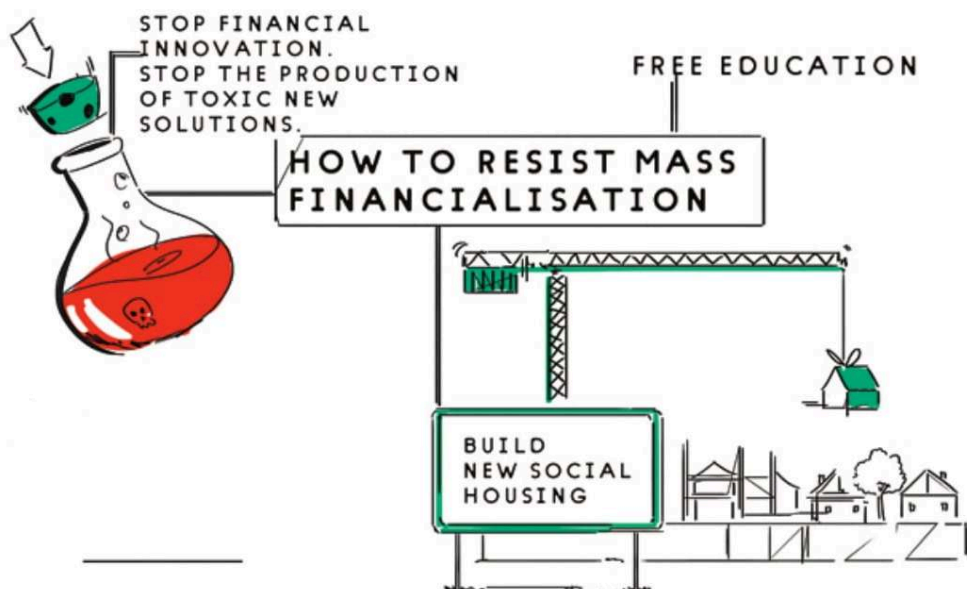
Source: Eduardo Bardi.

Figure 5. Resistance to Elite Financialisation



Source: Eduardo Bardi.

Figure 6. Resistance to Elite Financialisation 2



Source: Eduardo Bardi.

## ABSTRACTS

This graphic interlude features a poster illustrating this issue's topic: neoliberalism, the workings of financialisation and means of resistance against this system.

Cet interlude graphique est composé d'une affiche qui illustre le thème de ce numéro, le néolibéralisme. Il détaille les mécanismes de financiarisation du monde et les moyens de résistance.

## INDEX

**Mots-clés:** néolibéralisme, services financiers, économie, politique, résistance

**Keywords:** neoliberalism, financial services, economics, politics, resistance

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# How To “Talk Left and Walk Right” in South Africa: Access to Medicines in the Neoliberal Era

An insight into the public market of antiretroviral treatments in South Africa

Charlotte Pelletan

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## Introduction

“I am not using strong words; I am using appropriate words. This is genocide”.  
Health Minister Aaron Motsoaledi (De Wet 2014)

### When the Minister of Health talks left...

- 1 In 1997, while the AIDS epidemic was spreading, the South African government explored changes to its regulation of patents in the Medicines Act and its National Drug Policy. It triggered a world-famous law case pitting the South African state against a coalition of pharmaceutical companies: the Medicines Act case, which concluded in 2001, also known as the Pretoria trial.
- 2 Since the Pretoria trial, debates on access to antiretroviral treatments (ARVs) have been polarized between activists — supported by the Minister of Health — who urge to apply exceptions (also called flexibility) to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) and the global pharmaceutical industry, which is keen to protect its interests. As a result, the HIV/AIDS epidemic has been highly politicized since the end of Apartheid, once through denialism and then with the massive roll-out of antiretroviral treatments after the Pretoria trial.
- 3 Since then, universal access to antiretroviral treatments has been a pillar of African National Congress (ANC) policy. After announcing constitutional equality, with section 27 of the constitution introducing access to health as a fundamental principle, the ANC

government has tried to ground its legitimacy in the achievement of these socio-economic rights, namely through equal access to treatments (Hodgson 2015). Health Minister Motsoaledi's governance has promoted a "welfarist" vision of the state, framed by the principle of universal socio-economic rights. One of his major proposals is the implementation of a National Health Insurance in South Africa (NHI): "NHI is a reflection of the kind of society we wish to live in – a society that will be based in values of justice, fairness and social solidarity" (Motsoaledi 2014). Health policies indeed seem to be used by Motsoaledi as a "specific legitimization resource for governments" (Fassin 1998). According to an industry manager, "every ANC president has left a legacy: Mandela has brought reconciliation, Mbeki the African Renaissance and Zuma will bring healthcare." (Motsoaledi 2015b) As a matter of fact, AIDS response has been at the core of a broad reform project supposed to lead to the implementation of a National Health Insurance (NHI): "We know by now that there are four (4) highways along which South Africans are marching to their graves (...)." Among them is "a huge burden of HIV and AIDS and TB – this is the biggest highway of them all with many many lanes" (Motsoaledi 2016).

### ... And walks right?

- 4 Aaron Motsoaledi's mandate has been characterized by hyperactivity. His reform project was merely for the show, as demonstrated by the shilly-shallying around the implementation of NHI or his crusade against patents. Indeed, in spite of its strong rhetoric, the Department of Health has never resorted to TRIPS flexibility to reduce the price of medicines<sup>1</sup>, nor has it developed alternatives to dependence on foreign pharmaceutical supplies. No long-term investment has been made to secure the supply of antiretroviral treatments in South Africa (Kudlinski 2013) and a strategy based on attracting direct foreign investment has been favoured. Consequently, in spite of WHO recommendations, local industry has developed little manufacturing capacity and relies almost exclusively on imported Active Pharmaceutical Ingredients (Kudlinski 2013). This situation leads to the Department of Health (DoH)'s strong dependence on multinational pharmaceutical businesses. Far from following a developmental approach to health systems, the Health Minister has designed an access policy based on a low-cost, rationalized supply, contrary to the Department of Trade and Industry (DTI)'s industrialization strategy.
- 5 The aim of this article is to explore the contemporary dynamics of the public supply of antiretroviral (ARV) treatments in South Africa. I will show that the development of ARV treatments has been paradoxically based on the development of the relationships between the state and multinational business. More precisely, the DoH has deepened its relations with the latter by establishing the public market as a strategic hub in South Africa. This way, the South African government has developed a strong influence on the market of medicines within the territory. This article suggests that, in a resource-constrained context which questions the country's capacities for traditional welfarism, the DoH strengthens its reach by vesting market rules. By vesting, we refer to "institutional work directed toward the creation of rule structures that confer property rights (Roy, 1981; Russo, 2001). Vesting occurs when government authority is used to reallocate property rights [...]." (Lawrence and Suddaby 2006).

## Methodology

- 6 There is a wide body of research on the impact of neoliberalism on access to healthcare and medicines (for instance: McGregor 2001, Chapman 2014). Most of it deals with structural adjustment programmes in Southern countries and more recently on the effects of the financial crises (Legido-Quigley et al. 2016). The common narrative states that “the neoliberal offensive has had a major disruptive effect on social cohesion, as well as on people’s lives and morale, especially the most vulnerable” (Karamessini 2012: 176). Moreover, neoliberalism would entail the retreat of the state from its social functions, as the “important element of neoliberalism is the retrenchment of the welfare dimension of the state, which is seen as an impediment to the optimal functioning of the markets” (Mladenov 2015: 446). Based on the assumption that the decrease of public budget expenditure and predatory austerity result in the collapse of health policies, these studies overlook the concrete strategies implemented to circumvent these constraints.
- 7 This article criticizes such understandings of the workings of neoliberalism. By contrast, it is based on the methodological assumption that neoliberalism should not be studied as the retreat of the state but as a political production which carries specific social relationships (Boyer 2015). Resorting to heterodox economics and sociology helps escape the black-and-white distinction between strong (welfare) and weak (neoliberal) states developed for instance by varieties-of-capitalism literature (Hall and Soskice 2001), and sheds a light on a fundamental paradox: it takes a strong state to engineer its own downsizing. Neoliberal states do not disappear but turn into invisible market managers and keep steering market forces:
- It is too often forgotten that neo-liberalism seeks not so much the ‘retreat’ of the state, and an expansion of the spaces of capital accumulation, as the *transformation of state action* by making the state itself a sphere governed by rules of competition and subject to efficiency constraints similar to those experienced by private enterprises. [...] More profoundly, it signifies a transformation of the ‘format’ and role of the state, which is now perceived as an *enterprise in the service of enterprises*. (Dardot and Laval 2013: 216, 228)
- 8 As Peck puts it, neoliberalization processes imply the successive “roll back and roll-out of state functions” (Peck 2013: 447). What it means is that the state does not disappear but rather restructures its links with all policy stakeholders: the state as a political project “is being replaced, not by fresh air and free markets, but by a *reorganized* state apparatus” (Peck 2013: 447) which conforms society to market forces. What is at stake in the analysis of neoliberal states is also a methodological challenge which entails that we look at “how neoliberalism is specified in a variegated landscape of institutional, economic and political forms” (Peck 2013). The historical, sociological and political modalities of its reorganization are at the core of the notion of neoliberalism, as Jessop suggests that we “put neoliberalism in its time and place” (Jessop 2013).
- 9 Such an approach of social and health policies in neoliberal contexts has been offered by Collier (2011) and Ferguson (2015). The former looked at the ways in which neoliberalism reshaped social welfarism by investigating post-Soviet Russia; the latter focused on Sub-Saharan countries. James Ferguson explains that, in a neoliberal context, the governments of those countries increasingly rolled out “extensive social welfare programs targeting the poor” (Ferguson 2015: 1). This way, he takes the

opposing view of the narratives which expatiate upon the fact that neoliberalism is systematically detrimental to welfarism and interventionism (Evans 2008).

- 10 Consequently, this article shows that access policies in South Africa are not based so much on the reform of intellectual property law but on the gradual transformation of the market according to health priorities and negotiations with industry. I shall resort to the theory of regulation elaborated by Robert Boyer. This research looks at the arenas of negotiation within the public market of medicines and shows that policies are horizontally negotiated, between state and non-state actors (Nay and Smith 2002). Such an approach is inspired by the sociology of regulation, which de-constructs institutions through the analysis of concrete interactions.
- 11 Countries' trajectories on access issues have been broadly studied for India (Correa 2013) and Brazil (Sweet and Keshab 2013). The public market of antiretroviral treatments is a core issue for access to medicines, all the more since it is the most attractive market segment for multinational pharmaceutical companies in South Africa. DoH control over the selection of antiretroviral treatments gives it power over multinational industrial companies. This article is especially based on the analysis of tendering processes, with an extensive use of interviews with state department civil servants and pharmaceutical companies managers. The interviews mainly took place in Johannesburg and Pretoria in 2015.
- 12 This article falls into three parts: the first provides a background on the policy forum around access to medicines that has developed both at the international and national levels. The second expatiates upon the case of South Africa, showing how the pharmaceutical market has gradually been vested by health institutions. The final part explains how the Department of Health has become the go-to institutional partner for industry stakeholders.

## The rising narrative of access to health in the global pharmaceutical sector

### Conflicting agendas: the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) versus the development of a right to health

- 13 Access to medicines has been put on the international agenda in a context of globalization of trade rules and commodification of knowledge. The dissemination of patents in Southern countries has led to a conflictual policy forum.<sup>2</sup> In South Africa, the political will to align with international trade regulations has been at odds with the necessity to respond to the huge burden of HIV/AIDS epidemic after a decade of denialism. The notion of access to medicines emerged as a reaction to trade globalization and more especially to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). At the same time, South Africa came to terms with Apartheid with a contradictory mandate: ensuring the development of constitutional and socioeconomic rights by promoting a developmental state while entering the global market.
- 14 Since then, constitutional equality has been the first achievement of ANC governments in the Post-Apartheid era (Section 27: Right to Health), but the achievement of socio-

economic rights has been continuously delayed by the global orthodox agenda. “The ANC government has been more interested in confirming its presence on the international scene and in conquering the international market than in ensuring socioeconomic rights” according to Professor V from the University of Kwazulu Natal (Professor V 2015). The ANC’s desire to integrate South Africa into international trade regulations after the end of the Apartheid embargo led to a quick U-turn in the government’s strategy. The adoption of the Growth Employment and Redistribution (GEAR) macroeconomic strategy in 1996 has been considered as the starting point of the neoliberal era, as it promoted trade liberalization. As soon as the World Trade Organization (WTO) was created, South Africa’s legislation aligned with the TRIPS agreement and also developed strong relations with the United States, with the 1994 Agreement on Government Procurement (GPA) for instance. In this rather conducive context, many multinational pharmaceutical companies have invested in South Africa, obtaining the licences which had previously been granted to local manufacturers during Apartheid.

- 15 Nevertheless, the rising opposition from civil society undermined the relations between the state and the pharmaceutical industry. In the second half of the 1990s, the South African population was facing a growing AIDS epidemic without any access to treatments in the public health sector, since the government had adopted a “denialist” position and justified its refusal to provide the population with antiretroviral medicines by arguing that Western Industry had brought the disease to Africa to open new markets (Fassin 2006). Opposition from civil society came to fruition during the “Pretoria trial” when the South African government, supported by civil society, faced 39 pharmaceutical companies in CCcourt. This law case also shed a light on access issues at the international level, as shown by the adoption of the Doha Declaration in 2001. This Declaration aimed at strengthening the flexibility of TRIPS agreements’ principles and emphasizes states’ right to use this flexibility principle. It epitomized international debates on global health goods and highlighted the issue of multinational companies’ social responsibility.
- 16 Since then, the narratives around access to medicines have posited a strong opposition between state and industry. According to these narratives, the state’s duty should be to limit intellectual property rights. The 1999 report on the implications of TRIPS for access to medicines commissioned by the World Health Organization and the World Trade Organization (WHO and WTO 1999) was followed by the creation in 2003 of a WHO IP Rights, innovation and public health. Its report (WHO 2006) showed that patents are not an incentive to innovation in developing countries. In 2008, resolution WHA61.21/62.16 was passed by the World Health Assembly, calling for the creation of a global strategy and a public health plan. In 2015, a United Nations’ Secretary-General’s High Level Panel on access issues was set up to try and strike a balance between intellectual Property (IP) and health rights.

### **In South Africa, a policy forum based on a binary vision of medicines**

- 17 The opposition between access to medicines and patent protection has structured the policy forum in South Africa. A range of reforms have aimed at redefining the respective prerogatives of the state and of industry as regards access to antiretroviral

medicines. Nevertheless, the attempts to regulate prices and competition, with for instance the attempts to implement a compulsory Benchmarking Methodology in the public market or the Health Market Inquiry undertaken by the DoH in order to strengthen the competition law, or Intellectual Property Law have not been successful. This triggered a series of scandals that the difficulties of Intellectual Property reform illustrate well. Even though the Doha Declaration insists on the importance of resorting to TRIPS flexibility to increase access, South Africa is still striving to align its IP law with the Doha Declaration. In spite of the world-famous Pretoria trial of 2001, many stakeholders are reluctant to apply the TRIPS flexibility principle to the South African IP law.

- 18 In 2008, under the influence of the Department of Health, the Department of Trade and Industry launched a discussion to align Intellectual Property policy with Doha Principles. A Green Paper came out in 2013 and called for stakeholders' submissions. Two main advocacy coalitions emerged: on the one hand, the civil society "triad" made up of advocacy groups Section 27, Treatment Action Campaign and Médecins sans Frontières strongly supported the paper with their campaign "Fix the Patents Law," calling for a gradual process of elimination of patents by de-connecting intellectual property issues from the price of medicines. This "epistemic community" (Haas 1992) also includes most academics and importers of generic medicines which are generally produced in India – even if the latter, by shifting to biosimilar production,<sup>3</sup> is more and more interested in patenting opportunities. On the other hand, multinational companies represented by their industrial association oppose the reform, arguing that it would not be enforceable, due to lack of capacities. The South African Department of Science and Technology and part of the Department of Trade and Industry also questioned the IP reform project, arguing that it would lead to major divestment from South Africa. More discretely, South African generic manufacturers promote the conservation of Intellectual Property, since voluntary licences from originators are their major pipelines. As a consequence, the Intellectual Property reform proposal triggered a wide variety of positions which were overshadowed by the 2014 "Pharmagate," when the leaking of a confidential document from a US consulting office, which outlined how major originator companies aimed to counter the Intellectual Property reform proposal, caused a major scandal, contributing to an ostensible break-up between the state and the pharmaceutical industry. Since then, the promoters of access to medicines have been able to influence industrial stakeholders more strongly, as will be shown below.

## **Towards organizational change: health institutions at the core of pharmaceutical-market management in South Africa**

### **When the pharmaceutical market is vested with the Department of Health**

- 19 The striking politicization of health in South Africa has resulted in the growing influence of the DoH in pharmaceutical public markets. Health is presented by the

Health Minister as the key to achieving socio-economic rights by the fulfilment of constitutional rights:

It is particularly concerning that many participants appear to lack an understanding of both the principles of social solidarity, and the need for redistributive justice. These principles are enshrined in the Constitution and are central to redressing the pervasive, historically entrenched inequality. It is expected that stakeholders will have a variety of economic, political and philosophical perspectives, the trend towards a conservative approach that lauds free market principles is concerning, particularly given the internationally recognised failings of the healthcare market. (DoH 2015: 2)

- 20 This use of the Constitution rests on the fact that the legitimacy of the post-Apartheid state is based on the duty to fulfil the social contract. Health is presented as a catalyst for equality and, as such, should be accessible to all:

It is also important that the Inquiry focuses on the notion of health as a public good. This is important because the State is expected to put into place institutional, organisational and regulatory mechanisms to support the progressive realisation of the right to healthcare for every citizen. (DoH 2015: 5)

- 21 In South Africa, the Gini coefficient is one of the highest in the world and the claim for equality is at the core of ANC legitimacy. The NHI does not consist in growing public investment in health but in the state's ability to monopolize parts of private capital (in infrastructures, skills and funding) to re-orientate it towards a system of social solidarity. As a civil servant at the DoH argued, "you know that if poor people do not manage to reach basic welfare through their jobs and education, they might resort to violence." (DoH Civil Servant 2016)
- 22 Our research shows that the Department of Health appears as an ANC stronghold and acts as a game-ruler within government. A civil servant from DoH explained that the DoH had a strong influence on the other departments: "You know it's easy since we are from the same party. In other countries like France with many parties they would not let regulations pass as it happens for me at the Parliament. I hardly meet a resistance when I suggest a paper." (DoH Civil Servant 2016)
- 23 Improving access to health stands as a central political strategy. It takes the form of a struggle against the private health sector and the re-designing of public domain frontiers – at least symbolically: "NHI is a political decision of a nation hungry for justice and equality. It is based on political will and should not be subjected to obstacles driven purely by greed and self-interest of a selected few." (DoH Civil Servant 2016) It may also involve the shaming of pharmaceutical industry: "Two years ago, I was regarded as exaggerating or outright insane by some, when I spoke openly against Pharmaceutical companies that were planning a price onslaught against us. Today, that onslaught which I had foreseen is here with us." (Motsoaledi 2015a)
- 24 The Department of Health has been redesigning its mandate through its intervention in the public market of antiretroviral treatments. A significant milestone was the relocation of pharmaceutical contracts into the Department of Health. Previously, medicine procurement in the public sector had been the responsibility of the National Treasury, which was more broadly responsible for the management of public contracts. In 2009, a Ministerial Task Team advised that a Central Procurement Agency, directly responsible towards the Minister of Health, should be created. Its core structure, the Directorate of Affordable Medicines, was approved in 2011 by the National Health Council. From then on, it started to manage public tenders independently from the

National Treasury. A, who is a close observer of the government (Observer A 2015), explained that a blame game was going on between the Department of Health, the National Treasury and the Department of Trade and Industry. The latter two were put on the back burner as mere observers by the former, as shown by the example of the preference point system. Bids are awarded according to a 90/10 preference-point system. 90 points are allocated to price levels and 10 points to the companies' B-BBEE status level (which promotes the development of Black Business in South Africa). Historically, these B-BBEE points have been promoted by the Department of Trade and Industry, using section 5(2) of the Preferential Procurement Policy Framework Act (PPPFA) 2000, in order to improve the trade balance by developing local industry. Even though an unpublished DTI study showed that 20 B-BBEE points would still be cost effective, the Department of Health immediately limited this preferential procurement by establishing a maximum price which cannot exceed 10% of the price premium.

- 25 Moreover, the Department of Health was able to capture a set of regulatory processes and is consequently omnipresent in current pharmaceutical reforms. For instance, the Intellectual Property draft was released by the DTI and was supposed to be a trade issue. Nevertheless, the Department of Health's influence is strong. As an interviewee from French diplomacy put it: "Actually it is a DoH paper." (French Diplomat 2014) Our research shows that many civil servants at the DTI share views with the DoH and act as a relay for it. All in all, the Department of Health has gradually strengthened its leadership in the pharmaceutical sector in South Africa by vesting the market.

### **The standardization of medicines in the public market: a low-cost policy**

- 26 The DoH resorts to new-public-management techniques to implement its universal-access policy. We focus here on the techniques used to enable access to medicines within the public market of ARV treatments. These instruments avoid the controversial process to formulate political compromises and contribute to building a specific framing of access based on new public management.
- 27 In order to provide the bulk of patients with generic medicines, the guidelines have promoted the growing standardization of treatments — more exactly of therapeutic classes — on the basis of strict equality of patients at the lowest price. The HIV/AIDS burden on the health budget has kept increasing, as CD4 count is planned to be removed as an eligibility criterion<sup>4</sup> and PrEP<sup>5</sup> is being tried in some programmes for vulnerable individuals. This medicine-focused strategy has been a growing financial burden for the Health budget, as it has increased by 7% to 10% in the last 7 years, while the Health budget has declined as a proportion of the National Budget (Health Budget 2015). In such a context, the reduction of price per capita has been at the core of the antiretroviral medicines roll-out strategy; for instance, Y, a chief Manager at the DoH opened a meeting telling me "do you know that in South Africa we have the cheapest ARVs in the world?" (DoH Manager Y 2014). This means that universal access to medicines may be financially feasible only if prices are very low and monitored by new-public-management rationality. As a consequence, the public procurement of antiretroviral treatments is based on a price-focused selection process.
- 28 Indeed, the National Drug Policy articulated by the DoH is based on a triptyc: access, quality and rational use. Access and rational use are defined according to price issues:

access is defined as “equitable availability and *affordability* of essential drugs” while rational use is said to be “the promotion of therapeutically sound and *cost-effective* use of drugs by health professionals and consumers” (National Drug Policy 1996). The issue of the quality of the medicines is therefore firmly framed by the issue of price: only affordable medicines are to be provided. The emphasis on prices is omnipresent, as revealed in a slideshow presented by the Central Drug Programme: 10 slides out of 36 address prices and cost-effectiveness (PTC Workshop 2015).

- 29 This price-focused strategy stems from a twofold movement of standardization of medicines and depoliticization of the selection process. Indeed, it enables the government to focus on the price of medicines and thereby to avoid the broader issues of patent law and infrastructural failure in South Africa. The process of medicine selection is extremely technical. An interview with J, a manager at Central Drug Procurement (CDP) at the Department of Health (CDP), shows how quantitative medicines selection is:

We do some pharmaco-economic analysis and the medicine might prove to be cost effective but we might not be able to afford it. We really look at affordability. So when we have big shifts in treatments we also look at impact analysis to see what will be the impact on the budget. So something might be cost effective but not affordable for us. The question is: can you use this new commodity with your budget? First we look at the clinical evidence: is it safe? And then we go to the cost issue. We do a lot of cost minimization. If you have medicines A and B and the outcomes are barely the same, we compare them. And then once we know it's cost effective we'll see if it's affordable for us to use that given the budget that you have. (CDP Manager J 2015)

- 30 The semantic fields used in the whole interview are linked to data, bureaucracy, prices and guidelines. New-public-management techniques are broadly used during the drug selection. It highlights the focus on efficiency, cost-effectiveness and “optimality”. The CDP resorts to a range of instruments and techniques in order to objectify the selection process. The members of the National Essential Medicines List Committee (NEMLC) and of the Pharmacy and Therapeutics Committee (PTC) sign Declaration of Interest and Confidentiality forms to ensure transparency, and recruitment process are based on tangible signs of technical skills: most civil servants at the Department of Health have a PhD in Pharmacy or Medicine and have an academic background. Furthermore, medicine standards are at the core of medicine selection: the Essential Medicines List (EML) and Standard Treatment Guidelines ensure the standardisation of care: “Guidelines aim to standardise care, reduce local variation (equity), and improve health outcomes”.<sup>6</sup> The methods used to select medicines are based on quantitative pharmaco-economic analysis such as cost-effectiveness analysis. Evidence-based medicine is also at the core of medicines selection and shows the technicity of decision-making; the Essential Drug List (EDL) uses the “Strength of Recommendation Taxonomy” (SORT) which aims at rationalizing many types of evidence through a unique taxonomy.
- 31 The development of a National Health Insurance (NHI) has even increased medicine standardization. The variety of medicines supplied by the government is to be reduced thanks to the establishment of therapeutic classes. It means that within a basket of medicines with similar indications, only one will be included within public supply: “these therapeutic classes have been designated where none of the members offer a significant benefit over the other registered members of the class” (DoH, 2012). The

Pharmaceutical Task Group, an industrial working group, has noticed in a submission that:

the medicine options currently available to patients in the public sector are considerably wider than the Essential Medicines List, to which the White Paper refers at a number of points [...]. The PTG recommends that [...] the NHI should seek to broaden the accessibility of different medicines for different patient needs, rather than attempting to ration or restrict this. (Pharmaceutical Task Group 2015: 10-11)

- 32 This quote is telling, since it highlights a paradox inherent to NHI: the implementation of a unique healthcare system, said to be the fulfilment of universal access, is likely to reduce the variety of medicines available to patients. Moreover, attempts by civil society to protect the variety of supply come up against closed institutions and practices. For instance, the South African National AIDS Council (SANAC), which is a platform designed to build a comprehensive response to the AIDS epidemic, does not always take into account some interventions from civil society, as was suggested by the Treatment Action Campaign (TAC Provincial coordinator 2015).
- 33 . An employee at Doctors without Borders (MSF) South Africa even explained that “any special medical condition is out of control in the public sector.” (MSF Employee 2015) In other terms, in order to achieve a strong political project, the South African state reduces its prerogatives over medicines in a defined and restricted perimeter.

## The antiretroviral public market as a nexus between state and industry

### A myriad of relational contracts between the Department of Health and a few empowered companies

- 34 In contrast with the transnational policy forum around access presented in the first part of this article, I now wish to demonstrate that the public market of medicines is a major arena of negotiation: this is where already-identified players bargain the material and symbolic dimensions of medicines. Negotiation arenas, where the implementation of policy is worked out, are narrower than policy forums.
- 35 The nexus between state and industry is located within the public market, more accurately during the tendering process. The selection of bidders is not merely based on cost-oriented criteria but also on tight relationships between the procurement department and a small number of companies. My study shows that state regulation consists in the social delimitation of the public market. Since Department of Health influence over the market of medicines is strengthening, companies attempt to get closer to the Central Procurement Unit at the DoH. More and more often, they underline their links to the public sector and try to act in compliance with the state. Most of my interviewees from pharmaceutical companies explained that the public sector has become central to their business. As a manager in a pharmaceutical company asserted, “When NHI is implemented [...] It will be the moment when our relations with the State will count.” (Pharmaceutical Company Manager 2015) Building relations with the State is critical to maintaining a minimum of predictability and to secure investment in some types of medicines such as antiretroviral medicines. The same manager explained:

Why do companies stick to the state? Because there is so much uncertainty concerning National Health Insurance. Then, I think that we will have to take more and more into account the social responsibility required to invest in emerging countries. (Pharmaceutical Company Manager 2015)

- 36 Companies endeavour to get closer and closer to DoH civil servants. One of the interviewees said that he came to visit the Health Minister at the hospital, while the aforementioned manager explained that his company contacted the Department of Health right after the 2014 Pharmagate:

We just asked for a face-to-face meeting with the Deputy Director General in order to show them that we are not opposed to them. We finally agreed on looking at DoH policy. But DoH was the first state department we came to see. I have to say that [Name of his company] has been the only one to get a face-to-face meeting with them. (Pharmaceutical Company Manager 2015)

- 37 The growing importance of the health public sector has resulted in a strong competition between industrial stakeholders to access public tenders. The necessity of cutting costs has implied the selection of foreign generic companies. The procurement department — a division within the DoH — has favoured new types of providers, namely generic multinational companies, generally from India because of their price competitiveness. The public supply of medicines is locked around specific policy brokers who come from industry and try to monopolize the market while they reinforce the public sector's purchase power. A civil servant at the DoH explained that the DoH had developed strategies to attract new importers:

At that time [in 2008] local companies were the main suppliers. We said: "ok, if you want us to buy local then give us the money to buy enough medicines for all." I went to India and asked them why they were not interested in exporting to South Africa since we are the biggest market for ARVs. They replied that in South Africa the public market was only taking local manufacturers. Indeed, local companies were creating pressures on competitors. We decided to change it and we integrated the Indians into the tenders. (DoH Civil Servant 2016)

- 38 Therefore, the state's capacity to implement its policies is essentially linked with its dependence on multinational generic companies which, by importing cheap Active Pharmaceutical Ingredients (APIs) from India and China, are able to provide public tenders with the cheapest antiretroviral medicines (Kudlinski 2012). Avoiding originators and local manufacturers in favour of multinational generic makers has been essential to the implementation of access to antiretroviral medicines, in spite of the Department of Trade and Industry's developmental policies.
- 39 These companies would have limited interest in entering low-profit bids with strong uncertainty, since the ARV tender lasts only two years. By resorting to strategic use of Black Economic Empowerment, that is to say regulation which promotes the transfer of stakes in white-owned businesses to a new class of black investors, packaging selection (which can favour specific providers) and continuous pressure on prices, the public tenders tend to favour a limited number of companies through relational contracts. During the interviews, this category of stakeholders describes strong links with the state: a CEO of one these pharmaceutical companies evokes a "relationship": "we get on well with the Department of Health, we actually get on well". His emphasis on "transparency" and on the predictability of their agreements "we have always been on tenders since 20 years" shows that the development of the partnership stands for a long-lasting agreement with the state (Pharmaceutical Company CEO 2015). Moreover, their relations with the state are not channelled by industrial associations. They resort

directly to a limited number of key stakeholders at the DoH, as V, an employee of an industrial association explained:

- Do you resort to an umbrella body to defend your interests?
- Sometimes, it's better to act on your own. Generally that's what we do since we already have strong relations with the government. (Employee V 2015a)

40 Indeed, V suggested that the relations between the state and businesses have a strong personal dimension:

- You see, the relations that these companies have with the state are more ... personal. (Employee V 2015b)

41 These stakeholders also have advisory roles towards the Department of Health and the Department of Trade Industry. In fact, an employee of Aspen Pharmacare is an advisor to the Trade Minister. These empowered companies define themselves as “practical” organizations which can provide the state with technical guidance since, as S, a manager in such an empowered company argued, “in the DoH, they are all academics [...] they are a liberation party, they do not know how to design policies.” (Manager S 2015)

42 The government has undertaken the construction of a state-owned plant to produce antiretroviral medicines' APIs nationally and provide its entire population with treatments. Most of my interviewees call into question the government's ability to understand market dynamics. As manager S argued, “Government wants its own facility, it's indicated in the 10<sup>th</sup> point of healthcare reform. The big issue is that they will never manage to supply for all South Africans. This policy doesn't make any sense, its unique goal is to appeal to people.” (Manager S 2015) These critical viewpoints show how state and industry are intertwined in policy implementation and shows that industry is able to engage with health policy-makers.

## The public tenders as a state disciplinary apparatus

43 The companies' position is ensured by an implicit loyalty towards the state. If they break these relations by adopting an ill-adjusted behaviour, such as setting high prices or mismanaging their supply chain, they are likely to lose their contracts. In his 2017 budget speech, Health Minister Aaron Motsoaledi offered a pungent criticism of pharmaceutical industry's role on medicine pricing, but ended up listing companies and private health providers who have been contributing to a Fund. By making these companies visible and presenting them as models, the state labels them as “good pupils.” Contrariwise, some companies can be blacklisted by the government. The necessity to be seen “on the side of the state” stems from the fear of being frozen out of the public market. South African company Adcock Ingram, for instance, was suddenly kicked out of the tenders after its prices were not considered competitive enough by the tender department.

44

All in all, these elements suggest a strong state regulation in the ARV market. Thanks to the development of a benchmarking methodology project to ensure low prices and even the establishment of a Health Competition Inquiry, the DoH has been able to force the private health market into complying with price requirements. In 2014, the South African Competition Commission started a market inquiry to look into high prices in the private healthcare sector, which aimed at investigating the general state of

competition in the health market. This Inquiry betrays the growing reach of the National Department of Health which aims at imposing medicines' affordability even in the private healthcare sector. The benchmarking methodology is a telling example, constituting a sort of "ghost regulation". As a civil servant at the DoH argued, the methodology has never been really used, since companies virtually respect the principle of low prices:

You know, we initially designed an International Benchmarking Methodology for originators, to control prices. They have to apply by giving prices of their country markets and then if prices suggested in South Africa are higher, we look into it and try to investigate. But they do not want to explain why it may be more expensive in South Africa so they automatically suggest lower prices. We never need to resort to methodology actually. (DoH Civil Servant 2015)

- 45 Within the ARV policy arena, industry ends up accepting the rules of the game and even internalizes control. All in all, industrial stakeholders accept state intervention not through unilateral domination, but by voluntarily accepting specific rules and regulations for determined issues and products in exchange for access to the South African market. Companies accept these rules in this specific arena dedicated to access to antiretroviral medicines and let the state have hold on patented medicines as if, more or less symbolically, they were falling into the public domain. The partial requalification of medicines as a public good can be observed through the state's ability to label medicines as belonging to the public domain, as shown by two examples. The first is the 2008 Intellectual Property Rights from Publicly Financed Research and Development Act, known as the IRP Act, which came into effect on 2 August 2010 and ensures that intellectual property emanating from publicly-financed R&D is protected and commercialised for the benefit of the people of South Africa, knowing that the state retains 'walk-in rights' for health.<sup>7</sup> A second example regards public tenders: an originator company has granted a patented medicine to the public tenders. It has given it off label and the state takes care of its commercialization which is usually the purest expression of industrial property. As an employee of this company argued, "that's indirect marketing! The state takes care of communication for us!" (Pharmaceutical Company Employee 2015)

## Conclusion

- 46 The growing commodification of medicines questions the scope of state prerogatives in the health sector. In such a context, collective action to enable access to medicines is channelled by critiques of neoliberalism in favour of a traditional vision of the "welfare state" as modelled by Esping-Andersen, announcing the imminent collapse of neoliberalism (Wallerstein 2015). On the contrary, this article shows, through the example of ARV public-sector supply in South Africa, that medicine supply is organized in accordance with a neoliberal rationality. Indeed, the South African AIDS policy is not destroyed but designed by neoliberal mechanisms. Indeed, the access policy is paradoxically based on a quantitative vision of medicines, which emphasizes its price and calls for an ongoing standardization of treatments. These one-size-fits-all ARV medicines betray a macroscopic vision of health, far from an anthropological perspective of patients, as a professor at the School of Public Health at the University of Western Cape argued (UWC Professor 2015). In a resource-constrained environment, traditional welfarism is replaced by *ad hoc* mechanisms. In South Africa, this situation

has resulted in ambiguous but tight relations between state and industry, where the state has had to engage with industry to implement its access policies, from conflicts in policy forum to cooperation in a restricted policy arena: the public market of antiretroviral medicines. The latter has enabled the Department of Health to design new price standards and to challenge the configuration of patents. As a conclusion, we suggest that the South African government fulfils its universal access policy by vesting the market of medicines. This study is in line with Ferguson's approach of neoliberal health policies. The author claims that these policies "may be transforming the field of political limits and possibilities" (Ferguson 2015). Indeed, the South African government's ability to adopt industry's narratives to weigh in negotiations stands for a concrete and efficient way of avoiding the bottlenecks implied by litigation around patents. This behaviour may pave the way for other Southern countries which do not have strong and independent industrial capacities.

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## NOTES

1. The 1997 South African Intellectual Property Laws Amendment Act was passed hurriedly as an alignment to the TRIPS agreement. It took the form of a set of compromises between the two major parties, which did not incorporate TRIPS flexibilities into the law.

2. The notions of policy forum and policy/negotiation arena were offered then refined by public policy scholars Eve Fouilleux, Bruno Jobert and Pierre Muller (Boussagnet et Muller 2005; Fouilleux 2000; Jobert 1994). These authors investigate the ways public policies are legitimized, negotiated and implemented. Jobert (1994) makes a distinction between formal negotiation arenas and what he calls policy forums (*forums politiques*). The notion of negotiation arena refers to places where individuals negotiate the material and concrete conditions of policy implementation. While the arenas are usually limited to formal processes and decision makers,

the notion of policy forum applies to broader aspects of policy making. It refers to the places which are vested by a diversity of actors such as public servants and experts as well as opinion leaders and the media, in which they incrementally develop common definitions of social life and common mindsets, by questioning existing rules and creating new ones.

3. A biosimilar is a biological medical product that is almost an identical copy of an original product, by contrast with simpler, chemical generic medical products.

4. See the abstract of Ford et al (2015): “For more than two decades, CD4 cell count measurements have been central to understanding HIV disease progression, making important clinical decisions, and monitoring the response to antiretroviral therapy (ART). In well-resourced settings, the monitoring of patients on ART has been supported by routine virological monitoring. Viral load monitoring was recommended by WHO in 2013 guidelines as the preferred way to monitor people on ART, and efforts are underway to scale up access in resource-limited settings”.

5. Pre-exposure prophylaxis or PrEP is the use of an antiretroviral medication to prevent the acquisition of HIV infection by uninfected persons. See “Pre-exposure prophylaxis” on the WHO website: <http://www.who.int/hiv/topics/prep/en/>

6. CPD presentation, Pretoria, June 2015.

7. See the University of Cape Town website: <http://www.rci.uct.ac.za/rcips/ip/pfbill>.

## ABSTRACTS

One of the modalities of access to medicines in South Africa consists in the paradoxical delegation of regulatory functions to non-state actors – namely, but not only, industry. Drug policies in neoliberal globalized states are characterized by their insertion into a global trade system which promotes a growing commodification of medicines. At the same time, calls for the reform of national drug policies rise significantly. State formation in South Africa has been characterized by continuous negotiations and compromises with business, which at first sight questions the possibility of access policies. Opening the black box of the South African state amounts to demonstrating the state’s ability to roll out a political project which endeavours to have the pharmaceutical industry adopt the notion of universal access in a neoliberal context. This article attempts to shed a light on access mechanisms through the analytical deconstruction of the public market of antiretroviral medicines as a set of intertwined social relations. In South Africa, the role of industry, as heterogeneous as it is, has been deeply ambiguous and often denounced by civil society. Still, its role has been critical to ensure the supply of medicines. As a result, the Department of Health has been broadly dependent on industry, regarding the innovation agenda, the security of supply and industrial policy.

Une des modalités d'accès aux médicaments en Afrique du Sud consiste dans la délégation – paradoxale – de fonctions régulatrices à des acteurs non-étatiques, en particulier - mais pas seulement - les industriels. Les politiques du médicament dans les Etats globalisés néolibéraux sont caractérisées par leur insertion dans un système commercial mondial qui promeut la marchandisation croissante des médicaments. Parallèlement, les demandes de réforme des politiques du médicament conduites au niveau national ont crû de manière significative. La formation de l'Etat sud-africain a été marquée par des négociations continues et des compromis avec les entreprises, ce qui pourrait sembler susceptible, de prime abord, de remettre en cause la

possibilité-même de mettre en œuvre des politiques d'accès aux médicaments. Lorsqu'on ouvre la boîte noire de l'Etat sud-africain, on peut constater que l'Etat s'emploie à mettre en œuvre un projet politique visant à ce que l'industrie pharmaceutique adopte le principe de l'accès universel aux médicaments dans un contexte néolibéral. Cet article met en lumière les mécanismes d'accès aux médicaments en analysant le marché public des traitements antiviraux comme un ensemble de relations sociales entremêlées. En Afrique du Sud, le rôle des industriels – quelle que soit leur hétérogénéité – a été profondément ambigu, et dénoncé à ce titre par la société civile. Toutefois, le rôle de l'industrie pharmaceutique a été décisif pour garantir l'approvisionnement en médicaments. Il en résulte que le Ministère de la santé sud-africain a été largement dépendant des industriels en ce qui concerne aussi bien l'innovation que la sécurisation de l'approvisionnement et le développement industriel.

## INDEX

**Keywords:** HIV/AIDS, patents, South Africa, TRIPS, access to medicines, pharmaceutical industry, neoliberalism

**Mots-clés:** VIH/SIDA, brevets, Afrique du Sud, ADPIC, accès aux médicaments, industrie pharmaceutique, néolibéralisme

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# Neoliberal Metaphors in Presidential Discourse from Ronald Reagan to Donald Trump

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- 1 Neoliberalism is an ambiguous and complex concept. Unlike Keynesianism, it is not a unified doctrine (Davies 2017: 19). It is sometimes employed without any clear definition, or its meaning reduced to *laissez-faire* economics. The difficulty in defining neoliberalism may come partly from the asymmetry of its usage. Today, it is used almost exclusively in the negative sense, and no one self-identifies as a “neoliberal” (Boas and Gan-Morse 2009: 138-40). Its meaning is also context-dependent and the result of a complicated historical development (Coles 2017: 21).
- 2 The word itself goes back to the 1890s (Oxford English Dictionary), but the idea of a new form of economic liberalism really emerged in the 1930s. It was developed by continental European intellectuals who worried about the decline of classical liberalism and the rise of government economic intervention through social programs, regulation and planning. It was rather moderate in comparison to classical liberalism (Boas and Gan-Morse 2009: 145). For the 30 years following World War II, however, a Keynesian-style monetary and fiscal policy of state intervention in the economy became the dominant economic model. At the same time, economists such as Milton Friedman and Friedrich Hayek, who promoted market competition and criticized government intervention in the economy, became prominent thinkers in the Chicago School of Economics. As they were relegated outside the mainstream, their views grew more radical (Palley 2005: 21). The economic crisis and social turmoil of the 1970s put these “neoliberals” in the spotlight, as the economic paradigm shifted towards a favorable view of deregulation, limited governments, and free markets (Coles 2017: 21, Steger and Roy 2010: 11).
- 3 This major change was made visible in the economic rhetoric and policies of Margaret Thatcher in the UK, and Ronald Reagan in the US. While Tories and Republicans were fully embracing this shift, a less visible transformation was also taking place on the Left. In the United States, as the adjective “liberal” became a derogatory epithet among

American conservatives in the 1980s, a few left-wing intellectuals and politicians began to adopt the label “neoliberal” to describe their beliefs. Although these intellectuals never explicitly identified with pro-market policies, they greatly contributed to the acceptance of free-market principles by rejecting the legacy of the New Deal and the New Left, by criticizing programs like Social Security and Medicare, by strongly attacking unions, and by claiming to “no longer automatically favor big government or oppose the military and big business” (Peters 1983: 9). Eventually, the collapse of Soviet communism in 1989-1991 was seen by many as the triumph of a market-oriented economic philosophy now linked, at least rhetorically, to the idea of democracy and freedom (Steger and Roy 2010: 47). George H. Bush’s “Freedom’s victory” was presented as the victory of free markets and the defeat of political oppression in the form of planned, state-owned economies. On the left, neoliberal economics became the foundation of the “New Democrats” and the “Third Way”, exemplified by the policies of Bill Clinton. The 1994 North Free Trade Agreement (NAFTA) is a good illustration of such a policy supported by every administration from Ronald Reagan to Barack Obama. It reflected a similar economic philosophy of expanding free market economies and free trade throughout the world. Despite some practical adjustments, most recently in the aftermath of the 2008 financial collapse, this consensual view lasted until Donald Trump. Domestically, however, strong disagreement remained between Republicans and Democrats on the role of government in the economy, particularly regarding the question of regulation and health care.

- 4 Still, some scholars have shown that neoliberalism does not necessarily mean limited governments. Neoliberalism, they claim, is not about states ceding power but about “replacing political judgment with economic evaluation” and “justifying decisions in terms of logic of markets” (Davies 2017: 21). This means that neoliberalism is not the same as classical liberalism – with its emphasis on free markets – but rather takes the form of state planning for free markets and competition. However, the case remains that from a rhetorical viewpoint, both in terms of what the neoliberals say, and what critics often say they are obsessed with, neoliberalism has consistently pushed free trade and free markets.
- 5 This paper focuses precisely on the rhetoric regarding these two tenets of neoliberalism. It explores how US presidents have produced and shared a coherent narrative since the early 1980s, including on the role of government in the economy, despite political differences on a topic like health care. This discourse is characterized by the sacralization of free markets and free trade, on the one hand, and a wary view of government intervention as an impediment to freedom, on the other. This article also argues that, although Donald Trump’s rhetoric may appear to mimic that of his predecessors, his discourse actually represents a disruption in the doxa regarding trade or the expansion of the free market. Drawing on the rhetorical and cognitive approaches established by Lakoff and Johnson (1981), and further developed by Chilton (2004), and Charteris-Black (2011), this article analyses the conceptual metaphors that both reveal and produce concrete meaning for abstract economic notions. As linguist George Lakoff and philosopher Mark Johnson have shown, metaphors are meaningful windows onto the historical, cultural and social experience of a country, and the metaphorical structure of the fundamental concepts in a culture is coherent with the basic values of that culture (1981: 22). More than a figure of speech, a metaphor is, first and foremost, a tool for understanding and framing. It operates as a device of simplification by using familiar meaningful terms to talk about unfamiliar and often

abstract concepts. Market and trade are, for instance, commonly framed through metaphors of physical freedom like movement and journey. This means that “free market” and “free trade” are understood not as mere economic systems but rather as basic rights virtually indistinguishable from democracy and political freedom, making regulations and government intervention impediments to freedom. President Clinton’s concept of “market democracies” in the 1990s epitomized this fusion between political and economic freedom.

## A Deterministic Model

- 6 According to Lakoff, freedom itself is an abstract political concept with a tangible reality often “expressed through metaphors fundamentally understood in terms of our bodily experiences,” particularly through the metaphors of movement and journey (2006, 29-30). Such metaphors enable politicians and presidents to conceptualize long-term purposes, including economic and political goals in foreign affairs.

## Metaphors of Journey and Movement

- 7 In the United States, many considered the end of the Cold War as Ronald Reagan’s victory, a vindication of his policy and free-market rhetoric. After all, Ronald Reagan had warned the world that the free market was “the one true path” to development (1987-09-21). The exultation of the “end of history” even led some to believe that the advent of liberal democracy and the capitalist market represented the final stage of human evolution. As the Soviet bloc was collapsing, President George H. Bush expressed his delight that former communist countries were “taking early steps towards free markets” and “that the world move[d] in this direction” (1990-01-12). Similarly, Bill Clinton presented the free market and democracy as “the only proven path” to follow (1994-07-07), and as the traveler “on the march” (1995-05-08), and Barack Obama noted that “countries like China, India, and Brazil [were...] moving toward market-based principles” (2011-05-25). This discourse of a progressive movement represents more than a simple motion forward; it signals a journey because it has direction and purpose. Life-as-a-journey is a common metaphor in the English language (Charteris-Black 2004: 74). There is evidence to suggest, however, that journey metaphors are more prevalent in American political discourse (Charters-Black 2004: 107), perhaps because it resonates with the American historical experience of journeys westward, across the land or across the sea. Ronald Reagan, for instance, presented free trade and free markets in navigational terms, and advocated to get “the boat of free markets and free trade [...] moving in the direction of prosperity,” comparing trade war to “shooting holes” and calling for strengthening “the boat of free markets and fair trade so it can lead the world to economic recovery and greater political stability (1982-20-11). In her study of President Reagan’s trade rhetoric, political scientist Delia Conti concludes that this was his “most frequently-used trade metaphor” (1995:101). It is a powerful imagery of experiential collectivity: “We’re in the same boat with our trading partners”, he also said in the same speech, thus emphasizing the stakes and the risks of trade wars that could sink the boat. The journey may also be vertical. For instance, President Reagan also compared freedom in the marketplace to a “ladder of social and economic advancement for all people, step by step improving the lot of every individual from top to bottom.” (1985-06-21). This

upward movement emphasizes success from a hierarchical business-like perspective (Eubanks 2000: 156).

- 8 In times of crisis, journey metaphors become useful rhetorical tools, as they offer guidance and provide confidence. In 2008, presidents Bush and Obama both reiterated that free people and free markets were the “surest path” to prosperity and growth (2008-11-14, 2008-11-15, 2011-03-19). These metaphors also encourage the audience to accept “short-term suffering for worthwhile long-term objectives” and they help make sense of a dire situation by giving it a moral perspective (Charteris-Black 2011: 67). This is how Barack Obama used this metaphor at the beginning of his presidency when the financial meltdown was becoming a full-blown crisis:

Our journey has never been one of shortcuts [...] the long, rugged path toward prosperity and freedom. (Inaugural Address, January 20, 2009)

It is time to put in place tough, new, common sense rules of the road so that our financial market rewards drive and innovation, and punishes shortcuts and abuse.

(Address Before a Joint Session of the Congress, February 24, 2009)

- 9 Here, “shortcuts” amount to cheating and to an easy way out of the rules, contrary to “the long, rugged path” of the national journey, a reminder of the pioneer’s journey that emphasizes the protestant work ethic that ultimately leads to “prosperity and freedom” (2009-20-02). The journey metaphor doubles as a justice metaphor (shortcuts are wrong / long journeys are right). Here, the value of the reward is thus correlated with the hardship of the journey. In all these instances, capitalism is destined to succeed and expand, and Americans are on a mission to redeem and remake the world in their own image, a variation of the old American concept of Manifest destiny.

## Metaphors of Nature: Garden, Water and Weather

- 10 Presidents also use organic metaphors and metaphors of nature to frame the “natural” outcome of the journey as peace and prosperity. Ronald Reagan praised “international trade” for providing the “fruit of human talents that transcend boundaries of geography and culture” (1988-05-05). George H. Bush associated markets with “fruits” (1990-12-03) and a “harvest that everyone can share” (1989-09-25), and Bill Clinton stated that free markets were “growing” and “flower[ing] throughout the world” (07-26-1993), and that you could “reap their benefits” (1997-09-22). He also declared with satisfaction that they were even “taking root on every continent” (1996-08-05). Such metaphors are evocative of the Garden of Eden, an image used extensively by President Clinton who dreamed of “a garden of democracy and prosperity and free enterprise in every part of this globe” (1993-02-26).
- 11 The idea that the land will magically produce growth and wealth brings to mind the myth of the frontier, and what historian Richard Slotkin called “bonanza economics” linking economic growth to the discovery of new land (1993: 17-8). The vast, untapped reserves of free land in the old West became the new overseas markets that need “opening up” (1988-05-05, 1993-02-17, 1998-01-7, 2008-01-28). With the success of the space shuttle, Ronald Reagan even saw space, the ultimate new Frontier, as a place offering “new opportunities for free enterprise” (1985-02-06). Along with the journey metaphor, these tropes form a metaphorical network deeply rooted in the American mythical past. Here too, metaphors serve as political tools to illustrate a complex situation in simple terms that echo the national mythology, and resonate with the way

Americans understand their mythical position in the world. Organic metaphors also reinforce the idea that expanding free market capitalism is determined by nature itself.

- 12 Free trade is also commonly presented through organic metaphors, in particular liquid metaphors:

The freer the flow of world trade, the stronger the tides for economic progress and peace among nations. (Radio Address to the Nation on International Trade, August 6, 1983)

- 13 In presidential discourse, free trade has been frequently associated with the “free flow” of a variety of elements that include goods and ideas (1991-09-23), goods and services (1993-02-26), goods and capital (1995-04-20), information and people (1998-05-18), and more generally and most commonly, of commerce (1990-03-08, 1994-09-28 2002-05-14, 2006-07-31, 2006-10-13, 2011-28). Other organic metaphors may also result in making economic crises seem more “natural” and therefore more acceptable. In his remarks on the national economy in 2009, for instance, Barack Obama employed a weather metaphor to talk about the recession:

This recession [...] was caused by a perfect storm of irresponsibility and poor decision-making [...]. Markets and economies naturally ebb and flow [...] a normal downturn in the business cycle. (Remarks on the National Economy, April 14, 2009)

- 14 The image of the storm underlines the exceptional and violent quality of the crisis as opposed to the regular “ebb and flow” of markets and economics – an expression that evokes the “natural” tide of the business cycle, an image also used by Ronald Reagan (1983-08-06). The connotation is that crises are part of the laws of nature, and the solution is not to change the system but to better prepare through new policies. This association of nature and a capitalistic economic system connotes a deterministic model.
- 15 The water metaphor is also one of Donald Trump’s favorite tropes but, contrary to his predecessors, he sees this flow as something dangerous, invasive and dangerous from which protection is needed. The reduction of trade barriers, he says, has “allowed foreign goods to flow freely into our country” (2017-10-11). He applies the metaphor to more than just commerce, using it to evoke more pressing threats from the outside world. One of the greatest threats to the American nation, according to Trump, is the flow of illegal immigrants who have “flooded in” (2017-29-04). Dangerous elements, people associated with crime, violence (particularly the MS-13 gang), drugs and terrorism (2017-24-02, 2017-26-02) are “pouring” across the border. Whether it is people or commerce, these metaphors illustrate Donald Trump’s unerring vision: the world is a dangerous place with potential threats from which the nation must be protected through physical walls or economic tariffs.

## Machine Metaphors

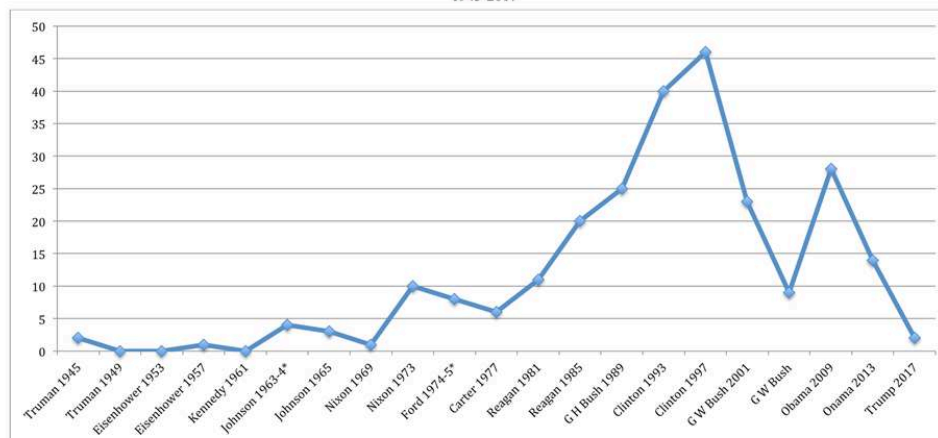
- 16 Paradoxically, the market may also be presented as an artificial construction through the machine metaphor.<sup>1</sup> Just like organic metaphors, the machine metaphor illustrates the inescapability of the free market economic system as well its progressive nature. In his 1988 State of the Union Address, four months after the October 19 “Black Friday” stock market crash, President Reagan continued to express his belief in “the free market as an engine of economic progress” (1988-01-25). George H. Bush used the same imagery of the “engine of progress” (1990-01-31) that would “fuel growth”

(1989-09-25) and George W. Bush talked about trade and free markets as “the engines of the world’s economy” (2005-02-21). Similarly, President Clinton called them “the best engines we know of for raising living standards, reducing global poverty and environmental destruction, and assuring the free flow of ideas” (2000-01-27-) or the “great engines in this extraordinary economic machine” (1994-10-24). The machine metaphor sometimes overlaps with a movement metaphor driven by consumers who “determine the direction and the workings of the marketplace” (1994-07-07, 1994-10-24).

- 17 This machine metaphor continued to be used even after the 2008 financial meltdown: if the market machine is not “functioning,” declared George W. Bush, it is because it needs “the grease necessary to keep the gears of our financial system turning,” i.e. liquidity (2008-10-10). The crisis is therefore not a failure of the machine, but only a temporary malfunction that needs “fixing” (2008-11-13). Even Barack Obama, who was more circumspect and recognized market failures, employed the same metaphor to emphasize how the “market can spin out of control” (2009-01-20) and how the free-market machine only needs “smart regulations” to “work as it should,” to “work better” (2011-05-25, 2012-01-24).
- 18 These examples illustrate how, in the last 35 years, the United States presidents have all framed market and trade through the same metaphors that emphasize a sense of inevitability within the neoliberal philosophy. Remarkably, Donald Trump seems to be breaking with this doxa of the past 40 years on two accounts. Firstly, because although he has been using the organic metaphor to speak about free trade, he has primarily presented it in negative terms, as a threat to the nation’s interest and economic health. Secondly, contrary to his predecessors, he has shown no interest in spreading either political or economic freedom throughout the world. In fact, in the first year of his presidency, he only mentioned “free market” in two of his remarks and speeches, and only once in his tweets. The comparison with his predecessors is striking, as shown in the following graph:

### Comparison of the number of presidential speeches and remarks containing the phrase “free market” in the first year of each presidency (1945-2017).

Comparison of the number of presidential speeches and remarks containing the phrase “free market” in the first year of the presidency. 1945-2017



Comparative computer-generated analysis with the R program for Statistical Computing of the presidential papers archived online on *The American Presidency Project*, University of California  
< <http://www.presidency.ucsb.edu/>>.

\*In the cases of the first Johnson presidency and the Ford presidency, the speeches and remarks taken into account cover a 12 month period.  
\*\* Donald Trump's discourses and speeches in this comparative study do not include his tweets.

Source: comparative computer-generated analysis of the presidential papers archived on *The American Presidency Project*, University of California, <https://www.presidency.ucsb.edu/>.

- 19 The only market Donald Trump seems to be interested in is the stock market, the growth of which he attributes to his election. He mentioned it in 75 of his speeches and in 42 of his tweets within the first year of his presidency. It would be premature to conclude that Donald Trump is not a neoliberal in his own right, however.

## A Moral Model

- 20 As free markets and free trade have been presented as the only economic options that lead to peace and prosperity for the United States and the world, they have also been framed in moral terms, most notably by linking economic freedom to political freedom. In his address to the United Nations General Assembly in 1986, Ronald Reagan made the organic connection very clear: “economic freedom,” he said, “is the inseparable twin of political freedom and democratic government.” (1986-09-22). With the end of the Cold War, political freedom and free markets were constantly associated to the “triumph of liberty over dictatorship in every corner of the globe” (1990-05-12) and to the liberation from “oppression” (1993-04-01, 2001-02-27). Bill Clinton linked human rights to the market by calling for the expansion of “market democracies” at the United Nations (1993-09-27) and George W. Bush reinterpreted the commitment of NATO and the European Union to a commitment of “democracy, free markets, and common security” (2001-06-15). Similarly, Barack Obama saw a historic trend toward “free societies, free governments, free economies, free people” (2011-11-17). The free-market economic model has also been presented through a number of metaphors that precisely emphasized its moral nature.

## Personification

- 21 Just as recent presidents have often spoken allegorically about freedom, they have also repeatedly given human qualities to the market. George H. Bush noted that free markets are “well-informed” and constitute a system with “wisdom” (1990-02-05), whose actions are moral as they contribute to the “defense of the environment” (1990-02-05), and even “provide levels of prosperity, growth, and happiness” (1991-09-23); Bill Clinton emphasized the “power” and “logic” of the free market (1999-06-12); and Barack Obama saw open markets as agents of change, providers of the “chance to create and succeed” (2011-09-11). In other words, they warrant the American Dream. George W. Bush also embraced the moral view of free markets and trade that “have helped defeat poverty and taught men and women the habits of liberty” (2003-05-09, 2001-07-17). In this moral account, opposing free trade or the free market is morally wrong. “Those who protest free trade are no friends of the poor,” since they “deny them their best hope” (2001-07-17). George W. Bush made it clear that markets were no longer a means, but an end in themselves: if “corporate criminals must pay a price”, he claimed, it is for no other reason than for “the sake of our free market” (2002-09-26).
- 22 Even as the effect of the financial crisis continued to worsen, Barack Obama urged his audience to “help restore a free market that’s fair” (2009-05-17-9). The word “restore” implies a health metaphor, a common conceptual metaphor in times of economic crises which identifies the status of the market with terms like “health,” “healthy,” “recovery.” The “flow of credit” was compared to “the lifeblood of our economy” (2009-02-24, 2009-02-10). It was one of the most recurrent metaphors used by President Obama at the beginning of his first term (Sacco 2009). On the other hand, regulations were no longer obstacles to economic freedom but necessary elements in a “healthy market” in which “a quick profit” was considered unhealthy (2009-02-24). The belief in the morality of the market, just like the belief in American exceptionalism, also stems from a positive view of competition grounded in a strong sense of self-confidence prevalent in American culture (McNaught 2009: 126).

## A New God?

- 23 Not only is the market presented as a moral agent and a benevolent force, it is also endowed with supernatural power. Ronald Reagan referred to the “magic of the marketplace” in more than 15 different speeches between 1981 and 1988, including in his more prominent remarks:
- [...] the United States believes the greatest contribution we can make to world prosperity is the continued advocacy of the magic of the marketplace [...] (Address to the 41<sup>st</sup> Session of the United Nations General Assembly in New York, September 22, 1986.)
- 24 As China was opening up to a market-oriented economy, he noted how the “free market spirit” had “enlivened the Chinese economy” (1984-05-01), and in his famous speech at the Brandenburg Gate in West Berlin in 1987, President Reagan marveled at how “free markets are working miracle after miracle of economic growth” (1987-06-12). In a less dramatic fashion, George H.W. Bush called the market a power “unleashing a new force” (1989-02-09), and a “force of progress” (1989-09-25). Expressing his belief in America’s mission after the fall of communism, Bill Clinton

called on Americans to become “leaders in the great crusade of the post-Cold War era to foster liberty, democracy, human rights, and free-market economies throughout the world” (1993-03-26).

- 25 The market was not just powerful, according to Barack Obama it is the “greatest force the world has ever known for creating wealth and opportunity” and “for economic progress in human history” (2011-11-17, 2012-04-10). God’s promise to the Pilgrims has become “the promise of the free market” (2011-01-28) and its power is what America’s “ultimate success will always depend upon” (2010-08-09). If one defines religion as humanity’s “acknowledgement of a greater or a superior power to which one owes fortune, obedience and respect,” then the similarities between the market and God himself become striking (McNaught 2009: 129).
- 26 Applying his belief in America’s mission to expand freedom to the world through economic opportunity, George W. Bush was explicit in expressing his vision of the powers of the free market and free trade “to transform our world” (2006-02-15). In his 2002 State of the Union address, he claimed that “in every region, free markets and free trade [...] are proving their power to *lift* lives” (2002-01-29) — “lift” evokes a verticality traditionally associated with spiritual transformation. According to President Bush, free markets have quasi-magical powers of social transformation that can be applied “to the needs of the poor” through free trade (2001-07-17). This power of transformation echoes America’s own mythical story of a country transformed “from a rugged frontier to the greatest economic power in history” (2008-11-14).
- 27 Through these metaphors, we can identify a number of characteristics of the free market traditionally attributed to the divine. Firstly, it is benevolent, as it is a force that brings peace and prosperity. Secondly, it is omnipotent, since it is unavoidable and part of natural law. Thirdly, it is omniscient, as it meets the needs of all people. And finally, it must become omnipresent, as the goal is to expand it throughout the world so it can be felt everywhere at the same time. On the whole, these metaphors seem to confirm the view of economist Lester Thurow that market theory “is a political philosophy [...] approaching a religion” (Thurow 1984: xviii). This was true until Donald Trump’s election, who, contrary to his predecessors, has virtually no interest in political freedom and democracy, except for a few opportunistic rhetorical mentions of Cuba, Venezuela, Syria and North Korea.

### Trade-is-a-game Metaphor

- 28 Free trade in particular is commonly framed through game metaphors. It is an attenuated, less hostile version of the war metaphor as it involves not only winners and losers but also rules and order. It is also a very common metaphor in the culture and language of business (Hamington 2009: 473). The game metaphor is essentially a moral metaphor that brings into play concepts of fairness and justice. The core narrative of this metaphor is that Americans will necessarily be the winners, as long as the rules are fair.
- 29 One of the main arguments put forth by presidents in support of free trade agreements is that, through these deals, they are able to “level the playing field” of commerce. This sports metaphor is a subset of the game metaphor and is one of the most recurrent expressions used for international trade in politics. Every president from Ronald Reagan to Barack Obama have used this metaphor to push for free trade agreements

that would standardize the rules and “level the playing field” for the American workers. As the following excerpts show, this game metaphor is expressed in a striking similar fashion in presidential discourse:

If the United States can trade with other nations on a level playing field, we can outproduce, outcompete, and outsell anybody, anywhere in the world. (Address Before a Joint Session of Congress on the State of the Union, February 4, 1986)

Level the playing field, and Americans will outthink, outproduce, and outperform anyone, anywhere, anytime [...] I put my faith in your talent to compete: America doesn't cut and run. We compete. (Remarks at Louisiana State University in Baton Rouge, Louisiana, March 6, 1992)

Given a fair chance and a level playing field, we can out-innovate, out-produce, and out-compete any people. (The President's Radio Address, November 20, 1993)

With open markets and a level playing field, no one can outproduce or outcompete the American worker. (Address Before a Joint Session of the Congress on the State of the Union, January 31, 2006)

Our workers are the most productive on Earth, and if the playing field is level, I promise you, America will always win. (Address Before a Joint Session of the Congress on the State of the Union, January 24, 2012)

- 30 Each quote also expresses a strong belief in national superiority, evoking American exceptionalism and self-confidence. The reasoning is always that trade agreements will “level the playing field” for American workers who will be able to completely and necessarily win. Bill Clinton tried to convince the unions that NAFTA was a good agreement for the American workers using this game metaphor (1994-24-09), and it is also how Barack Obama introduced the negotiations on a Trans-Pacific Partnership (TPP) (2013-02-12). The game metaphor also implies that the freedom that comes with “free trade” and “free market” is not *laissez-faire* but rather based on fair rules.
- 31 Ronald Reagan was the one who redefined free trade as fair trade to justify his protectionist measures, particularly regarding Japan, while remaining consistent with the principles of free trade and competitiveness (Conti 1995: 92).
- We had clear evidence that Japanese companies were engaging in unfair trade practices that violated an agreement between Japan and the United States. We expect our trading partners to live up to their agreements. As I've often said: Our commitment to free trade is also a commitment to fair trade. But you know, in imposing these tariffs we were just trying to deal with a particular problem, not begin a trade war. (Radio Address to the Nation on Free and Fair Trade, April 25, 1987)
- 32 President Bush senior and President Bush junior both declared that freedom and fairness go hand-in-hand (1990-01-31, 2004-01-20). Similarly, Bill Clinton saw in free-trade agreements opportunities to shape global commerce and guarantee that the rules are fair to the American workers. In 1997, he advocated that a “yes vote” for free-trade deals “means that America helps to write the rules for the new global economy” (1997-11-08). This was the reason for participating in trade deals, including as recently as 2015 with the TPP (2015-01-20). The president ensured that the trade deals would be beneficial as long as the trading partners “played by the rules” (2015-01-25).
- 33 These metaphors reveal a coherent consensual view of the market as a benevolent force inasmuch as it works fairly, i.e. according to rules that America could write and enforce. The failure of the market is essentially that of the individuals who misuse it. It is seen as an anomaly in the game. As Presidents from Ronald Reagan to Barack Obama all share this vision, it might be considered to have become a national mythology in itself.

34 Donald Trump may be seen like a heretic in this respect, however, at least rhetorically speaking. It is important to note that Donald Trump has used the same game metaphors for trade and has expressed a similar belief in American exceptionalism. “When there is a level playing field, —and I’ve been saying this for a long time—” he said to Boeing workers in Charleston, “American workers will always, always, always win” (2017-02-17). This is what other presidents had said for decades, which is why the idea that “the terrible trade deals” are why American workers were not given that “level playing field” should resonate with the so-called “forgotten Americans” (2017-02-21). Expanding on the game metaphor, Trump takes on the heroic role of the righter-of-wrongs in a world divided between winners and losers, promising that “America is going to start winning again, winning like never, ever before,” and that “we’re not going to let our country be taken advantage of anymore” (2017-02-17). In this speech, Trump offers once again a very antagonistic view of the outside world akin to a villain doing “tremendous cheating.” His rhetoric also signals a semantic shift in which “fair trade” has replaced “free trade” as the main goal put forth by his administration, which he stated very clearly:

So I know that’s always been a point of contention, but to me it’s just fair. It’s just fair. It’s reciprocal. It’s fair. And so we’re going to be doing a lot of work on that, and that’s becoming a very, very important factor—fairness. Because I believe in free trade. I want so much trade—somebody said, oh, maybe he’s a total nationalist —which I am, in a true sense—but I want trade. I want great trade between countries. But the word “free” is very deceiving, because it’s good for them, it’s not good for us. I want fair trade. (Remarks to the National Governors Association, February 27, 2017)

35 If Donald Trump sounds like a disrupter, his rhetoric offers a moral narrative that is essentially coherent with the story told by previous presidents. It is undeniable that his opposition to free trade deals conflicts with one of the tenets of classic *laissez-faire* economic liberalism. This does not signal, however, a return to the post-war Keynesian economics.

## Obstacles to Economic Freedom

36 One important way to understand the real impact of neoliberal thinking is to study what constitutes obstacles to prosperity and freedom in presidential discourse.

### The Shifting Meaning of the Wall

37 For decades, presidential rhetoric conceived of walls and barriers as obstacles to economic and political freedom. This metaphorical framework was firmly situated in the narrative of the Cold War in which obstacles to freedom, both economic and political, were symbolized by the “Iron Curtain,” barriers, and walls. When Ronald Reagan famously asked USSR Premier Gorbachev in his speech at the Brandenburg Gate in West Berlin in 1987 to “tear down this wall,” he linked political freedom and peace to the “economic miracle” of free market and free trade. Similarly, his successor, George H. W. Bush, praised “freedom’s advance” in “a movement towards political pluralism and a free-market economy,” adding that “barriers stand in the way” and “unneeded restrictions and regulations act as dead weights on their own economies and [are] obstacles to foreign trade” (1989-25-09). Bill Clinton warned of “democracy’s prospects

[...] dimmed [...] by trade barriers” (1993-26-02) and later celebrated the dismantling of “the blocs and barriers that divided our parents’ world” and the hard work of governments “to tear down trade barriers abroad” (1993-04-02). George W. Bush cited Ronald Reagan’s speech in West Berlin, commended him for believing “that no human barrier could hold back the spread of human liberty” (2003-11-11). In his last State of the Union message, Bush promised he was working “to break down barriers to trade and investment wherever we can” (2008-01-23). In his discourse, regulations and tariffs constitute obstacles that “prohibit the free flow of trade” (2008-04-21). Naturally, it follows that such barriers must be “lowered” (1991-02-06), “reduced” (2012-05-19), or “eliminated” and “torn down” to allow for the circulation and flow of economic activity (1990-06-11, 1998-06-08, 1998-05-18, 2005-09-14).

- 38 Even as the most serious economic crisis since the Great Depression was looming, the priority was still to maintain the free market and the “free movement of goods and services,” George W. Bush warned in the wake of the 2008 financial meltdown (2008-11-14). Barack Obama continued to be largely influenced by the Cold War narrative when, in Strasburg, France, he reminded the Europeans that “we must not erect new barriers to commerce, that trade wars have no victors,” and that “the freedom that our nations stood for throughout the Cold War was the opportunity that comes from free enterprise and individual liberty,” (2009-03-04), pointing also to the uselessness of “walls of concrete and barbed wire” that “are ultimately no match for the will of ordinary men and women who are determined to live free” (2014-07-11).
- 39 This is where Donald Trump’s rhetoric constitutes a dramatic shift from all his predecessors since the 1980s. His narrative frames the nation as a container that is under constant threat from dangerous elements “pouring and flooding in”. The main conclusion of this narrative is the need to build walls and barriers as a means of protection (2017-25-01). Trump’s key surprising difference, especially compared to previous presidents, is that his rhetoric as a candidate is very similar to his rhetoric as a president. President Trump has continued to repeat his promise to build a “great wall”, “a real wall, not a little wall like some people said” (2018-02-02), “a great border wall to stop dangerous drugs and criminals from pouring into our country” (2018-23-02). In addition to his promised great southern border wall, he also refers to what could be called a “protectionist wall” through the renegotiation of NAFTA (2018-01-05), which led to the rebranding of NAFTA into USMCA to give the president a political win (Donnan 2018). This protectionist wall also takes the form of tariffs imposed as a form of punishment on countries deemed unfair to the United States like China or Canada, but also against countries that refuse to take back their criminals (2018-02-02). He even connects the metaphorical and the physical walls by promising that the wall on the border will be paid for by Mexico with what it “makes from the U.S.,” thanks to NAFTA (3:25 AM - 18 Jan 2018).

## Government vs. Freedom

- 40 One of the most visible features of neoliberal thinking is a shift in the role of government that has occurred since the 1970s, when a rollback of the government’s regulatory power began with the first wave of deregulation. It was Ronald Reagan who popularized a more anti-government rhetoric, encapsulated in his now iconic remark in his 1981 Inaugural Address: “government is not the solution to our problem;

government is the problem.” In economics, the government is seen as an obstacle to the workings of the free market machine:

Government, with its high taxes, excessive spending and overregulation, had thrown a wrench in the works of our free markets. In essence government was trying to run the economy, but was ruining it instead. (Remarks to Brokers and Staff of the New York Stock Exchange in New York, March 28, 1985)

- 41 His successor, George H. Bush, continued to promise “fewer regulations” and “less bureaucracy” (1989-02-09). Even at the end of his term, he continued to present taxes and regulations in terms of “obstacles” that “hinder growth” and must be “cleared away” in order to “set the economy free” (1992-01-28). This view that taxes and regulations constitute impediments to freedom has been central to the Republican platform since Reagan. Like his father, George W. Bush also vowed to remove “needless regulations, unnecessary, burdensome, cumbersome, costly regulations” (2001-03-26). He was particularly fond of the expression “tax relief” which he used more than any other president. This metaphorical phrase frames taxes as a form of affliction to be eliminated or from which one wishes to be liberated (Lakoff 2006: 13). The Democratic presidents of the post-Cold War era used this same expression repeatedly.
- 42 Regarding deregulation, Bill Clinton continued the policy of the previous administrations, especially after the Democrats lost both the House and the Senate in the 1994 midterm elections.<sup>2</sup> He also boasted of “reducing government positions, cutting government programs and eliminating regulations,” giving “states the freedom from burdensome Federal Government regulations” (1995-07-08, 1995-07-15). Sixteen years after Ronald Reagan, Bill Clinton tried to close the debate on the role of government by promoting an intermediate vision where “government is not the problem, and government is not the solution.” (1997-01-20). His view of government was also defined in relation to freedom: he advocated for “a government that empowers our people to make the most of their own lives but is smaller and less bureaucratic and less burdensome than it has been” (1995-07-15).
- 43 Barack Obama also tried to strike a balance between government action and freedom. He advocated rolling back government intervention in “instances where the gains in security from government action are not worth the added constraints on our freedom” (2009-09-09). Early in his presidency, he made clear that he did not believe that government had the answer to every problem, emphasizing that the United States was “a nation built on the strength of individual initiative” (2009-03-14). His attempt at giving a definition that would please both conservatives and progressives is best illustrated in his 2012 State of the Union address when he evoked “Republican Abraham Lincoln” and his belief that “government should do for people only what they cannot do better by themselves and no more” (2012-01-24). In practical terms, this vision of what he called a “smart government” meant a limited role for government within specific areas such as defense, education, transports, research, Medicare and Medicaid, Social Security and unemployment insurance (2012-04-12). At the same time, he pointed out that “the danger of too much government is matched by the perils of too little, that without the leavening hand of wise policy, markets can crash, monopolies can stifle competition, the vulnerable can be exploited” (2009-09-09).
- 44 Even the 2007 subprime mortgage crisis, followed by the 2008 financial meltdown and major economic crisis did not alter the dominant narrative. Even as he admitted that he had to “step in with dramatic Government action,” George W. Bush continued to

profess his strong belief in “free enterprise” and assured the public that his “natural instinct [was] to oppose Government intervention” (2008-09-24).<sup>3</sup> In October 2008, he warned that “the Government’s role will be limited and temporary [...] that these measures are not intended to take over the free market, but to preserve it” (2008-14-10). Even in the post-economic crisis era, Barack Obama was very cautious in his rhetoric, pushing back against accusations of hampering freedom through regulations. As he promoted “commonsense safeguards to protect the American people,” he also ordered “a review of Government regulations” in order to “reduce barriers to growth and investment” (2011-01-25). Ten months before the 2012 presidential elections, the president was on the defensive:

I’ve approved fewer regulations in the first three years of my Presidency than my Republican predecessor did in his. I’ve ordered every federal agency to eliminate rules that don’t make sense. (State of the Union, January 24, 2012)

- 45 Eventually, only “sensible regulations” would be permitted to remain since they encouraged “fair competition” (2015-01-20). Despite the clear differences between Republicans and Democrats on the role of government, the dominant narrative of American politics is still the relationship between government involvement and personal freedom.
- 46 President Trump has offered the most negative rhetoric on government.<sup>4</sup> In terms of domestic economic policy, he has eliminated more regulations and cut more taxes than his predecessors, at least in terms of raw numbers.<sup>5</sup> From a traditional conservative viewpoint, he conceives of regulations in terms of interference to freedom; they “tie down” the economy and “chain up” prosperity (2017-06-09). Taxes and regulations are framed as “crushing,” “crippling” and even “punishing.” Trump wants to “free our economy [...] from the terrible tax burdens,” particularly, he insists, the “workers that are so burdened with taxes” (2017-11-09, 2017-11-29). Similarly, the Paris Climate Accord “hamstrings the US” and keeps it “tied up” and “bound down” (2017-06-01). As a showman, President Trump even acted out the red-tape metaphor by literally cutting a red ribbon symbolizing ‘Red Tape’ while standing next to several huge stacks of paper during his address on deregulation (Brenna 2018). In his remarks, he clearly opposed regulations with freedom, and with the “national spirit” of a people, made of “explorers and pioneers and innovators and inventors,” who have been hurt badly by regulations. He concluded by saying: “let’s cut the red tape. Let’s set free our dreams” (2017-12-14).

## Health Care and the Market Narrative

- 47 Even in the context of the dominant narrative that opposes government intervention with freedom, there remain ideological differences between Republicans and Democrats. It is probably the subject of health care that best illustrates this framing war for the meaning of freedom. In his 1985 State of the Union Address, Ronald Reagan considered health-care vouchers as a way to “help working families shop for services that they need” (1985-02-06). Here, the verb “shop” implies that health care is a consumer service like any other, and that people should be able to choose a particular service. In the following decades, the question of health care would become the focal point that illustrates the divide between the two parties. Tellingly, in 1992, at a campaign fundraiser, George H. Bush called health care “the Grand Canyon of philosophy that separates the two sides in this election” (1992-08-02). He warned

against a move toward “a nationalized system, a system which will restrict patient choice” (1992-01-28). His son, George W. Bush, also raised the specter of “a nationalized health-care system” that would “dictate coverage and ration care” (2003-01-28). Donald Trump has adopted a very similar rhetoric about health care. He speaks of “empowering States and consumers,” so they have “the choice and the freedom to make the decisions” (2017-03-10). Freedom is thereby associated with choice and opportunity. Interestingly, President Trump mentions the benefit of the market exclusively when he addresses the issue of health care. In his first address before a Joint Session of the Congress in February 2017, he promised to give Americans “the freedom to purchase health insurance across State lines, which will create a truly competitive national marketplace” (2017-02-28). In this respect, he shares the traditional conservative philosophy of his Republican predecessors — the belief in “the power of the private marketplace to let insurers come in and compete for your business,” and against “regulations [that] drive up health-care costs” (2017-03-13, 2018-01-29).

- 48 Having campaigned on the promise of health-care reform, President Bill Clinton first focused on freedom of access to health care for every American family as his primary goal (1995-01-24, 1996-01-23, 2000-01-27). One of the most contentious terms in the health care debate was, and still is, the idea of a “mandate,” a requirement that all individuals purchase health insurance constituting an “obvious” restriction of freedom. President Clinton tried to change the narrative by contrasting what some call an “employer mandate” with “the principles of fairness and responsibility”, and by turning the fear of cost into the benefit of a “vital investment” and a defense of “freedom of Americans to live without fear” (1993-09-22). Faithful to his centrist approach between traditional liberalism and the conservative alternative, Bill Clinton promised a combination of private market forces and a sound public policy that would support competition with caps on prices if competition did not work (1993-09-22). He framed health care both as a right (2009-09-08) and as a consumer product, urging “Congress to reach across the aisle and write into law a consumer bill of rights” (1998-01-27). As early as in January 1993, in his *Remarks and Exchange With Reporters on Health Care Reform*, the president chose to talk about “consumer choice” and not, for instance about “patient choice” (1993-01-25).
- 49 Like Bill Clinton, Barack Obama framed his reform of health care both in terms of freedom of access for those “who’ve been denied coverage” and the freedom “to choose an affordable health care plan in a competitive market” (2010-01-27). He also presented himself as the heir of past Republican presidents such as Theodore Roosevelt “who first called for reform” (2009-02-24, 2009-09-09). He referred to Abraham Lincoln’s definition of government to illustrate his own vision of a health-care law that relied on a “reformed private market, not on a Government program” (2012-01-24). In his Address Before a Joint Session of the Congress on Health Care Reform in 2009, he also vowed to protect Medicare, a very popular federal program, calling it “a sacred trust that must be passed down from one generation to the next” (2009-09-09). Essentially, the “Patient Protection and Affordable Care Act” retained the previous structure of Medicare, Medicaid, and the market-based insurance through employers. What is striking, however, is that the dominant narrative remains that of the free market. George Lakoff and Elizabeth Wehling observe that the very word “affordable” in the title of the law fits the metaphor of health care as a product, as do other words commonly used by Obama such as “market,” “purchase,” and “choice” (2012: 21).

President Obama is very clear: his plan would “give small businesses and uninsured Americans a chance to choose an affordable health care plan in a competitive market” (2010-01-27). As Lakoff and Whelings noted, Barack Obama formulated his health care act by “placing the product metaphor in the context of the commerce clause of the Constitution, Article I, Section 8, which gives Congress the right to regulate commerce” (2012: 21). This is exactly how he presented his reform:

So the fact is, the product of the Affordable Care Act for people without health insurance is quality health insurance that’s affordable. And that product is working. It’s really good. And it turns out, there’s a massive demand for it.

So let me just recap here. The product is good. The health insurance that’s being provided is good. It’s high quality, and it’s affordable. People can save money, significant money, by getting insurance that’s being provided through these marketplaces. The prices are lower than we expected, the choice is greater than we expected. (Remarks on the Patient Protection and Affordable Care Act, October 21, 2013)

- 50 The central question of how the purchase of a “product” can be justifiably imposed by law remains central here. It seems that by framing health care as a consumer product rather than a patient’s right, President Obama precisely undermined the very justification for the individual mandate at the heart of his reform. The dissonance between the president’s rhetoric and the law may have contributed to the unpopularity of the individual mandate (Karpman and Long 2017). It made it easier for the Trump administration and the GOP to repeal this aspect of the law.

## Conclusion

- 51 The metaphors employed in presidential discourse from Ronald Reagan to Barack Obama reveal the continuous narrative of a deterministic economic and political model around the idea of economic freedom. Notwithstanding some political differences, at the core is the belief that free markets and free trade are both natural and moral agents that will lead to peace and prosperity for all, if properly applied, and that government intervention should be limited as it represents a restriction of these freedoms. The fallout of the 2008 financial crisis, followed by a government bailout of the system, did not alter this enduring vision in the following years — the economic crisis was seen as a simple malfunction of an otherwise principled system. Even the very contentious topic of health care has been debated through a rhetoric dominated by a strong faith both in the market and in a limited role of government, including by those like Clinton and Obama who pushed for strong reforms. This period of about 35 years, from Ronald Reagan to Barack Obama, is thus remarkable for its rhetorical consistency regarding free trade and the free market, but it may be coming to an end.
- 52 On the face of it, Donald Trump seems to represent the burlesque embodiment of the neoliberal doctrine: his public persona was shaped by a culture that praises individual survival and competition; he was elected on the promise to run the country like a business; and he has used his presidential power to change the country, deciding and firing at will, while others execute his policy decisions. That is how he has been running his cabinet. His economic rhetoric and policy, however, also constitute a disruption of the narrative that prevailed in the previous 35 years. His rejection of free-trade deals and his lack of interest in free markets and democratic expansion represent a shift away from the neoliberal order towards one of nationalism and protectionism.

That is why prominent members of the Republican Party have been, for once, vocal in their criticism of Trump's threat of waging a trade war (Aleem 2018). Of course, he is not the first president to take protectionist measures to help entire categories of American industry. Ronald Reagan, while an apologist of free trade and free markets, imposed quotas on Japanese cars in 1981, on steel from Japan and Europe in 1983, and tariffs on Japanese semiconductor products in 1987. But these were limited measures. In the meantime, Reagan negotiated a trade agreement with Canada that led to the 1988 Canada–United States Free Trade Agreement and, ultimately, to NAFTA. More importantly, as political scientist Delia Conti concluded, rhetorically, Ronald Reagan “consistently upheld the ideal of free trade as the theme and goal of his administration” (Conti 1995: 103-4). He was also quite aware of the failed policies of President Herbert Hoover's protectionist measures in the 1930s. One can contrast how Reagan viewed trade wars to what Donald Trump wrote on Twitter:

In the 1930's, the world experienced an ugly specter—protectionism and trade wars and, eventually, real wars and unprecedented suffering and loss of life. (Radio Address to the Nation on International Free Trade November 20, 1982)

Trade wars are good and easy to win. [...] we win big. It's easy! (Donald Trump — Tweet, @realdonaldtrump, Mar 2, 2018 05:50:34 AM)

- 53 Donald Trump's policies may be difficult to assess as his discourse and action often lack consistency, and it may be too early to draw definite conclusions about the long-term influence of his rhetoric on US politics. One issue where he has had a long-standing consistent view is trade: he has often repeated how the US “was not respected,” and was “taken advantage of” by the rest of the world, including by its neighbors thanks to NAFTA. As much as Reagan complained about the trade deficit, he was not, like President Trump, ready to take the world to the brink of a trade war as a negotiating tool.
- 54 Trump's obsession with the national trade deficit is one of the identifying characteristics of the mercantilist doctrine that held sway in Europe between the 16<sup>th</sup> and 18<sup>th</sup> centuries. Its goal was to achieve a favorable trade balance in order to increase or maintain national power and wealth (Magnusson 2015: 6, 21). In those days, wealth was measured by the amount of “international reserves” at the disposal of the state, so international trade was necessarily a zero-sum game where one nation only could win what the other lost. This has been the core of Donald Trump's nationalist discourse about a world made of winners and losers, where every nation has to compete for its share of the cake. That is why, in his inaugural address, he pledged that America would “start winning again, winning like never before” (01-20-2017). Mercantilists wanted to limit competition, and despite his claim that he wants a “fair deal,” Trump is not really interested in fair competition: when the European Union offered to scrap tariffs on cars, he said that it was “not good enough” because “the [European] consumer habits are to buy their cars, not to buy our cars” (Micklethwait, Talev, and Jacobs 2018) — hardly a statement from someone who believes in either the free market or fair trade deals.
- 55 Another characteristic of mercantilist policies was that they were designed to benefit a particular class of society: the merchants and manufacturers (Magnusson 2015: 4). This is also consistent with what seems to be Trump's neoliberal policy: his tax cuts on the wealthy, his deregulation of big business and the financial industry. Despite his constant attack on the so-called “Deep State” (2017-06-16), (2017-11-28), including Federal employees whom he calls “unelected bureaucrats” (2017-02-17c, 2017-07-03,

2018-01-26), President Trump has not been shy about using the federal powers of his administration to help the coal and oil industries, to put pressure on private companies like Amazon, Boeing and Lockheed (Mufson and Lynch 2018). And, of course, Trump's nationalistic rhetoric, encapsulated by his "America First" slogan and his insistence on national sovereignty and the end of "globalism" is consistent with the mercantilist outlook. His is a new brand of mercantilism based on "a zero-sum conception of the benefits to individual states from international trade" (Ahmed and Bick 2017). "America First" exalts loyalty and devotion to the nation and places the American nation above all others and, even more so, above supranational institutions

- 56 One may wonder if Donald Trump may represent a temporary local anomaly or a more long-term global trend signifying the end of a cycle. As nations feel that they have lost power as a result of globalism and the interdependence of free trade, they might want to regain their power by advancing similar policies. The rise of nationalism throughout the world may give us pause. If neoliberalism has failed, its replacement by neo-mercantilism may be even more worrisome since, as history has taught us, mercantilism and trade wars ultimately leads to real wars between nations. In the light of today's situation, Ronald Reagan's words when he addressed the nation on free trade seem like a cautionary tale:

Yet today protectionism is being used by some American politicians as a cheap form of nationalism [...] Our peaceful trading partners are not our enemies; they are our allies. We should beware of the demagogues who are ready to declare a trade war against our friends — weakening our economy, our national security, and the entire free world — all while cynically waving the American flag. The expansion of the international economy is not a foreign invasion; it is an American triumph, one we worked hard to achieve, and something central to our vision of a peaceful and prosperous world of freedom. (Radio Address to the Nation on the Canadian Elections and Free Trade, November 26, 1988)

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## Corpus

### Ronald Reagan

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1983-11-20, Radio Address to the Nation on International Free Trade November

1985-02-06, Address Before a Joint Session of Congress on the State of the Union

1984-05-01, Remarks Upon Returning From China

1985-03-28, Remarks to Brokers and Staff of the New York Stock Exchange in New York

1985-05-24, Remarks at the Annual Meeting of the National Association of Manufacturers

1985-06-21, Remarks at the Annual Convention of the Lions Club International in Dallas, Texas

1986-09-22, Address to the 41<sup>st</sup> Session of the United Nations General Assembly in New York

1987-06-12, Remarks on East-West Relations at the Brandenburg Gate in West Berlin

1987-09-21, Address to the 42<sup>nd</sup> Session of the United Nations General Assembly in New York

1988-01-25, Address Before a Joint Session of Congress on the State of the Union

1988-05-05, Proclamation of World Trade Week

### George H. W. Bush

1989-02-09, Address on Administration Goals Before a Joint Session of Congress

1989-09-25, Address to the 44<sup>th</sup> Session of the United Nations General Assembly in New York

1989-11-22, Thanksgiving Address to the Nation

1990-01-12, Remarks to the Chamber of Commerce in Cincinnati, Ohio

1990-01-31, Address Before a Joint Session of the Congress on the State of the Union

1990-02-05, Remarks to the Intergovernmental Panel on Climate Change

1990-03-08, Remarks at the National Transportation Policy Meeting

1990-05-12, Remarks at the Liberty University Commencement Ceremony in Lynchburg, Virginia

1990-12-03, Remarks to a Joint Session of the Congress in Brasilia, Brazil

1991-02-06, Remarks and a Question-and-Answer Session at a Meeting of the Economic Club in New York

1991-09-23, Address to the 46<sup>th</sup> Session of the United Nations General Assembly in New York City

1992-01-28, Address Before a Joint Session of the Congress on the State of the Union  
1992-03-06, Remarks at Louisiana State University in Baton Rouge, Louisiana  
1992-08-02, Remarks at a Fundraising Brunch for Rich Williamson in Rosemont, Illinois

## **Bill Clinton**

1993-01-25, Remarks and an Exchange With Reporters on Health Care Reform  
1993-02-17, Address Before a Joint Session of Congress on Administration Goals  
1993-02-26, Remarks at the American University Centennial Celebration.  
1993-03-26, The President's News Conference With Chancellor Helmut Kohl of Germany  
1993-04-01, Remarks to the American Society of Newspaper Editors in Annapolis  
1993-07-26, Remarks to the Conference on the Future of the American Workplace in Chicago, Illinois  
1993-09-22, Address to a Joint Session of the Congress on Health Care Reform  
1993-09-27, Remarks to the 48<sup>th</sup> Session of the United Nations General Assembly in New York  
1993-11-20, The President's Radio Address  
1993-12-15, The President's News Conference  
1994-07-07, Address to the Polish Parliament in Warsaw  
1994-09-28, Partnership for Economic Progress: Joint Statement on Principles and Objectives for the Development of Trade, Economic Cooperation, and Investment  
1997-10-24, National Consumers Week  
1995-01-24, Address Before a Joint Session of the Congress on the State of the Union  
1995-07-08, The President's Radio Address  
1995-07-15, The President's Radio Address July  
1996-01-23, Address Before a Joint Session of the Congress on the State of the Union  
1996-08-05, Remarks on International Security Issues at George Washington University  
1997-01-20, Inaugural Address  
1997-02-04, Address Before a Joint Session of the Congress on the State of the Union  
1997-02-24, Statement Announcing the Fast Track Legislation Team  
1997-09-22, Remarks to the 52<sup>nd</sup> Session of the United Nations General Assembly in New York  
1997-11-08, The President's Radio Address  
1998-05-18, Remarks at the World Trade Organization in Geneva, Switzerland  
1998-01-27, Address Before a Joint Session of the Congress on the State of the Union  
1999-06-12, Commencement Address at the University of Chicago in Chicago, Illinois  
2000-01-27, Address Before a Joint Session of the Congress on the State of the Union

## **George W. Bush**

- 2001-06-15, Address at Warsaw University
- 2001-07-01, Remarks at the World Bank
- 2001-03-26, Remarks to the Community in Billings
- 2002-01-29, Address Before a Joint Session of the Congress on the State of the Union
- 2002-05-14, Remarks on Signing the Enhanced Border Security and Visa Entry Reform Act of 2002
- 2002-09-26, Remarks at the Corporate Fraud Conference
- 2003-01-28, Address Before a Joint Session of the Congress on the State of the Union
- 2003-05-09, Commencement Address at the University of South Carolina in Columbia, South Carolina
- 2003-05-21, Commencement Address at the United States Coast Guard Academy in New London, Connecticut
- 2003-11-11, Remarks at the Heritage Foundation President's Club Luncheon
- 2004-01-20, Address Before a Joint Session of the Congress on the State of the Union
- 2005-09-14, Remarks to the Plenary Session of the United Nations General Assembly in New York City
- 2005-02-21, Remarks in Brussels, Belgium,
- 2006-01-31, Address Before a Joint Session of the Congress on the State of the Union
- 2006-02-15, Remarks on Health Care in Dublin, Ohio
- 2006-07-21, Remarks at the Port of Miami in Miami
- 2006-10-13, Remarks on Signing the Security and Accountability For Every Port Act of 2006
- 2008-01-28, Address Before a Joint Session of the Congress on the State of the Union
- 2008-04-21, Remarks at a United States Chamber of Commerce Reception in New Orleans
- 2008-09-24, Address to the Nation on the National Economy
- 2008-10-10, Remarks on the National Economy
- 2008-11-13, Remarks to the Manhattan Institute in New York City
- 2008-11-14a, The President's Radio Address
- 2008-11-14b, Remarks at a State Dinner With Financial Markets and World Economy Summit Participants
- 2008-11-15, Remarks at the Summit on Financial Markets and the World Economy

## **Barack Obama**

- 2009-01-20, Inaugural Address
- 2009-02-10, Remarks on Economic Stabilization and a Question-and-Answer Session in Fort Myers, Florida
- 2009-02-24, Address Before a Joint Session of the Congress
- 2009-03-14, The President's Weekly Address

2009-04-03, Remarks at a Town Hall Meeting and a Question-and-Answer Session in Strasbourg

2009-04-14, Remarks on the National Economy,

2009-05-17, Commencement Address at the University of Notre Dame in South Bend, Indiana

2009-09-09, Address Before a Joint Session of the Congress on Health Care Reform

2010-01-27, Address Before a Joint Session of the Congress on the State of the Union

2010-08-09, Remarks at the University of Texas at Austin in Austin

2011-01-25, Address Before a Joint Session of the Congress on the State of the Union

2011-01-28, Remarks at the Families USA Health Action 2011 Conference,

2011-03-19, Remarks to the Brazil-United States Business Council Summit in Brasilia

2011-03-28, Address to the Nation on the Situation in Libya

2011-05-25, Remarks to the Parliament in London

2011-09-11, Remarks at “A Concert for Hope” Commemorating the 10<sup>th</sup> Anniversary of the September 11 Terrorist Attacks

2011-11-17, Remarks to the Parliament in Canberra,

2012-01-24, Address Before a Joint Session of the Congress on the State of the Union

2012-04-10, Remarks at Florida Atlantic University in Boca Raton, Florida

2012-05-19, Camp David Declaration

2013-02-12, Address Before a Joint Session of Congress on the State of the Union,

2013-10-21, Remarks on the Patient Protection and Affordable Care Act,

2014-11-07, Statement on the 25<sup>th</sup> Anniversary of the Fall of the Berlin Wall

2015-01-20, Address Before a Joint Session of the Congress on the State of the Union

## **Donald Trump**

2017-01-25, Remarks at the Department of Homeland Security

2017-02-17, Remarks at the Boeing Company Manufacturing Facility in North Charleston, South Carolina

2017-02-24, Remarks at the Conservative Political Action Conference in National Harbor, Maryland

2017-02-27, Remarks to the National Governors Association

2017-02-28, Address Before a Joint Session of the Congress

2017-02-28, Address Before a Joint Session of the Congress

2017-03-10, The President’s Weekly Address

2017-05-18, The President’s News Conference With President Juan Manuel Santos Calderon of Colombia

2017-06-01, Remarks Announcing United States Withdrawal From the United Nations Framework Convention on Climate Change Paris Agreement

2017-06-09, Remarks by President Trump on Regulatory Relief

- 2017-29-04, Remarks at a “Make America Great Again” Rally in Harrisburg, Pennsylvania
- 2017-10-11, Remarks at the Asia-Pacific Economic Cooperation CEO Summit in Danang, Vietnam
- 2017-11-29, Donald Trump on Tax Reform in St. Charles, Missouri
- 2017-12-14, Remarks on Deregulation
- 2018-01-29, Remarks at a Swearing-In Ceremony for Secretary of Health and Human Services Alex M. Azar II and an Exchange With Reporters
- 2018-02-02, Exchange With Reporters at the United States Customs and Border Protection’s National Targeting Center in Sterling, Virginia.
- 2018-02-23, Remarks at the Conservative Political Action Conference in Oxon Hill, Maryland.
- 2018-03-02, @realdonaldtrump, 05:50:34 AM.

## NOTES

1. The expression “economic machine” itself can be traced back to President Herbert Hoover who used it in the years following the crash of 1929, for instance when he expressed his hope that his economic recovery program will “further process of speeding up the economic machine” in his *Statement About Unity of Action on the Economic Recovery Program* (May 13, 1932). Source: *The American Presidency Project*, <http://www.presidency.ucsb.edu/ws/index.php?pid=23085&st=economic+machine&st1>
2. See for instance Clinton’s 1996 Telecommunications Act PL 104-104, or his 1999 Gramm-Leach-Bliley Act PL 106-102 in the financial sector, which ultimately led to the 2008 meltdown. See also Jack Godwin (2009).
3. *The Emergency Economic Stabilization Act* of 2008 is commonly referred to as a bailout of the US financial system.
4. Besides his negative rhetoric on the government’s role in the economy, President Trump has also launched a most aggressive campaign against his own government agencies such as the CIA, the FBI and the Department of Justice, and has greatly undermined the Environmental Protection Agency. This attack on the administrative state is at the core of the alt-right ideology represented by the president’s senior advisor for policy Steve Miller or former White House Chief Strategist Stephen Bannon (Viala-Gaufrey 2018).
5. It is still early regarding the assessment of Trump’s deregulation. See Kessler (2017) and Jopson (2018).

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## ABSTRACTS

Neoliberalism is a complex and ambiguous concept that has been consistently referred to by critics of an economic policy based, at least rhetorically, on free market and free trade in the last few decades. These two major tenets of neoliberalism have dominated the discourse of American presidents since the beginning of the 1980s. The same period has also been characterized by an increased tendency to tie these economic policies to freedom, a core value of American identity

that came to be defined primarily in economic terms. Starting with Ronald Reagan, economic freedom rather than political liberty became the measure of virtue, as the “free world” admitted more authoritarian regimes in its ranks in the name of anti-communism (Numberg 2003). The collapse of the Soviet bloc only served to bolster the vision that free market and free trade alone could bring prosperity and political freedom. This would become the dominant worldview at international institutions such as the World Bank and the IMF and would be solidified in the rhetoric of Republican and Democratic presidents alike (McNaught 2009). Drawing on the rhetorical and cognitive approaches developed by Lakoff and Johnson (1981), Chilton (2004) and Charteris-Black (2011), this paper analyses how conceptual metaphors in presidential discourse have contributed to creating a mythical vision of free trade and free market since the 1980s. The metaphors of movement, journey, nature, machine and sport resonate with the way Americans understand and experience their national identity, at the center of which are the values of freedom, competition and progress. They have turned an abstract economic philosophy into a comprehensible and sacred story at the heart of the American model. This model has been one of expansion of free markets and free trade. It has also been pervasive even in the domestic sphere, in the way a divisive issue like health care was framed through a positive market narrative. Despite policies that may have occasionally seemed to contradict the faith in the market, especially in the wake of the 2008 financial and economic meltdown, presidential discourse remained focused on free trade and free markets. This economic crisis may have triggered the first cracks in the mostly consensual view of free trade and free market in political rhetoric across the board. This article argues that much as there was a neoliberal consensus for 35 years, President Trump has been the great disrupter of neoliberal rhetoric by rejecting free trade agreements and by ignoring altogether the virtue of free market, a notion almost entirely absent from his discourse. He has replaced the neoliberal doxa with a discourse centered on the trade deficit and on short-term accumulation of national wealth and power. He has embraced the virtue of national sovereignty while rejecting what he called “globalism”. He has offered an antagonistic vision of a world in which international trade is conceived as a zero-sum game. This new vision is reflected in the metaphors used by a president who has challenged the norms of presidential rhetoric at many levels.

Le néolibéralisme est un concept complexe et ambigu, auquel se sont constamment référés, au cours des dernières décennies, les critiques d'une politique économique promouvant, sur le plan rhétorique au moins, le marché et le libre-échange. Ces deux principes majeurs du néolibéralisme ont dominé le discours des présidents américains depuis les années 80. Cette même période a vu une tendance croissante à associer les politiques économiques à la liberté, une valeur au cœur de l'identité américaine qui a été finalement définie en termes économiques. C'est notamment avec Ronald Reagan que la liberté économique plutôt que la liberté politique est devenue systématiquement la mesure de la vertu. Ceci alors que le « monde libre » acceptait des régimes autoritaires dans ses rangs au nom de l'anticommunisme (Numberg 2003). L'effondrement du bloc soviétique n'a fait que renforcer l'idée que, seuls, le marché et le libre échange pouvaient conduire à la prospérité et à la liberté politique. Ce qui deviendra le point de vue dominant d'institutions internationales comme la Banque mondiale ou le FMI et allait davantage s'ancre dans la rhétorique des présidents aussi bien républicains que démocrates (McNaught 2009). Cet article s'appuie sur l'approche cognitive développée par Lakoff et Johnson (1981), Chilton (2004) ainsi que Charteris-Black (2011). Il propose d'analyser comment, dans les discours présidentiels, les métaphores conceptuelles ont contribué à la création d'une vision mythifiée du libre-échange et du marché construite depuis le début des années 80. Ces métaphores du mouvement, du voyage, de la nature, de la machine et du sport font écho à la façon dont les Américains conçoivent et expérimentent leur identité nationale fondée sur les valeurs de liberté, de compétition et de progrès. Elles ont permis de transformer une philosophie économique abstraite

en un récit compréhensible et sacré au cœur du modèle américain. Ce modèle d'expansion du marché et du libre-échange est omniprésent. Il a également envahi la politique intérieure, comme le montre l'analyse rhétorique des prises de position sur un sujet controversé comme la santé, formulées à l'aide d'un récit positif sur le marché. Alors que les effets suscités par les politiques menées ont occasionnellement semblé contredire la foi dans le marché, particulièrement à la suite de la crise économique et financière de 2008, la rhétorique présidentielle est restée la même. Or il s'avère que cette crise a, *in fine*, pu être un des déclencheurs des premières fissures dans la vision consensuelle du marché et du libre-échange dominant la politique américaine. Cet article démontre que le président Trump a largement perturbé le consensus rhétorique néolibéral en rejetant les accords de libre-échange et en ignorant complètement les vertus d'un marché complètement absent de son discours. Il a ainsi remplacé la doxa néolibérale par une rhétorique centrée sur le déficit commercial et l'accumulation à court terme de richesse et de puissance nationale. Il a fait de la souveraineté nationale la vertu cardinale et rejeté ce qu'il qualifie de « mondialisme ». Il offre une vision antagoniste d'un monde dans lequel le commerce international est conçu comme un jeu à somme nulle. Cette nouvelle vision se reflète dans les métaphores utilisées par un président qui a remis en cause la rhétorique présidentielle à plus d'un titre.

## INDEX

**Mots-clés:** néolibéralisme, États-Unis, marché, libre échange, métaphores conceptuelles, rhétorique, discours présidentiels, État, mercantilisme

**Keywords:** neoliberalism, United States, free market, free trade, conceptual metaphors, presidential rhetoric, discourse, government, mercantilism

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# Post-2008 Films: The Financial Crisis in Fictions and Documentaries

Juliette Feyel and Clémence Fourton

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- 1 A crisis is a condition of high instability, capable of generating fundamental changes. To quote Jessop, “[in] short, crises are potentially path-shaping moments.” (Jessop 2004: 167). They may appear when the economic and ideological features of a system reach a point of contradiction, eventually causing it to break down (Hall and Massey 2010). As such, the 2008 crunch provides a crucial example, clearly revealing the defining features of neoliberal capitalism.
- 2 Neoliberalism has been defined by David Harvey as “a political project to re-establish the conditions for capital accumulation and to restore the power of economic elites” (Harvey 2005: 19). Andrew Gamble (2001), for his part, has insisted on the multiplicity of political forms that neoliberalism has taken around the world. Whether they insist on its unity or its multiplicity, Harvey and Gamble identify similar defining features when it comes to describing the workings of neoliberalism. It is indeed a variety of capitalism characterized by the retrenchment of state-provided social services; the key role played by the state in creating possibilities for private capital accumulation; economic and labour market deregulation; the centrality of finance in the world economy and the use of economic crises in developing countries to advance the interests of globalised capital.
- 3 These core neoliberal traits feature prominently in the cinematic representations of the 2008 global financial crisis. The crash led to the production of a substantial number of films which focus on the elements which triggered the crisis, the critical moment itself, and its political and social consequences.
- 4 Eight such films — 4 fictions and 4 documentaries — will be the object of this study: the fiction films *Wall Street: Money Never Sleeps* (2010), directed by Oliver Stone; *Margin Call* (2011), by J. C. Chandor; *Too Big to Fail* (2011), by Curtis Hanson; *The Big Short* (2015), by Adam McKay; and the documentary films *Capitalism, A Love Story* (2009), by Michael Moore; *Global Financial Meltdown* (2010), by Terence McKenna; *Inside Job* (2010), by Charles Ferguson; and *Overdose, the Next Financial Crisis* (2010), by Martin Borgs. Films

that did not concentrate on the moment of the financial crunch were discarded, such as *Up in the Air* (2009), by Jason Reitman, *The Girlfriend Experience* (2009), by Steven Soderbergh, and *The Other Guys* (2010), by Adam McKay.

- 5 Our corpus brings together popular films, as our aim is to assess the aesthetic and political *parti pris* of the cinematic representations of the crisis that circulated in the aftermath of the crash. Oliver Stone's 2010 rendition of *Wall Street* and Adam McKay's 2015 financial robbery tale are the two biggest commercial successes in our corpus: both grossed over \$130 million worldwide. J. C. Chandor and Michael Moore's takes on the crisis respectively grossed 19 and 17 million dollars worldwide, mostly in the United States, and Charles Ferguson's Oscar-winning documentary grossed around \$8 million. Finally, Curtis Hanson, Terence McKenna and Martin Borgs' productions were all created for television. Hanson's film was made for and broadcast on HBO, an American cable channel, and was nominated for several Golden Globes and Emmy Awards; McKenna's fared well on YouTube (2 million views at the time of writing) and Borg's, although admittedly less widely broadcast, appeared on television around the world.
- 6 It is therefore fair to assume that these films played a significant part in shaping popular representations of the crisis. Colin Hay brought to the fore the importance of discourse in establishing dominant representations of crises and legitimizing certain forms of strategies when it comes to dealing with such situations (Hay 2001). Building on similar theoretical bases, which amount to rejecting a sharp divide between the cultural and the material, Jessop argued for materially-grounded critical semiotic analysis (Jessop 2004, 2010). In other words, when a crisis occurs, signs – whether in political speeches or in cultural products – matter and play a prominent part in defining the nature and significance of the crisis, as well as what might follow in its wake (Jessop 2004: 167). In the case of the 2008 crisis, Castree (2010) has highlighted the competition between antagonistic interpretations of the crisis, ranging from blaming corrupt and greedy bankers to accusing the Anglo-Saxon neoliberal system itself. As a result, our analysis focuses on the cultural political economy of the 2008 crisis, by offering a critical semiotic analysis of the representation of the crash in fictions and documentaries. We will first present a summary of the films, before proposing a structural comparison of the films, isolating their common features in terms of tropes, characterization and narrative strategy. Thirdly, we will offer and apply a framework assessing the extent to which these films give viewers a critical representation of neoliberalism.

## Corpus

- 7 Our corpus includes 4 North American fiction films and 4 documentaries. They all delve into the mechanisms of neoliberal capitalism that played a role in the 2008 financial crash. However, in fictions, the crisis is granted varying degrees of importance. In *Wall Street: Money Never Sleeps*, released in 2010 as a sequel to Stone's 1987 *Wall Street*, the crisis mainly constitutes the background of a family story. The plot of the 2010 movie is set in 2008-2009, and the protagonist, Jacob Moore (Shia LaBeouf), is a trader for an investment bank affected by the financial crisis. However, the film mainly focuses on the relationship between Jacob, his fiancée Winnie (Carey Mulligan), and her father Gordon Gekko (Michael Douglas). Gekko is involved in illegal financial activities, while

his estranged daughter runs an online newspaper specialized in investigative journalism. The two men develop a form of partnership in which Gekko provides Moore with information about Wall Street in exchange for news about Winnie.

- 8 Conversely, *Margin Call* centers on the last 24 hours before the crash, making the crash the main dramatic element of the film. The plot focuses on the actions of the executives of a fictional investment bank as they realize a financial crisis is about to occur. Within a few hours, all the senior partners of the firm, played by Kevin Spacey, Paul Bettany, Jeremy Irons and Demi Moore, meet to decide on whether to use their insight to make a profit at the expense of their usual trading partners. While the upcoming crisis is never named, its mechanisms are that of the 2008 financial crisis.
- 9 Similarly, *Too Big to Fail*, directed by Curtis Hanson, focuses on a limited timespan around the crisis. It scrutinizes the actions of Henry Paulson (William Hurt), the American Treasury Secretary, and of Ben Bernanke (Paul Giamatti), the chairman of the US Federal Reserve, between August and October 2008. The two men were at the core of the moves made by the American government to try to circumvent the effects of the collapse of Lehman Brothers.
- 10 The most recent fiction selected for our corpus, *The Big Short* (2015), directed by Adam McKay, pictures not just the days, but the years that preceded the crash. Based on a true story, the plot revolves around a group of traders played by Ryan Gosling and Steve Carell – among others – who, having anticipated the crisis before everyone else, make a huge profit by betting against Collateralized Debt Obligations (CDOs), the financial products at the heart of the bubble.
- 11 The 4 documentaries of our corpus were, for their part, produced in the immediate aftermath of the crisis – Michael Moore’s film was released in 2009 and the other three in 2010. While they all endeavor to explain the crisis, the scope of their analysis varies in terms of scale, chronology and depth. In *Capitalism: A Love Story*, Moore first focuses on the devastating effects of the explosion of the housing bubble, in particular in the fields of housing and employment, as he goes back to his home city of Flint, Michigan – a city already featured in his 1989 documentary film *Roger & Me*, which propelled Moore to worldwide attention. In the second part of the film, he analyses the responsibility of political and economic players for the crash and offers alternatives to neoliberal capitalism.
- 12 *Inside Job*, directed by Charles Ferguson, depicts the financial and political mechanisms that led to the crisis. The film offers a genealogy of the crisis, providing a short history of financial deregulation. It then tackles the intricate workings of the financial bubble and the political reactions to the crash. The role of intellectuals in the hegemony of neoliberal ideology is also addressed. Lastly, the film evokes the lack of decisive action on the part of the Obama administration as to regulation.
- 13 *Overdose: the Next Financial Crisis*, by Swedish director Martin Borgs, focuses on the financial mechanisms of the crash and of the bank bailout, insisting on the role of the American government’s decisions.
- 14 *Global Financial Meltdown*, directed by Canadian director Terence McKenna, comprises four episodes, entitled “After the Fall”, “Paying the Price”, “A Global Tsunami” and “The Men who Crashed the World”. They focus respectively on the various incarnations of the housing bubble around the world, social movements relating to the crisis, the

domino effect triggered by the bankruptcy of Bern Sterns, a major bank, and the attitude of political leaders towards the regulation of financial capitalism.

## Post-2008 films

- 15 These summaries show that these films belong to the sub-genre labelled “post-2008 films” (Kinkle and Toscano 2011: 42). As such, they share common *partis pris* concerning the representation of the crisis.

## Stereotypical representations of finance

- 16 First of all, they all resort to stereotypical representations of the world of finance. The news and file footage used in documentaries have their fictional counterparts: both types of films favor a handful of situations when it comes to representing financial activities. With vertiginous speed, directors juxtapose simultaneous phone-calls, graphs, and figures. The editing conveys the feeling that information and money travel fast between interchangeable open spaces located all over the world. Before the crisis, traders are shown going in and out of elegant skyscrapers. In fictions, they are repeatedly placed in casinos, bars, and strip-clubs, *The Big Short* being a case in point. In documentaries, if such images are not featured as such, the dissolute nightlife of multi-millionaire bonus-earning traders is alluded to. When the crisis hits, traders are invariably shown burying their faces in their hands, and, once they have been laid off, walking out of their offices carrying a cardboard box containing their personal belongings. *Capitalism: A Love Story*, when describing the events of September 15, 2008, displays a large collection of such images taken from the news, while the opening sequence of *Margin Call* is a fictional rendition of such a scene.

## The evil banker

- 17 More specifically, the films in our corpus re-use and develop the stock character of the evil investment banker. In documentaries, it is Dick Fuld, the CEO of Lehman Brothers at the start of the crisis, who is presented as the epitome of ruthless, greedy traders. *Meltdown* even offers a short biography of Fuld, presenting him as no less than a tyrant: “His word was law, his judgment never to be questioned.” In fictions, this trope predates the 2008 crisis: it is already embodied by Gordon Gekko in the 1987 instalment of *Wall Street*, and by Patrick Bateman (Christian Bale) in *American Psycho* (2000), directed by Mary Harron. This stock character is typically cynical, as is John Tuld (Jeremy Irons) in *Margin Call*, whose name echoes Fuld’s. Smug and distant, Tuld embodies the archetype of the ruthless financier, deciding to dump toxic assets before the word spreads that they are worthless, ordering massive layoffs and sacrificing his closest collaborators.
- 18 However, the fictions of our corpus add a new dimension to the trope. In *The Big Short*, Michael Burry (Christian Bale) is presented as a mathematical genius displaying characteristics of the autistic spectrum, while Mark Baum (Steve Carell) has intimacy and communication difficulties. In *Margin Call*, Peter Sullivan (Zachary Quinto), the young analyst who crunches the numbers and figures out the extent of the financial quagmire to come, actually has a background in... rocket science. The fictional

representations of traders of the 2000s have thus added new features to the original trope, by picturing some as asocial scientific geniuses.

### “In plain English”

- 19 Given the subject matter of the films, they all deal with a high level of financial complexity. The technicalities of financial activities and the explanations pertaining to them are at the core of the films, including in film fictions. In documentaries, filmmakers can use visual resources, such as graphs and animations, to illustrate their point without fear of interrupting the development of the plot. *Inside Job* features brightly coloured cartoons to make technical information more accessible. In fictions, directors resort to didactic ploys, which aim at making the explanations blend in with the diegesis. In *The Big Short*, the financial products are symbolized by bricks taken from the game of Jenga and labelled from AAA to B. Explanations may thus arise over the course of a conversation. In *Too Big To Fail* and *Margin Call*, a dumb character, or a character playing dumb, triggers the didactic sequences. In the first case, a member of the staff of the Treasury Secretary needs explanations, allowing the viewer to benefit from clarifications “in plain English.” In the second case, CEO John Tuld asks rocket scientist Peter Sullivan to explain to him what is going on and insists on wanting to be talked to as one would to an infant, or even an animal. This dialogue also tends to show that powerful shareholders may be perfectly fine about not understanding the technical aspects of their own financial activities, as long as these are profitable.
- 20 In addition to these devices which are specific to either fictions or documentaries, both categories of films use analogies in their attempts at rendering financial jargon accessible. The drug metaphor is spun throughout *Overdose*, while *The Big Short* pictures a cooking analogy presented by celebrity chef Anthony Bourdain in his restaurant’s kitchen. Such devices contribute to arming the viewer with technical knowledge about the workings of the financial system. These explanations, which are concerned with the specifics of the 2008 crisis, are articulated with a more general point about the historical status of this particular crash.

### One crisis among others

- 21 Taking a bird’s eye view of the history of capitalism, the directors place the 2008 financial crash in perspective. If they all insist on its seriousness, they also tend to depict it as one crisis among others. The crisis appears as the repetition of previous crashes, a perspective best exemplified in *Margin Call* when, in order to convince the disenchanted trader (Kevin Spacey) that they have no responsibility in the present cash, John Tuld (Jeremy Irons) proceeds to naming previous crises. While the sun sets over Manhattan in the background, representing the eternal cycle of death and rebirth, the viewer thus takes in the long list of previous financial crises: 1637, 1797, 1819, 1837, 1857, 1884, 1901, 1907, 1929, 1937, 1974, 1987, 1992, 1997, and 2000. Put in such perspective, the 2008 crisis appears as no more than a periodical occurrence, unimportant in the grand scheme of things.
- 22 In the list of financial crises, 1929 holds a special position, however. Black Thursday is referenced in most documentaries through archival footage. In *Meltdown*, images of 1929 Wall Street are paralleled with shots of contemporary New York. In *Too Big To Fail*,

1929 is conjured up when the relevance of bailing out collapsing banks is discussed. This recurrent comparison hints at potential dramatic political consequences, as the Great Depression is strongly associated in collective memory with the rise of fascism and World War II. But the 2008 crash is also presented as the dress rehearsal of the next, even more serious crisis which is to come. This is stated explicitly in both *Overdose* and *Meltdown*. While the subtitle of the latter is simply “the next financial crisis,” the former concludes on the following ominous statement: “The world has to start planning for the next crisis even as we realize that this one is not over yet.” Similarly, *The Big Short* closes on the suggestion that speculation has resumed and that the next financial bubble is already growing.

## Thrillers and whodunits

- 23 The last common feature concerns the generic divide between fictions and documentaries when it comes to narrative strategies, that is to say the point of view which adopted and the order in which events are presented (Genette 1972). Two strategies at play borrow elements from other cinematic genres: while the fictions of our corpus draw on the structure of thrillers, the documentaries use that of whodunits.
- 24 Fictions appear to favor a chronological order. Keeping up with an anxious tempo, the viewer — already aware of how the story will end — is told of how the last pre-crisis months, days if not hours were spent by bankers before an infernal domino effect spread a disease of their own making. Documentaries, on the other hand, begin with establishing that the crisis was a worldwide cataclysm, before moving on to ask: “how did we get here?” It is the film-maker’s role to disentangle facts and unveil the causes of — and, more importantly, the responsibilities for — the crisis. The device is that of crime stories, since viewers are made to follow an investigator from the crime scene to the *modus operandi*, motives, and final exposure of the criminals.

## Crisis and Critique

- 25 While it is clear that cinematic representations of the crisis share a number of common features creating a specific sub-genre, the generic divide between fictions and documentaries remains significant when analyzing the critical dimension of these films. We will argue that their critical power depends on two elements: firstly, the amount of information provided in the films matters; more specifically, their ability to picture and explain several of the distinctive features of neoliberalism involved in the 2008 crisis. Secondly, their critical value is also determined by the ability and willingness of the films to entice viewers into anti-capitalist action. While assessing the specifics of the reception of each film is beyond the scope of this article, we can say whether they present alternatives to neoliberalism, and whether they feature critical voices.
- 26 Taking into consideration both the complexity of the depiction of the 2008 neoliberal crisis and the space granted to anti-capitalist voices, we produced the following classification, with films ranging from least to most critical. When assessed against such criteria, fictions prove less critical than documentaries in our corpus.

## ***Wall Street: Money Never Sleeps***

- 27 *Wall Street: Money Never Sleeps* is the most apologetic film in the corpus. The plot is tethered to 2008 to provide the context for the sequel of Oliver Stone's 1987 film, *Wall Street*. The sequel opens on Gordon Gekko's release from prison after eight years behind bars. The stock exchange, which was a recurrent image in the 1987 film, has given way to another location, the building of the Federal Reserve. The housing bubble, which led to the crisis, is alluded to through the character of Jacob Moore's mother, who gave up nursing for real estate. Finally, the film exposes the Machiavellian stratagems and fake rumors circulated by firms to bring down their competitors, leading in the final instance to the necessary bailout of a prominent bank. This sequel offers a less glamorous portrait of bankers than the 1987 film, avoiding what could be called a "Gekko effect." The charismatic and obnoxious Gordon Gekko (Michael Douglas) in the first *Wall Street* film made such an impression on the audience that, in spite of Stone's professed efforts to portray him as unpleasant, the character inspired numerous young people to work in finance (Corliss 2010). Played by the same actor, an older Michael Douglas, Gekko now appears as an antihero who has lost his luster and tries in vain to warn people against the coming catastrophe, while being desperate to mend his relationship with his daughter.
- 28 Yet, Stone's endeavor to account for the present-day financial situation centers on the illegal practice of certain corrupted firms, without delving much into the complex causes of the crunch. From a didactic point of view, this film has the narrowest scope of our corpus, given that the plot suggests that Lehman Brothers fell because of rumors started by a rival firm.
- 29 Moreover, the storyline mainly revolves around a personal vendetta and family melodrama with a happy ending (Figure 1). Gekko ultimately finds redemption by investing the money he had stolen in the project his daughter Winnie wanted to support. He is then able to obtain both his daughter's pardon and the right to see his grandchild. According to Jeff Kinkle and Alberto Toscano, this conclusion testifies "to a world whose imagination is stripped of collectivity and riven to a narrow horizon of finitude, in which the best one can imagine is more family and less greed." (Kinkle & Toscano 2011: 45) We could add that Gekko is forgiven thanks to his investing Winnie's money in a fusion research project seeking a way of creating clean energy. Does this mean that the end justifies the means?

Figure 1: A family crisis with a happy ending (Shia LaBeouf and Carey Mulligan) in *Wall Street: Money Never Sleeps* by Oliver Stone.



Source: *Wall Street: Money Never Sleeps* by Oliver Stone (screen capture).

- 30 Finally, what status should we attribute to the comments made as a voice-over at the beginning of the film?

You want to know what the mother of all bubbles was? It came out of nowhere. By chance. They called it the Cambrian Explosion. It happened around 530 million years ago. And over the next 70, 80 million years, the rate of evolution accelerated so fast that we came along. The human race.

- 31 The end of this cosmological metaphor is brought to its full at the end of the film:

Bubbles are evolutionary. They kill excess. They lean out the herd. But they never die. They just come back in different forms. When they burst, they give birth to a new day. Always creating change.

- 32 Such a conclusion seems to suggest that crises are a necessary evil because, ultimately, they are part of a natural systole and diastole at the heart of life.

### ***Margin Call***

- 33 *Margin Call* offers a clear-cut example of greed and financial malpractice within the walls of one bank building. Viewers follow young risk analyst Peter Sullivan as he travels up the hierarchy ladder, meeting successively all the executives of the firm. At the top of the building, CEO John Tuld lands his helicopter and makes an entrance reminiscent of that of a video-game boss. Sitting alone at the table of the building's restaurant (Figure 2), he peacefully sips on fine wine and savors sophisticated food while conferring on the necessary return of crises.

Figure 2: CEO John Tuld (Jeremy Irons) in his ivory tower in *Margin Call* by J. C. Chandor.



Source: *Margin Call* by J. C. Chandor (screen capture).

- 34 The difference with Oliver Stone's film is that a moral counterpoint is brought to the fore with two characters, Sullivan and Sam Rogers (Kevin Spacey), who repeatedly point at the consequences of the CEO's strategy. Their reservations add dialogism to the film, which testifies to director J. C. Chandor's clear condemnation of financial malfeasance.
- 35 However, their scruples do not lead them to take any serious action. At the end of the film, Sam Rogers laments the death of his dog like the death of his illusions about the financial world, yet his misgivings did not prevent him from participating in Tuld's scheme and accepting his share of the loot. The formal beauty of the film, with its sleek blueish tones, its processions of elegant suits, and its grandiose shots of the New York skyline, provides the bank building with an Olympian aura from which average people in the street look insignificant.
- 36 Chandor's decision to concentrate the plot over a 24-hour period in a single location, with the growing time pressure, the vain efforts of human beings threatened with disaster, their resignation in the face of an all-powerful impersonal force, and the perception of their impotence confer to this film the features of a modern tragedy. In sum, the film is compelling in exposing the extent of bankers' greed but it does not really equip the audience with a deeper understanding of what led to the crisis, nor does it seem to believe in any possible solution.

### ***Too Big To Fail***

- 37 Based on real facts, Curtis Hanson's *Too Big To Fail* is a political thriller which conveys a sense of emergency. The plot begins with the sale of the troubled investment bank Bear Sterns to JP Morgan, a sale guaranteed by the federal government. A fast pace is kept as Henry Paulson progressively faces an epic accumulation of situations similar to that of Bear Sterns: Lehman Brothers, Merrill Lynch, and AIG all collapse. His attempts at having the banks fix the situation among themselves fail because of greed and petty rivalries of their CEOs, as demonstrated by their private phone calls. The bailout is presented to Paulson in the second half of the film as a solution of last resort, to which

he reluctantly agrees. In a scene, his staff make a swift mental calculation to evaluate the amount of money needed to save the economy. The figures with which the viewer is bombarded are so extravagant that when they are magically downgraded to \$7 billion, one cannot but share Paulson's reaction as he says: "It's better than a trillion." He and Ben Bernanke then proceed to lobbying the Congress to approve the bailout.

- 38 The two protagonists come out as heroic. Bernanke, who had just confessed to Paulson how deeply panicked he was before walking into the meeting room, impresses the viewer by keeping his composure as he faces outraged representatives and obdurate CEOs. His speech to the major banks appears as a criticism of their greed and selfishness; he presents the bailout as a "bold" action, necessary to protect the people. The soundtrack, featuring strings playing *adagio*, adds weight to his words. Paulson is also portrayed in a sympathetic light: a simple man in a simple home, walking in his pajamas while subject to insomnia. His courage is emphasized by his capacity to control an anxiety that only takes over when he is left alone (Figure 3).

Figure 3: A decent man dedicated to his country: Henry Paulson (William Hurt) in *Too Big To Fail*, by Curtis Hanson.



Source: *Too Big To Fail*, by Curtis Hanson (screen capture).

- 39 The film does not leave much room to reflect on the causes of the crisis. "How is it possible you didn't see it coming?" House Speaker Nancy Pelosi (Linda Glick) asks, to which Paulson replies: "If you want to rewind the tape, you can do that, but right now the one thing we don't have is time." *Too Big to Fail* turns out as an unmitigated eulogy for two highly controversial decision-makers, but their tight bonds with Wall Street and responsibility in deregulating finance remain unaddressed.

### ***The Big Short***

- 40 The scope embraced by *The Big Short* (2015) is considerably wider than that of the three previous productions. Tying together three storylines, the narrative manages to examine various professions in the banking business. We follow Mark Baum (Steve Carell) in his discovery of the securitization food-chain, the role of mortgage companies, money lenders, and rating agencies. Director Adam McKay was also successful in using some codes of the documentary, with Jared Vennett (Ryan Gosling) breaking the fourth wall and inserted interviews designed to provide technical elucidations. Vennett insists on the ideological importance of such digressions, no matter how clumsily they are incorporated into the plotline:

Mortgage-backed securities, subprime loans, tranches — it's pretty confusing, right? Does it make you feel bored? Or stupid? Well, it's supposed to. Wall Street loves to use confusing terms to make you think only they can do what they do. Or even better, for you to just leave them the fuck alone.

- 41 The impact of government policies and regulation is left aside but the upbeat montage, simultaneous plots, humorous tone of the narrative voice, derisive exposure of complex financial derivatives as a scam to deceive lay people, all combine to make the financial world both accessible and entertaining. However, this appeal and excitement are probably also what makes this film problematic. The prestigious cast pulls the film toward bank-robbery movies, a genre of which Brad Pitt is a familiar figure (Pitt plays Ben Rickert, a legendary retired securities trader). The recurrent statement that these men had the intelligence of foreseeing the general meltdown before anyone else — which is inaccurate, for there had been clear red flags about the financial situation from 2005 onwards — contributes to presenting them as heroes and contributes to producing yet another Gekko effect (Figure 4).
- 42 McKay made his critical point clear in the epilogue sequence, concluding on the uselessness of the bailout and ongoing creation of other derivatives under novel obscure terminology. Mark Baum and Ben Rickert, who endorse a moral stance and display disgust at the numerous aberrations of the financial system as a whole, do not undertake any action against it.

Figure 4: A passive moral figure (Brad Pitt as Ben Rickert facing two hapless characters) in *The Big Short*, by Adam McKay.



Source: *The Big Short*, by Adam McKay (screen capture).

- 43 Baum decides to keep quiet, while Rickert is presented as a visionary who has already started to invest in seeds, anticipating their shortage in the very-long term. Overall, McKay's film limits itself to criticizing the status quo and runs the risk of upholding an idealized image of traders.

## Overdose

- 44 Moving on to documentaries, which are on the whole more critical than the fictions of our corpus, we begin with *Overdose*, whose argument relies largely on two spun metaphors: the punch bowl and the drug injection to a "patient." Both intend to establish that nationalizations and bailouts offer a quick fix that, in the long run, provides fuel for more bubbles. The documentary also makes extensive use of simple

graphics in black, white and red colors (Figure 5), loud dramatic music, and a script narrated by a deep voice-over reminiscent of that used in action film trailers. Favoring sensationalism and effective visuals, the film is especially designed to scare the audience with its doomsday rhetoric.

Figure 5: The upcoming death of the patient in *Overdose, the Next Financial Crisis* by Martin Borgs.



Source: *Overdose, the Next Financial Crisis* by Martin Borgs (screen capture).

- 45 What matters most is that the film is based on *Financial Fiasco*, a book written by Johan Norberg, who co-authored the screenplay with Martin Borgs. Norberg is a senior member of the Cato Institute, a libertarian thinktank, which also produced the film. The film's argument is clearly an indictment of state interventionism. Borgs and Norberg address at length the role played by Fannie Mae and Freddie Mac, arguing that state-backed mortgages "allowed lenders to go crazy." According to Norberg, had the private sector been in charge of securing mortgages, toxic assets would never have existed in the first place. The "highest bailout in history" is ultimately the film's main target. Norberg and Borgs denounce the absurdity of offering taxpayer money to banks without any strings attached, adding that "even banks who don't want the money will be forced to take it." Whilst Curtis Hanson tried to minimize the amount of money spent by the federal government, Norberg's calculation brings him to take other expenses into consideration: other bailouts, the lowering of interest rates, and much more, which allows him to say that the total expenses made by the federal government exceeded the combined cost of the two world wars, the Marshall Plan, and other conflicts. One could argue, however, that it is intellectually dishonest to include state funding directed at the car industry and expenses for social care under the Obama administration in the total cost of the bailout. The film condemns any form of state interventionism, grounding its criticism in the belief that the market will naturally regulate itself.

## *Capitalism: A Love Story*

- 46 At the other end of the political spectrum stands *Capitalism: A Love Story*. Michael Moore's film presents the long-term evolutions of capitalism and argues that it is the quest for profit which is responsible for the crisis. Taking average American families impacted by the financial crunch as a starting point, the filmmaker explores the economic system from the bottom up, and vilifies money lenders, mortgage companies, and the collusion between Wall Street and the government. Moore's originality rests upon his condemnation of capitalism as a whole. He is the only director in the corpus who interviewed Christian priests condemning capitalism as "evil" and against the teachings of Jesus. A montage displays a large crucifix superimposed on a shot of the stock exchange. The end of the film seeks to promote "socialism" with an interview of Bernie Sanders, and celebrates Franklin D. Roosevelt, who intended to include a second Bill of Rights in the Constitution guaranteeing the rights to work, to have a decent home and economic protection, as well as the rights to access medical care and good education.

Figure 6: Families broken by the crash in *Capitalism, A Love Story* by Michael Moore.



Source: *Capitalism, A Love Story* by Michael Moore (screen captures).

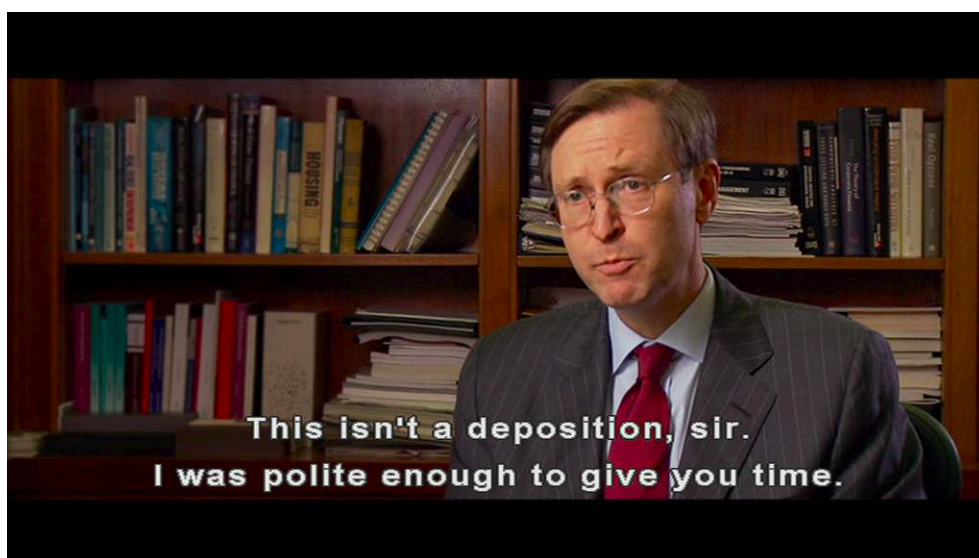
- 47 As far as means of action are concerned, Moore gives a list of successful demonstrations, strikes, and sit-ins, and pays particular attention to the Flint strike against General Motors in 1936, a significant victory for trade unionism. Yet, Moore also stages himself haranguing random busy bankers walking out of their offices in Wall Street. He turns up in front of bank headquarters with a robbery bag, asking them to give back the "money of the American people". Finally, he uses a megaphone pretending to arrest bankers. Such scenes may seem rather trivial and show that, despite the rich material featured in his documentary, Moore does not really engage in a rational debate but rather seeks to trigger a visceral response among viewers. His arguments may at times look vague: for instance, he correlates the rise of bankers' bonuses with the rise of sales in antidepressants. Similarly, after underlining the

pressure under which Congress adopted the motion to bailout Lehman Brothers, Moore interviews Representative Marcy Kaptur. He asks her whether she would agree to call the bailout “a financial *coup d'état*.” After some hesitation, the Democratic representative finally agrees that “Wall Street” really is in charge of political affairs. The filmmaker also relishes filming devastated families and anxious workers, filming their distressed faces in close-ups, pressing them with questions until they start crying (Figure 6). Finally, Moore’s tone is generally sarcastic and, thanks to fast cutting, he equates the actions of those he calls “the rich” with racketeering and pickpocketing.

### *Inside Job*

- 48 By contrast, the tone of *Inside Job* is serious. Matt Damon’s commentary is uttered in a calm, professorial voice. Like Moore, Ferguson makes extensive use of fast cutting. Yet, while Moore used inserts to ridicule the rich, Ferguson provides rigorous research and fact-checking. Without trying to avoid didacticism, the documentary describes the intricacies of the political and financial spheres with a wealth of detail. It also points at strategic errors made by Paulson in 2008, blames politicians for their suspicious lack of reactions ahead of the crisis since — Ferguson insists on this — there had been numerous red flags as early as 2005.
- 49 Ferguson gives a better insight than previous films into the global dimension of the crisis. The case of Iceland is explained in detail and the filmmaker shows the repercussions of the crisis in China and Singapore. Among the causes of the crisis, Ferguson also includes the pathological behavior of high-class financiers. Their regular use of drugs and prostitutes is exposed in order to illustrate how these white-collar criminals place themselves above the law. Fraud and money-laundering, involvement in arm dealings are also mentioned. Finally, Ferguson demonstrates his originality when denouncing the role played by academics and experts in helping to guarantee toxic products and unreasonable investments (Figure 7).

Figure 7: Charles Ferguson challenges an angry academic in *Inside Job*, by Charles Ferguson.



Source: *Inside Job*, by Charles Ferguson (screen capture).

- 50 Several options are offered by this documentary. The priority is given to fighting the extremely powerful lobbies and the subsequent hold that banks have on governments. Choosing Matt Damon, a celebrity known for supporting Obama's campaign, is also a way of expressing disappointment toward an administration that did not manage to free itself from the influence of Wall Street. With regard to experts, Ferguson suggests that a form of regulation of academic publications should be implemented to avoid conflicts of interests. Finally, he even implies the possibility of punishing perpetrators of fraudulent financial moves by convicting them of other crimes principally related to use of drugs and prostitutes.

### ***Global Financial Meltdown***

- 51 *Global Financial Meltdown* (2010) is the most thorough film of the corpus. It presents the same causes of the economic crunch as the other documentaries but digs deeper. Terrence McKenna, the director, insists on the international dimension of the whole phenomenon more than other filmmakers. He addresses the role played by European countries, recalling the deregulation measures encouraged by Gordon Brown, then British Chancellor of the Exchequer, in an attempt to turn the City into the foremost financial market. Episode 3, entitled "Paying the price," provides abundant footage of strikes in France (Figure 8), during which the workers of Continental and Caterpillar kidnapped their bosses to force them to negotiate with strikers. Demonstrations in front of Iceland's Parliament are also displayed.

Figure 8: "Les Contis": Local effects of a global crisis in *Global Financial Meltdown* by Terrence McKenna.



Source: *Global Financial Meltdown* by Terrence McKenna (screen capture).

- 52 The main risk run by the film is to confuse the viewer with its formidable mass of information. The film turns out to perhaps too rich and dense. One may also be skeptical about the excessive optimism of the director when he closes this four-part film with the idea that politicians and IMF leaders have now understood the necessity of urgently legislating to regulate finance. As for the final vision of workers walking

cheerfully in the blazing sunlight, strangely reminiscent of social-realistic propaganda posters, one wonders if this is it to be interpreted as a threat to the neoliberal order.

## Conclusion

- 53 The 8 films that have been studied share defining elements of the sub-genre formed by post-2008 movies, from visual elements such as the omnipresence of figures, plunging graphs and skyscrapers, to the obligatory need to popularize financial jargon. Given the complexity of present-day financial markets, a certain amount of didactics is needed in cultural productions targeting a wide audience. Surely this informative and explanatory dimension played a key role in attracting viewers. Fictions, with their brilliant casts and alluring dramatization, did well at making a rather dry topic both accessible and visually attractive, with the risk of glamorizing a topic of both ethical and ideological importance. Documentaries, on their part, offered a much more critical view, especially when they addressed the crisis as a worldwide phenomenon revealing the shortcomings of neoliberalism, and when they displayed popular dissent directed at capitalism.
- 54 It is worth stepping back and look at the context in which these films were created and first seen. Most were released within the two years following the 2008 crisis. The economic crisis as a historical event had been immediately turned into a popular cultural product. Replacing the production of films upholding a strong anti-capitalist narrative in their context of production, Ribstein (2009) published an article with the provocative title: “How movies created the financial crisis.” The author emphasized the fact that filmmakers are embedded in the capitalist system, and that the film industry is unlikely to bite the hand that feeds it. Therefore, bankers appear as the sensible guilty party. Blaming them satisfies the audience’s thirst for explanation and blame, without pointing at other structural dynamics, such as deregulation policy or states bailing out banks with taxpayer money. Such an analysis is quite pessimistic as to the critical role that mass-cultural productions can play within neoliberalism. Nevertheless, our investigation has shown that post-2008 films have contributed to circulating a diversity of views on the crisis, revealing the extent of the social catastrophe it has caused, making its mechanisms accessible to a lay audience, and, occasionally, picturing means of resistance. Whether such a rapid codification of the historical crisis into a product of mass-consumption contributes to higher political awareness or undermines its very possibility remains open.

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## ABSTRACTS

The 2008 crisis has been represented in many fiction and documentary films. This paper analyses these representations in order to present the aesthetic and political characteristics of widely circulated narratives of the crisis. This paper analyses 8 films, starting with an overview, then a structural comparison of these films, isolating the common features of this sub-genre in terms of tropes, characterization and narrative strategy. The paper then assesses the films' critical dimension against the complexity of their depiction of the 2008 neoliberal crisis and the space granted to anticapitalist voices. Both fictions and documentaries reveal a didactic dimension, but they differ as to their critical dimension. Fictions, with their brilliant casts and alluring dramatization, did well at making a dry topic both accessible and visually attractive, with the risk of glamorizing a topic of both ethical and ideological importance. Documentaries offer a much more critical view, especially when they address the crisis as a worldwide phenomenon revealing the shortcomings of neoliberalism, and when they display popular dissent directed at capitalism. These films armed their viewers with technical knowledge about finance, but for the most part did not encourage viewers to question capitalism as such.

La crise financière de 2008 a inspiré beaucoup de documentaires et de films de fiction. Cet article étudie les caractéristiques esthétiques et politiques des interprétations de la crise véhiculées par 8 films, et commence par en proposer un résumé avant d'en comparer la structure pour dégager les traits typiques de ce « sous-genre » en termes de figures, de construction des personnages et de stratégie narrative. La dimension critique de ces films est ensuite évaluée à l'aune de la complexité de la représentation qu'ils offrent de la crise du capitalisme néolibéral et de la place accordée aux opinions anticapitalistes. Il apparaît que les fictions, comme les documentaires, ont une importante dimension didactique, mais sans avoir la même portée critique. Les fictions du corpus se distinguent par des distributions prestigieuses et une tendance à l'idéalisation qui font courir le risque de faire oublier l'importance éthique et idéologique du sujet au profit de l'esthétisme ou du divertissement. Les documentaires proposent des lectures bien plus critiques de la crise, notamment lorsqu'ils en soulignent les dimensions mondiales et représentent divers types de contestation anticapitaliste. Dans leur majorité, ces films aident le public à mieux comprendre le fonctionnement de la finance mais rares sont ceux qui remettent en cause l'existence du système néolibéral en tant que tel.

## INDEX

**Keywords:** financial crisis, capitalism, neoliberalism, representation, fiction film, documentary, film

**Mots-clés:** crise financière, capitalisme, néolibéralisme, représentation, film de fiction, documentaire, cinéma

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# Reclaiming Our Universities: A Manifesto to Dismantle the UK HE Sector Neoliberal Agenda

Marian Mayer and Sue Eccles

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## Background and Context

- 1 This article began as a response to the introduction of the Higher Education and Research Act (HERA) (2017), which in effect opens the door to privatised, deregulated Higher Education (HE) in the UK. The Act allows private for-profit companies, from their inception, to use the university title (previous legislation required a waiting period of four years), to award degrees, and to charge unregulated fees; they will not be required to establish or fund student unions. Academic freedom, as understood by publicly-funded HE, will not be protected and for-profit private universities will be able to close unprofitable courses with no liabilities to either staff or students. The neoliberal project is writ large (Harvey 2007, Hall 1978, 2011). Morgan (2017b) described the bill as “the most significant sector legislation in 25 years to further a market approach in England”. It is also important to note that as Morley (2016) observed, privatised Higher Education is antithetical to critical thinking, a cornerstone of the pursuit and creation of evidenced-based knowledge. The recent announcement of a new ‘civic’ university in Milton Keynes, MK:U, positioned to focus on digital skills and employability, will have a “business-facing approach” according to Ryals (2018), currently the Pro Vice-Chancellor for Education at Cranfield University, and appointed as Programme Director for MK:U. Ryals (2018) posits the business model for MK:U, referring to ‘lifelong learning’:

There’s a need to refresh skills every few years or so, and MK:U will be geared towards ongoing relationships with its learners and opportunities for re-joining the campus community.

- 2 Announcing the new university, Ryals (2018) offers no detail about the ways in which MK:U is to be funded. However, she does make reference to the possibilities for

“business partnership” and employs the language of neoliberal ideology, e.g. “the university offering” and “a lead role for a business in design, delivery and support via placements.” A new entrant, fast on the heels of the HERA 2017.

- 3 In a further example of the commodification of HE, a group of Oxford academics have launched a ‘university app’, which they describe as “the Uber of degree courses; for teachers, it will be the Airbnb of course hosting.” In an interview with Roller (2018), the founder and director of Woolf University, Junior Research Fellow Joshua Broggi stated that:

The university will use blockchains with smart contracts to automate core administrative procedures, which can lower our overhead costs, reduce tuition fees, and secure significantly better salaries for academics.

- 4 Presciently, Morley (2016) predicted the ‘uberisation’ of higher education. It has been estimated that these ‘blockchain’ degrees will cost approximately £40,000 to complete. Validated by traditional universities, Woolf University was due to be launched at the beginning of the academic year 2018/19. Emeritus professor of educational technology at the Open University, Mike Sharples, questioned Woolf University’s ability to provide a high standard of teaching, contending that whilst it will be possible to “assure that an interaction has taken place between two parties” [academic and student], it “cannot assure quality” (Roller 2018). These new entries into the HE sector purport to offer benefits; MK:U is being positioned as a ‘civic’ university, intended to create graduates with digital skills for the “fourth industrial revolution” (Ryals 2018), whilst Woolf University contends economic benefits for students and academics. Neither University was discussed in terms typically associated with HE, such as the creation of knowledge, academic freedom of thought and speech, or critical reflective analysis and enhanced understandings of society or the wider world.
- 5 Holmwood (2017) argued that HERA “completes a process of the privatisation of higher education in England”. For academics working in the humanities and social sciences, the removal of funding for these disciplines has been keenly felt. Holmwood cites the complicity of senior university leaders as key to the privatisation of HE; his pessimism echoes that of Collini (2017: 203), who refers to the failure of academia to resist and defend against the Act describing this as a “loss of nerve” in universities; in effect an inability to defend publicly-funded HE.

## Fighting the Neoliberal Agenda

- 6 However, one event has significantly changed the UK HE landscape and demonstrated a more recent attempt to challenge the neoliberal agenda. The recent University and College Union (UCU) industrial action, in defence of pensions for staff working in pre-92 universities began in February 2018. According to Schwarz (2018: 9)

[...] for reasons which are still not clear, the employers – the Universities UK (UUK) – settled on what was in effect a frontal assault against the University and College Union (UCU).

- 7 UCU members voted to strike for 14 days during February and March, and at its height 65 institutions were affected by the action (UCU March 2018). In ways that UCU activists had no reason to envision, students joined academics on picket lines and most surprisingly occupied – at one point – some 20 university buildings, including the

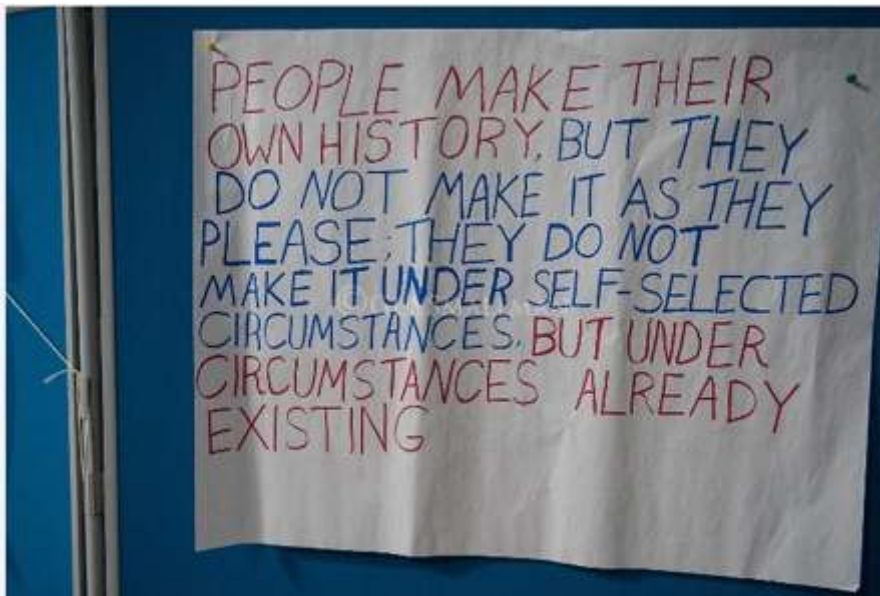
London School of Economics, Liverpool University, Reading University, University College London, Southampton and Sussex University and others (Figures 1 and 2).

Figure 1. Occupation at Queen Mary University



Source: Left Foot Forward, 2018.

Figure 2. Referencing Marx



Source: Left Foot Forward, 2018.

Figure 3. Bristol University 'Student Staff Solidarity Group' occupy the Senate room



Source: The Tab, 2018.

Figure 4. Bristol University 'Student Staff Solidarity Group' occupy the Senate room



Source: The Tab, 2018.

Figure 5. Glasgow University Strike. Solidarity Occupation. March 15, 2018



Source: Caitlin Logan, 2018. <https://sourcENEWS.scot/occupied-glasgow-students-show-solidarity-with-striking-lecturers/>

Figure 6. University of Strathclyde (Glasgow) students support the strike, March 15, 2018



Source: <https://www.facebook.com/photo/?fbid=609189756084702&set=a.593075004362844>

- 8 In addition to marches through cities across the UK, Bristol University's Vice-Chancellor's Office was occupied (Cork 2018; Figures 3 and 4) and Glasgow University students, organised as 'Glasgow University Strike Solidarity' in support of the industrial action, occupied the Senate Room (Figures 5 and 6) issuing the following statement:

We are here in solidarity with striking members of staff and to remind our university management where their sympathies should lie. This also a show of solidarity with occupying students across the UK. (BBC 2018)

- 9 Students and striking academics came together to defend HE as never before. According to a recent yougov poll (UCU 2018c), 61% of HE students supported the industrial action, with 66% studying in institutions affected by the strike supporting the action. Interestingly, only 2% of those polled held academics responsible for the action, 20% responded that both staff and employers were at fault, whilst 50% blamed the employer. This response by students was in stark contrast to a widely-held, neoliberal belief that as ‘consumers’ of education they would express anger over the strikes. Interestingly, however, a small number of students demanded compensation from universities for breach of contract. Group claims are being encouraged by Law Firms, such as Asserson’s University Group Claim’s website contending that:

This is your chance to be paid fair compensation for lost teaching time, and to show that like any consumers, students won’t pay something for nothing. (Asserson Law Offices 2018 ).

- 10 This is arguably an unintended consequence of the commodification of HE, in particular the Competition and Market Authority’s (2015) consumer advice to students regarding UK legal frameworks protecting consumers’ rights. It should be noted that this consumerist approach to education is not restricted to the recent industrial action; one Oxford graduate recently failed in an attempt to sue the University for failing to achieve a first-class degree arguing that they had received “negligently inadequate teaching” (Mortimer 2018).
- 11 Nevertheless, unprecedented numbers of staff and students protested not only on the attack on academic pensions — the marketization and commodification of HE was cited as a primary motivation for supporting the strike. Rebel Architects Faction (RAF), for example, blocked the gates of Cambridge University (Figure 7) stating that:

Architecture students fully support the strike and will not cross picket lines. Attacks on our staff are attacks on our education. Already many junior staff and students struggle to afford the basic necessities of a dignified life, suffer under an escalating mental health crisis and are exploited at every turn. Enough is enough: our futures are not for sale.

Figure 7. RAF action at Cambridge University



Source: <https://discoversociety.org/2018/03/01/rethinking-collective-action-the-2018-university-strike/>.

- 12 UCU branches across the sector reported an extraordinary rise in membership applications (UCU February 2018) and staff queued on picket lines to join the union in order to take industrial action. In effect these staff were choosing to take industrial action and lose 14 days' pay, with the prospect of further action in order to defend their pensions and challenge the ideological, neoliberal university. Moreover, it is estimated that membership of UCU increased by almost 10,000:

In the three months to 28 February 2018, UCU had an additional 9059 members, 7752 HE and 1304 FE... These figures are in HE 349% up on the equivalent period last year and 394% on the equivalent period two years ago. (Personal communication Regional Official UCU).

- 13 The rise in activism within the UCU led to a remobilisation and democratisation of the union, with new members, particularly younger members, often working on precarious, low-paid contracts, for example postgraduate researchers, taking active roles in organising picket lines and protests in their branches. A key shift in the response to a proposed settlement of the action, brokered by the Advisory Conciliation and Arbitration Service (ACAS), was a grassroots branch-led rejection culminating in a demonstration outside UCU's head office. Hundreds of strikers protested outside the UCU offices (Figures 8 and 9) to make clear their views to the General Secretary, Sally Hunt, about the perceived capitulation by UCU negotiators. UCU members told Sally Hunt — as she argued in favour of the proposed settlement — that she was “now objectively on the side of the employers”.

Figure 8. UCU members protest outside the UCU Head Office in Carlow Street London



Source: Reelnews, 2018.

Figure 9. UCU members protest outside the UCU Head Office in Carlow Street London.



Source: Guy Smallman.

Figure 10. UCU members protest outside the UCU Head Office in Carlow Street London



Source: Guy Smallman.

- 14 Both academics and students were using the language of protesters, e.g. “Resist” and “Rise Up” and taking direct action, for instance through occupations, signifying a change in what was previously a service union to that of a campaigning union. The radicalisation of staff and students as a consequence of the USS industrial dispute has set the foundations for future grassroots, joint organising and campaigning (Figures 11 and 12).

Figure 11. Staff and students march through Bristol, November 16, 2018



Source: *Bristol Post*, <https://www.bristolpost.co.uk/news/bristol-news/university-bristol-lecturers-in-precarious-2225173>.

Figure 12. Staff and students march through Liverpool, March 8, 2018



Source: Liverpool Walton Constituency Labour Party Twitter account, <https://twitter.com/lpoolwaltonclp/status/971833984153018370>.

## The rise and impact of the neoliberal agenda on education

- 15 As discussed above, the reaction by academics and students to recent proposed changes to the established HE pension scheme, the Universities Superannuation Scheme (USS), was unexpected and decisive, and demonstrated greater solidarity across academia than had been seen in the UK for many years (Left Foot Forward 2018). As Marsh (2018) noted in his deconstruction of the USS valuation of the scheme, which he described as a scandal, the ‘de-risking’ of the pension fund through the sale of the “growth assets (equities, property etc)” would significantly reduce the amount of benefits paid into future pensions. The estimated costs to universities of £11bn over the next 20 years, as a result of increased employer contributions, would of course be met ultimately by members of the scheme. However, what was interesting about this industrial action is that it was, at the time, the most effective – and some would argue the only – way that academics and students could protest about the impact of the neoliberal agenda on HE.
- 16 As Deem et al. (2007) argue, the autonomy and judgement of public sector professionals has been eroded through the ever-increasing grip of neoliberal management, empowered by elite politicians and corporations. This is as true of HE as it is of the wider public sector. Successive UK governments have pursued a neoliberal agenda to dismantle public sector education, from primary school through to HE since at least the 1970s. An evaluation of Gillard’s (2018) historical account of more than 145 reports by charities, commissions and government departments, government bills, acts and reviews regarding education in England identifies what we conceptualise as the ‘DNA’ to dismantle publicly funded education, whilst diverting public funds to private education. This is a classic manifestation of the hegemonic neoliberal project, as proposed by Harvey (2007), Hall (1978, 2011), and Hall and Massey (2010). Arguably, the DNA model sits alongside Gillard’s (2018) extensive history of education in the UK, by providing an interactive snapshot of key developments in legislation that have led to the dismantling of public sector education.
- 17 One of the key highlights of the neoliberal agenda included the Conservative government’s Education Act (1979) which repealed Labour’s Act (1976) that had included a clause which allowed Local Education Authorities (LEAs) to retain (and fund) selective secondary schools. The same government’s Education Act (1980) instituted the Assisted Places scheme, which allowed LEAs to use public money to fund places in private schools.
- 18 Notably, the Further and Higher Education Act (1992) removed Further Education (FE) and sixth-form colleges from LEA control and established Further Education Funding Councils (FEFCs), bringing all funding of HE under the control of the Higher Education Funding Councils (HEFCs), and for the first time, introduced market-like competition for funding between institutions. It was the 1997 Labour Government led by Tony Blair that opened the door to student-funded HE education, proposing in its manifesto that student maintenance costs should be borne by graduates, albeit on a means-tested basis. The Dearing report (1996) commissioned by the previous Conservative government recommended that students bear 25% of the cost of tuition, although Dearing did argue that government grants should remain in place. It is, of course, a matter of record and history that the cost of tuition was increased for students whilst almost all grants have been abolished.

19 It was again a Labour government, neoliberal in its actions, which introduced £1,000 tuition fees in 1998, abolishing the £1,700 grant, replaced with student loans, which are means tested and increasingly restrictive. The Education (Student Loans) Regulations 1990 paved the way for the privatisation of student funding for HE, transferring the provision, management and collection of student loans to the private sector. Despite calls by almost 80 backbench Labour MPs to abolish tuition fees, Tony Blair's government passed the Higher Education Act (2004) and, in 2006, student fees were raised to £3,000. This eventually led to the introduction of £9,250 (a purported maximum) fees by the Conservative/Liberal Democrat coalition government in 2012. It is against this backdrop of the introduction, then rapid rise in student fees that students began to protest initially against the increase in fees, staging protests in 2011, but more recently, and as previously discussed, against neoliberal policies in HE. Further examples of the neoliberal dismantling of HE in the UK can be seen in initiatives to increase private, for-profit universities. Commenting on the announcement of the privately funded university BPP University College, owned by NASDAQ-listed American Apollo Group, Finlayson (2010) stated:

Let's be clear about what has happened. The House of Commons has not voted only for a rise in tuition fees in English universities. It has voted for the privatisation of British Higher Education.

20 Special mention must be reserved, however, for the successive Conservative governments of Margaret Thatcher and John Major which sealed the lid on public funding of universities, applying severe financial pressure. This was achieved through the reduction of student funding by 36% between 1989 and 1997, and linking funding to Research Assessment Exercises, thereby exerting market values on HE (Collini 2010). As Collini notes, reviewing the Browne et al. (2010) report on which these changes in funding were premised, the consequence was:

A system in which the universities are providers of services, students are the (rational) consumers of those services, and the state plays the role of the regulator. (Collini 2010)

21 It is this long-term drive towards the neoliberalisation of HE by successive UK governments that we identify as a purposeful agenda to redefine publicly funded education as a for-profit provider rather than a universal network (Meek 2015). Finlayson's (2010) question was as close as prescience gets: "Which Liberal Democrat minister will be the first to leave the cabinet in order to take up a position on the board of a private provider of Higher Education?"

22 In any event, it did not long take for ex-Universities Minister David Willets to take advantage of the neoliberal policies he stewarded, taking a job as 'education investment advisor' for a development company with the purpose of recruiting universities to an east London campus. As Holmwood (2017) commented, HERA 2017:

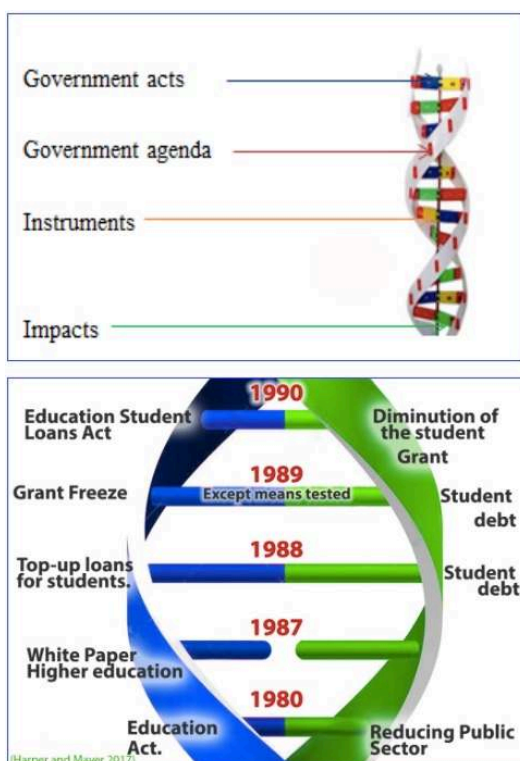
[...] completes a process of the privatization of higher education in England that began with the Browne Report in 2010 and subsequent Government White Papers and legislative changes to remove direct public funding of undergraduate programmes in humanities and social sciences and to replace it with student fees supported by loans.

23 The dismantling of HE in the UK is an agenda inextricably bound in neoliberal ideology.

## The DNA of the neoliberal agenda in HE

- 24 Reflecting on the past 40 years of government Acts and associated legislation relating to education in the UK, and in particular England, a pattern or theme emerges that seemed to us synonymous with the DNA double helix, akin to building blocks of the neoliberal project. It becomes clear that almost every Act between 1979 and 2017 has had a concomitant impact on the funding of education; for example, the Education (Student Loans) Regulations 1990, which led to the removal of student grants, had been preceded by a grants freeze in 1989, which began the indebtedness of students in England studying in HE. This had the effect of removing the cost of student grants from the public deficit, creating a student loan book. It is possible to identify an agenda running through some 40 years of legislation that has led to the dismantling of publicly-funded HE. This ideological agenda has been pursued by Conservative, Liberal Democratic and Labour governments.
- 25 In attempting to understand the complexities and challenges facing HE in the UK, a DNA model has been developed as a metaphorical Figure of the underpinning foundations and ‘building blocks’ of the neoliberal agenda to dismantle publicly-funded education in England. The model is intended to be a signifier of the embeddedness of neoliberal ideology in the British political landscape, in particular the public sector, and especially education. In science, the structure has been developed from its original inception in 1953.
- 26 In the arts, the DNA helix has inspired works such as that of the surrealist Salvador Dalí, including *Galacidalacidesoxyribonucleicacid* (1963) and *Butterfly Landscape, the Great Masturbator in Surrealist Landscape with DNA (1957–1958)*, the Science Fiction film, *Gattaca* (1997), the title of which comprises the four nucleobases of DNA, and sonic representations of DNA (Dunn and Clark 2004). The arts curator of the Mütter Museum, Trevor Smith proposed that:
- [...] every cultural expression has its own set of DNA. This is roughly what evolutionary biologist Richard Dawkins would describe as memes. Memes operate culturally not unlike how genes express in biology. They are creative and mimetic practices that transmit ideas and forms from one mind to another or one culture to another. Like genes, memes are always in the process of being remixed and repurposed.
- 27 We “repurpose” the iconic visual representation of DNA as an analogous metaphor for the dismantling of the HE sector. The 3D, interactive model (in development) will allow users to click on text in a visual representation, which would then link the reader to an original source: corresponding links would take the reader to publications, explanations and discussions of the effect of the act on government or policy. It is anticipated that this model would be a useful contribution to research into the neoliberal agenda. Not only does it vividly represent the ways in which publicly-funded education, in particular in England, has been dismantled, it allows researchers ready access to information adding to understandings of the ongoing debate around neoliberalism in HE. The development of the model is represented in 2D form in Figure 13.

Figure 13. Development of the model in 2D form



Source: Marian Meyer and Sue Eccles, 2017.

- 28 In parallel, government Acts over a similar period of time led to conditions whereby many primary and secondary schools were “acadamised”, as were Further Education colleges, resulting in an increasingly privatised education system. For the most part, these academies are run for profit by large corporate entities, some of which have been sponsored by wealthy individuals and religious groups. In some cases, so-called “Free Schools” have been established, whereby LEAs are required to fund schools set up by parents, supported by charities such as the New Schools Network, which to date has had questionable outcomes, according to a recent *Times Higher Education* report (Hazell 2018).
- 29 Interestingly, the notion that universally accessible education was originally conceived in order to provide a workforce for the capitalist industrial economy, in some sense, supports the link between industry and education, however such notions were superseded by Humanist and later Democratic concepts of education (Rustin 2016). The dismantling of public sector education has returned to the concept of HE as a “trainer” of workforces, rather than democratically-organised places of learning and the creation of knowledge — as seen in the earlier discussion regarding MK:U.

## The current landscape

- 30 Understanding the DNA of the neoliberal agenda in HE also helps us understand the current and most recent developments across the UK HE sector. HERA 2017 radically changed HE in the UK; its effects could have been the final nail in the coffin of public-sector education, significantly impacting research activities and academic freedom.

Private for-profit companies will be accredited to use university titles, award degrees, charge high fees, operate without student unions and academic freedom, and able to close “unprofitable” programmes with no liabilities. Academic freedom, once a cornerstone of university endeavours, will now be driven by market demands, and consequently, scholarly independence and the freedom to engage in the critical pursuit of knowledge will be significantly limited. As Woodhouse (2009) presciently noted, academic excellence is incompatible with the requirements of those seeking to commercialise education for private profit, whether it be business partners or the HE sector. Brennan and David (2010: 6) argue that:

In their focus on skills and employability, policy makers may be underselling the importance of universities to the creation and maintenance of a stable and fair social order.

- 31 The UK Teaching Excellence Framework (TEF) will further commodify HE, leading to a greater consumerist approach to HE. Indeed, the stated premise of the recently-introduced HE regulator, the Office for Students (OfS) which replaced the Higher Education Funding Council for England (HEFCE) and the Office for Fair Access (OFFA), is to “increase choice and competition in higher education”, in effect creating a student-consumer model of HE. The OfS, which has limited student representation on its board and significantly no member from the National Union of students (NUS), lost no time in commissioning research into “students’ perceptions of value for money” (OfS 2018). The OfS employs the language of markets and consumers, clearly positioning the regulator as a key component of the neoliberal higher education sector.
- 32 We are facing the ultimate marketisation of education, including the introduction of 2-year degrees, and reduction in student choice as “unprofitable” programmes are closed (Hall 2016). Whilst there are major challenges — imposed by education policy-makers — impacting negatively on the student experience, these could be addressed by re-thinking the purposes of universities. Collini (2017) contends that the “idea of the university” has been the subject of repetitive, inconclusive debate and discourse for more than 150 years. If we accept that universities should play an important and significant role in society, perhaps we must redefine what that role should be.
- 33 University staff and student unions have an important role to play in the defence of publicly-funded and publicly-owned HE. It is important to note that the Labour Party manifesto (2017: 47) includes a pledge to establish a Ministry of Labour, committing a Labour government to “repeal the Trade Union Act and [to] roll out sectoral collective bargaining”. The manifesto also promises a radical restructuring of HE financing, including re-establishing student grants and abolishing fees. It is within this context that we believe it is possible to reimagine and reclaim Higher Education.
- 34 As part of the effort to rethink the purpose of HE, we argue that it is essential that the authoritarian neoliberal agenda pursued by successive UK governments be widely exposed, challenged and resisted (Bowen et al. 2014; Bruff and Tansel 2018). McGettigan (2013, 2015) argues that the rapid expansion and increasing marketisation of the sector is a core function of a neoliberal economic policy, arguing however that it is possible to challenge this ideology. It is possible to build on the work of Morley (2016), Holmwood, Hickey and Wallis (2016), Freedman and Bailey (2011) and others to challenge and resist the neoliberal agenda in education, and expose increasing socio-economic inequalities. Neoliberal HE policies can be challenged through evidence-based research: as extant research argues, the UK HE sector can be re-invigorated and knowledge production

pursued as a site of transformation and radical, emancipatory, transformative education and learning (Mezirow 1978a, b; 2000, Nind 2014).

- 35 The call to reclaim universities is not new. Wright and Greenwood (2017) posit the threat of the possibility of “external” forces or management buyouts, citing a report commissioned by the employers’ body Universities UK (Stanfield 2009), which provided vice-chancellors with models that would enable the university to maintain its degree-awarding powers and its charitable (beneficial tax) status, whilst transferring the university’s assets to a new company where the managers had an interest, could raise capital on the stock exchange, and as one of the diagrams boldly states, “strip profit”.
- 36 Wright and Greenwood (2017: 46) argue that there is a danger that senior managers of universities have begun to think of themselves as “stewards of their own enterprise — as de facto owners”. Indeed, post-92 universities are “corporations”, with the benefit of charitable status — the best of both worlds for Chief Executive Officers of these institutions — and Russell Group Vice-Chancellors have taken to styling themselves as Chief Executives and even as Presidents for the American “market” (Shaw 2013).
- 37 Although the proposition that higher education is a wider societal economic good has been posited by successive governments, such benefits are a contested contention. For example, scholars including Alvesson (2013: 78) have argued that  
[...] there is no easy way to establish a causal relationship between increased investment in higher education and economic growth [...].
- 38 Nevertheless, the notion that upward social mobility is a positive outcome of HE education — as espoused through government policy — suggests that through widening access and greater inclusivity, all of society may benefit (Cabinet Office 2010; Department for Business, Innovation and Skills, OFFA and HEFCE 2014; Department for Business, Innovation and Skills 2015).
- 39 The intensification of neoliberalisation in society goes hand-in-hand with the economics of the HE sector and cannot be ignored as they are so closely aligned with the Higher Education sector (Canaan 2013; Springer et al. 2016 cited by Asher 2017). The claims made by successive governments about the impact of universities on the UK economy include the surprising comment by the then Universities and Science Minister David Willetts “that universities continue to be counter-cyclical, defying the recession”. Willetts’s statement supports the contention that the HE sector is viewed by governments through the neoliberal prism of commodification and marketisation (Department for Business, Innovation and Skills and Willetts 2015). Kalfa et al.’s study (2017) identified that, whilst many academics are ideologically opposed to managerialism, in other words to authoritarian neoliberalism, compliance and self-protection pervades the HE sector. In order to rationalise the constraints within which many academics labour, cynicism, disengagement, cognitive dissonance and avoidance are increasingly commonplace. Kalfa et al. (2017) contended that academics ‘game’ the world of academia, using Bourdieu’s metaphor, although they acknowledge that there are pockets of resistance, although these tend to seek to protect the individuals’ own well-being. However, Kalfa et al.’s study (2017) predates the USS pension dispute, with contributed to shifting the mood amongst academics, academic-related staff, postgraduate students and indeed the wider student body.

## Challenging the current landscape

40 The time has come for a collective reimagining of publicly-funded universities engaged principally in public service and civic engagement: we should begin by abjuring the privatisation of higher education (Meek 2015), offering a public debate, a “speaking out” (Collini 2017) which recognises the essential role of autonomous universities in an increasingly neoliberal context (Morley 2016, Holmwood, Hickey and Wallis 2016, Wright and Greenwood 2017). This speaking out requires intellectual leadership, posited by Asher (2017, p. 201) as

shaping our academic labour [in order to] contribute to a critical dialogue of knowledges, practices and relations that speak to moving beyond “the neoliberal order of things.”

41 Echoing Collini (2017), Asher (2017: 201) urges academics to “develop democratic and co-operative ways of working, of writing and publishing, research and public engagement.” We argue that such research should focus on the pedagogical resituating of scholarship and the pursuit of knowledge for its own sake, rather than seek to meet performance measures such as Key Performance Indicators and institution business-intelligence metrics. Interestingly, Fook (2017: 2) posits the notion that HE institutions should become critically reflective and “speak truth to power,”

ensuring that our universities are inclusive, educate for inclusion, and play a role in creating more just societies.

42 The Campaign for the Public University’s Manifesto for the Public University argues against the dominance of neoliberal ideologies in the privatisation of higher education in England, predicting “a period of major reorganisation and turmoil.” Against the background of a £2.2 billion surplus and the attempt to restructure and redefine the USS as identified in Branch Solidarity Network’s Red Summer Audit, universities across the HE sector have made large scale redundancies under the guise of “restructuring.” Freedman (2018) has reported that in the previous 2 years

some 1,400 members of staff have been made redundant or had their jobs put at risk in the last two years, through both compulsory and voluntary schemes.

43 This is thought to be an underestimation of the real figure, as only a small number of institutions were audited. Further wide-scale redundancies are planned at universities across England, a number of which are balloting on industrial action to defend against redundancies. The scandal of these redundancies lies in the replacement of staff on substantive academic contracts by casualised workers, who of course are less likely to reject the onerous working conditions upon which their precarious contracts premised. In addition, where redundancies are made, remaining staff are left to pick up the work redundant colleagues leave behind, often in fear of the security of their own jobs..

44 In no small part, the industrial action taken against the proposed redefining of the USS has emboldened UCU members who are increasingly angry at the attack on their pensions and 19% reduction in pay over the last decade. In autumn 2018, members of education unions were balloting on industrial action over a pay and equality claim to include:

An increase to all spine points on the 50-point national pay scale of 7.5% or £1,500 whichever is greater;  
£10 per hour minimum wage with all HEIs to become foundation living wage employers ensuring all campus staff are paid at least the foundation living wage rate.

- 45 Should the ballot be successful in meeting the government threshold for industrial action, that is 50% turnout with the majority voting to take industrial action, the unions would begin sustained strike action until their claim is settled.
- 46 Our call to action would be that academics form an international, inclusive, emancipatory, democratic collaborative project aimed at exposing and challenging the privatisation of HE in the Anglophone world. This can be achieved through the publication of a manifesto to dismantle the neoliberal HE sector, creating an HE sector that serves the intellectual needs of society, abjuring the demands of business and industry (Boyle 2017). This collaboration should include, although not be limited to, student-led research projects such as the UK Student Movement Research Project, The Convention for Higher Education, social activists and journalists, in order that research be widely disseminated through open, accessible democratic channels. To answer Collini (2012), this is what universities are for.

## The Manifesto

- 47 We acknowledge the existence of previous manifestoes. However, building on the recent resurgence in student activism in partnership with university staff, this manifesto is intended to encourage and empower collectives and unions including staff and students, to organise and lobby for the purpose of reclaiming our university education sector. We base our manifesto on extant manifestoes published by collectives including Aberdeen University (Reclaiming our University 2017), Democratise Sussex (Staff and Students Collective 2018) and Goldsmith UCU Gold paper (2016) in response to the government Green Paper on Higher Education (Hubble 2015).
- 48 Teach-ins organised by striking staff and supporting students have also led to movements working to reclaim or create educational spaces, such as “communities of discovery” as proposed by Coffield and Williamson (2012), and cooperative universities (Cook 2013, Melrose 2018). It is this growing movement rejecting the neoliberal agenda that our manifesto seeks to address. As Morley (2016) urges, in reimagining the university we must:
- Resist being co-opted by narrow policy agendas [...] challenge and expose increasing socio-economic inequalities/exclusions [and] re-invigorate knowledge production as a site of transformation/possibility.
- 49 The manifesto does not speak to philosophical debates around HE. Rather, its aim is to offer a template for collectives seeking to reclaim their University. The establishment of University Community Cooperatives, as democratically-controlled sites for university staff to jointly act and have a voice as part of a wider publicly funded universal network, is an essential feature of democratic society. The aim of the manifesto is to add to calls by collectives seeking to reclaim their universities. It also, in part, speaks to previous discourse on the need to reclaim universities in the UK. Adopting what they argue is a pragmatic approach, Levin and Greenwood (2016) propose Trust, Cooperative and employee-led universities. Hall (2016) calls for revolutionising the way in which academics engage with universities through “affirmative disruption” of the “microentrepreneurs of our own selves and lives [academics] have become” in order to survive in the “current capitalist economic system”. He urges the affirmative disruption of the disruptors, that is to say global corporations, that have disrupted publicly-funded higher education as exemplified by

Apollo/Vistria Group's BPP University College Ltd. As previously discussed, Morley (2016), Holmwood, Hickey and Wallis (2016), Freedman and Bailey (2011) have argued for the re-imagining and reclaiming of the UK university.

**The University Community Cooperative: A manifesto and core principles for the operation and governance of Higher Education institutions in England and Wales**

We argue that establishment of University Community Cooperatives, as part of a wider publicly-funded universal network, is an essential feature of democratic, civic society. This manifesto is intended to add to and inform the extant wider debate about the purpose and function of universities. Critique of, and contributions to this debate, are keenly welcome.

1. All universities will cease to function as corporate entities led by Executives, governed by unelected Boards and Councils.
2. An urgent review of university governance will establish a set of agreed core principles and agreements through which the University Community Cooperative will function. This review shall be undertaken by unions representing all university staff and students, together with government departments responsible for education.
3. We call for cessation of market-driven competition in higher education. Education is neither a product nor an offering, it has a civic purpose and is an important human endeavour, adding to the sum of the body of knowledge so as to enhance civic societies and individuals.
4. We call for the repurposing of universities in England and Wales, and the establishment of communities of learning and discovery, which value equally the study of and research into Science Technology and Medicine, The Arts, The Humanities and Social Sciences disciplines.
5. University Community Cooperatives will organise and operate as environmentally and educationally sustainable entities.
6. The University Community Cooperative will comprise all staff and students, who shall be equally valued and respected.
7. The University Community Cooperative will publish and widely disseminate an ethical statement, detailing the ways in which inclusivity and equality will be enshrined in the governance of the university, together with accessible information about their contributions to the collaboration creation of knowledge and understandings of the human experience for the benefit of all.
8. The University Community Cooperative will publish transparent financial information to include the salaries and remuneration of all staff.
9. The University Community Cooperative will end outsourcing, including academic, professional, support and caretaking and catering staff. This is in recognition that all members of the University Community Cooperative are integral to its functioning and success.
10. The University Community Cooperative shall and must be a place of academic and personal freedom to explore and exchange ideas and debates: a space in which academic freedom of speech is enshrined and protected.
11. Wisdom, tolerance, truth and freedom of expression will be privileged in the University Community Cooperative.
12. The University Community Cooperative abjures the managerialist neoliberal language of industry and commerce, and will become communities of practice rather than places of line management, employer and employee. Staff will not be subject to the neoliberal exigencies of the "Human Resource" model of organisational structure and systems.
13. Such policies and procedures that are agreed by the University Cooperative Community will be proposed, composed and negotiated by elected representatives of the community, comprising: academics, students, professional staff, support staff, and where relevant members of the local community.

14. Distinctions between the educator and the student are outdated and antithetical to the notion of co-created knowledge. Members of the University Community Cooperative will function collaboratively in collegiality.

15. Research and education will be undertaken in accordance with the prevailing needs of society rather than external commissioners of research and knowledge exchange seeking to modify and commercialise generated knowledge.

16. University Community Cooperative systems will function for the benefit of the community rather than perform for the benefit of corporatised systems. To this end the classroom, the office, the lecture theatre, the virtual learning environment and the University estate will be designed to meet and fit the purposes defined by the community.

17. The University Community Cooperative Estate will include diligently-maintained, affordable student accommodation. This to be managed by a collective to include 25% of elected student representatives, for the benefit of students, and not for profit.

18. Systems of control will be removed, surveillance of staff and students will be removed, and trust will be extended to all members of the community in order to engender collegiality and cooperation.

19. Research and education will be premised on deep and thoughtful creative and critical thinking and reflection. The lifelong pursuit of learning and nurturing of knowledge will be a fundamental principle of university communities.

20. A truly democratic society cannot function without an educated and empowered citizenry. Research and education will be done so as to educate citizens so that they may take their place in a democratic and civic society.

21. Rejecting colonialist notions of UK university education, university communities will actively seek to recruit, engage and exchange knowledge and understanding with scholars, academics and students from across the world. No cost will be associated with these endeavours as the benefits will outweigh financial considerations.

#### **Finance**

22. We reject the current neoliberal University-funding model, calling for fundamental reform of the funding of universities and study.

23. The University Community Cooperative will be publicly funded through taxation, and absent of vested interests. To that end University Community Cooperatives will function as charities, rather than businesses or corporations.

24. All University Community Cooperative staff will be paid according to sectorial pay negotiations with government; students will receive grants to the equivalent of a living wage.

25. The University Community Cooperative will not employ staff on casualised or zero-hours contracts.

26. The University Community Cooperative will not employ professional or support staff on contracts any less favourable than academic contracts.

#### **The University Space**

27. The University Community Cooperative will be used as a public space for the benefit of all, forming part of a publicly-funded universal network existing for the benefit of citizens.

28. The University Community Cooperative will seek to engage with and serve the needs of the local community, including schools and other universal networks.

29. University Community Cooperative libraries, lecture theatres and other places of learning and knowledge co-creation will be shared spaces, open and accessible to all.

30. Rigorous debate and freedom of speech will be equally protected.

31. General assemblies will be called for the purpose of discursive discussion and debate within the University Community Cooperative, and act as a forum to inform its governance.

32. Crèches will be available on a non-profit basis for members of the University Community Cooperative.

33. The University Community Cooperative Estate will incorporate places to rest, eat, and take time to ponder and reflect.

#### **Education and Research**

34. Collaborative knowledge production through rigorous and evidenced academic endeavours, including research, will be premised on the principles of radical and emancipatory transformative teaching and learning. Students will be encouraged to make mischief and challenge orthodoxies. Students will be encouraged to take risks, to learn from failures as well as successes, and to reflect on that learning.

35. Curricula and modes of assessment will be collectively and collaboratively agreed by scholars and students.

36. The University Community Cooperative will agree to review and revise its academic footprint and pedagogy, embedding in education and research the means to challenge discrimination and exclusion in all its forms. Political and socio-economic orthodoxies will be questioned, challenged and debated, encouraging critical analysis and thinking, and freedom of thought and expression.

37. The University Community Cooperative will not act in compliance with the REF, TEF, OfS, including the NSS, or any other mechanism or regulator which does not align with this manifesto.

38. Teaching materials will not be commodified or marketed for profit, rather they will be available as open access sources for the benefit of all.

39. Intellectual Property of staff and students will be used for the benefit and enrichment of the University Community Cooperative.

40. All formal teaching and research will cease during term recess in order that members of the University Community Cooperative may take time to reflect on term time work, and to pursue extracurricular interests so as to enrich their work/life balance. Term recesses will allow members of the local and wider community to access and use the University Community Cooperative space for individual, group or collective community purposes, including self-determined education, sport, the arts and entertainment.

- 50 As previously discussed, the UCU pensions dispute has seen an unprecedented rise in activism by both students and staff in the UK Higher Education landscape. The increase in UCU membership with the arrival of some 5,000 University staff, which included early-career academics, casualised staff, and staff on zero-hours contracts, the “precariat,” has radically altered the union. The genie is out of the bottle, and whatever the outcome of the dispute, students have occupied university spaces, and staff and students have challenged the hegemony of UUK, regulation of universities, and the governing bodies of pre-92 universities. It is possible, through the efforts of individuals, collectives, unions and all citizens concerned with and in HE, to work together to achieve truly inclusive, democratic, communities of learning. These communities will reclaim universities, organise, and act for the benefit of civic society. We have seen staff and student unions come together in common cause to challenge the neoliberal university model, those same staff and students have the power to dismantle the neoliberal agenda: to disrupt the disruptors. This manifesto seeks to contribute to the struggle to reject neoliberal realism and reclaim our universities. The challenge facing reformers of UK HE is considerable, although less insurmountable than envisioned a few short months ago.

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## ABSTRACTS

This article is a response to the introduction of the Higher Education and Research Act (HERA) 2017, which in effect opens the door to privatised, deregulated Higher Education (HE) across the UK. The Act allows private for-profit companies, from their inception, to use the university title (previous legislation required a waiting period of four years), award degrees, and charge unregulated fees: they will not be required to establish or fund student unions. This is, we argue, the neoliberal project in action. As publicly-funded universities in the UK struggle to meet politically-driven imperatives such as the Research Excellence Framework, the Teaching

Excellence Framework, audits, metrics and other performance indicators, new for-profit funded universities are emerging which position themselves as meeting industry and student expectations, rather than as centres for the creation, dissemination and research of knowledge. The only challenges to the hegemony of Universities UK (UUK), regulation of universities, and the governing bodies of pre-92 universities have come from individual academics and students, via UCU industrial action in defence of academic staff pensions. Strikes in 61 UK universities in 2018 were widely seen as a watershed in HE activism. Against this backdrop, an ideologically-driven, neoliberal agenda has begun to dismantle publicly-funded HE in England and Wales. To demonstrate this, we develop an interactive model predicated on the DNA double helix, where we illustrate links between government Acts and regulations and the concomitant dismantling of public sector education. Based on the review of over 140 government instruments, we argue the model represents the backbone of the neoliberal project which is intended to privatise all areas of education in the UK. To challenge this neoliberal agenda, we propose a manifesto to reclaim HE in England and Wales. Whilst in part the manifesto is based on the premise that a Labour government will be elected within the next 5 years, this is not a prerequisite for reclaiming our universities. The manifesto seeks to establish University Community Cooperatives – collegiate, collaborative spaces of knowledge creation. Our analysis of the current political landscape in England and Wales, in light of recent activism within HE, leads us to be optimistic. We argue that it is possible, through the efforts of individuals, collectives, unions and all citizens concerned with, and in, HE to work together to achieve truly inclusive, democratic, communities of learning. These communities will reclaim universities, organise, and act for the benefit of civic society. Staff and student unions have come together in common cause to challenge the neoliberal university model, rendering them the power to dismantle the neoliberal agenda; our manifesto seeks to contribute to the struggle to reject neoliberal realism and reclaim our universities.

Cet article constitue une réponse au vote par le Parlement britannique du Higher Education and Research Act (HERA) en 2017, qui a pour effet de d'ouvrir la voie à un enseignement supérieur privatisé et dérégulé au Royaume-Uni. Cette loi permet à des entreprises privées à but lucratif, dès leur création, d'utiliser le titre d'université (là où elles devaient jusqu'ici attendre quatre années pour le faire), de délivrer des diplômes et de demander des droits d'inscription en dehors de tout cadre réglementaire. Elles n'ont aucune obligation de créer ou de financer des syndicats étudiants. Selon nous, il s'agit ici d'une mise en œuvre du projet néolibéral. Alors que les universités publiques du Royaume-Uni peinent à atteindre les objectifs qui leur sont fixés par le gouvernement à travers le Research Excellence Framework, le Teaching Excellence Framework ou d'autres indicateurs de performance, de nouvelles universités à but lucratif émergent, qui se positionnent comme apportant des réponses aux attentes des entreprises et des étudiants, et non comme des centres pour la création, la dissémination et la recherche du savoir. Les seules oppositions à l'hégémonie de l'organisation patronale Universities UK (UUK) et aux directions des universités sont venues d'initiatives individuelles d'universitaires et d'étudiants qui se sont engagés dans le mouvement de grève lancé par le syndicat UCU pour défendre les retraites des universitaires. Les grèves qui ont eu lieu dans 61 universités au Royaume-Uni au printemps 2018 ont été généralement perçues comme marquant une inflexion dans le militantisme dans l'enseignement supérieur. C'est sur un tel arrière-plan qu'un programme néolibéral, au contenu idéologiquement marqué, s'emploie à démanteler l'enseignement supérieur public en Angleterre et au Pays de Galles. Pour en apporter la démonstration, nous proposons un modèle interactif reprenant la double hélice de l'ADN, qui permet d'illustrer les liens entre action législative et réglementaire gouvernementale, d'une part, et démantèlement concomitant de l'éducation publique, de l'autre. Ce modèle permet de représenter la structure du projet néolibéral, dont nous pouvons affirmer, après examen de plus de 140 mesures mises en œuvre par les

gouvernements successifs, qu'il vise à privatiser l'ensemble du secteur de l'éducation au Royaume-Uni. Pour résister à ce programme néolibéral, nous proposons un manifeste visant à la réappropriation de l'enseignement supérieur en Angleterre et au Pays de Galles. Même si ce manifeste repose en partie sur l'hypothèse d'un retour au pouvoir des travaillistes dans les 5 prochaines années, ce n'est pas une condition nécessaire à la réappropriation de nos universités. Ce manifeste envisage la création d'universités coopératives — ou coopératives des communautés universitaires — c'est-à-dire des espaces collégiaux et coopératifs de création du savoir. Notre analyse du paysage politique actuel en Angleterre et au Pays de Galles, menée à la lumière du militantisme qui s'est fait jour dans l'enseignement supérieur, nous permet d'être optimistes. Nous affirmons qu'il est possible, en unissant les forces des individus, des collectifs, des syndicats et de l'ensemble des citoyens concernés par l'enseignement supérieur, d'œuvrer à la création de communautés d'enseignement véritablement inclusives et démocratiques. De telles communautés se réapproprieraient les universités, s'organiseraient collectivement et agiraient pour le bien commun. Les syndicats de personnel et d'étudiants ont fait cause commune pour résister au modèle de l'université néolibérale, se donnant ainsi les forces de démanteler le programme néolibéral. Notre manifeste constitue un apport à cette lutte visant à rejeter la raison néolibérale et à se réapproprier nos universités.

## INDEX

**Keywords:** manifesto, neoliberalism, university community cooperatives, university, higher education, United Kingdom

**Mots-clés:** manifeste, néolibéralisme, coopérative de la communauté universitaire, université, enseignement supérieur, Royaume-Uni

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# Varia

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# “To mutiny against this servitude”: The Sophisticated Democracy of *As You Like It*

Ifig Cocoual

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Poetry is a kind of popular oratory [...]. [D]on't  
you think poets are the rhetoricians of the  
theatre?

(Plato, *Gorgias*: 502c-d)

- 1 “Form serves as a necessary bridge to new, still unknown content” (Bakhtin 1986: 165), Bakhtin tells us, and *As You Like It*'s dramatic and linguistic forms tell a political-philosophical story that is at odds with the conservative restoration plot in which hierarchy is reaffirmed (5.4.156-9)<sup>1</sup> after the pastoral interval. Although the play may seem to be an innocuously apolitical or ultimately conservative pastoral-romantic comedy, this paper suggests that its rhetoric and poetics, as well as some easily overlooked plot points, may well make it radically democratic.
- 2 If literature, no matter how seemingly autotelic, can always be read politically or as political, Elizabethan literature, and drama in particular, “was an especially important form for advancing political debate” (Hadfield 2008: 7) because key issues could not be discussed in the open, and “the theaters [were a] location of Renaissance deliberative [i.e. “political”] rhetoric” (Platt 1999: 281). As for Shakespeare, from *The Rape of Lucrece* to *Julius Caesar* and *Antony and Cleopatra*, he “narrate[d] more of the republican story than any other dramatist working in Elizabethan and Jacobean England.” (Hadfield 2008: 57)
- 3 As it turns out, the republican icon “Lucretia”, whose tragic fate helped give birth to the Roman republic, crops up in *As You Like It* (3.3.123), though in a list within a poem — which might make its political importance less obvious; this, however, could be how the play as a whole works, and if we agree that ancient and contemporary (not just Elizabethan) contexts can help make sense(s) of the play's poetics and politics, it is far from politically insignificant.

## “Tyrant duke” and “tyrant brother” (1.2.240)

[I am] persuaded that the poet devised the eclogue [...] not of purpose to counterfeit or represent the rustical manner of loves and communication, but *under the veil of homely persons and in rude speeches to insinuate and glance at greater matters, and such as perchance had not been safe to have been disclosed in any other sort.*

(Puttenham 2007: 127-8, emphasis added)

- 4 The conflicts which drive the romantic characters to Arden are often explained away as the kind of artificial plot device which the play also resorts to in its contrived dénouement and elaborate showboat of a finale. There are several hints, however, that the aggression Rosalind and Orlando endure is anything but gratuitous and that the villains’ motivations are at least, in part, political – hints, that is, that Duke Frederick and Oliver feel threatened by popular figures and by the people’s judgment.
- 5 Oliver, the contradictions or ambiguities of whose patriarchal-aristocratic discourse appear when Orlando’s antanaclasis on *villain / villein* (1.1.44-5) enables him to conclude his elder brother has “railed on [him]self” (1.1.49), is an auxiliary to Frederick’s tyranny, his tyrannical behaviour mirroring and abetting the duke’s in a pyramid that is not unlike what La Boétie describes as tyranny’s way of perpetuating itself: “the despot subdues his subjects, some of them by means of others”(La Boétie 164).<sup>2</sup> In another possible parallel, since his first speech is about his father’s “will” (1.1.2), Orlando enters the stage as a La-Boétian heir: “There is [.....] no heir so spendthrift or indifferent that he does not sometimes scan the account books of his father in order to see if he is enjoying all the privileges of his legacy or whether, perchance, his rights and those of his predecessor have not been encroached upon.” (La Boétie 145)<sup>3</sup> Likewise, Orlando’s complaint about his brother “min[ing] [his] gentility with [his] education” (1.1.15-6) has a La-Boétian ring to it: “[nature] has less power over us than custom, for the reason that native endowment, no matter how good, is dissipated unless encouraged” (145).<sup>4</sup> And when the play diverges from its source in removing one – financial – reason why Oliver may want to get rid of his brother, it may be saying something about sibling rivalry in general or suggesting another reason for Oliver’s hatred:

I hope I shall see an end of him, for my soul – yet I know not why – hates nothing more than he. Yet he’s gentle, never schooled and yet learned, full of noble device, of all sorts *enchantingly beloved*, and indeed so much in the heart of the world, and especially of *my own people* who best know him, that I am altogether misprized. (1.1.127-32, emphasis added)

- 6 This / these may not be exactly the same “people” as the one(s) the Duke has in mind in 1.2 and 1.3, but since Oliver’s is a domestic copy of Frederick’s tyranny, the speech hints at something more than jealousy, at a motive that is not just psychological but political – a political fear of his brother’s desire to “mutiny against [his] servitude” (1.1.17-8) and of his rival’s cross-class appeal.
- 7 Frederick’s reason for banishing his niece is different from his more feudally-motivated dislike of Orlando (1.2.176-8), and while Le Beau may frame the Duke’s “displeasure ’gainst his gentle niece” (230) as an example of his “humorous” disposition (218),

something more clearly political seems to be at work, since the ruler's displeasure is "Grounded upon no other argument / But that the people praise her for her virtues / And pity her for her good father's sake" (231-3). The Duke elaborates, telling Celia

She is too subtle for thee, and her smoothness,  
Her very silence, and her patience  
*Speak to the people* and they pity her.  
Thou art a fool: she robs thee of thy name  
And thou wilt show more bright and seem more virtuous  
When she is gone. (1.3.67-72, emphasis added)

- 8 This Machiavellian "image management" may seem like a poorly plotted excuse to ship the ladies off to Arden, but it takes on additional political significance in the proximate Shakespearean context. In *Hamlet*, Claudius is aware — and afraid — of his political rival of a nephew's popularity, of "the great love the general gender [i.e the people] bear him" (4.7.19), but then Denmark is an elective monarchy; in *Richard II*, however, the people is used as a weapon against the eponymous king by Bolingbroke (soon to be Henry IV), whose "pursuit of popularity [was] Shakespeare's invention" (Shapiro 2006: 122). It seems, then, that *As You Like It* is part of those Shakespeare plays that reflect on politicians' pursuit — or fear — of *popularity*, a word whose semantics were in flux at the time:

The meaning of the word 'popularity', familiar to us today in the sense of 'being admired by many', has undergone a sea change since Shakespeare's day. In the mid-sixteenth-century, it was used to describe a radical form of democracy that was the opposite of tyranny. Then, in the late 1590s, a new sense of the word emerged, having to do with courting popular favor. Shakespeare was one of the first to employ it in this sense. (Shapiro 128)

- 9 Popularity was also something of a sensitive topical issue, since Elizabeth was concerned about the ambition of the Earl of Essex who, like Shakespeare's Bolingbroke, wielded popularity as a political weapon. But then, "[i]f uncomfortable parallels could be drawn between Frederick's court and Elizabeth's, the French setting would be useful as a stalking-horse under the presentation of which the dramatist might, like the jester [5.4.91-2], shoot his wit with impunity." (Dusinberre, in Shakespeare 2006a: 48-50)

## "Mistake me not so much / To think my poverty is treacherous" (1.3.54-55): Pastoral-romantic-rhetorical utopia

- 10 "[V]oluntary exile" (1.2.81) is some characters' answer to servitude, and no sooner has Corin ushered the ladies and the clown into the pastoral space than he complains about his master's "churlish disposition" (2.4.73) and tells the migrants: "in my voice most welcome shall you be" (80) — in other words, no sooner have the ladies entered Arden than one of the play's big issues is raised: "The question of democracy [...] is the question of voice" (Ogien and Laugier 2011: 24).
- 11 If realistic, anti-pastoral elements were already to be found in classical if not Renaissance pastorals (in Theocritus for example), the touches of gritty topical realism in *As You Like It* appear as critical of Elizabethan social hierarchy. Could it be, though, that for all the subversive allure of the "Robin Hood" (1.1.93) motif, for all the topical *frisson* of the play's nod at enclosures (2.4.71-5), and for all the forest's apparent egalitarianism and carnivalesque subversion, social and gender distinctions never

really go away and/or are decisively restored in the end? After all, Shakespeare himself, as a landowner, is often assumed to have had to be on the gentry's pro-enclosure side — and yet, “[e]xternal evidence for [his] attitude is ambiguous but, if anything, suggests opposition to enclosure rather than support of it.” (Parker 1994: 36) Besides, if we pay attention to other associations than those between the fictional action and the immediate historical context, there is another story than that of order restored to be read into the play: a *rhetorical* story — which, in Arden's “relentlessly literary universe” (Bates 2002: 119), is as politically significant: “Beyond laughter, logical forms of disputation permeate *As You Like It* for serious uses which effectively illustrate Shakespeare's characteristic blending of the social and artistic.” (Magnusson 2002: 167)

I admit that I am a sophist and that I educate  
people.

(Plato, *Protagoras*: 317b)

- 12 “I profess curing it by counsel” (3.3.333): what is probably the most commented-upon aspect of the play's rhetorical story is Rosalind's education of Orlando. What is less often noted is that, in presenting herself as an expert (333), and in offering to cure Orlando of his love “madness” (331) while in fact teaching him something else through a game of role-play, Rosalind/Ganymede acts like a sophistic expert resorting to disguise and discursive tricks in order to teach (about) the tricks of discourse: “the craft of the sophist is an ancient one, but [...] its practitioners in ancient times, for fear of giving offence, adopted the subterfuge of disguising it as some other craft, as Homer and Hesiod [...] did with poetry.” (Plato, *Protagoras*: 316d) What Rosalind teaches Orlando is how to read and speak differently, how to free himself from the prison-houses of Petrarchan love poetry and feudal discourse — a literary and linguistic education which might well free other minds than the fictional character's, and which was a sophistic priority: “I consider, Socrates, that a most important part of a man's education is being knowledgeable about poetry. By that I mean the ability to grasp the good and bad points of a poem, to distinguish them and to give one's reasons in reply to questions.” (*Protagoras* 338e-339a)
- 13 Rosalind, however, is not Orlando's sole educator in Arden.
- 14 Although there seems to be a lot of careless time-fleeting (1.1.95) going on in his circle, Duke Senior's reference to “This wide and universal theatre [which] / Presents more woeful pageants than the scene / Wherein we play in” (2.7.137-9), far from being a consoling cliché conducive to apolitical resignation, “explicitly calls attention to the universal perspective from which any particular scene of any particular play is implicitly perceived, and to the alternative forms and paths that people's fates can take” (Ryan 2015: 92); the pastoral retreat is thus not so much an evasion of the political as an occupation of the forest — and a re-foundation.
- 15 Indeed, the play features a capsule version of the Ciceronian founding myth, whereby the orator-civilizer's reason and eloquence help turn the state of nature into civil society, when Orlando, who has been made a little uncivil by civil society and necessity, <sup>5</sup> enters with his sword drawn and the Duke gives him a chiasmic lesson in Ardenic sociability: “Your gentleness shall force / More than your force move us to gentleness” (2.7.102-3). Jaques's concurring “And you will not be answerèd with reason, I must die” (101) makes it clear that what goes down in Arden is an “implicit experiment with ‘the rule of reason’ as a principle for social harmony. Behind the logical discourse in Arden

is a conjecture about the plausibility of rational disputation as a basis for social community.” (Magnusson 2002: 168)

- 16 Now Duke Senior may be “too disputable” (2.5.27) for even Jaques’s company, and Arden may be a space where disputation is not always as rational as it seems, but as opposed to Frederick’s tyrannical court, where enemies must be destroyed or exiled, the struggles in the forest are between *adversaries*, not *enemies* — which makes it an *agonistic*, not *antagonistic*, space.<sup>6</sup>
- 17 It is, of course, also an egalitarian, democratic one — Amiens’s response to the Ciceronian orator’s first speech, though possibly ironic, suggests how rhetorical the duke’s behaviour is: “happy is your grace / That can translate the stubbornness of Fortune / Into so quiet and so sweet a style” (2.1.18-20). The syllepsis on *style* (verbal style / lifestyle) hints at the porosity of the boundary between the linguistic and the extralinguistic, and Duke Senior’s initial words should therefore not be dismissed as wishful thinking. Indeed, for all the contextual irony of the reference to brothers, by addressing his audience as “co-mates and brothers in exile” (1) he is doing nothing less than offering a new social contract: if language is, as Cicero had it, “both a precondition of obligation and itself a source of obligation” (Kahn 2006: 131), and in so far as a duke’s word can be “great” or performative (as his brother’s is in a different context, 1.3.79), the duke in exile is not so much telling himself and his listeners a soothing tale or a story meant to reshape their environment — which would be political (and Machiavellian) enough — as founding an egalitarian community.
- 18 Now the Ardenic community is nowhere near as radical as, say, Praxagora’s communist-feminist utopia in Aristophanes’ *A Parliament of Women*, whose carnivalesque is close to Shakespeare’s, but its nature as an agonistic egalitarian/democratic space might go some way toward making sense of two plot points often seen as insufficiently motivated (unless their only rationale is the teleological demand for a happy ending): the apparently irrational “conversion[s]” (4.3.131) of Oliver and of Frederick who, “After some question with [an old religious man], was converted / Both from his enterprise [of putting his brother to the sword] and from the world” (5.4.145-6). “’Twas I, but ’tis not I” (4.3.130): from tyrant brother to loving brother, Oliver’s transformation, which is all the more striking for being narrated — not dramatised —, suggests Arden is an agonistic space where “[t]o accept the view of the adversary is to undergo a radical change in political identity. It is more a sort of conversion than a process of rational persuasion” (Mouffe 2005: 102). As for the fight-free resolution, which diverges from the source when a battle could just easily have been narrated (as Orlando’s with the lioness in 4.3), it could be read as another philosopheme, one in keeping with La Boétie’s idea that one can be rid of tyranny without an actual fight: “Obviously there is no need of fighting to overcome this single tyrant, for he is automatically defeated if the country refuses consent to its own enslavement [...]. [I]f, without any violence [tyrants] are simply not obeyed, they become naked and undone and as nothing” (La Boétie 136-7).<sup>7</sup>

## “Motley’s the only wear” (2.7.34)

If my mind was made of gold [...] I’d be delighted  
to find one of those stones which are used to test  
gold [...]. I could touch my mind to it to see

whether it confirmed that my mind had been properly looked after, and then at last I'd know that I was all right and that any further testing was superfluous.

(Plato, *Gorgias*: 486d)

- 19 “Your betters, sir” (2.4.60): Touchstone, a character whose discourse is intensely agonistic, has probably not received Duke Senior’s egalitarian memo, but if *as a fictional person, a subject within the playworld*, he sounds like a class-conscious aristocrat at times, as *a part of the playtext*, his rhetoric is an essential feature of the play’s democratic poetics.
- 20 There is undeniably a touch of contempt (*contemptus mundi* and class contempt), of Roman *auctoritas*, in Touchstone’s discourse, as if the intellectually superior court jester felt like he had to resort to “the vulgar” (5.1.42), had to vulgarize himself when he talked (to the rustics). Like his fellow corrupter of words Feste in *Twelfth Night*, Touchstone might be wary of language itself: “We have already gone beyond whatever we have words for. In all talk there is a grain of contempt. Language, it seems, was invented only for what is average, medium, communicable. By speaking the speaker immediately vulgarizes himself.” (Nietzsche 73-4)<sup>8</sup> The Fool’s apparent contempt could also be explained in terms of the play’s management of audience response: the sometimes patronised rustics in Arden would thus have a similar function to those in *The Winter’s Tale* and be “essential if the audience is not to feel threatened by a revolutionary impulse in the play’s demonstration of a better life outside the court” (Gifford 1999: 89). Incidentally, either Touchstone parodies courtiers’ discourse or the play itself ironises his assertion of social superiority when the fool addresses Corin as “clown” (2.4.57), which is a synonym for “fool” – either way, the play suggests identity and equality when the character seems to assert superiority, as also happens in another cross-class carnivalesque echo, when Duke Frederick’s “Mistress, dispatch you with your safest haste” (1.3.31) echoes Touchstone’s own term of address: “Mistress, you must come away to your father” (1.2.46).
- 21 The sophist is “an athlete in verbal combat, distinguished by his expertise in debating” (Plato, *Sophist*: 231d-e), and the sophisticated Fool uses rhetorical overkill to talk a rival out of his suit:
- TOUCHSTONE [...] learn this of me: to have is to have. For it is a figure in rhetoric that drink, being poured out of a cup into a glass, by filling the one doth empty the other. For all your writers do consent that “*ipse*” is he. Now you are not *ipse*, for I am he.
- WILLIAM Which he, sir?
- TOUCHSTONE He, sir, that must marry this woman. (5.1.36-41)
- 22 If Touchstone’s rhetorical practice is agonistic, this is the agonism of democracy, not antagonistic mortal combat, and William’s parting words are “God rest you merry, sir” (5.1.52).
- 23 In his *agon* with Corin (3.3.1-62) about “this shepherd’s life” (3.3.1), Touchstone may be voicing the play’s own in *utramque partem* ambivalence and relativism:
- CORIN And how like you this shepherd’s life, Master Touchstone?
- TOUCHSTONE Truly, shepherd, in respect of itself, it is a good life; but in respect that it is a shepherd’s life, it is naught. In respect that it is solitary, I like it very well; but in respect that it is private, it is a very vile life. Now in respect it is in the fields, it pleaseth me well; but in respect it is not in the court, it is tedious. As it is a

spare life, look you, it fits my humour well; but as there is no more plenty in it, it goes against my stomach. (3.3.1-8)

- 24 In Kiernan Ryan's reading of this passage,

Shakespeare compresses into Touchstone's compulsive catchphrase 'in respect of' and its variants the restless, multivocal dynamic of the entire play, which seeks to disengage us from unqualified commitment to any particular identity or standpoint we may be inclined to adopt. *That structural dynamic is inherently democratic*, inasmuch as it disperses authority impartially across the full range of *dramatis personae*, refusing to grant sovereignty to any of the positions dramatized. This is, perhaps, the most powerful way in which the comedy articulates its utopian commitment to the common interests of humanity, and to the prospect of a form of community that serves those common interests rather than the interests of one class or kind of human being at the expense of others. (Ryan 2009: 231, emphasis added)

- 25 Touchstone, who turns the dialogue into a Protagorean antilogy, makes the somewhat counterintuitive, paradoxical and anti-pastoral point that Corin is "damned" for never having been "in court" (3.3.17-20):

CORIN You have too courtly a wit for me, I'll rest.

TOUCHSTONE Wilt thou rest damned? God help thee, shallow man. [...]

CORIN Sir, I am a true labourer: I earn that I eat, get that I wear, owe no man hate, envy no man's happiness, glad of other men's good, content with my harm; and the greatest of my pride is to see my ewes graze and my lambs suck.

TOUCHSTONE That is another simple sin in you: to bring the ewes and the rams together and to offer to get your living by the copulation of cattle; to be bawd to a bell-wether and to betray a she-lamb of a twelvemonth to a crooked-pated old cuckoldly ram out of all reasonable match. If thou be'st not damned for this, the devil himself will have no shepherds. (3.3.50-62)

- 26 The *dissoi logoi* or double discourses offer a counterdiscourse to the play's own pastoral discourse, and as Touchstone uses Corin's arguments and words against him, with an antanaclasis on 'rest' for example (3.3.50-1), he exemplifies Feste's axiom that "A sentence is but a cheverel glove to a good wit: how quickly the wrong side may be turned outward" (Shakespeare, *Twelfth Night* 3.1.11-3) and displays sophistic elegance, namely "the elegance of knowing how to use the other's facts, ideas, and their very words so as to draw an opposite conclusion from them" (de Romilly 1988: 120).<sup>9</sup>
- 27 "How prove you that in the great heap of your knowledge?" (1.2.54): Celia's question sounds like a Socratic-ironical challenge to a sophist — and Touchstone delivers, proving Gorgias's point that "[a] rhetorician is capable of speaking effectively against all comers, whatever the issue" (*Gorgias* 457a). When the Fool, on what looks like an impossible mission, proves that the "knight that swore, by his honour" (1.2.50) that bad pancakes were good and that good mustard was bad was not forsworn, the play is also suggesting how restrictive our notions of what is possible may be — and showing how empowering and liberating paradox can be.
- 28 Touchstone, as a versatile sophist, is indeed "as good at anything, and yet a fool" (5.4.89-90). As for his famous "much virtue in 'if'" (5.4.88), which could be the subtitle of a play that counterfactually explores other spaces, other views and other politics than the Elizabethan ones, his speech runs against the Socratic (antidemocratic) idea that "one can best examine the question by getting rid of any 'ifs'" (*Protagoras* 331d) and against Richard's tyrannical equation of if with treason: "Tell'st thou me of 'if's? Thou art a traitor." (Shakespeare, *Richard III* 3.4.80). The play revels in hypotheses and uncertainty — but then, "the domain of politics is not and cannot be the domain of the

unconditional because it requires making decisions in an undecidable terrain. This is why the type of order which is established through a given hegemonic configuration of power is always a political, contestable one” (Mouffe 2013: 17).

- 29 Like the Sophists, *As You Like It* gives its audience a civics lesson in rhetoric, and through Touchstone’s sophistic displays turning pastoral values upside down and making doxa paradoxical, it implements the rhetoric of democracy, a regime in which decision is disputed (hence disputable and reversible), and where the conventionalism of names means, according to antidemocratic Platonism, that “insubordination [is called] ‘erudition’, disorder ‘freedom’, extravagance ‘magnificence’, and uninhibitedness ‘courage’” (Plato, *Republic* 560e-561a).
- 30 The Fool’s garb, like goodness according to Protagoras, is *motley* — a term that, in Plato’s antidemocratic *Republic*, is actually a trademark of democracy with its “motley masses” (493d) and “motley crowd of people” (475d). Since, like its rhetorical jukebox of a clown, *As You Like It* is often described as “motley-minded” (5.4.39) itself — a motley of literary genres, modes and styles —, its only wear may very well be the motley of (ancient) democracy.

## “Transformed into a beast” (2.7.1): Jaques, a melancholy animal

- 31 Like the Fool’s motley, melancholy — the Renaissance disease of princes, artists and philosophers — can be a cover for satire, but Jaques’s sadness may have a “subversive dimension” in and of itself as “sadness has the power to protest the established order”(Fœssel 2015: 22, 224).<sup>10</sup>
- 32 The “liberty” (2.7.47) the melancholiac calls for is ambiguous (glossed as “licence” by Michael Hattaway and as “freedom” or “licence” by Juliet Dusinberre in their respective editions of the play), but when he asks for “leave / To speak [his] mind” to “Cleanse the foul body of th’infected world” (58-60), though he may sound like a Puritan preacher or a Jonsonian (unShakespearean) satirist, he may also be asking for *parrhesia*, free speech — a trademark of radical Athenian democracy. A *parrhesiastes* is “someone who takes a risk”, for example the risk of losing their popularity by opposing public opinion (Foucault 2016: 83), and, as it happens, Jaques’s tirades do not exactly endear him to his fellow characters. Although the “old religious man” (5.4.144) has done the converting, Jaques’s exit and desire to talk to the “convertites” (for “There is much matter to be heard and learned” out of them, 5.4.168-9) could therefore signal the melancholiac’s move from political to philosophical *parrhesia*, which has *conversion* for its goal.<sup>11</sup>
- 33 Can Jaques seriously be described as a philosopher? It is something of a critical truism, after all, that Jaques’s melancholy is no more than a fashionable pose and that his discourse is also discredited by his rhetorical defeats and his past identity as a “libertine” (2.7.65). Jaques is so discredited, indeed, that it is sometimes assumed that he misunderstands Touchstone’s clowning and misses the puns on *hour* / *whore* etc. (26-7). And yet, how can we tell what Jaques knows? After all, “in *As You Like It*, Shakespeare bends the rules, creating situations where we can no longer be as confident as we’d like to be about what characters know, even who they really are” (Shapiro 2006: 212). Besides, traces of Shakespeare’s philosopher-in-chief, Hamlet, have

been found in two of the play's characters,<sup>12</sup> and the Hamlet connection between the melancholiac and the Fool is revealing of how blurred the boundary actually is between them. Indeed, though he asks Duke Senior to "Invest [him] in [his] motley" (2.7.58), it seems that, with or without motley, Jaques is already the duke's jester. "'Tis a Greek invocation to call fools into a circle" (2.5.51): Jaques's reply to Amiens's demand for an explanation about his enigmatic "Ducdame, ducdame, ducdame" (46), for instance, plays the same kind of metaleptic trick that Feste's reference to the "picture of 'we three'" (*Twelfth Night* 2.3.16) tries to do, i.e. implicating the spectator in the spectacle in order to make a fool or an ass of them. And when Touchstone wants to be married by Sir Oliver Martext, it is Jaques who convinces him to think twice (3.4.59-81).

- 34 It is not that easy, then, to say with certainty whether Jaques is an *ieron* or an *alazon*, a clever ironist or a fool; Shakespeare makes the melancholiac's case a puzzling one, his voice anything but a totally discredited one. This, arguably, points to another democratic feature of the play: its polyphony, its equality of discourses – the literary equivalent to *isegoria*, equality and freedom of speech in ancient democracy:

The universalizing imagination that finds stylistic expression in the wording and imagery of the plays finds structural expression [...] in the way Shakespeare pushes the polyphonic possibilities of Elizabethan drama to the limit, sharing the right of speech democratically between the diverse *dramatis personae* with scant regard for the customary proprieties, and playing havoc with hierarchy in the process. (Ryan 2015: 91)

- 35 In fact, it is as if the play's philosopher figure is split into an ironist (Touchstone) and a melancholiac: "While melancholy bears the power of the mind like a burden, irony takes the mind's powerlessness lightly. When combined, they make for courage of the mind – for philosophy." (Wilhelm Szilasi, in Starobinski 2012: 178-9)<sup>13</sup>

One understands a philosopher only by heeding closely what he means to demonstrate, and in reality fails to demonstrate, concerning the limit between human and animal. (Derrida 2006: 147)<sup>14</sup>

- 36 "I think he be transformed into a beast" (2.7.1): Jaques lives on the boundary between men and animals, and Touchstone is conjured up when Duke Senior and the First lord refer to animals as "poor dappled fools" (2.1.22) and as "hairy fool[s]" (40) – he is, after all, another Fool "Much markèd of the melancholy Jaques" (41). If the Robin Hood community in Arden hunts and asserts its sovereignty through its treatment of (other) animals, the play keeps endowing the latter with human, even civic, attributes, thus blurring the line between men and animals and illustrating

the double and contradictory figuration of political man as *on the one hand* superior, in his very sovereignty, to the beast that he masters, enslaves, dominates, domesticates, or kills, so that his sovereignty consists in raising himself above the animal and appropriating it, having its life at his disposal, but *on the other hand* (contradictorily) a figuration of the political man, and especially of the sovereign state as *animality*, or even as *bestiality* (Derrida 2008: 50).<sup>15</sup>

- 37 When Jaques reportedly "swear[s] that [the Robin Hood gang] / Are mere usurpers, tyrants, and what's worse, / To fright the animals and to kill them up / In their assigned and native dwelling-place" (2.1.60-63), his lament may be undermined by the trite, iconic situation (of the melancholiac by the river) but it still packs an emotional punch, and Montaigne, for one, has a similar reaction: "For my own part, I cannot

without grief see so much as an innocent beast pursued and killed that has no defence, and from which we have received no offence at all” (Montaigne 454).<sup>16</sup> Sympathy for animals can turn into a questioning of human (and royal?) superiority:

But when [...] I meet with arguments that endeavor to demonstrate the near resemblance betwixt us and animals, how large a share they have in our greatest privileges, and with how much probability they compare us together, truly I abate a great deal of our presumption, and willingly resign that imaginary sovereignty that is attributed to us over other creatures. (456, emphasis added)<sup>17</sup>

- 38 “Here comes a pair of very strange beasts which, in all tongues, are called fools” (5.4.36-7): no matter what the character’s intentions may be, the references to animals are a great social leveller in the play; in a twofold boundary-blurring gesture, when animals are referred to as “native burghers” (2.1.23) and as “citizens” (2.1.55) by Duke Senior and Jaques respectively, the echo brings the duke and the melancholic closer, and the tropes blur the species boundaries between men and animals. “We owe justice to men, and graciousness and benignity to other creatures that are capable of it” (Montaigne 457):<sup>18</sup> as with Orlando (1.1.5-30) and Adam (64-7), the numerous animal references in Arden can thus be read as an exploration of what politics and sovereignty are, and a call for social justice.
- 39 Isn’t Jaques inconsistent in his anti-speciesism in 4.2, though? Possibly — and yet, it is far from obvious that he is calling for a celebration of hunting when he asks “Which is he that killed the deer?” (4.2.1): the presentation of the hunter as a “Roman conqueror” (3) sounds ridiculously hyperbolic, especially in a play that calls Caesar’s “I came, saw, and overcame.” a “thrasonical brag” (5.2.25-6); and as for “set[ting] the deer’s horns upon [the hunter’s] head for a branch of victory” (4.2.4-5), it is by no means obvious that the context deprives the horns of their association with cuckoldry. When Jaques asks for a song and says “Tis no matter how it be in tune, so it make noise enough” (4.2.7), he might thus in fact be calling for a charivari casting ridicule on cuckolds — a reading which, by the way, the song’s lyrics do nothing to refute.
- 40 In a speech where polysyndeton — the spectacular accumulation of coordinating conjunctions — defines his melancholy the better to evade standard definitions, Jaques asserts that his is “neither the scholar’s melancholy [...]; nor the musician’s [...]; nor the courtier’s [...]; nor the soldier’s [...]; nor the lawyer’s [...]; nor the lady’s [...]; nor the lover’s [...]; but [...] a melancholy of [his] own, compounded of many simples, extracted from many objects” (4.1.9-14). In his search for his voice among other voices, for his plural discourse among and against other melancholy discourses, and in his very self-contradictions, the libertine-turned-ethicist might thus show that “Searching for your voice, for truth and accuracy, involves [...] a constant rejection of conformity, *including to yourself*. That is the sense of a politics of the ordinary, which lies at the heart of the *democratic principle*” (Ogien and Laugier 2014: 254).<sup>19</sup>
- 41 And, if Jaques was Shakespeare’s first sustained attempt at satire, it is as if both author and character were experimenting and searching for their voices in this play. Likewise, when Jaques describes the world as a stage (2.7.139), he is both acting in typical clownish fashion — by asserting his “right to live a life in [...] the chronotope of theatrical space, the right to act life as a comedy and *to treat others as actors*, the right to rip off masks, the right to rage at others” (Bakhtin 1981: 163, emphasis added) — and speaking for his author. No matter how many *agons* the melancholy Fool-cum-satirist loses, the polyphonic play’s afterlife has made Jacques’s voice one of the most

memorable of voices, and his much-excerpted speech on the Seven Ages of Man (2.7.139-166) — whose derivation from Epictetus, incidentally, might also suggest we be wary of representations — has taken on authorial authority. Which makes the speech worth reconsidering:

The fact that ‘All the world’s a stage / And all the men and women merely players’ [2.7.139-140] has become an arthritic Shakespearean cliché, routinely wheeled out to sum up the transience and vanity of human life, shouldn’t blind us to the subversive implications that this view of men and women and the world harbours, and that Shakespeare’s drama exploits to the full. (Ryan 2015: 92-93)

- 42 Indeed, since Jaques is not a consistent Stoic himself, the *theatrum mundi* speech is not necessarily about having to accept one’s fate but is susceptible to a demystifying, empowering interpretation, in which identities are not fixed — neither god-given essences, nor naturally hierarchised — but are roles — theatrical, performative selves — in a play whose ending is not foreordained.

### “If truth holds true contents” (5.4.114): Jaxit

Spectators, if you care to spend an easy life from  
day to day  
Among us Birds, by all means come and live with  
us; make no delay.  
So many things on earth are blamed, or by  
convention vilipended,  
Which in the kingdom of the Birds are quite  
correct or even splendid.  
(Aristophanes, *The Birds*)<sup>20</sup>

- 43 Jaques, who may as a textual tool speak “wiser than [he is] aware of” (2.4.48) regardless of whatever we presume to know of the fictional character’s knowledge, is of course not the only character on an extrametaleptic course; Rosalind is the one who is most often seen as the play’s intradramatic co-author, and in the finale and epilogue, far from relinquishing control to the patriarchs by being given, she “give[s] [her]self” (5.4.101-2) — and comes into her own as an authorial actor.
- 44 Since Hymen’s intervention is unnecessary plot-wise, the theophany’s rationale appears to be to carnivalise the god (“Peace, ho”, 5.4.109) and courtly shows: “Bridging the divide between courtly and popular theater, Shakespeare makes available to ordinary playgoers a taste of the expensive and spectacular symbolic drama of the court.” (Shapiro 2006: 226) The numerous occurrences of ‘if’ in both the finale (5.4.103-8, 114) and the epilogue (“If it be true...”, l.2; “If I were a woman”, l.13) suggest the play’s closure is only conditional — and indeed, by stepping outside the boundaries of fiction, “Rosalind” could in fact draw the audience toward, or metaleptically bring them into, the fiction, thereby making the play the spectators’ own Forest of Arden. It is thus hard to agree that the action of *As You Like It* amounts to a process of enclosure, for in addition to the play’s toying with, and undermining closure in the epilogue, an equally anti-homeostatic, centrifugal exit occurs: Jaques’s, whose parting words (5.4.170-6) echo Hymen’s (115-20) — a human echo of the divine which both brings the god down to earth and elevates Jaques to quasi-authorial status (again).

- 45 When the restored ruler asks the melancholiac to stay (5.4.178), it sounds like “the consoler comes across as the protector of a social order that has been weakened by the anarchic expression of pain” (Føessel 2015: 44),<sup>21</sup> for Jaques’s exit threatens the play’s closure and the Duke’s new order. “Disobedience lies at the foundation of democracy”(Ogien and Laugier 2011: 165)<sup>22</sup> and, no matter what the fictional character’s politics may be, Jaques’s quite civil disobedience, his refusal to stay (5.4.179-80), is the play’s democratic gesture: “What characterizes democratic politics is [...] a confrontation with no possibility of final reconciliation” (Mouffe 2013: 17). The open-ended play which stages difference and dissent instead of dramatically endorsing closure and hegemonic reconciliation (which incidentally is twice associated with *falling*, 5.4.160-1), then, is itself democratic, and when Jaques — who as a “compact of jars” (2.7.5) might be an embodiment of agonistic democracy — leaves, the melancholiac’s Arden seems to be about to morph into a Walden where he can talk with the “convertites” (5.4.168) — and thus join another community: “Against conformity, Emerson and Thoreau [...] ask for [...] a life that is ours, a life we have consented to in our own voice; life as a conversation, in short — democracy.” (Ogien and Laugier 2011: 32)<sup>23</sup>

### “This prophecy Merlin shall make, for I live before his time” (*King Lear* 3.2.95-6)

[N]o deconstruction without democracy, no  
democracy without deconstruction.  
(Derrida 2005: 105)

- 46 “Hereafter, in a better world than this” (1.2.236)... recent scholarship sometimes echoes Romantic critics and makes Shakespeare and *As You Like It* prophetic: it “was a play not only of its time but also ahead of it” according to James Shapiro (204), and for Juliet Dusinberre, “[a]lthough the play is rooted in Elizabethan culture [...] Shakespeare has placed a prophetic finger on the pulse of the future.” (Dusinberre, in Shakespeare 2006a: 1) In political terms, thinking ahead and thinking outside the box are the nexus of philosophical Shakespeare’s “revolutionary universalism”.<sup>24</sup>
- 47 The history of the play’s reception, and the critical story of its meanings, are only 400 years old, and will go on being lived and written: “Oh! democracy! whither, oh! whither are you leading us?”<sup>25</sup> — Where we like it.

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## NOTES

1. *As You Like It*, 1.1.17-18. All references to the play are to Michael Hattaway's New Cambridge edition (Shakespeare 2009).
2. "[L]e tyran asservit les sujets les uns par le moyen des autres" (English translation by Harry Kurz).
3. "[I]l n'est point d'héritier si prodigue et nonchalant que quelquefois ne passe les yeux sur les registres de son père, pour voir s'il jouit de tous les droits de sa succession, ou si l'on a rien entrepris sur lui ou son prédécesseur." (Translation by H. Kurz).
4. "[La nature] a en nous moins de pouvoir que la coutume : pour ce que le naturel, pour bon qu'il soit, se perd s'il n'est entretenu" (translation by H. Kurz).
5. "Through a kind of paradox that Rousseau too came upon, nature in Hippias's view creates a sociability that is destroyed by none other than society" ("Par une sorte de paradoxe que retrouvera Rousseau, la nature aux yeux d'Hippias crée une sociabilité que précisément la société détruit", Romeyer Dherbey 2012: 88).

6. “*Antagonism* is struggle between enemies, while *agonism* is struggle between adversaries” (Mouffe 2005: 102-3).
7. “Encore ce seul tyran, il n’est pas besoin de le combattre, il n’est pas besoin de le défaire, il est de soi-même défait, mais que le pays ne consente à sa servitude [...]. [S]i on [n’] obéit point [aux tyrans], sans combattre, sans frapper, ils demeurent nus et défaits et ne sont plus rien” (translation by H. Kurz).
8. “Ce pour quoi nous trouvons des paroles, c’est que nous l’avons dépassé. Dans tout discours, il y a un soupçon de mépris. La langue, semble-t-il, n’a été inventée que pour les choses médiocres, communes, communicables. Par le langage, celui qui parle *se vulgarise*.” (Nietzsche 73-74; English translation by Walter Kaufman and R.J.Hollingdale)
9. “[L]’élégance [...] de savoir reprendre à l’autre ses faits, ses idées et ses mêmes mots pour en tirer une conclusion inverse”.
10. “[L]a tristesse constitue une puissance de contestation de l’ordre établi”.
11. According to Michel Foucault, the aim of philosophical parrhesia (as against *political parrhesia*) is “conversion”, “convincing someone that they should take care of themselves and change their lifestyle” (“convaincre quelqu’un qu’il doit prendre soin de lui-même et changer de vie”, 221).
12. “Before Jaques turns into Hamlet he must first go through the school of clowning. [...] Before a philosophical clown [like Touchstone] can become Hamlet, he must find personal reasons for his bitterness” (Kott 1974: 285).
13. “De même que la mélancolie porte la puissance de l’esprit avec lourdeur, l’ironie prend l’impuissance de l’esprit d’un coeur léger. L’unité des deux est le courage de l’esprit ; c’est la philosophie.”
14. “On ne comprend un philosophe qu’à bien entendre ce qu’il entend démontrer, et en vérité échoue à démontrer, de la limite entre l’homme et l’animal.” (English translation by David Wills)
15. “la double et contradictoire figuration de l’homme politique comme, *d’une part*, supérieur, dans sa souveraineté même, à la bête qu’il maîtrise, asservit, domine, domestique ou tue, si bien que la souveraineté consiste à s’élever au-dessus de l’animal et à se l’approprier, à disposer de sa vie, mais, *d’autre part* (contradictoirement), figuration de l’homme politique, et notamment de l’État souverain comme *animalité*, voire *bestialité*.” (English translation by Geoffrey Bennington)
16. “De moy, je n’ay pas sceu voir seulement sans desplaisir, poursuivre et tuer une beste innocente, qui est sans deffence, et de qui nous ne recevons aucune offence.” (English translation by Charles Cotton)
17. “Mais quand je rencontre [...] les discours qui essayent à montrer la prochaine ressemblance de nous aux animaux : et combien ils ont de part à nos plus grands privileges ; et avec combien de vray-semblance on nous les apparie ; certes j’en rabats beaucoup de nostre presumption, et me demets volontiers de *cette royauté imaginaire, qu’on nous donne sur les autres creatures*.” (Translation by Charles Cotton)
18. “Nous devons la justice aux hommes, et la grace et la benignité aux autres creatures, qui en peuvent estre capables” (Translation by Charles Cotton).
19. “La recherche de la voix, de la justesse, est [...] le rejet permanent de la conformité, [...] y compris à *soi-même*. Tel est le sens d’une politique de l’ordinaire, qui est au coeur du *principe démocratie*”.
20. “Si tel de vous, Messieurs les Spectateurs, veut parmi les oiseaux se tisser pour l’avenir une vie de délices, qu’il vienne donc me trouver ! Car tout ce qui est ici [à Athènes] réprimé par la loi, comme indigne, tout ça, chez nous autres les oiseaux, c’est excellent.” (Aristophane 70; English translation by George G.A. Murray)
21. “Le consolateur se présente [...] comme le garant d’un ordre social fragilisé par l’expression anarchique de la douleur”.
22. “[L]a désobéissance est au fondement de la démocratie”.

23. “Contre la conformité, Emerson et Thoreau [...] demandent [...] une vie qui soit à nous, à laquelle nous ayons consenti, avec notre propre voix : une vie comme conversation, bref la démocratie.”

24. “[The] profound commitment to the *universal human potential* to live otherwise is the secret of the plays’ proven ability to transcend their time. This is what drives their radical dissatisfaction with Shakespeare’s world, divorcing their vision from the assumptions and attitudes that held sway in early modern England, and opening them up to the future and the prospect of the world transfigured. That prospect — the tidal pull of futurity that inflects their language and form at every turn — is what propels Shakespeare’s plays beyond the horizon of his age to speak with more authority and power than ever to ours. The timelessness of the plays springs from their refusal to make complete sense in the terms of their time, which they view from the vantage point of a future we ourselves can only imagine.” (Ryan 2015: 9-10)

25. “Sainte Démocratie, où nous mèneras-tu?” (Aristophane 112; English translation by Eugene O’Neill Jr).

## ABSTRACTS

With philosophers from the Sophists and Plato, through La Boétie and Montaigne, to Jacques Derrida and Chantal Mouffe as its main context, this paper examines a number of political-philosophical aspects of Shakespeare’s *As You Like It*: its representation of tyrants; the politics of its pastoral mode; its fool’s sophistic rhetoric; and its political animal of a melancholiac, whose exit in the last scene problematizes the apparently conservative restoration. In light of this attempt to think not just about the play but with the play, and to trace the subtleties of its literary thinking or its thinking as literature, it appears that what *As You Like It* has in common with sophistic practice and democratic theory enables it to look beyond its immediate historical context to a future that could extend beyond our present, and give us food for democratic thought.

Avec pour contexte principal des philosophes, des Sophistes et Platon à Jacques Derrida et Chantal Mouffe, en passant par La Boétie et Montaigne, cet article étudie certains aspects de la philosophie politique de *Comme il vous plaira* de Shakespeare : sa représentation de la tyrannie, les aspects politiques de son mode pastoral, la rhétorique sophistique de son bouffon, et son mélancolique animal politique Jaques, dont la sortie lors de la dernière scène problématise une restauration en apparence conservatrice. À la lumière de cette réflexion sur la pièce, mais aussi avec elle, qui tente de suivre les lignes subtiles de sa pensée littéraire, ou de son penser en tant que littérature, ce que *Comme il vous plaira* semble avoir en commun avec la pratique sophistique et la théorie démocratique lui permet de porter le regard au-delà de son contexte historique immédiat vers un avenir qui pourrait dépasser notre présent, et donner matière à réflexion démocratique.

## INDEX

**Mots-clés:** sophistes, démocratie, rhétorique, littérature, philosophie, Shakespeare William, Comme il vous plaira

**Keywords:** sophists, democracy, rhetoric, literature, philosophy, Shakespeare William, As You Like It

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# Commemorating the Irish Diaspora in the USA: The Role of 19<sup>th</sup>-century Paintings

Amelie Dochy

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- 1 Between 1845 and 1852, at the time of the Great Famine, the Irish boarded ships for America by the thousands, a record number being reached in 1851, when 250,000 migrants including men, women and children left Ireland for the United States (Gray 100). Some left from the South coast of Ireland, from the port of Cork, and others went to Liverpool to start a long journey of 40 days at sea to reach America, especially during the winter of 1846-1847 and in 1848-9 (Gray 99-100). Transport was sometimes financed by landlords who were anxious to get rid of the famished tenants living on their lands,<sup>1</sup> but more migrants were helped by relatives abroad, who gave them money to pay for the journey: in 1849, £500,000 were sent to Ireland to facilitate the emigration of complete families, or sometimes of entire villages (Gray 100). For them, the cheapest means of transport was offered by Canadian merchants, who shipped wood to Liverpool and who sold tickets to emigrants instead of returning with empty holds.<sup>2</sup> The surviving passengers received medical assistance in Grosse Isle, where they were quarantined, before being free to head for the United States.<sup>3</sup>
- 2 As a result, in 1850, 26% of New York's population was born in Ireland (Chassaigne), a proportion which accounts for the importance of the Irish community in the development of that city, and also of the country as a whole. Once in America, most Irish men and women took menial jobs, worked hard and strove to be assimilated into the general population. As noted by Peter Gray, their efforts were often rewarded, especially after several generations. Towards 1900, only 15% of the members of the Irish community had unskilled jobs. In the 1920s, they were represented in every sphere of American life and, by the 1960s, many Irish families counted among the wealthiest in the USA (Gray 109, 114-5). The best example of integration is probably that of John F. Kennedy, who became president of the United States in 1960 and whose great-grandfather had left County Wexford in 1848.<sup>4</sup>

- 3 Like Kennedy, many Irishmen in the USA were and are still proud of their Irish heritage which is commemorated through various events such as the Saint Patrick's Parade, which takes place in New York City every year. Such commemorations are moments when people remember the past, in order to revive a memory that is important for a group, a family or a nation. Roisín Higgins has showed that there is an official form of commemoration, organised by the State, which can often be equated with "an exercise in control and communication" about the country's history (Higgins 2007: 34). She also mentions "alternatives to the official commemoration" which are less visible but no less important, and which are embodied in cultural performances or family acts to pay tribute to a person or an event (Higgins 2012: 3).
- 4 Whether official or not, Higgins argues that "the acts of remembrance project a distinctive self-awareness," highlighting the links between the issues of commemoration and national identity (Higgins 2007: 12). In this context, painting is likely to renew in the mind of the viewer a sense of belonging to a community, especially if the canvas depicts the land of his or her ancestors. This may explain why 19<sup>th</sup>-century pictures representing Ireland became particularly popular in the United States in the period following the Great Famine to the end of the 20<sup>th</sup> century, as can be seen through the extravagant prices offered by Americans for such artworks. They comprise paintings from Irish artists working in Ireland, such as James Brenan (1837-1907), Irish artists working for an international audience throughout the United Kingdom or Europe, as was the case of Nathaniel Hone (1831-1917) or Walter Frederick Osborne (1859-1903), and also foreign painters who were not born in Ireland but who depicted the country and its inhabitants in a manner which was deemed "authentic" by viewers.
- 5 In this article, we will see how these collectors fostered a private form of remembrance complementing official celebrations in the construction of collective memory. This analysis will show why 19<sup>th</sup>-century paintings regarded as "authentic" are central to the commemoration of Irish immigration in the USA, thus requiring a discussion on the nature and qualities of such artworks, which tend to romanticise the Irish national identity. Finally, this article will explore the reasons why paintings leading to a recreation of the past are adapted to a private, as well as a public commemoration of the Irish diaspora.

## I. Painting as an authentic form of art

- 6 At the time of the Great Famine, photography was not widespread, as its use only started in 1825 in the UK. As a consequence, the main representations which could be found of immigration were published in newspapers in the form of engravings, or were exhibited in galleries where fine art could be seen. Artists were perceived as reliable witnesses, because some of them had witnessed the famine and emigration themselves.
- 7 The painters who addressed the painful ordeal of exile from Ireland were however rare. Among them was the Scottish artist Erskine Nicol (1825-1904), who lived in Ireland between 1846 and 1850, and whose depictions of Ireland became popular in America as early as the 1880s-1890s. Nicol's artworks echoed the political and social tensions of the time—such as the poverty of Irish peasants who did not possess the land they cultivated, the lower social status in which Catholics were held by the Protestant oligarchy or the struggle for Home Rule—, but he never openly delved into politics,

thus ensuring he would not lose the admiration of his public. He was also a clever businessman: at the beginning of his career, he developed an easily marketable artistic style marked by the main characteristics of genre painting, which was much praised during his lifetime. For Julia Thomas, genre painting was a multi-faceted school of art:

‘Narrative painting’ is, after all, an umbrella term for what the Victorians called ‘scenes from everyday life’, ‘literary’, ‘genre’, ‘historical genre’, ‘anecdotal’, ‘domestic’, or ‘subject’ pictures [...] to describe images that told stories. (Thomas 4)

- 8 19<sup>th</sup>-century collectors were fond of paintings endowed with literary qualities. In April 1891, the newspaper *The Scotsman* described the dispute between two art dealers who were both willing to buy Nicol’s oil painting, *Waiting at the Crossroads* (1868):

*The Crossroads*, by Erskine Nicol, A.R.A, a fine work, which after a sharp competition was secured by Mr Arthur Tooth for 390 gs., the under bidder being Mr. Carmer, a well-known New York dealer. (13 April 1891: 3).

- 9 The price of 8,190 shillings (or a little over £409) paid by the London merchant defeated the American competitor, as it was a hefty sum: people could live during a whole year on £150 at the time (Draznin 4).

Figure : Erskine Nicol, *Waiting at the Crossroads*, oil painting, 71 x 105 cm, 1868.

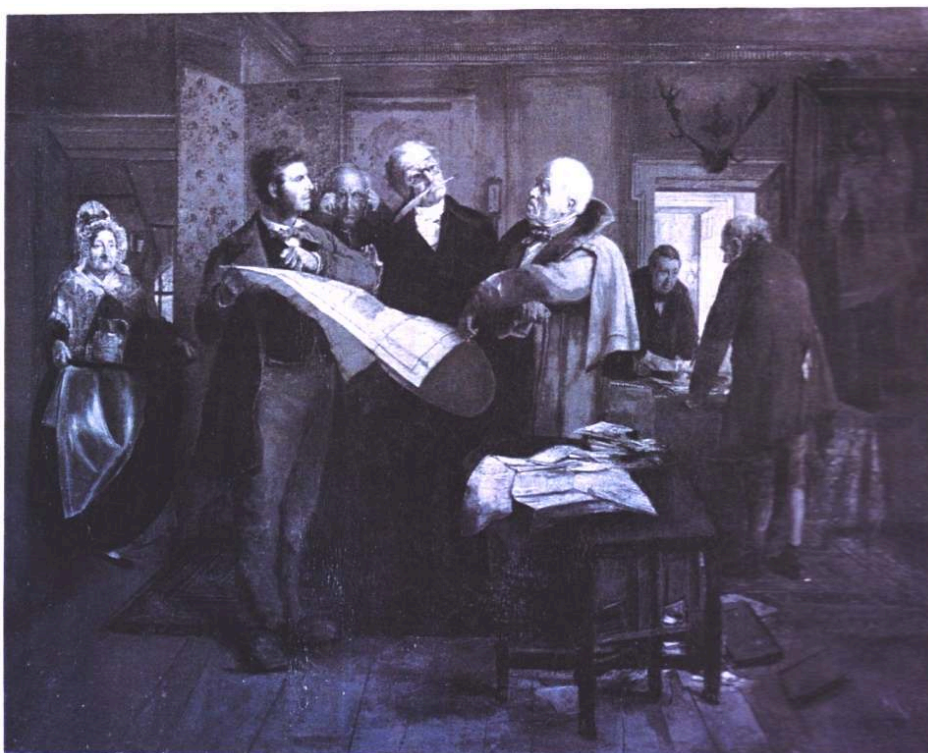


Reproduced with the kind permission of the Frick Library, New York<sup>5</sup>

- 10 That there was a potential market for *Waiting at the Crossroads* on the other side of the Atlantic Ocean was plain to see. The painting is redolent of many Irish grievances against the English that the migrants settled in America were not prepared to forget. The well-heeled man in the centre of the painting stands out from the other characters by his posture and attitude, something which did not escape the attention of the art critics of the time, who identified him as “unmistakably English.” (“Royal Scottish Academy’s Exhibition; First Notice.” *The Scotsman*, 18 February 1869, 6).

- 11 Such a reception can be explained by the understanding of the Famine as a consequence of colonisation, an interpretation which was deeply-ingrained among the Irish who settled in America in the middle of the 19<sup>th</sup> century:
- From 1846, particularly, as the escalation of hunger and disease rendered passage on vessels [...] the sole hope of survival, the predominantly Catholic Irish floodtide transported a 'forced exile' motif enshrining perceptions of British administrators and landowners as orchestrators of Irish devastation across the Atlantic. (Kelly 4)
- 12 The "forced exile" motif involved a sense of British or English domination, oppression, injustice, a category more general as a basis of Irish nationalism than "colonisation." According to Mary Kelly, authors of that period conveyed a similar message in the USA: "impressions of national calamity exacerbated by inadequate government response and mass evacuation mesmerised mid-nineteenth-century travellers." (Kelly 3)
- 13 The bad reputation of the British administration in Ireland accounts for the interpretation given to the haughty customer who is waiting for his coach. He is indeed not Irish: the painter suggests that he has come to Ireland to hunt, as can be guessed from the birds tied by his gamekeeper. The young man is seated at his feet, on the left, and behind him stands an old beggar, extending her hand. To the right is seated an Irish piper, so that the triangular composition expresses the domination of the Englishman over the Irish characters, who all depend on the money of this foreigner. Such a situation echoed the social order of Ireland's predominantly rural economy, where land was owned by a class of often absentee landlords who seldom cared about those who worked and lived on it.
- 14 It is for these reasons that many emigrants left Ireland for America, facing separation from family and friends, a difficulty also represented by the couple parting on the left-hand side of the painting: the man holds the hand of his beloved as she bows her head in grief. Other paintings by Nicol reflected a similar uneasiness about social injustice in Ireland, such as *A Disputed Boundary* (1865-9?) which evokes problems of land division.

Figure 2: Erskine Nicol, *A Disputed Boundary*, oil painting, 137 x 183 cm, 1865/9.



Reproduced with the kind permission of the Frick Library, New York.

- 15 In the centre of the painting, a lawyer with a pen in his mouth tries to calm down the two opponents, most likely two tenants claiming the same plot. Both are dressed up to the nines, as was customary whenever a visit was paid to any representative of the landowner. Nicol, as a 19<sup>th</sup>-century artist tended to “dress up” or embellish the figures represented to give a picture of “acceptable” poverty or a non-shocking, sentimental presentation of the motif. He had already adopted a similar perspective in *The Renewal of the Lease Refused* (1868), in which a dignified Irish peasant stands to the left of the picture, before the same screen as that which appears here, covered in tapestry in the left background. Both compositions also include secondary characters coming through the open door on the left-hand side of the picture and the clerk who is here standing on a stool and rummaging through a wardrobe in the right background is exactly the same as that portrayed in *Signing the New Lease* (c. 1868), except that in this other picture, he is depicted in profile and is the one holding a quill in his mouth. All these pictorial indications confirm that the dispute is indeed in an Irish social context.
- 16 Such quarrels between tenants were frequent in the 19<sup>th</sup> century as more division of the land could occur whenever a lease was renewed or renegotiated; this was likely to generate conflict (Morehouse 580). In addition, tenants who held an acre or less had troubles feeding a whole family with such small plots, another reason for the emigration of peasants to America. *A Disputed Boundary* struck a chord and it was bought in 1880 by A. T. Stewart, a New York collector and art dealer, who paid \$10,000 for it according to *The New York Times* (12 April 1876, 8).
- 17 19<sup>th</sup>-century painters like Nicol had directly witnessed rural poverty in Ireland and the causes for emigration, so that their works were deemed “authentic” by art collectors who wanted to commemorate emigration. Authenticity of an artwork, according to

Walter Benjamin, is associated with one place and one time: “The here and now of the original underlies the concept of its authenticity.” (Benjamin 21) Thus, an “authentic artwork” is necessarily associated with a period in time and a geographical location. Benjamin’s theory, expressed in *The Work of Art in the Age of its Technological Reproducibility*, can be usefully applied to genre painting. Going further, it could be said that an authentic painting is an artwork painted at the time of what it depicts, on the spot, so that the picture creates a link between past and present, between viewers and the event that they might wish to commemorate.

- 18 As noted by Lionel Trilling, in his book on sincerity and authenticity, “now that art is no longer required to please, it is expected to provide the spiritual substance of life.” (Trilling 98) The element of spirituality belongs to an authentic work of art because it is also one which is likely to trigger an emotional response such as sympathy and understanding of one another’s predicaments. And even though Nicol’s painting complies with the artistic conventions of his time, it conveys to the viewer this “sentiment of being” that can only be derived from an artwork giving meaning to life and history. Trilling writes:

Through the nineteenth century, art has as one of its chief intentions to induce in the audience the sentiment of being, to recruit the primitive strength that a highly developed culture has diminished. To this end it proposes a variety of spiritual exercises, among which are suffering and despair and cosmic defiance; conscious sympathy with the being of others; comprehension of the processes of society; social alienation. (Trilling 99)

- 19 The scene depicted by Nicol participates in this “comprehension of the processes of society” and of “social alienation” in the rural world of 19<sup>th</sup>-century Ireland. When the troublesome situation represented in the painting illustrates the past of a first-generation or second-generation Irish-American, it is even more touching for the observer. Whenever an art collector buys an authentic painting, it is an act of self-discovery. The buyer reveals his own emotions towards the representation and as a consequence, he is true to himself and he expresses his sincerity or, as Trilling would put it, his own “authenticity” (Trilling 134). Possessing a painting representing Ireland and produced on the spot is insisting on one’s own authentic identity.
- 20 For example, Brian P. Burns is a successful American businessman of Irish origin who is the chairman of BF Enterprise, a company based in San Francisco and involved in real estate. According to Adele Dalsimer and Vera Kreilkamp, he has gathered more than 50 Irish paintings (Dalsimer I) and, although most of his artworks are in his home, he regularly sends them to public exhibitions, as we shall see below. Burns claimed that he invested in Irish art to preserve the memory of his Irish heritage and when he started his collection in the 1960s (Dalsimer II), he first wanted to do so by way of 19<sup>th</sup>-century paintings: “In the early days I was interested in finding pieces that related to the Famine and the hard times in Ireland.” (Dalsimer 5)

## II. Romanticised Representations of Irishness

- 21 Such paintings seldom depict the physical sufferings of the migrants, however: they were less realistic than their engraved counterparts which foregrounded the skeletal bodies of the peasants deprived of their staple food, the potato (Morehouse 579). One of the most striking and sadly emblematic examples, *Bridget O’Donnell and her two children*, was published in December 1849 in *The Illustrated London News*. Made by the Cork-born

artist James Mahoney (1810-1879), the engraving reveals the decay of the malnourished body, a plight which is even more shocking in the depiction of children.

Figure 3: James Mahoney, *Bridget O'Donnell and her two children*, in *The Illustrated London News*, 22 December 1849 (p. 404).



Source: [https://commons.wikimedia.org/wiki/File:Irish\\_potato\\_famine\\_Bridget\\_O%27Donnell.jpg](https://commons.wikimedia.org/wiki/File:Irish_potato_famine_Bridget_O%27Donnell.jpg)

- 22 The thinness of their legs, their hollow cheeks and their rags can only move the viewer, especially as such a picture was closer to the reality of Irish emigrants than Nicol's paintings: engravings did not sublimate or romanticise the terrible deprivation of Irish peasants. Their goal was to report the ongoing hardships endured in Ireland, and these upsetting illustrations were not made to be exhibited in galleries. Their context was that of newspapers and Mahoney had received a commission to produce them to accompany the textual accounts that he himself wrote at the request of *The Illustrated London News* which often expressed "sympathy for the plight of the people living in tiny cabins" (Murray 231, 233).
- 23 Yet, these realistic representations proved less popular in the celebration of the Irish heritage of some Americans, even if these engravings have become, according to Emily Mark-Fitzgerald, "the iconic visual images of the famine" (Mark-Fitzgerald 2010: 184), given that they describe the bodies of famished migrants with greater accuracy and are thus akin to the construction of an "*effet du réel*" or "reality effect," as defined by Roland Barthes (88). However, such engravings were not considered as "more authentic" by those who wished to commemorate their Irishness. This impression may result from the fact that they trigger feelings of compassion, but do not arouse a *pride* in Irish ancestry. Instead, they associate Irishness with deprivation and dependence. As such, they do not call attention to an acceptable image or type of Irish poverty and suffering. Contrariwise, oils on canvas are less stark than Mahoney's engraved images.

Given their pictorial idealisation of Irish characters, canvasses tend to enhance how brave peasants made the difficult decision to emigrate in order to escape grinding poverty. The sadness and grief which they elicit is thus compensated by the hope for a better future. This, according to Higgins, is the essential constituent of commemoration, noting the importance given to optimistic representations of Irishness during the 50<sup>th</sup> anniversary of the Easter Rising:

What was placed on view during the jubilee was not an introspective preoccupation with the past, but rather a keen desire to project outward a more positive view of Ireland and its future. (Higgins 2007: 12)

- 24 It is true that Mahoney's engravings are also harder to contemplate because of the distress that they convey, and even Brian P. Burns recognises that some 19<sup>th</sup>-century artworks dealing with the Famine are rather "dour" (Dalsimer V). It seems that an excess of gloom must be avoided in the commemoration of Irish ancestry: one wants to remember but not to suffer.<sup>6</sup>
- 25 The paintings which represent Ireland in a so-called "authentic" manner are thus not necessarily those which insist on the awful reality but rather those which are kinder to the feelings of the artist and the viewer. Many American collectors were attracted by representations of the correspondence between those who emigrated and those who stayed in Ireland, as in two paintings by James Brenan, *Letter from America* (1875) and *The Village Scribe* (1881). The latter, which was in the collection of Brian P. Burns, shows a woman and her husband dictating a letter to a scribe who, at that time, was usually a schoolmaster (Dalsimer 88). In this case, the scene clearly sublimates the pain of emigration: the possibility of communication with the relative abroad seems to ease the pain of his or her absence.

Figure 4: James Brenan, *The Village Scribe*, oil on canvas, 29 x 24 cm, 1881, Collection of Brian P. Burns.



Public domain image: <http://www.visual-arts-cork.com/irish-artists/james-brenan.htm>

- 26 It is interesting to note that Burns selected this canvas to express his Irish heritage. The Irish context is easily recognisable: the way the woman is dressed indicates that she is an Irish peasant, and that she and her husband should come to visit a scribe was not a rare aspect of rural life—most peasants were illiterate in 19<sup>th</sup>-century Ireland. This corresponded to the common pictorial representations of the poor, the evolution of which has been studied by John Barrell:

The effort is always to claim that the rural poor are as contented, the rural society as harmonious, as it is possible to claim them to be, in the face of an increasing awareness that all was not as well as it must have been in Arcadia. The jolly imagery of Merry England, which replaced the frankly artificial imagery of classical Pastoral, was in turn replaced when it had to be by the image of a cheerful, sober, domestic peasantry, more industrious than before; this gave way in turn to a picturesque image of the poor [...]. (Barrell 16)

- 27 This quotation, which discusses English art, suggests that the representations of Ireland or Irish peasantry had to adopt the general conventions of the acceptable pictorial representation of peasantry in general. Indeed, this habit of showing happy peasants in painting accounts for the peaceful atmosphere in Brenan's canvas. Here, the characters express no anger; they seem to accept emigration without too much grief. However, Brenan was "unusually concerned with the plight of the rural poor" (Kinmonth 162): in other pictures, he presented more painful situations, as in *The Finishing Touch* (1876), which shows the heartbreaking departure of a girl bidding good-bye to her family before emigrating. On the contrary, *The Village Scribe* shows a brighter side of emigration and the continuing relationships between family members. This vision

confirms that painters had to find “a consensus between the concerns of an aristocratic and a bourgeois public” who were fond of such representations of rural life (Barrell 13).

- 28 Moreover, the setting in a cottage, with its simple furniture and a flagstone floor, also connote Irishness, demonstrating that such narrative representations have become acceptable emblems of Irish national identity.<sup>7</sup> If such a representation seems traditional, this is precisely because it has been made as a fashionable and suitable reconstruction of the past. As was demonstrated by Stephen Pricket in *Modernity and the Reinvention of Tradition* (2013), Victorians used the concept of “tradition” to give legitimacy to various principles regarding religion, culture or art. Thus, a 19<sup>th</sup>-century painting becomes a privileged object of commemoration when it reconstructs a traditional picture of Irishness for an American viewer, especially when his ancestors were Catholics who had emigrated during the Famine.<sup>8</sup>
- 29 This explains why collectors like Burns are fond of pictures of horses, such as *Knight of Tara* (1843), painted by Irish artist George Nairn (1799-1850). The painting attracted Burns because he likes horses himself (especially horse races), but also because the animal stands for the Irishman’s fabled love for horses, a fondness regularly associated with Irish national identity. This association results from the fact that there is not one but a host of Irish horse breeds, such as the Connemara pony, the Kerry Bog Pony, the Irish Cob, the Irish Draught Horse or the Irish Sport Horse. The latter was associated with the gentry or aristocracy and therefore with the lifestyle of the landlord class, but other breeds, in particular the Connemara Pony, the resistant Kerry Bog Pony or the versatile Irish Draught Horse, were used to carry heavy loads or to work on small farms. Despite there being a degree of sublimation and sentimentalisation in the process associating Irish culture with horses, the fact remains that Ireland has a long history of horse breeding, riding and racing which is a positive and gratifying aspect of Irishness to be displayed with pride in America by descendants of Irish migrants.<sup>9</sup> Another American art collector, John Quinn (1870-1924), whose grandparents had left Ireland and County Limerick in 1851 to settle in Tiffin (Ohio), also owned several representations of Irish horses in his gallery, such as *Washing the Circus Horses*, which had been bought directly from Irish artist Jack B. Yeats (1871-1957). The watercolour was described as a “characteristic scene in the west of Ireland, vigorously drawn in crayon, portraying an ostler mounted on a gray horse and leading others through a picturesque village.”<sup>10</sup>
- 30 Rural dwellings, seascapes and landscapes imbued with pastoral charm are thus often found in the galleries of American collectors—paintings which convey a nostalgia for the land of their ancestors. For James P. Byrne, one must acknowledge “the crucial role nostalgia plays in the construction of a viable [...] Irish-American identity” (Byrne 52). He argues that:
- [Irish-Americans] nostalgically reconstructed Ireland as mythological homeland, ‘a simple and stable past as a refuge from the turbulent and chaotic present’. (Byrne 53-4)
- 31 Nostalgia means both “return” (from the Greek *nostos*) and “pain” (*algos*). This longing for home can be seen as a feature of the Irish diaspora in America. Byrne claims that “one of the central, recurring characteristics of a diasporic people [...] is the dream of a return to the homeland,” (Byrne 58) a desire which is fuelled by depictions of idyllic landscapes, that will then stimulate an imagined image of Ireland in America, fuelling a

process of re-construction and imagination in the Irish-Americans' commemoration of their origins.

- 32 In Quinn's collection one finds many depictions of the countryside by Irish artist Nathaniel Hone (1831-1917), such as *Glenmalure, County Wicklow*, described as a misty view of mountainous country, under a romantic blue sky, flecked with cirrus clouds. In the middle distance rising pasture lands of russet-brown tones, and cattle with their shepherd cloaked by a beam of sunlight. (American Art Association 97).
- 33 This type of landscape distanced itself from the harsh reality of peasants, focusing instead on the beauty of the Irish scenery.

Figure 5: William McEvoy, *Glengariff from the Kenmare Road, Evening* (1862), 71 x 132 cm.



Source: <http://www.sothebys.com/en/auctions/ecatalogue/2018/living-legacy-irish-art-collection-brian-p-burns-118318/lot.37.html>

- 34 Similarly, William McEvoy's work, *Glengariff from the Kenmare Road, Evening* (1862, 71 x 132 cm), an oil on canvas which was in the collection of Brian P. Burns, illustrates the sublime scenery of the region: the foreground is plunged into darkness, while the mountains in the background are bathed in the golden light of the sunset. As noted by Catherine Marshall, the quiet atmosphere of the canvas does not allow the viewer to imagine "the plight of the Beare Peninsula that was separated from the rest of the country by the Kenmare-Glengariff road [...] during the Great Famine, just over a decade earlier." (Dalsimer 72) McEvoy's painting celebrates the beauty of Glengariff, which attracted 19<sup>th</sup>-century tourists who were looking for a picturesque destination. Here, Ireland is associated with the peaceful rhythm of rural life, a cliché which still attracts tourists from around the world.

### III. Paintings and the Recreation of the Past

- 35 Coming from the Greek root *stereos*, meaning solid, and *type*, referring to a printed image, stereotypes are representations of peoples which are simplistic and generalising. Walter Lippmann (1922) was the first to use this word in this way to refer to the mental images formed after reality has been perceived by your senses and your reason (Schadron). Such a definition reflects the daily work of a 19<sup>th</sup>-century genre

painter, who illustrated on a canvas his own impression of reality, often combining it with preconceived ideas about nationalities. Commemorative artworks are no exceptions to the rule and, generally, commemoration is even adapted to stereotypes or conventions. As noted by Pierre Nora in *Les Lieux de mémoire*, commemoration draws on stereotypical images:

La mémoire s'adapte aux conventions (aux usages, aux coutumes, aux valeurs, aux stéréotypes) du groupe qui construit cette mémoire. Les gens commencent à oublier et à inclure des choses et ces transformations permettent que ce dont on se souvient soit cohérent par rapport aux stéréotypes et aux valeurs locales. (Nora 997, quoted by Morisson 145)

36 Commemoration is a transformation: it is a social construct which recreates the past, based on documents which are considered as emblems of the past, notably artworks. What is deemed memorable is often represented by artists, while what is considered shameful can be willingly erased from a country's iconography. As pointed out by Tzvetan Todorov (22-4), the commemorative function of paintings shows that they can glorify as well as obscure historical events.<sup>11</sup>

37 This is why artworks are sometimes commissioned to prevent particular events from falling into oblivion, such as several sculptures financed by the Irish government in the 1990s to mark the 150<sup>th</sup> anniversary of the Famine (Morisson 137; Mark-Fitzgerald 2010: 181). In this case, the production of the artwork itself is determined by its commemorative function, so that it can be interpreted as an example of artistic reconstruction dictated by a body which wants to include the work in a public debate. It echoes David Lloyd's theory according to which history is always written by the ideological group in a position of cultural hegemony and, as a result, tends to create a homogeneous national narrative (Lloyd 23-7). The motivations for public commemoration are also based on a desire to reinforce national unity, hence the homogeneity of the historical account, because out of this unifying story can emerge a shared identity. Public commemoration participates in the construction of national identities inasmuch as it enhances the links between the members of what Benedict Anderson called an "imagined community."<sup>12</sup>

38 In such circumstances, there can be a significant gap between the creation of the artwork and the period represented in the artwork's specific motif, especially when it is produced more than a century later, which leaves room for a greater degree of interpretation and politically-involved recreation of the past. Valérie Morisson explains:

Public, le monument doit illustrer l'histoire de manière explicite et être compris par tous car il est un hommage rendu au nom de la population dans sa totalité. Les artistes tendent ainsi à suivre une iconographie établie. (Morisson 142)

39 This is different from individual artistic creations resulting from first-hand experience of the Famine, in which painters were free to express their own feelings and impressions. When there is no public dimension, buyers selecting such artworks for their commemorative function put forward their own vision of the past. Exhibited in a private vault, it can be shared with others and even be transmitted. For a collector like Brian P. Burns, this is a source of motivation to buy and restore Irish paintings from the 19<sup>th</sup> and 20<sup>th</sup> centuries:

Many of the pieces we have bought have required some work. But I am very happy about this. I feel that in restoring the work we are making an investment in the heritage of Ireland. Taking the time to have a work repaired will ensure that it will

be saved for another generation. I really believe that this is the work that the Irish diaspora can accomplish. We are returning something to the Irish culture that nourished us and sustained our people. What better gift can we bring? (Dalsimer II)

- 40 For Burns, 19<sup>th</sup>-century paintings evoking Irish emigration are to be handed on to future generations in order to commemorate Irish descent. Such paintings are therefore appropriate for a private form of remembrance, involving the members of a family, benefitting from a dedicated space, like a gallery in their house, in which these pictures can be exhibited.
- 41 Paintings can also be contemplated by several people at the same time (for instance on a day of remembrance, such as March 17<sup>th</sup>, Saint Patrick's Day), triggering a collective reaction which is part and parcel of commemoration. To favour this act of remembrance, private collectors are often willing to share their artistic treasures with the public. This is the case of Brian P. Burns, who lent his Irish collection to the Boston College Museum of Art (from January to May 1996) and then to the Hugh Lane Gallery in Dublin (from June to August 1996) during an exhibition called "America's Eye: Irish Paintings from the Collection of Brian P. Burns." Similarly, American collectors of the 19<sup>th</sup> century agreed to make their Irish paintings available to the public, like Franklin O'Day, in Saint Louis, whose Irish roots can be guessed from his name, and who lent Erskine Nicol's canvas *Paying the Rent* (1866) for the Philadelphia Centennial Exhibition, an international event organised in 1876 (United States Centennial Commission 38).<sup>13</sup>

Figure 6: Erskine Nicol, *Paying the Rent*, oil on canvas, 122 x 166 cm, 1866, private collection, USA.



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- 42 As a result, 19<sup>th</sup>-century paintings are adapted to a *private* form of commemoration, one implying a personal and intimate version of Irish history; but such family narratives can also support *public* commemoration, especially when art collectors lend their paintings to public galleries staging exhibitions to remember the past. Both the artwork and the collector thus participate in the Irish-American effort to bring the

causes of migration to light. As noted by Pierre Nora, the recreation involved in commemoration is generally collective because it is shared by a great number of people who are willing to remember the past and fuel its memory, each contributing to the building of a part of it by giving meaning to pictorial symbols.

- 43 Indeed, such paintings embody visual symbols of Irishness and, according to Athena S. Leoussi, this is characteristic of “national art,” which
- manage[s] to capture and symbolise the way of life of the so-called ‘masses’, the historico-cultural community [...] [and this] aesthetic transformation of the ethno-cultural experience into image has contributed, not only to the *prise de conscience* of this experience by its participants, but also to its celebration. (Leoussi 144)
- 44 National art is appropriate to the commemoration of a past event that has shaped the identity of a community. For Leoussi, “the folk, peasant community, was understood to be, not only a natural source of morality, but also the carrier and repository of the authentic character of a people.” (Leoussi 151) Painters focusing on the peasantry thus offer a dignifying and “authentic” vision of Irish character worth remembering.
- 45 The combined elements of this collective construction are then easily shared when they are conveyed by paintings, which is why they are privileged objects in commemoration or, to use the words of Valérie Morisson, why they “play a crucial role” in the stimulation of collective memory in the face of “traumatic events” (Morisson 145). The Great Famine can be interpreted as such a traumatic episode in Irish history, and paintings are thus helpful means of expression through which to get over such trauma. Yet, a century after the Famine, there was an obvious absence of commemoration in Ireland:
- the failure of the 1940s generation to foreground the Famine anniversary was increasingly characterized as ‘silence’, ‘repression’, or ‘amnesia’ in the wake of a profoundly traumatic cultural memory. (Mark-Fitzgerald 2013: 61)
- 46 Contrary to what had happened in 1945, the 150<sup>th</sup> anniversary of the Famine in the 1990s generated a “surge of interest in Famine History and memory” as noted by Emily Mark-Fitzgerald (2005: 184), and this renewed attention was echoed on the other side of the Atlantic by Irish-Americans who, like Brian P. Burns, took the commemoration of the Famine as a chance to reassert their Irish heritage. It is not surprising that as an art collector Burns lent his collection to the Boston Museum of Art in 1996, when commemoration of the Famine was centre stage, both in Ireland and in the United States (Mark-Fitzgerald 2013: 60). According to Mary Kelly,
- exhuming the horrors of hunger and exile required the safety net of time and distance, and it was only at the point when its negative associations could no longer undermine Irish-American progress that the episode’s legacy was openly confronted. (Kelly XVIII).
- 47 Commemoration includes the individual affection for art objects which trigger feelings of belonging, allowing the collector to connect to his or her family history. It also refers to the simplification of history which occurs whenever a national representation is called on to celebrate an event. There is no necessary contradiction between these two aspects: by allowing an individual to feel part of a diasporic community, 19<sup>th</sup>-century paintings also enhance a sense of national attachment. Thus, 19<sup>th</sup>-century paintings collected by Irish-Americans nourish the collective memory and reconstruct history, inasmuch as they consolidate the unifying dimension that is a characteristic of national representations. This is why such private forms of remembrance have complemented official celebrations in the construction of a diasporic memory.

- 48 A painting dating back to the 19<sup>th</sup>-century and representing Ireland thus functions like a metonymy: it is part of the past, having been made by a painter who witnessed Irish emigration, and it stands for the past, because it suggests so much more to the observer: beyond the sense of national belonging, it is a means of enabling the viewer not to forget his or her origins, and to express a nostalgia for an imagined rural mode of existence. Ireland is often depicted as a garden of Eden from which Irish peasants were chased away because of land mismanagement. 19<sup>th</sup>-century paintings are helpful in conveying and sustaining this inspiring narrative accounting for displacement, especially in America, where tens of thousands of Irishmen, women and children found a place to live, and fuelled the memory of their Irish ancestry for future generations of Irish-Americans.
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## NOTES

1. Tyler Anbinder mentions the marquis of Lansdowne, who lived in England (in Bowood) but who possessed 95,000 acres in various parts of West Kerry and whose estate agent, William

Trench, organised the emigration of 1,700 tenants to America between December 1850 and March 1851. Thus, a boat departed from Cork every week, with about 200 passengers on board, who could choose to land in New York, Boston, New Orleans or Quebec (Anbinder 352, 357, 365).

2. The boats were not adapted for the transport of travellers, earning the notorious name of “coffin ships.” For example, *The Virginus* departed from Liverpool in May 1847 with 476 passengers on board, of whom 158 died during the journey, while 106 had contracted typhus before reaching Quebec (Chassaigne). However, in the 1850s, legislation was introduced to remedy the worst excesses of such transport, significantly decreasing the death rate of migrants travelling to America.

3. Similarly, in New York, boats carrying migrants were quarantined in Staten Island (Gray 109).

4. The family farm was located near New Ross (Salamone 418-9).

5. I would like to thank Suz Massen and Elizabeth Lane, who both work at the Frick Library in New York, for their generous help in my research about Erskine Nicol’s paintings entitled *Waiting at the Crossroads* and *A Disputed Boundary*.

6. This was already true for nineteenth-century art collectors, as was underlined by Julian Treuherz: “though [the viewers] wanted to be touched, they did not want to be pained.” (Quoted by Mark Fitzgerald 2005: 187).

7. Nelson Goodman writes: “The plain fact is that a picture, to represent an object, must be a symbol for it, stand for it, refer to it; and that no degree of resemblance is sufficient to establish the requisite relationship of reference. Nor is resemblance necessary for reference, almost anything may stand for almost anything else. A picture that represents—like a passage that describes—an object refers to, and, more particularly, denotes it. Denotation is the core of representation and is independent of resemblance.” (Goodman 5)

8. Protestants from Ireland came to the US at the beginning of the 18<sup>th</sup> century, in the wake of the 1704 legislation which excluded non Anglicans from public office with expensive leases. However, these migrants who came from Ireland to the USA before the Famine tried to distance themselves from those they called the “Famine Irish.” Nicknamed the Scotch-Irish, because they were descendants of Presbyterians from Ulster, they tended to insist on their American heritage rather than on their Irish ancestry (Miller 156).

9. This is a comment made by the editors in the catalogue of Burns’ Collection: “With horses of his own that race in the Curragh in County Clare [sic, Kildare?], Burns had a particular fondness for [*Knight of Tara*], demonstrating the keen reverence of the Irish for the horse.” (Dalsimer II)

10. American Art Association (72). See also Homan Potterton (102-114) and Reid (4).

11. Todorov gives the example of the face of Geta, which was rubbed out of the Severan Tondo, a circular portrait of Septimius Severus’ family (AD 200), because he was assassinated by Caracalla who, once in power, attempted to erase any trace of his late brother’s existence.

12. “The nation [...] is an imagined political community [...] because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion.” (Anderson 15)

13. I would like to thank Janell Snape (Bonham’s, San Francisco) for her great help in finding a picture of the painting.

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## ABSTRACTS

This article explores the ways in which 19th-century paintings collected by Americans of Irish descent complement the official celebrations aimed at commemorating the Irish diaspora in the United States. It shows how these paintings are usually selected by art collectors for their authenticity, a quality often associated with artworks conveying stereotypes about Irishness as well as some nostalgia for the homeland. By exhibiting such images, an individual presents his own vision of the past and this private form of remembrance is likely to participate in the construction of a cultural identity in the collective imagination, especially when the collector lends his paintings to a public gallery. Thus, these pictorial symbols of Irishness may move from the private to the public sphere, so that they can enhance the sense national identity deriving from a commemoration organised by the state.

Cet article montre comment les tableaux du dix-neuvième siècle collectionnés par certains Américains d'origine irlandaise complètent les cérémonies officielles visant à commémorer la diaspora irlandaise aux États-Unis. Il souligne que ces tableaux sont souvent sélectionnés par les collectionneurs pour leur authenticité, une qualité généralement associée aux peintures véhiculant des stéréotypes à propos de l'Irlandité ou une certaine nostalgie pour le pays d'origine. En exposant de telles images, un individu présente sa propre vision du passé et ce souvenir personnel tend à participer à la construction d'une identité culturelle dans l'imagination collective, en particulier lorsque le collectionneur prête ses peintures à une galerie publique. Ainsi, ces symboles picturaux de l'Irlandité passent du domaine privé à la sphère publique, de façon à mettre en valeur une définition de l'identité nationale qui se dégage habituellement des commémorations organisée par l'État.

## INDEX

**Mots-clés:** commémoration, peinture, Irlandité, souvenirs personnels et familiaux, communauté nationale, stéréotypes, nostalgie

**Keywords:** commemoration, painting, Irishness, private remembrance, national community, stereotypes, nostalgia

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