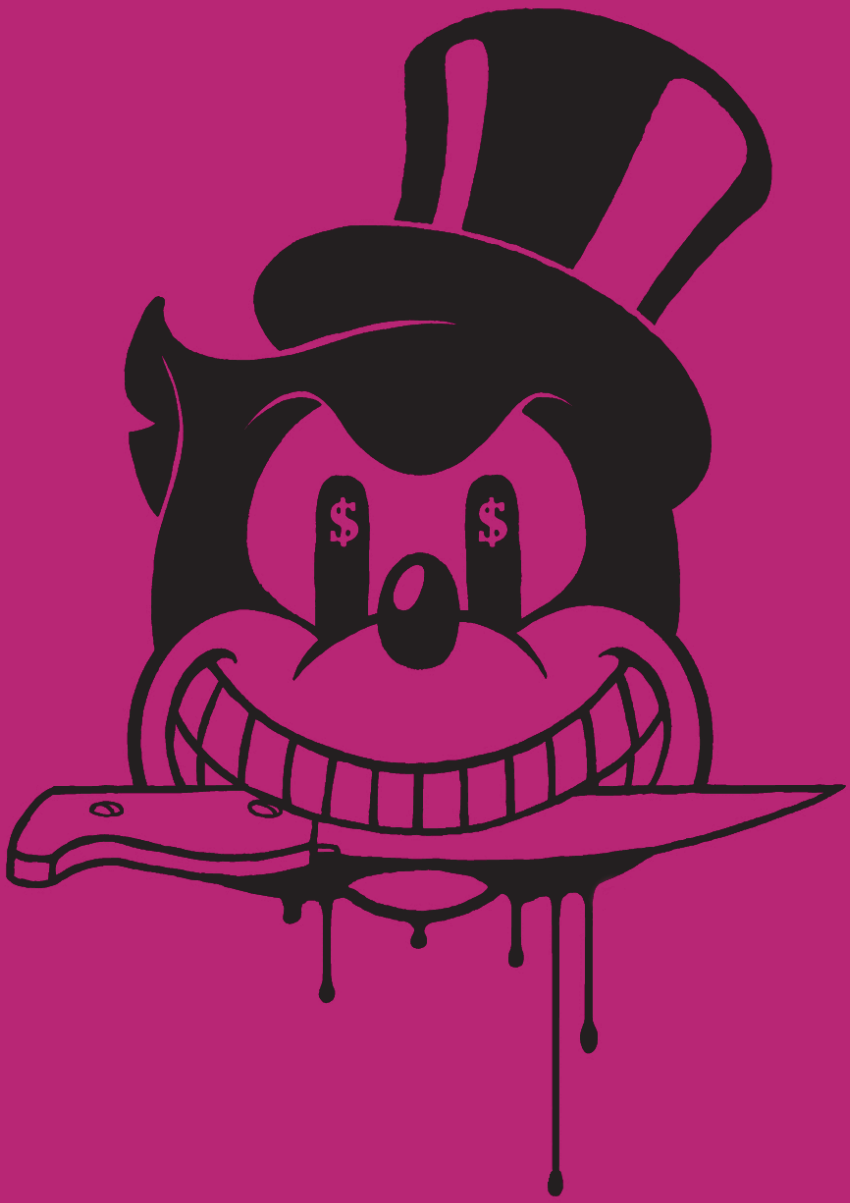
AUSTERITY AND THE PRECARIZATION OF EVERYDAY LIFE



ALTERNATE ROUTES
Vol. 30 (2), 2019

Edited by Carlo Fanelli
and Stephanie Luce

www.alternateroutes.ca
Twitter: @ARjcsr

“Alternate Routes”
ISSN 1923-7081 (online)
ISSN 0702-8865 (print)

Alternate Routes: A Journal of Critical Social Research
Vol. 30, Issue 2, 2019

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we publish review essays sparked by previously published material, interviews, commentaries, and book reviews.

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Editorial Introduction

Austerity Without End

Carlo Fanelli and Stephanie Luce

In 2019, the now 187-member *International Labour Organization* celebrated its 100th anniversary. As one of the oldest agencies of the *United Nations*, the ILO used the occasion to renew calls for improved opportunities and working conditions, social protections and collective bargaining rights. The ILO's Global Commission on the Future of Work (2019, 2) proposed a "human-centred agenda for the future of work that strengthens the social contract by placing people and the work they do at the centre of economic and social policy and business practice."

Because the world of work begins at home, this included calls for new investments that more evenly distribute unpaid care work, from parental leave to public care services, thereby genuinely increasing opportunities in the workplace; universal entitlements to lifelong learning via active labour market policies that provide opportunities for re/upskilling; proactive universal social protections that support people's needs over the life cycle; new investments in the institutions of work, from regulations and employment contracts to collective bargaining and labour inspection systems; expanded "time sovereignty," that is, the right to disconnect from work and greater autonomy over working time; and harnessing technology – artificial intelligence, automation and robotics – in a manner that prioritizes human well-being, regulates data use and algorithmic accountability in the world of work. The Commission (2019, 3) also called for establishing a Universal Labour Guarantee: "All workers, regardless of their contractual arrangement or employment status, should enjoy fundamental workers' rights, an "adequate living wage" (ILO Constitution, 1919), maximum limits on working hours and protection of safety and health at work." They stress urgent action is needed to develop national strategies on the future of work and transformative investments that meet the challenges of climate change.

There is a vast gap between this call for living wages and fundamental rights, and the reality most workers face in the workplace. For decades, employers have been attempting to increase profit margins by re-organizing work. This includes subcontracting, offshoring, converting full-time jobs to part-time and temporary, and reclassifying direct employees as independent contractors. This is

what economist David Weil (2014) calls the "fissured workplace." They have introduced new technologies to cut jobs and adopted "just-in-time" scheduling practices to more precisely adjust work hours. In some fields, like healthcare, workers are forced to work long hours and double-shifts. In others, such as retail, employees often do not have enough hours of work and may even have to compete with other employees to get assigned shifts (Clawson and Gerstel 2014, Lambert, Haley-Lock, and Henly 2012).

Employers have been able to pursue some of these strategies due to neoliberal reforms which deregulate industries and labor laws. Indeed, "labor flexibility" is a key plank of a neoliberal platform. Employers and policymakers have worked hand-in-hand to rewrite laws and regulations; the result is greater rights for employers and investors, and fewer rights for workers (Luce 2014). Finally, employers and their associations have in many countries actively worked to weaken labor unions. The "union-avoidance" industry began to flourish in the United States in the 1970s and eventually grew into a multi-billion dollar international industry (Logan 2006). The result has been declining union density in most industrialized countries.

A recent ILO Brief (Xhafa 2018) finds that Canada failed to crack the top twenty countries when it comes to the rate of collective bargaining coverage as a proportion of total employment. At 27 percent, Canada finds itself in a category of medium-to-low levels of collective bargaining coverage with Japan, South Africa and the United Kingdom. Collective agreements extend the rule of law to the workplace (Doorey 2017). They afford workers certain rights and place limits on the arbitrary power of employers, like grievance-arbitration mechanisms that give workers rights like due process and fair treatment, not available to other workers except via the courts. And because unions raise wage and benefit floors these gains are undoubtedly one of the main reasons why unions have historically been opposed, and continue to be opposed, by employers and governments. Unions also create a presence in local labour markets or sectors – "spillover effects" – that can create pressure to raise wages in surrounding non-unionized workplaces. This often compels employers to adjust wages to remain competitive in labour markets, often to stave-off unionization efforts.

Aside from the socio-economic advantages to being unionized – higher wages, pensions and benefits, job security, training, transparency and due process – organized labour has a long history of shaping social policy in the interests of working class communities and strengthening the social wage – public services or benefits that people receive in supplement of their wages earned from work and

paid for by redistributing wealth through the tax system (Himelfarb and Himelfarb 2013). Compensation in unionized workplaces tends to be more equitable overall, with relatively higher wages for lower paid workers and less of a wage gap for women, younger workers and racialized groups. Unionized workers are also more likely to be full-time, permanent and to work longer for their employers. Finally, unionized environments tend to be safer, with lower rates of critical injuries, mobility impairments, lost-time due to injury claims and broader support services.

Unions are also able to exert political pressure outside the workplace, such as raising a series of demands for pay equity and equal pay for work of equal value, the undervaluation and occupational segregation of women and other groups, struggles for changes to human rights legislation, and same-sex spousal benefits. As Susan Hayter and Jelle Visser (2018: 4) have argued: "It was considered desirable that the norms and rules negotiated between organized employers and the union(s) be made generally applicable." In neoliberalism's wake, that is no longer the case, if it ever was.

In Canada, there has been major structural shifts to the composition of union membership by sex, age and industry over the last three decades. Since the 1980s, the proportion of unionized members in the public sector has eclipsed private sector trade union density. Whereas public sector union density has stayed relatively consistent from the mid-1980s to early-2000s, hovering around 72 percent, total Canadian private sector density fell from 26 percent to just over 18 percent. Since 2011 private sector union density has fallen to around 16 percent, while public sector density remained generally stable (Statistics Canada 2019). In other words, while public sector unionization rates have remained fairly consistent over the past thirty years – buoying total union density (around 30 percent) – private sector unionization has been nearly halved.

In the United States, the patterns are similar. Today, 14.7 million workers belong to unions. Union density peaked in 1955 at 35 percent and has been on the decline since, though that hides certain interesting patterns. Public sector density was at 33.9 percent in 2018, compared to just 6.9 percent in the private sector. And like Canada, public sector members outnumber that of the private sector. National density figures mask tremendous variation between states. In fact, over half of all union members live in just seven states: California, Illinois, Michigan, New York, Ohio, Pennsylvania, and Washington (US Department of Labor 2019).

Union density figures may reveal the extent of potential union organization, but it is also illustrative of the ways in which organized workers have been able to effectively reduce inequality, improve working conditions and widen income distribution through wider bargaining coverage and coordination. Advancements for workers via collective bargaining are illustrative of capitalist class concessions fought for and won over the course of intergenerational class struggles, not privileges bestowed by employers or the benevolence of the state. The growing spread of low-waged work has occurred in tandem with stagnant union growth, aggressive anti-labour legislation and drastic expenditure reductions in general government spending and public services – that is to say, austerity without end (Evans and Fanelli 2018; Albo and Fanelli, 2014;).

As Kris Warner (2013: 111) has argued:

> "While the loss of heavily unionized manufacturing jobs has been a contributing factor in the declining private-sector unionization rate in [the US and Canada], it would be a mistake to place too much emphasis on this in and of itself because it cannot explain the inability of workers to realize their desires for unionizing the new jobs they have moved into. Instead, in both countries, the increased ability of employers to effectively oppose unionization offers a more compelling explanation. In the United States this has been a long-standing issue, while in Canada it is a relatively newer phenomenon, related in large part to a change in the way unions can be formed."

Though variegated in form and function, the state has often been the chief architect of neoliberalism's anti-labour reforms: at times imposing austerity from above or leading the charge from below, and at other times created the conditions for capital to lead in an assault against working class institutions. The results have been a continued decline in real wages and the erosion of the total labour share of wages. In contrast to the postwar class compromise, the ability of organized labour to help secure increases in social spending, impart political pressure for more progressive taxation and improved equality for all workers is at an impasse. Should the trendline continue, this could have significant implications for labour in an era of authoritarian neoliberalism and amid the resurgence of radical right-wing populists (Thomas and Tufts, 2016; Greenhouse 2019; Albo et al., 2019).

The mutual relationship between higher rates of unionization and

increased democratic participation has received consistent empirical support (Sojourner 2013). As Alex Bryson and colleagues (2014) have recently argued, union members have historically been more likely to participate in general elections than non-members, cultivating a broader civic culture and participation in democratic politics. Union members are also more likely to vote and engage in a range of pro-social civic behaviours, including the signing of petitions, attending public meetings and/or volunteering for political parties. Consistent with previous research, Bryson et al., have noted that the wider decline in civic engagement is also coincident with the decline of trade union density and larger collective disengagement from formal political participation. In other words, democratic governance at work in the form of higher rates of unionization tends to contribute to a life-long attachment to democratic politics outside of it. With union density stagnant or shrinking across much of North America and Europe, the democratic implications of rising low-waged work and political polarization has emerged as a significant political concern.

While challenging the 'common sense' of neoliberalism is important and necessary, so too is confronting the wider capitalist context that leaves workers dependent on the imperatives of capital. In this regard, unions are paradoxical institutions, simultaneously advancing workers' interests but rarely challenging the prevailing power relations at work (Fanelli and Noonan, 2017). As James Rinehart (2006, 203-4) has noted, while unions might nibble away at the margins of power, they do not alter the subordination of labour that lies at the root of capitalist class power. Of course, unions remain one of the few mechanisms through which workers can affect change inside and outside of their workplaces. But if trade unions are to deepen and extend their political influence and organizational capacities, it is incumbent on a wider revitalization of working-class politics, like movements for living wages embody (Evans et al., n.d.; Luce 2017).

The welfare states of the postwar era were only possible because millions of people demanded change. If labour is going to break from its political paralysis it is dependent upon a wider renewal of a politics left of social democracy – a spent force increasingly an impediment to, rather than an instrument of, progressive politics – and rooted in an intersectional class politics that prioritizes building new institutions, engaging in direct action, running for office, organizing in our workplaces and communities. In other words, a politics that confronts both the authoritarian/anti-democratic politics of the right and transcends the debilitating "post-politics" of radical centrism (Mouffe 1998). Liberal democratic capitalism

is losing legitimacy. But what comes next may be a form of right-wing populism, supported by nationalist politicians and movements looking to close borders and blame immigrants and trade for economic insecurity. Will unions look to protectionism or internationalism? Will working class movements be able to unite across borders to radically shift the balance of class power relations?

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Policy Paradigms and the Structure of the State Apparatus: Embedding Neoliberalism

Bryan Evans[1] and Marcel Goguen[2]

ABSTRACT: This contribution explores the resilience of neoliberal policy ideas within the state by situating the process of manufacturing policy advice within the context of the prevailing policy paradigm. The central question informing this work is despite evident failure, neoliberal ideas continue to prevail within the state policy process. Why and how this is the case, despite the lived experience and evidence, is the subject interrogated here. While the study of conventional public policy tends to be presented as a technical, evidence-based discipline, this ignores, or at best minimizes the highly hierarchical and politicized nature of evidence, expertise and knowledge employed in the work of constructing policy.

KEYWORDS: neoliberalism, policy paradigm, evidence, New Public Management, centralization

Introduction

This paper examines the relationship between 'policy paradigms' (Hall, 1993) and the institutional structure of the state apparatus. While work on policy

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We wish to acknowledge the support from the Social Sciences and Humanities Research Council of Canada and Dr. Stephen McBride (McMaster University), Principal Investigator leading a Partnership Development Grant whose generous support enabled part of this research. Marcel Goguen would like to acknowledge support from the Centre for Research in Empirical Social Sciences (CRESS) at McMaster University.

paradigms has produced many useful insights relating to the processes through which certain ideas influence the policy making process, it has thus far not sufficiently examined how these dynamics interact with the structure of the state apparatus. We thus argue that an important but still mostly unexplored dimension in understanding the dynamics involved in the struggle over the maintenance and replacement of policy paradigms is the institutional structure of the state apparatus and role of 'ideational' agents working within that. Lukes (2005) forwards the claim that for a process to be understood as an exercise of power it assumes "that it is *in the exerciser's or exerciser's power* to act differently" (2005, 57). This framing implies that operatives within the institution possess the agency to make different decisions. The broader political context in which these agents (exercisers) function (the paradigm) works to constrain this exercise of agency.

To illustrate this broader theoretical argument, we draw on previous and recent interviews with government and non-government policy workers in three Canadian provinces to examine the ways in which changes in the structure of the state apparatus has shaped the mechanisms involved in maintaining the stability of the neoliberal policy paradigm and helped insulate it from alternative ideas. This article proceeds in three parts. A first section sets out the significance and meaning of the concept of policy paradigms for studying the power dynamics involved in the policy process. A second section examines the changes in the structure of the state apparatus associated with the emergence of NPM and the 'neoliberal state'. A third section examines the impact of these changes in the structure of the state apparatus on the dynamics involved in maintaining or contesting the existing neoliberal policy paradigm.

Public Administration and Policy Paradigms

Despite the ideology of technocratic neutrality having long prevailed in the field of public administration and the public service in most western democracies (Raadschelders and Rutgers, 1996; Waldo, 1948), policy making does not take place in a power vacuum. Contrary to the implicit view that dominates the field of public administration, then the ideas that come to be accepted as common wisdom and received knowledge in the manufacture of policy are not there simply as a result of having been 'proven' to be superior through a neutral and apolitical process wherein experts carefully weigh evidence and refine their understanding of (social) reality. Ideas concerning public policy and management, as the basic building blocks of knowledge and expertise, no matter

how anodyne and antiseptic the packaging, are anything but technical and apolitical. Politically imposed deadlines usually push policy practitioners to make a decision without there being sufficient time to completely weigh the evidence (Forshey, 2005; Lidman and Sommers, 2005).

Further, more information does not necessarily contribute to a greater degree of consensus on policy, partly because what constitutes evidence is contestable and shaped by the power dynamics of the broader political context. How policy problems are framed, the identification of viable solutions, what is deemed to be acceptable or not, what instruments are chosen, are all reflections of where power is located and held by which policy actors. In this process, not all knowledge is created equal. Specific ideas are socially and culturally embedded in ways making them powerful or, on the other hand, not powerful (Strassheim and Kettunen, 2014). As a result, some forms are privileged and are readily utilized while other forms become relatively marginalized, a process that makes certain solutions appear more credible and/or legitimate than others. The relationship between power and ideas in the policy process remains difficult to conceptualize and empirically investigate, however, partially because it can be rather hard to "differentiate the effects of ideas themselves from the effects of the actors who bear them" (Campbell, 2002, 31).

While interest in the impact of ideas on the policy process had been rather limited until the 1980s, there has since grown a significant body of literature examining this issue by scholars who were/are skeptical of the assumption that was then dominant: "that politics are driven solely by actors operating according to a self-interested cost-benefit calculus" (Campbell, 1998, 377). A central research topic within this body of work is concerned with the different ways that ideas can be powerful in their own right and the main factors involved in shaping which ideas become influential (e.g. Hirshman and Berman, 2014; Campbell, 1998, 2002; Béland, 2005, 2009; Walsh, 2000; Carstensen and Schmidt, 2016; Seabrooke and Wigan, 2016).

In order to contribute to efforts at more precisely measuring the impact of ideas on the policy process, Carstensen and Schmidt (2016) have distinguished between three forms in which ideas can be powerful. The first is power *through* ideas, which refers to the ability of particular actors to use ideas to convince others of the normative value or cognitive validity of their worldview in such a way as they alter their beliefs about how the world works or how it should be (Carstensen and Schmidt, 2016, 325-6). Power *over* ideas concerns the ability of actors to define what certain ideas mean and to gather enough legitimacy around their view so that

they can avoid having to consider alternate definitions of the same idea or competing ideas. Finally, power *in* ideas refers to quality that certain ideas can possess, once they have become sufficiently widely accepted, that they end up "structuring thought at the expense of other ideas" (Ibid, 329). It is this dimension of power *in* ideas that we are primarily interested in this paper.

One illustration of this ideational power is provided by Widmaier in a series of papers examining the impact of what he calls 'intersubjective understandings' – but which we can describe as socially and politically dominant ideas about how the world works – on policies meant to deal with economic crisis (2003), international cooperation on monetary and financial regulation (2004), and the relative balance of price and wage guidelines and monetary policies as the primary mechanism of US economic policy (2007). Widmaier's main point is that in dealing with different economic crises, a central role is played by the broad 'intersubjective understandings' through which policymakers construct their understanding of when they began, what caused them, and how best to deal with them (2007, 46). For example, Widmaier explains, from the end of the Second World War up to the 1970, dominant Keynesian 'intersubjective understandings' of inflationary crises and price fluctuations as 'market failures' meant that they could be plausibly dealt with through government intervention in the form of the adoption of wage and price guidelines.

In contrast, beginning in the 1970s, neoclassical 'intersubjective understandings' of inflationary crises were caused by the failure of state policies so that they could only plausibly be dealt with through fiscal and monetary austerity (Widmaier, 2007, 47-49; 2004; 2003). This should not be taken to imply that material forces and events are unimportant but rather that it is only by giving meaning to the 'material trends' through the lens provided by the dominant 'intersubjective understandings' of a period that policymakers can identify the existence of a crisis, its causes, and then 'react' appropriately to deal with it (Widmaier, 2003, 64; 2004, 450). But how should we understand and analyze the processes through which certain 'intersubjective understandings' (what we shall simply call ideas) come to gain the authority that enables them to structure "thought at the expense of other ideas"?

One avenue could be to explore this topic through the lens of ideology which, as it is typically used in Marxist terms, refers to how certain ideas shape perceptions of the existing order to minimize the desirability of any possible alternative that erodes the power of the dominant class (Marx, 1932; Berman, 2017). One particularly influential contribution to public policy that adopts this

approach is the work of Lukes which highlights how power is exercised by preventing people "from having grievances by shaping their perceptions, cognitions and preferences in such a way that they accept their role in the existing order of things" (2005, 11, 28).

However, despite proposing some useful amendments to address the problems of traditional work on 'false consciousness', Lukes' work remains theoretically very close to conventional work on ideology (Hay, 1997). As a result, it is of limited use for our purposes as it both tends to depict ideas in an instrumental manner as well as leave relatively little room for a consideration of the agency of policy makers. Therefore, we proceed in a manner similar to Konings (2018, 29) who suggests that it is important to consider how we might understand neoliberalism "even if we assume little about the ability of capitalist elites to capture state institutions or the minds of policymakers". From this perspective, rather than understanding state officials as being either "corrupted by private interests" or intellectually captured by the dominant ideology, they come to be viewed as being "primarily disposed to stabilize the economic system" by relying on a set of ideas that seemingly provides a "degree of cohesion at the level of practice" (Konings 2018, 29) The central question then becomes how some ideas, and not others, come to be understood as providing the best policy options.

For our purposes, Peter Hall's (1993) work on the concept of policy paradigms provides a useful lens through which to examine this issue. For Hall, a policy paradigm is "framework of ideas and standards that specifies not only the goals of policy and the kind of instruments that can be used to attain them, but also the very nature of the problems they are meant to be addressing" (1993, 279; Béland, 2005, 5). Broadly speaking, what policy paradigms do is form the background view of how the world works and the kinds of causal relations that exists within it and, as a result, they constrain the range of possibilities considered as plausible or likely to succeed by policy makers (Campbell, 2002).

In specifying how this operated in practice, Hall distinguished his approach from work drawing on Heclo's (1974) concept of 'social learning' in which policy makers were understood to be perpetually 'fine tuning' the design of their policies based on a process of accumulating evidence of past policy successes and failures (Hall, 1993, 277). The problem for Hall was this approach suggested a view of how policy-makers learned from their experiences that was insufficiently attentive to the power dynamics involved in struggles over how to interpret the meaning of past policy experiences. The concept of policy paradigms is meant to address this weakness by foregrounding the interpretive process through which

past experiences are evaluated and given meaning by incorporating them into a coherent account of what the world is like. From this perspective "policy paradigms guide learning processes through which existing policy legacies are evaluated and criticized" (Béland, 2009, 705). In policy construction terms, the concept of policy paradigm is thus useful to conceptualize the way that ideas can shape how a policy problem is constructed in a way that makes the problem intelligible, so that it can be understood by political decision makers and policy makers, in one way rather than another.

One of the primary advantages of adopting this approach in analyzing policy construction is that it provides the tools necessary to examine how power shapes the policy process beyond its manifestations in 'normal' electoral politics and the struggle over control of governments (Béland and Cox, 2013, 194). These power dynamics are most clearly visible in situations in which an established paradigm is challenged by a competitor; i.e. in cases of 'paradigm shift'. In the original Kuhnian sense, paradigm shifts are understood to occur when the accumulation of anomalous evidence that cannot be convincingly included into the view of the world espoused by a paradigm reaches a tipping point, and the search begins for an alternative view of the world in which the (so-called) anomalies can be convincingly integrated.

Once this happens, once a new view of the world is discovered that can more convincingly integrate the ostensibly anomalous facts than the view espoused by the previous paradigm, then we can speak of a 'paradigm shift'. In policy paradigms, however, the processes involved in paradigm shifts are more complicated and are crucially related to the role of power (Blyth, 2013; Henriksen, 2013). Power plays such a central role in policy paradigm shifts because since "each paradigm contains its own account of how the world facing policymakers operates and each account is different, it is often impossible for the advocates of different paradigms to agree on a common body of data against which a technical judgment in favor of one paradigm over another might be made" (Hall, 1993, 279).

As a result, what is considered to be evidence and what evidence means is inherently contestable. Simply stated, this means that "discrediting a policy paradigm is a much more contested and interpretive process than the one which lies behind scientific refutation" (Wilder and Howlett, 2014, 187). This implies that (1) the process of their replacement is likely to be more social and political than scientific, (2) issues of competing authority are likely to be central to the process of (policy) paradigm shift and, (3) that "the movement from one paradigm

to another ... is likely to involve the accumulation of anomalies, experimentation with new forms of policy, and policy failures that precipitate a shift in the locus of authority over policy and initiate a wider contest between competing paradigms" (Hall, 1993, 280). In supporting this view policy paradigm shifts, Blyth proposes that the fact that the 2007-8 global financial crisis did not cause a paradigm shift seems to demonstrate the strength of the this account of paradigm shifts (2013, 206), since while the crisis represents the failure of decades of received wisdom of the neoclassical policy paradigm, no paradigm shift has taken place; quite the contrary (Quiggin, 2011; Mirowski, 2013). Thus, Blyth explains, "it is politics, not economics, and it is authority, not facts, that matter for both paradigm maintenance and change" (Blyth, 2013, 210). But how does this play out in practice? How do certain ideas come to exert influence on the policy-making process while others are marginalized?

In exploring this issue, Widmaier's (2016) "staged theory" of ideational power provides a useful starting point. In this account, ideas that were initially used as rhetorical instruments to defend a particular policy can sometimes take on "structural weight" that makes them function "at a deeper level than [mere] policy ideas" as the "unarticulated … background knowledge" that limit the range of policy options that are understood as being potentially acceptable (Widmaier, 2016, 345). Although the process wherein specific ideas come to be embedded in this way is clearly shaped by power relations, once specific ideas come to be embedded into important institutions, they can have a significant impact on the manufacture of policy in their own right.

In this process, the struggle over who gets to occupy those sites which really matter in interpreting events and anomalies and imposing meaning onto the facts is central. The work of policy takes place within 'gated' policy communities. Policy paradigms operate, are fought over, maintained or overturned, within specific social, material and institutional 'locations'. While policy expertise is distributed both in and outside of the state apparatus, policy decision makers, those who ultimately construct a policy, and in the process determine what will be done or not done and how, are employed within the formal state apparatus. It is here that the work of policy is conducted. This means that the kinds of ideas which come to form the core of policy paradigms, the role of experts in maintaining, transferring, and applying these ideas, and the strategies that are used by those seeking to foster or preclude a policy paradigm shift, are all crucially centered on and shaped by these locations.

The policy-making process is often quite unresponsive to influences originating outside of the specific 'locations' from which public policy is manufactured. Policy work, and those who conduct the crafting, insulate the policy function of the state apparatus from unorthodox policy alternatives. Alternatives are filtered out through a dense network of ideational relays including think tanks, consultants, and various policy entrepreneurs within or well-linked to the state from the outside. As a result, the composition of these 'locations', and the social, technological, political, and institutional networks to which they are connected, significantly shape how policy paradigms operate. To borrow from Blyth's (2013) formulation above, while it is indeed 'politics and not economics' that "matter for both paradigm maintenance and change", an important aspect of this is the inherently political struggle over paradigm maintenance and change which is shaped by the institutional terrain. To gain a better understanding of the power dynamics involved in maintaining or replacing a policy paradigm, it is important to more closely consider not only the composition of the 'locations' within the state apparatus in which policies are constructed but also the specificity of their connections with the social, political and academic actors outside of the state apparatus. In the next section, we examine the relationship between the current neoliberal policy paradigm and the institutional structure of the post-welfare state apparatus.

Transforming the Structures of the State Apparatus and the Neoliberal Paradigm

The Keynesian welfare state apparatus[3] emerged out of a period defined by the events of the Great Depression and the Second World War that had provoked a re-thinking of how business, labour, and government could work together in ensuring economic stability within the context of overall growth. Through these formative events, governments had "learned a great deal about the practical problems of macroeconomic management" and broader views

[3] In this paper, we use the concept of the 'state apparatus' in order to forestall the tendency to reify the state as a homogenous, unified and rational actor. The state apparatus refers to the administrative bureaucracies, legal systems, and military and police organizations, among others, that are involved in regulating social and economic relations (Miliband, 1972). These are the "legally defined organizations that wield state authority, that is, organizations whose goals and modes of action are defined within the law-making process, and that can mobilize state force, bureaucratic, judicial and physical force to implement their decisions" (Gran, 1994, 65).

concerning the role of government in the administration of the economy had become generally more positive (Drache, 1996, 32). The welfare state apparatus served this purpose as it organized political power and administrative capability "in an effort to modify the play of market forces" through the provision of social security programs such as insurance against unemployment, illness, accident, and old age (Briggs, 2000, 18). Consequently, "this new system also demanded new institutions, a new politics, and major changes in the role of the state" (Ross and Jenson, 1985/86, 24). As is well documented, the Keynesian Welfare state began to wobble and undergo transformation through the 1980s (Alber, 1988; Peters and Savoie, 1993). In a context of increasing inflation and unemployment and the decline of both profitability and disposable income (Goldthorpe, 1984, 2), the welfare state slowly "unravelled" (Banting and Hoberg, 1997, 410). Its decline was accelerated and celebrated by Reagan and Thatcher's ascendant brand of 'New Right' thinking which counter-posed its values of economic liberalism, individualism, and inequality to those associated with the postwar social contract of collectivism, social rights and equality (Farnham and Horton, 1996, 12).

It was in this context that the 'New Public Management' (NPM) movement arose as the "domesticated, depoliticized version of the New Right or market liberal policy analysis, made somewhat more technical, consensual and generic" (Dunleavy, 1997, 17). The key characteristics of NPM include: 1) a shift in focus from inputs and processes and towards outputs and outcomes (results); 2) a shift towards more measurement and quantification; 3) a preference for more specialized lean, flat and autonomous organizational forms; 4) replacing hierarchical relationships with contract relationships; 5) use of market or market-type mechanisms (MTM's) for the delivery of public services; 6) an expanded concern with service quality and a consumer orientation; 7) a blurring of the separation between the public, private and non-profit sectors; and 9) a shift in core values away from universalism, equity, and security and towards efficiency, economy, effectiveness and individualism (Pollitt, 2003, 27-28). Within this perspective, the proper role for government came to be redefined as one where the objective was to "reduce or relinquish their previous responsibilities for maintaining full employment and a comprehensive system of state welfare; … privatize public services or their delivery whenever practicable; and … reform their own operations in accordance with market concepts of competition and efficiency" (Self, 1993, ix). As such NPM "provides a label under which private sector disciplines can be introduced to the public services, political control can be strengthened, budgets trimmed, professional autonomy reduced, public service

unions weakened and a quasi-competitive framework erected to flush out the natural inefficiencies of bureaucracy" (Pollitt, 1990, 49). In this sense, NPM can be thought of as a transmission belt for the transfer of neoliberalism into public sector organizations (Spronk, 2007).

While there are definitional debates regarding neoliberalism (Cahill and Humphreys, 2019, 2), it can generally be defined as a paradigm applying a market approach to governance and as such represents an ideological shift in the role of government. Harvey suggests it is a theory "proposing that human well-being can best be advanced by the maximization of entrepreneurial freedoms within an institutional framework characterized by private property rights, individual liberty, unencumbered markets, and free trade" (2007, 22). In policy, it manifests itself as market liberalization, deregulation, privatization and an erosion of worker and social protections (Larner, 2000). While neoliberalism is often presented as a force hostile to the state, actually existing neoliberalism is a paradox where the "state is to be simultaneously rolled back and rolled forward. Non-interventionist and decentralised in some areas, the state is to be highly interventionist and centralised in others" (Gamble, 1988, 28). This is the paradox of "centralized decentralization" (Hoggett, 1996, 74, 9-32). It is necessary to centralize power in order to dismantle state-provided social protections and to use state power to advance the neoliberal project. This is the central paradox of the neoliberal state apparatus and it is absolutely critical to an understanding that despite the rhetoric of 'rolling back the state,' building the neoliberal state in fact requires that the state be reorganized as an active instrument for marketization (Gamble, 2006, 21-2; Harvey, 2007, 22).

This paradox at the heart of neoliberalism manifests itself in the effects of NPM on structure of the state apparatus. Rather than simply diminish the state apparatus, therefore, NPM reconfigures the distribution of power within and between its component parts and its relationship to forces outside of it such as capital, labour and other civil society movements (Harvey, 2005, 78). More specifically, the implementation of market fundamentalist interventions requires a concentration of authority at the centre of the state. Thus, while NPM is identified with decentralization, that is so with respect to delivery. The assertion of a new managerialism within the neoliberal state apparatus renews the old concept of the politics-administration dichotomy by empowering managers but also gives greater control over policy to central agencies, the executive and the political arm of government (i.e. ministerial offices and staff) (Savoie, 1994).

NPM was thus no mere effort at tinkering but rather sought a transformation within the public sector and the public sector's relationship to government and economy and so "aims at the replacement of the traditional model altogether" (Hughes, 2003, 50; Clarke and Newman, 1997). The new model of public administration was explicitly directed at "achieving more frugal, more efficient…more effective…governments" (Lynn, 2006, 104). Since these views did not sit comfortably with the post-war state inhabited by a closely-knit set of senior public servants and political leaders who shared common values respecting the mixed economy and the welfare state (Heclo and Wildavsky, 1981, 30), it was necessary to co-ordinate the political/managerial resources required to overcome resistance (e.g. Pusey, 1991). On an ideational level, the legitimacy of the policy proposals espoused by NPM and proponents of the neoliberal state apparatus rested largely on the authority of the world view espoused by neoclassical economics. Economics, more so than any other social science, has been an exceptionally powerful academic discipline in its ability to inform public policy (Schneider and Kirchgässner, 2009, 324). Economists are in this respect "gatekeepers" occupying a strategic location for providing the theoretical rationale informing the allocation of public resource (Markoff and Montecinos, 1993, 52). In addition, because of this preponderance, "(a)spects of economic theories and techniques become embedded in real-life economic processes, and become part of the equipment that economic actors and ordinary citizens use in their day-to-day economic interactions" (Fourcade et al., 2015, 109). As a result, the indirect influence of economists is often just as important as their direct influence in reshaping "how non-economist policymakers understand a given issue" (Hirschman and Berman, 2014, 780). In short, they frame problems and thus establish the range of policy interventions to be considered.

Though the prominence of economics is not in itself new, the discipline itself has changed substantially since the end of WW2. Indeed, through the Great Depression and the post-war era, a "generation of Keynesian trained economists and policy analysts came to the fore and populated a growing state apparatus (Evans, 2005, 25). However, even as that paradigm wobbled, economists continued to work as key policy actors but with "newer ideas of economic management" that "now come with an impressive variety of complex and esoteric models of their own and require equally elaborate technical staffing" (Markoff and Montecinos, 1993, 43). The influence of economists assumes an intellectually hegemonic location of this discipline over other social sciences. The scientization of economics, referring to the application of empirical testing, typically by various

mathematical methods, provides the methodological foundation for this status as the 'queen of the social sciences'. Economists have thus perceived their role as above sectional politics as theirs is a discipline "whose intellectual achievements are held to be in the refinement of beautifully abstract and highly mathematized models" (Markoff and Montecinos, 1993, 51).

This scientization works to depoliticize economic policy (Dyson and Marcussen, 2009) and so contributes to insulating the prevailing orthodoxy from alternative models. More than this, scientized economics reduces the debate to one based on purely technical, and therefore apolitical, solutions which share the same assumption respecting macroeconomics. This depoliticization through scientization is not unique to the neoliberal state. Indeed, policy problems were framed by Keynesian economics as "technical questions to be solved by economic experts. Because the problems are understood as merely technical ones, they appear to be beyond the political sphere" (Wisman, 1991, 118). As a result, contemporary neo-classical economic theory thus function "mainly as a surrogate ideology for the market economy" (Keen, 2011, 4) and economists have at times been described as 'carriers' of the neoliberal market ideology (Evans, 2017, 226-31).

Despite initial rumblings that the 2007-8 Global Financial Crisis (GFC) would lead to a decline in the authority of economics and potential shift away from neoliberalism (Collignon, 2008), outside of relatively minor changes to prudential financial regulation, the longstanding prestige and influence of neoclassical economics within the policy making process has not significantly diminished since the GFC (Mirowski, 2013, 158; Crouch, 2011; Quiggin, 2011). This progressive institutionalization of neoclassical economics and its ability to withstand substantial opposition and empirical evidence (the GFC) suggesting that many of its central assumptions are flawed or simply false, finds many echoes with Widmaier's (2016) 'staged theory' of ideational power, discussed above. What has so far remained largely unexamined is the role played by changes in the state apparatus in enhancing the stability of the neoliberal policy paradigm. In the next section we examine this issue by drawing on previous and recent semi-structured interviews.

The Neoliberal State Apparatus, the Centralization of Power, and the Policy Process

In many Western countries, policy often had what could be characterized as an 'upward' movement within state bureaucracies; with policies being

developed in departments by public sector advisors before being presented to members of the executive for appraisal and decision (Evans, 2017, 10). This process allowed for input from various sources and included an important role for public sector policy analysis (Good, 2013, 213). However, the centralization of political control discussed above has been accompanied by a movement to repoliticize the state by concentrating policy making authority in specific strategic centres operating largely under the direct control of the executive branch (Aucoin, 2010; Savoie, 1994). The public policy expertise upon which governments rely is thus increasingly centered outside of the civil service. Public policy work becomes politicized as work which had been the purview of the public service is "turned over to … partisan policy advisors, to think tanks and to lobby firms for advice" (Savoie, 1993, 21-2). Policy work within the neo-liberal state is one in which influence over the design and manufacture of policy is now limited to a limited number of central actors and in which "public service advisors are either shunted aside or are recruited for their 'political' fit" (Evans, 2017, 233). Whitehall scholar Peter Hennessey observed of the Thatcher era that the expanding role of external policy advice has produced "an era when the Armani-clad minds in the penumbra of fad-and-fashion prone private think tanks can be preferred (especially if their advice comes gift-wrapped and suitably politically tinted) to that more sober, sometimes inconvenient fare served up by the tweed-clad minds in the career bureaucracy" (1997, 4-5). This has created formidable barriers that effectively exclude alternative ideas from having any influence on the formal policy process.

For instance, in a series of interviews with Ontario government policy analysts and policy managers conducted in 2005, a number of themes emerged respecting how policy work was restructured through the 1990s and beyond. These themes included an observed diminishment of research capacity within the public service and the increasing centralization of power in the executive (Evans, 2005, 34). In addition, the interviews identified the overt politicisation of the policy agenda and the decline of research and evidence in the policy process (Evans, 2005, 37). The decline in policy capacity was understood to be linked to the centralisation of power in the Premier's Office as well as the "marginalisation of the public service from participating in policy formulations which had been a central function in the post war period" (Evans, 2005, 35). Commenting on these changes, one former executive noted that the "OPS had lost its capacity to say 'no' in the Harris years" (Evans, 2005, 35). The reference to Harris being to Mike Harris who served as Premier from 1995 to 2002 and whose government pioneered the most radical and aggressive neoliberal policy agenda in Ontario's

modern history. Echoing this view, one senior policy manager observed that senior executives have increasingly "seen their role as facilitating the political agenda in an expeditious 'make it so' manner without full due diligence" and that "decisions are made through a political filter not a technical one" (Evans, 2005, 38). Another executive ranking informant commented on the "growing policy role of politicians and their 'external advisors' and the commensurate marginalisation of the public service" as having "moved (the public service) from being architects to being contractors" (Evans, 2005, 35).

These findings are echoed by a 2012 survey of 1510 government and non-government policy workers in three Canadian provinces provides some insight into the centralized and insular nature of the policy making process. Survey responses revealed that approximately 30 per cent of non-government respondents indicated they were never invited to consult with government and between 6 and 13 per cent were invited on a monthly basis to engage in a policy dialogue. Moreover, more than 46 per cent indicated that they worked with government on a policy issue only after all key design issues were decided or were limited to an implementation role (Evans and Sapeha, 2015, 258). A related research project entailed 31 semi-structured interviews with government and non-government policy and program staff working in the immigrant settlement field. The interview probed the working relationship between the government and non-government actors in this specific field. The general view of non-government staff was that "policy consultations were largely predetermined … Their experience of policy engagement with government was often simply frustrating. Despite providing what they viewed as relevant information and perspectives that would benefit policy design, this was too often not heeded" (Evans and Shields, 2014, 122). Interviews with 18 trade union-based researchers also struck a rather negative experience in dealing with government. Indeed, all informants "characterized the climate for labour policy advocacy as ranging from "chilly" to "hostile," (Evans and Ross, 2018, 340). In addition, all experienced a decline in their ability to access policy makers accompanied by a "prevailing sense that the message was not being heard by simply putting forward evidence" (Evans and Ross, 2018, 340).

These conclusions find additional support from eight more recent interviews, carried out in March, April and May 2018 with former and current public service policy advisors and senior managers whose careers were in the Ontario Public Service (OPS), the permanent, non-partisan governmental bureaucracy. Most participants touched on the decrease in the role of expertise

in the process and the increased prevalence of centralized top-down policy manufacture. Thus, one participant noted that "knowledge and expertise were valued more in the 1990s" but that, "over time" it had become "less valued" and that they felt that they had become primarily a "typist" rather than a "knowledge worker" (Interview 1). Another participant, having been a long-time public service employee (26 years), observed that during their time in government they had "witnessed the degradation in the use of knowledge in the policy process" (Interview 2). During the Peterson government (1985-1990), they noted, government "consulted widely with experts" and "this insight was shared and discussed among the policy staff" (Interview 2).

However, this is "no longer the practice" and now things are "driven by political expediency" with decisions being made in the assistant deputy minister's office or the deputy minister's office and policy staff's job being limited to "build around what is given" (Interview 2). One participant admitted that they saw the role of knowledge and expertise in the policy process as being "generally perfunctory"; noting that there is an 'obvious' tendency to 'curate' "evidence to support a (given) policy direction" (Interview 3). This view was echoed by participant 4 who noted that while evidence plays a role, if it does "not support the political direction then we curate that evidence to align with the political direction" (Interview 4). Similarly, a former senior policy manager observed that "evidence is contestable. There are so many competing interests to weigh. For decision-makers evidence can then be tricky. There is a critical role for evidence in problem identification but then it must align with stakeholder definitions of the problem and their solutions to some degree. And evidence must reflect the priorities of the government or it will be ignored" (Interview 8).

From this perspective, they continued, "research is not really important. You make the data/evidence fit the political direction" (Interview 4). They concluded that they had had "no experience where the evidence swayed the position of political leaders" (Interview 4). One participant was even more blunt in making this point, noting simply that ""politics trumps evidence-based policy making" (Interview 5). In the words of another, "political congruence was always more important than superior data" (interview 1). From this perspective, as two participants noted, policy expertise was often limited to the creation of narratives using data to support policy directions communicated by the central agencies or the minister's office (Interview 5; Interview 6). Though one participant did highlight a recent "push to a more evidence based approach to policy work" in the OPS, they did nonetheless add that the process is largely driven by political

decisions by elected leaders, where decisions about which policies to pursue often emerging out of high level meetings and, from the perspective of public sector employees, seemingly coming "out of no where" (Interview 7). This same participant did note however that the role of expertise is related to the issue area, with specialized forms of knowledge playing more important role in highly technical issues dealing with things like radiation and asbestos, but less so in economic policy, which is less technical (Interview 7). This supports previous arguments made in this direction by Hirschman and Berman (2014).

Overall, these accounts largely supported the view that most of the important policy decisions were informed by political considerations and that direction nearly always came from the premier or minister's office, the deputy minister or the assistant deputy minister or from some other central agency (Interviews 1, 2, 4, 5, 6, and 8). Two participants noted that the Ministry of Finance and the Treasury Board were the most important actors involved in deciding which policies were pursued (Interview 1 and 2), and that they essentially were the "veto point" deciding which initiatives were taken up and transformed into policies (Interview 2). These claims support previous findings by Blakeney and Borins that governments also have a tendency to only accept advice from public servants when it is either "consistent with the broad outlines of government policy" or it is in an area "where the government doesn't have strong policy ideas" (1998, 49).

In general, these interviews support arguments in the literature about the increasingly centralized nature of the policy making process and the resulting marked decline in the role played by public sector expertise and knowledge as an independent driving force in the manufacture of policy. However, we would maintain that this does not simply imply that knowledge and expertise does not matter for the policy making process, nor that policy paradigms do not have an impact on the manufacture of policy, having been replaced by explicit and overt politically led direction from central agencies and the offices of ministers, deputy ministers, and/or assistant deputy ministers. Rather, what it does appear to support is the view that struggles over the content of policy paradigms in the era of neoliberal market states now take place in a narrower set of 'locations' than they did in the era of the Keynesian welfare state apparatus. The kinds of knowledge and expertise that matter are narrow(er than they used to be) and those that do not have the right characteristics or institutional origins are filtered out or not listened to in the (now) highly centralized locations from which policies are manufactured in practice.

What we propose is thus not only that the dominance of the neoliberal policy paradigm constrains policies by making some options less credible but also that the neoliberal state-apparatus has altered the composition and environment of the institutional 'locations' from and through which public policies are manufactured. These changes have fostered a situation in which the policy making process is increasingly insulated from the influence of ideas that either originate from outside of the very select locations from which they are usually drawn or are composed of content that goes against the core ideas of the neoliberal policy paradigm. This has important implications for how we understand the causal mechanisms underlying the change or stability of policy paradigms. For instance, it implies that the process of overturning and/or replacing current (neoliberal) is not simply a matter of achieving electoral success.

The central ideas of the neoliberal policy paradigm appear to have become sufficiently embedded that it is often politically expedient for successive governments to draw on it when manufacturing their policies even when they might genuinely desire adopting alternative policies. In many cases there are actually mechanisms in place, like credit rating agencies for example (Sinclair, 2004), that push against the incorporation of alternative or counter-hegemonic ideas into the highly centralized location from which policies are manufactured. This can mean that governments seeking to draw on alternative or heterodox ideas can find themselves being coerced or pushed in various ways to avoid doing so and to stick with ideas from the dominant policy paradigm This also means that focusing attention on changing the beliefs of public sector experts is likely to meet with only limited results since for the most part ideas that are popular outside of the centralized locations in which policies are manufactured tend to not be allowed to cross these important boundaries.

Conclusion

Here we have explored the relationship between policy paradigms and changes in the structure of the state apparatus. It is argued that an important, but mostly unexplored dimension in understanding the dynamics involved in the struggle over policy paradigms, is the institutional structure of the state within which they are embedded. Through this, we sought to contribute to the development of a better understanding of both the role of expertise in the manufacture of policy as well as the broader relationship that exists between policy paradigms and the institutional structure of the state apparatus within which the policy process is embedded. Thus we argue that transformations in the

structure of the state apparatus within which the manufacture of policy is embedded appears to have altered the role played by expertise and knowledge in the policy process. The shift in policy paradigms (from Keynesianism to neoliberalism) that led to significant changes in the structure of the state but also altered the ground on which struggles over policy paradigms takes places.

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Social Innovation Labs: A Neoliberal Austerity Driven Process or Democratic Intervention?

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ABSTRACT: Social Innovation Labs (SILs) are a recent policymaking development that are spreading rapidly in many different countries. SILs are said to address difficult and complex social policy problems that have been resistant to solutions. To date, there has been limited scholarly analysis of SIL development, with many questions in need of critical policy assessment. This paper seeks to conceptualize SILs in the Canadian context by mapping the sector and exploring how these labs fit within the broader ecosystem of policy innovation. We consider why SILs have become so popular in this particular socio-political moment. We contend that the SIL trend speaks to a dual and contradictory desire on the part of governments for more participatory policymaking and cost saving. Thus, while SILs may create opportunities for the democratization of social policy, they are also motivated by efforts to do more with less in an environment shaped by austerity and neoliberalism. This suggests that SILs could equally result in the marketization and depoliticization of social policy. This paper highlights these tensions conceptually with the purpose of guiding empirical studies that explore how these contradictions may manifest in policy practice and perhaps offer openings for policy that addresses both the roots and symptoms of complex social policy problems.

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KEYWORDS: social innovation labs; social innovation; austerity; neoliberalism; new public management; social impact bonds; democratizing policymaking

Introduction

Social Innovation Labs (SILs) represent a new policymaking process that has spread rapidly since the 2008 financial crisis (Westley, Goebey & Robinson, 2012). SILs are experimental social innovation mechanisms designed to tackle complex social policy and service design problems, such as poverty, that government is increasingly thought to be incapable of solving on its own (McGann, Blomkamp & Lewis, 2018). These labs create learning communities out of a group of "multi-disciplinary teams and diverse stakeholders" drawn from government, the social sciences, technical experts, civil society, citizens, and the business community who share an interest in solving the problem (VanAptwerp, 2014, np; Tiesinga & Berkhout, 2014). Such collaboration takes place in a physical space that separates these stakeholders from their usual environment and especially away from government bureaucracy (Westley et al., 2015). It is in this space where facilitation and design processes that provide direction on how solution-finding will be undertaken, outside the sphere of 'government speak', occurs (Westley et al., 2015).

A core component of this process is the requirement that all participants "let go of their preconceived ideas about the problems that exist and the best solution(s) to them" (Westley et al., 2015, 12), so they are able to embrace 'change thinking'. Deep collaboration without the constraints of traditional institutional structures is said to be made possible in this environment (VanAptwerp, 2014) and it is in such a creative space, proponents contend, that innovation and radical solutions can be directed to "our most pressing social problems" (Hassan, 2014, 2-3). In this way, SILs are said to address "complex societal challenges that require systems change" (VanAptwerp, 2014, np). Diverse social actors are convened in the SIL process because they are thought to encompass a relevant representation of the system that needs to shift. This gathering presents an opportunity to identify the unintended consequences of policy and the associated adjustments that need to be made to initiate a radical system shift. As addressed below, SILs have emerged in different sectors (public, university, for-profit and non-profit) in response to these developments.

To date, there has been limited scholarly analysis of both the emergence and practice of SILs. Several articles propose potential drivers for SIL emergence,

but these have not been examined in depth. Gregoire (2016) posits that the retreat of government from addressing social problems arising from neoliberal policies and the ongoing practice of New Public Management (NPM) and its most recent iteration, New Public Governance (NPG), has helped to drive the emergence of SILs. The Public Policy Forum's (2013) report aligns SIL development in Canada with the rise of austerity and the "need to do more with less" in government and an emphasis on independent problem-solving autonomous from state bureaucracy (1-2). This argument is furthered by Van den Steenhoven (2016), who claims that SILs have permitted a shift in problem-solving from government to society. This is said to democratize social policymaking in both the public and non-profit sectors (BC Healthy Communities, 2016; Carstensen & Bason, 2012). New systems thinking is said to be a key element of SILs, an approach which is thought to break down the silos in and rigidities of government processes and result in a more comprehensive approach to problem-solving. The inclusion of different societal stakeholders in the SIL process can be understood as an implementation of the 'nothing about us without us' idea from social justice.

This paper seeks to conceptualize SILs in the Canadian context by mapping the sector and exploring how these labs fit within the broader ecosystem of policy innovation. There is a need for in-depth theoretical and empirical exploration as to why SILs have emerged so quickly and extensively in this socio-political moment. While the two core drivers of neoliberalism and the democratization of policy-making appear present in the push for SILs, their analysis is piecemeal and cursory, undertheorized, and lacks empirical assessment. We posit that these drivers are unlikely to be weighed equally and are in fundamental conflict. For instance, meaningful participatory processes can be costly and time consuming and can result in demands for substantial public investment in social welfare and private sector regulation to address the roots of policy problems such as poverty, homelessness, and precarious employment. This paper offers a preliminary conceptual exploration of the SIL drivers of neoliberalism and democratization, highlighting how these are in tension in theory and offering critical questions for future empirical investigation. We begin by mapping the development of SILs in Canada to establish key trends, identify different conceptual approaches to understand their emergence, and highlight potential contradictions that merit further empirical analysis.

Mapping the Canadian SIL Landscape

A systematic search was undertaken on-line using the Google search engine for Canadian-based, English-language websites with the search terms "social innovation lab". This produced 141,000 results. For the purposes of the SIL inventory, the following types of labs were included: 1) labs that appear to have a social problem focus and/or benefit for the public; 2) labs run by government, universities, non-profit organizations and the private sector; and 3) labs that provide their social problem-solving services for a profit. The components of diverse engagement, physical space, design processes, and retiring pre-conceived notions identified in the literature were used to further assess inclusion in the inventory. The search results and analysis yielded 59 SILs in Canada as of December 2017.

Our survey shows that there has been a proliferation of SILs across Canada, with labs operating in the public, university, private and non-profit sectors. Overall, the maturity of these SILs vary as the majority do not meet all SIL characteristics as defined in the literature. We find that SILs may be internally operated by a larger public, private, or non-profit organization or may be a stand-alone entity that offers its services to these organizations at no cost, or for a fee.

Four SILs were identified in the for-profit sector, two in Ontario and two in Quebec. These SILs can be grouped in two categories: 1) labs that have been established by large private-sector companies that provide social impact funding, wherein funds are provided to implement policy solutions developed by participants; and 2) labs that provide services for a fee to clients in the community, government and private sectors. The common set of priorities amongst these SILs include urban innovation, information and technology, and healthcare.

Canadian governments at all three levels have shown significant interest in SILs. Internal SILs are operating in the provinces of Alberta, Quebec and New Brunswick. CoLAB in Alberta is located within the Ministry of Environment and acts as an internal consulting firm, offering its expertise in systems-based approaches to policy design across ministries. In New Brunswick, the Economic Immigration Lab addresses issues associated with attracting newcomers in the province and intends to provide funding to solve social problems experienced by immigrants. In Quebec, Innovative Territories in Social and Solidarity Economy (TIESS) brings together players in the social and solidarity economy in different geographic areas, including research centers and academic institutes, to develop new projects and facilitate policy transfer and diffusion. One of the eight SILs is run by the federal government – the Impact and Innovation Unit – and acts as a

consulting firm that works with "departments in applying innovative financing approaches, new partnership models, impact measurement methodologies and behavioural insights in priority areas for the Government of Canada" (Government of Canada, 2018). Three SILs are operating in the municipal governments of Toronto, Vancouver and Calgary. The Vancouver City Studio is the most developed and has interests in active transportation, pollution abatement, developing the green economy and local food systems, and social inclusion. Both the Calgary and Toronto labs have yet to identify priorities but have city service knowledge sharing and innovation as their mandate.

There is an even greater interest within the Canadian university landscape toward the SIL trend, with 19 labs identified. These labs have either been financially supported by private sector donors, and/or the public sector and/or internally by the universities. These labs generally lack clear mandates, scopes of operations, sets of priorities, and target audiences and overall, are loose and underdeveloped operations. Within the academic environment, several reasons for SIL development, distilled from their websites, are identified: to nurture and invest in student-led social entrepreneurial endeavors; to find solutions to social problems; and, to drive collaborations across faculty, the student body, and with external stakeholders in the public, private and non-profit sectors. They are also seen as initiatives that market universities as societally relevant organizations that offer their services to these external stakeholders.

By far, the greatest number of SILs have been established in Canada's non-profit sector. However, the majority of these 28 labs do not exist as stand-alone entities and are supported by another non-profit organization, funding agency, university and/or government. This illustrates the hybrid nature of the lab concept. Unlike the labs headquartered in other sectors, non-profit SILs place emphasis on supporting their communities to address the social problems they identify. A common theme that has emerged among these labs is a focus on environmental/sustainability issues and healthy physical environments with respect to creating spaces that encourage healthier lifestyles, active transportation and social inclusion. Such civic actors have often been useful in identifying issues and pointing out possible grounded solutions to government policymakers and the wider public.

Many of these non-profit-based SILs are more grassroots and democratic in character and often, aside from their interaction at the local level, are distanced from the actual centers of government decision-making. A striking exception is the MaRS Solutions Lab based in Toronto. This SIL has been well-financed and

connected to government, the business sector and communities of experts. For example, MaRS has been closely involved with so-called impact investing, noting that it "works to unlock the power of private capital to tackle persistent social challenges. It works with investors, governments, ventures and service providers to create funding solutions for projects that generate social and financial returns" (Kim & Farthing-Nichol, 2017, 2). MaRS is currently engaged in work with the Federal department of Immigration, Refugees, Citizenship Canada (IRCC) in a pay-for-performance project involving the settlement and employment of Syrian refugees (Kim & Farthing-Nichol, 2017). While MaRS is well linked into policy networks, it lacks organic grassroots grounding. The pattern seems to be that the more grassroots the SIL, the less connected to senior level policy circles (Henfrey et al., 2017).

Only five of the SILs offer social impact funding to implement and evaluate solutions, three of which are university-based while the other two are non-profit and private. 42 of the SILs identified clear priorities that they were advancing, with respect to social problems that they wished to address. The SILs that possess the clearest mandates and sets of priorities are those situated in the non-profit sector, while those in other sectors are generally not as fully evolved. The lab trend is thus growing but still in its infancy in Canada and there is a clear need to theorize and conduct empirical research on SILs more broadly as well as within particular sectors. The following presents a first effort to theorize/conceptualize SILs through a critical policy frame based on the two core drivers identified in the literature: neoliberalism and democratizing policymaking.

SILs as a Neoliberal Policy Process

SILs can be understood through a lens of neoliberalism as an innovation to NPM and NPG in a context of austerity due to the 2008 financial crisis. It is important to note that the issue of public sector innovation is not new. Earlier public-sector reforms date back to at least the 1980s as part of the 'reinventing government' movement popularized by Osborne and Gaebler (1992) and NPM reforms which were about institutionalizing a more 'entrepreneurial state', breaking down bureaucracy, and bringing in market-like business practices to the public sector, including 'doing more with less' (Shields & Evans, 1998). Neoliberalism is the hegemonic policy paradigm that displaced Keynesian based public policy embracing market-centered ideas, approaches and solutions to societal problems. Harvey (2005) defines neoliberalism as "a theory of political

and 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 property rights, free markets, and free trade" (2). The state, under neoliberalism, is given a mandate to extend markets into realms in which they have been absent. NPM has served as the key mechanism transmitting neoliberal based managerialism and 'market think' throughout the public and non-profit sectors (Evans & Shields, 2018).

Yanow (2007) explains that the NPM project also called for a ""scientific" basis for administrative practices, as well as of extensions of so-called evidence-based medicine into the fields of management, social welfare, and so on" (117), to justify government spending. We see a similar drive working through the SIL labs that we mapped. Over the last three decades, NPM has shrunk the role of the state in collective service provision, limiting its policy capacity and marketizing service delivery by public, private, and non-profit actors (Evans & Shields, 2018). It is also a process that works to blur the lines of distinction between public, private and non-profit sectors as all are encouraged to adopt market-based and entrepreneurial values and approaches to their operations. Further, there is the embrace of the idea that citizens are really customers, clients, consumers and individual agents of human capital. Market values are usurping collectively oriented public values (Clarke et al., 2014). These trends have been extended more deeply into the social sector with the latest round of austerity (McBride & Evans, 2017), and SILs may be a feature of this.

NPG is a reform of NPM that gives emphasis to 'new' pluralistic relationships between the state and other societal actors. The idea of networked government is prominent where other organizations are brought into the policymaking process creating more horizontal and 'democratic' decision-making (Osborne, 2006; Craft & Howlett, 2012). SILs are cast as a prime example of the move to NPG, as are seeming shifts that highlight the adjustment from such things as: "structural adjustment to good governance", "greed-is-good to markets-with-morals"; "privatization to public-private partnership"; and, "conviction politics to best practice" (Peck, nd, np). There are questions as to how deep and transformative the move from NPM to NPG actually is and whether it has actually occurred at all (Evans & Shields, 2018). Phillips (2007) argues that the policy process is not "as open and as participatory as the model of 'governance' suggests" (497), a conclusion we also propose regarding SILs in this paper.

The shift to an NPG discourse in government has overlapped with the neoliberal political management of the financial crisis of 2008. Neoliberal ideology

has proven itself particularly adaptive at taking advantage of crisis, flexibly adjusting its policies and persona while retaining pro-market and fiscally 'responsible' approaches to governance (Peck et al., 2012; Peck, nd). In so doing, neoliberalism has demonstrated its hegemonic control over the policy agenda even under crisis conditions (Crouch, 2011). Neoliberalism's use of SILs may very well be another reflection of its adaptive capacities.

The drive to SILs serves to expand the 'knowledge market for policy' outside of government, which has resulted in a greater role for consultants like KPMG who compete with University and non-profit SIL actors to find the solution to complex problems. The value of so-called entrepreneurial approaches to problem solving that include stakeholders from the private sector is prevalent in SIL framing (BC Healthy Communities, 2016). Shrinking the state also meant shrinking the policy capacity of and in government itself (Baskoy et al., 2011), which is blamed on inherent government rigidities necessitating internal consulting agencies to find a fix as the Alberta CoLAB and the Federal Impact and Innovation Unit demonstrate. Cuts to social services and offloading policy responsibility onto municipal governments combined with the expectation that they engage in policy innovation is also likely a driver for local labs operating in Canada's biggest cities and this merits further research. The associated decline in government authority, political polarization, and growing levels of plutocracy with the advance of income inequality is challenging pre-existing approaches to policymaking (Drezner, 2017). A major factor here is the belief that the state is no longer able to afford expensive social programs due to limited revenue capture (Bellefontaine, 2012). Furthermore, there is the anti-statist notion that government is inherently risk intolerant and thus incapable of addressing major policy problems through innovation (Bellefontaine, 2012). These factors are said to have placed complex social issues beyond the sole capacities of the state to solve and has made room for the creation of a social service market and with SILs, a social policymaking market.

Interestingly, and perhaps revealingly, SIL popularity coincides with a trend that we have been tracking: Social Impact Bonds (SIBs) (Joy & Shields, 2013; 2017; 2018a). SIBs are a tool that allows private investors to fund non-profit social service interventions with the promise of receiving a return from a government partner should the service achieve pre-defined measures of social value. This social value is defined as a cost saving to government, and presumably the taxpaying citizen, that results from the change in behaviour of the client group in question, be they mothers with inadequate support or citizens experiencing

unemployment or homelessness, reducing their service requirements over time and shrinking government social spending. For instance, in a program targeting individuals experiencing homelessness, the investors might receive a return should these individuals reduce their demands for intensive service supports over a pre-defined time period (Sinclair et al., 2014).

The turn to SIBs illustrates the desire among governments to shift from funding public services to funding policy outcomes. This requires finding out, to use a Blairist turn of phrase, 'what works'; to push for new ways of thinking about social problems, to use the market in creative ways to fund and find solutions, and to approach social policy solutions in a pragmatic apolitical fashion. This suggests that the market is a neutral force that can be used in progressive ways. This notion is captured in a recent documentary directed and produced by Nadine Pequeneza on SIBs entitled 'The Invisible Heart' (2018), a play on Adam Smith's famous 'invisible hand' analogy, suggesting that hidden forms of altruism lay within the free market. Pequeneza's documentary raises critical questions here, highlighting the power dynamics between investors like Goldman Sachs and RBC and the subjects of these policy experiments who are pressured to adopt behavioural changes that will trigger a profit for these financial actors. Profiting off social policy interventions can result in social good – the magic of the market at work – we are told by supporters of SIBs who frame themselves as 'progressives'. In this market, social problems become commodified and governments contract with marketized players who can produce social value for money. In other words, these new market actors must prove that they can solve complex social problems. It is in this way that SILs can come to represent the policy design processes on which SIBs, and other market-based policy approaches, are based. SILs are an important mechanism by which these solutions are sought and, in this way, could represent a continuance of the state and policy reforms which have been tightly linked to neoliberal governance. SILs may encourage a further marketization and depoliticization of social policy and this is a crucial area of analysis for further empirical study.

The social innovation drive was born in the period of neoliberal government cutbacks and restructuring, where state financial support for non-profit organizations providing services to the community has been shrunk and the general social expectations on government greatly reduced (Struthers, 2018). Competitive funding, heavy reporting requirements, dependence on government funds with limits on policy advocacy, and employee turnover challenge the ability of actors in this sector to engage in problem solving more fundamentally (Evans

& Shields, 2018). It is significant that the advocacy role of non-profit providers has been systematically muted through NPM mechanisms (Evans & Shields, 2014) at the very time that SILs are being promoted. This raises serious questions regarding which voices in policymaking are being encouraged and heard.

Increasingly, non-profits are contracted to deliver targeted support to those who have fallen through the cracks of a crumbling social welfare system; yet, are increasingly monitored in their ability to produce evidence of results so that these individuals become less costly (Joy & Shields, 2018a). As promoted by third sector journals like *The Stanford Social Innovation Review*, the turn to the employment of innovation and social finance as an alternative to the lack of government support to pursue social good in a period of austerity has come to be seen as the only way forward. In this way, the use of enterprise and markets for social ends are legitimated by some 'progressives', as has been the case with 'third way' advocates. This 'realist' perspective is challenged by the more 'critical' approach that we advance. We have critically argued, in contrast, that SIBs are a case of private agents 'profiting from pain', an immoral market-base process that commodifies citizens and 'their problems' and works to strip vulnerable populations of social rights and supports (Joy & Shields 2018b; 2016). This clash of perspectives by progressive voices remains a matter of ongoing contestation. It is crucial to study how such processes might be at work through non-profit SIL projects, but which may also provide an opportunity for those experiencing complex policy problems to have a right to define the problems they face (Bacchi, 2009) and the appropriate policy solutions.

One point of exploration is the extent to which complex policy problems are represented as behavioural in nature, with solutions focused on behavioural change that individualizes and thus simplifies social problems (Joy & Shields, 2018a; Clarke, 2017). In this respect, social value is achieved by changing behaviours that reduce demands for costly policy programs. Westley et al (2015) have stated that the roots of SILs began in the 1950s, starting with the focus on group dynamics, group therapy and psychology that became the basis for organizational design and development. At the same time, this work was integrated with thought leadership on how groups can address systems change. In the 1950s and 1960s, E. Trist, a social scientist, furthered these concepts by stating that "mega messes" existed, and to address these broad problems, systems-oriented solutions were required (Westley et al., 2015, 10).

We contend that complex social problems are rooted in an intersection of systems such as global capitalism, patriarchy, racism, ableism, ageism, etc. that

manifest in public institutions, the intermingled symptoms of which exist in local places. While it is crucial to recognize and address these symptoms at the scale of the local, the understanding of problems must be multi-scalar and intersectional in nature to tackle the public policies (or absence thereof) that have produced these problems in the first place (Gkiouleka et al., 2018). For instance, any program that aims to tackle homelessness must address real estate marketization, the privatization of public housing, and the inadequate public system of mental health supports. Yet, neoliberal approaches to social problems reject more holistic understandings of issues like poverty, homelessness and unemployment. Instead, these approaches isolate and individualize the sources of these problems and seek marketized solutions (Harvey, 2005). Requoting David Ingram, Sossin (1993) notes that "under capitalism, controversial questions regarding distributive justice must be removed from the democratic process and dealt with as technical problems requiring resolution by managerial elites" (379). Yet, with SILs, processes for addressing these questions are in theory opened-up for broader discussion. Again, where citizens fit into this discussion and how social justice and equity are considered in SIL problem solving are important areas for future analysis.

We posit that the trend to SIBs and SILs may create dilemmatic spaces (Newman & Clarke, 2009) or openings where alternative democratic interventions to austerity may exist. We are thus interested in examining how tools like SIBs and SILs can open-up more democratic approaches to policymaking that may result in more socially progressive policy. In the abstract, there are two potentially progressive elements to these social innovation trends: 1) SIBs and SILs are said to be about tackling the systemic roots of policy problems that are complex in nature; and 2) they also promise to involve/engage citizens and non-profit actors in policy design and delivery, democratizing the process, with an emphasis on achieving positive social outcomes that improve the lives of individuals (Struthers, 2018). The question is whether the use of entrepreneurship and markets in practice can in fact be value neutral or if they are imbedded within logics that compromise social justice goals and democratic processes (Roy & Hackett, 2016). Our own examination of SIBs points to how the profit motive works to pervert the potential progressive elements of such market-centered tools (Joy & Shields, 2018a). We establish the contours of these contradictory dynamics in the following section.

SILs as a Democratic Policymaking Intervention?

SILs represent a reorientation of rationalist policymaking, which is in its essence about finding objective, technical and scientific solutions to policy problems that can be generalized across contexts (Torgerson, 1986). The intention of the rationalist project in policymaking was to bypass ideological and partisan conflicts that produced inefficiency by linking the problem not to politics but to the need for better problem-solving administration and technique (Fischer, 1989). Togerson (1986) explains that this was in fact a political strategy to separate problems from their socio-political context, subverting a deeper analysis and questioning of problems as linked to dominant ideological and material structures, and thus protecting prevailing structures and interests. While the SIL policy orientation is toward the dominant role of ideas in driving forth policy change, the notion of solving complex problems illustrates that there may be a limited understanding that if people simply adopt the right ideas – or truth – then problems can be fixed. Here, SILs may also pull on the notion that policy issues are primarily technical problems that can be solved by groupings of experts with applied knowledge and experience with the policy problem. As a policymaking technique, SILs "lay claim to universal or near universal application" (McGann et al., 2018, np) across policy domains, awarding them a magical fix kind of quality. Yet, social innovation is a concept that lacks firm definition, making "it highly adaptable to the shifting contours of policy directions and challenges" (McGann et al., 2018, np). The ambiguity and impression of the concept (Miller & Langhorst, 2017) also makes it at the same time about everything and nothing and thus not particularly helpful for dealing with complex policy problems.

By the 1970s, the rationalist project was increasingly seen as unable to solve complex or 'wicked' policy problems, a term coined by Rittel and Webber in 1973, in siloed government departments. The author's state that "because there is no definitive single casual factor or factors for many wicked problems…the challenge resides both in determining all possible causes and in establishing causation to the social phenomenon" (Rittel & Webber, 1973, 162). While Rittel and Webber (1973) considered the search for all possible causes impossible because of value conflicts in defining wicked policy problems, noting that "social problems are never solved. At best they are only re-solved - over and over again" (169), the SIL emphasis on findings solutions through system change seems to refute this claim. This may be done by bypassing value conflict in problem representation and linking the impasse to government's inability to learn from citizens as well as other sectoral actors from the private and non-profit sectors, its

siloed nature where departments fail to communicate, its risk aversion, and its limited data collection and processing capability. Yet, Yanow (2007) explains that

> "technical-rational tools, such as cost-benefit analyses, and the combination of mass (or large 'n') surveys and high-speed computers held out to policy-makers the promise of solutions to knotty social problems. Forty years' experience with these promises have shown that they are useful for some situations, but complex problems require analytic tools that do not oversimplify social realities in order to force-fit them into restricted, and restrictive, models" (118).

It is further crucial to examine whether there is a tendency to oversimplify causes. Stone (1989) offers this warning about problems linked to complex causes:

> "They postulate a kind of innocence, in that no identifiable actor can exert control over the whole system or web of interactions. Complex causal explanations are not very useful in politics, precisely because they do not offer a single locus of control, a plausible candidate to take responsibility for a problem, or a point of leverage to fix a problem. Hence, one of the biggest tensions between political science and real-world politics. The former tends to see complex causes of social problems, while the latter searches for immediate and simple causes" (289).

With SILs, complex problems appear to be increasingly useful today and it is important to decipher why this is the case, particularly when one works from the understanding that causes are selected because they empower certain actors to 'solve' the problem (Stone, 1989).

SILs thus offer up the dual and enticing possibility of engaging in both more pluralist and rationalist approaches to social problem-solving. The rationalist project has also been critiqued for being undemocratic because public bureaucrats, understood as neutral technocrats, were the only actors to possess the scientific skills to find solutions to policy problems (Fischer, 1989). Sossin (1993) explains that "instrumental reason aspires to objective truth, but it makes intersubjectivity impossible by causing citizens to be treated as objects to be

administered" (375). He advises that it is this rationalist project that is the problem, and not bureaucrats per se, as many of these rules are in place to control the bureaucracy and eliminate their discretion. It is crucial to study whether SILs are about improving the bureaucracy by supporting discretion that enables communicative relationships with citizens (Sossin, 1993) or whether it is based on an essentialist understanding of the bureaucracy meant to sidestep government. There appears to be debate as to the role of government in SIL projects, as some writers emphasize reducing the government role in problem-solving (Van den Steenhoven, 2016) and others seek improvement to internal government policymaking (Carstensen & Bason, 2012). Whether the latter is more about producing evidence to prove value for money in service provision than democratic policymaking informed by citizen and non-profit voices requires further exploration in the SILs case.

Crucial to SILs is an emphasis on the importance of the non-profit sector and locally centered initiatives for the future of social welfare (Bellefontaine, 2012). The significant amount of SIL activity within the non-profit sector in Canada may be a reflection of how communities are seeking to problem-solve in a more democratic way, opening space for citizens to define the problem on their own terms (Bacchi, 2009). Some of these are grassroots initiatives led by citizens seeking to solve highly localized problems in their communities (Henfrey et al., 2017). However, there may be a disconnect here between the localization and fragmentation of SIL projects and the emphasis on addressing the complex roots of problems and engaging in more comprehensive or systems-oriented policymaking. Approaches that emphasize fast testing to prove outcomes quickly (Peck & Theodore, 2015) continue to embody rationalist perspectives that may challenge engaging in conflictual discussions and critical thinking on wicked policy problems. This may be more likely the case if non-profits are contracted by governments to deliver social value for money, as here governments have often already defined the problem, which may be understood as more behavioural than structural in nature.

While SILs theoretically open up interesting possibilities regarding participatory policymaking and the involvement of grassroots civil society, the question is whether SILs address issues of values and power that lie at the root of wicked social policy problems (Rittel & Webber, 1973). A crucial question is who is and is not dominant in SIL problem framing and what sorts of causal stories are presented as this informs the policy solution chosen (Stone, 1989). Are these primarily neoliberal and individually oriented storylines or ones that are centered

within the broader context within which social problems originate? There is a risk that SILs ignore power with respect to who is defining the 'right' ideas about problem framing and potential ideas that may get silenced as well as who is considered an expert. In these ways, SILs can depoliticize the policymaking process (McGann et al., 2018). Furthermore, what counts as proof that the policy problem has been solved? The issue of what is being measured is critical and this is a value judgment linked to the defined cause of the problem. Quantitative analysis focused on measuring behavioural change to prove social value for money may be quite limiting if not combined with qualitative and community action-oriented research on improved quality of life.

Policy problems are often wicked because they are understood and represented differently by societal actors (Bacchi, 2009; Stone, 1989). For instance, indigenous poverty may be seen by some as an individual behavioural problem and by others as a more structural problem of colonial and neocolonial policy and racism. It is unclear how SILs as a process is going to address this. Again, this speaks to who has the power to define the problem and whether\how SILs embrace difficult conversations/argumentation about conflict. Here, Rittel and Webber (1973) suggest that "approaches of the "second generation" should be based on a model of planning as an argumentative process in the course of which an image of the problem and of the solution emerges gradually among the participants, as a product of incessant judgment, subjected to critical argument" (162). Here, the political context is fundamentally recognized by all involved in the policymaking process and not pushed under the table (Fischer, 1989). Exploring whether tangible mechanisms exist to support true socio-political and administrative change and whether this is being conducted in practice are important areas for future empirical research on SILs.

Conclusion

Our mapping research reveals that there is a clear social innovation agenda in place within Canada. This agenda exists at all levels of government and all sectors through the commitment and attention to SILs. We contend that it is no mere coincidence that the rise of SILs in Canada, especially in the non-profit sector, corresponds with the financial crisis and the continued hollowing out of the welfare state. SILs may illustrate a reoriented welfare state where problems are commodified as new market opportunities. This, in turn, may be driving problem-solving away from addressing systemic conditions and towards quick and easy testable solutions that remain small in scale and fragmented; a warning

presented by Rittel and Webber against rational policymaking almost fifty years ago. Further empirical research should explore trends and contradictions related to this strategy and how this affects particular policy outcomes chosen and the wider goal of social justice these labs claim to espouse. It should also explore how this might differ between government, private, university and non-profit labs.

At the same time, SILs may create opportunities for democratic public policymaking that incorporates non-profit and citizen voices, who may push governments to address more systemic issues. Such democratic opportunities will remain at the level of possibility with marketized and austerity driven forces in the SIL driver seat. SILs represent an assemblage of contradictory rationales and interests of different players who have different levels of social, economic and political power to define so-called wicked problems. With the continued commitment and investment in SILs in Canada, further empirical research is needed to decipher how these conflicts play out in practice. The following research questions are crucial: Can the good intentions of the lab methodology be subverted and how exactly does this happen? Are the 'right' people gathered in the room and what are the conflicts that exist between them? What practices can social justice-oriented practitioners bring to specific lab processes that can guard against intentional or inadvertent exclusion? This analysis must look at power with respect to prevalent discourses about policy problems and solutions and the institutional positions of actors that support them. We suggest that any such examination must place these power dynamics within a policy environment where neoliberalism is a dominant political project, but one that is deeply contested and can be subverted.

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The Dimensions of Passive Revolution

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ABTRACT: Responding to the recent season of studies on Antonio Gramsci's notion of passive revolution, the present paper will argue that this could fruitfully contribute to a non-deterministic understanding of capitalist dynamics. However, this relevance should be based on a renewed understanding of the concept itself. Against contemporary conceptualisations that tend to understand passive revolution as an instrument in the hands of the ruling classes, the present paper argues that this is better understood as originating from the shortcomings of the so-called subaltern groups. The focus should thus be placed on the *passivity* of a potentially transformative agency rather than on processes of change that are *per se* out of reach for revolutionary movements. Coming back to Gramsci's *Prison Notebooks*, three overlapping dialectical relations are identified as being key to understanding both passive revolution and the struggle against it: at the ideational level, the dialectic between *common sense* and *good sense*; at the institutional level, the dynamic between *bureaucratic* and *democratic centralism*; at the level of class struggles, the dynamic between *corporatism* and *universalism*. Interpreted through these categories, passive revolution becomes a valuable tool both to overcome the fallacies of contemporary critical theory as well as to understand the challenges faced by anti-capitalist movements today.

KEYWORDS: Gramsci; passive revolution; hegemony; critical political economy; critical theory

Introduction

One of the main theoretical references that critical scholars have relied upon in the last few decades in order to provide a non-deterministic

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understanding of capitalist dynamics is the work of the Italian Marxist Antonio Gramsci. Since the translation of the *Prison Notebooks* into English and the publication of the complete critical edition edited by Valentino Gerratana, Gramsci's thought has produced a polymorphous variety of interpretations and applications that testify both to the liveliness of his thought and to the contemporary value of investigating it. In particular, the present paper will consider the contemporary relevance of the concept of passive revolution, suggesting that this could be a fruitful tool to understanding changes and stabilities in the order of capital. The concept of passive revolution carries great political value. In fact, it tries to respond to a fundamental question: 'if the proletariat had emerged in many European countries as a collective social and political actor in the wake of industrialisation, why had the deepest crisis of capitalism not led to a revolution, but rather to various forms of capitalist reorganisation?' (Roccu, 2017, 538).

Far from being an out-of-date problem, this is a crucial question today as the global financial crisis of 2007-8 has not been followed by any substantial paradigm shift. The relevance of the term, however, is far from being an original contribution of the present article. In fact, the notion of passive revolution is nowadays a constant point of reference not only for Gramscian scholarship but also for fields as diverse as historical sociology, ethnography and international relations (Allinson and Anievas, 2010; Bruff, 2010; McKay, 2010; Nash, 2013; Simon, 2010; Wanner, 2015). The variety and extension of the work provided on passive revolution in the last decade would in fact suggest a more conscious and parsimonious use (Callinicos, 2010). In what follows, I will argue that in order to conceive passive revolution as a relevant tool for understanding contemporary capitalism, we should firstly rethink its very connotation.

According to Peter Thomas, passive revolution for Gramsci meant 'a distinctive process of (political) modernization that lacked the meaningful participation of popular classes in undertaking and consolidating social transformation' (Thomas, 2013, 23). Thomas argues that '[i]n a certain sense, the concept has almost become synonymous with modernity, which is now viewed as a melancholy tale in which the mass of humanity is reduced to a mere spectator of a history that progresses without its involvement' (2006, 73). Coming back to the *Prison Notebooks*, I shall argue that in case we are to accept the former point – passive revolution as synonymous of modernity – we necessarily need to criticise the second one concerning the position of the so-called subaltern groups within the process. In this sense, responding to the recent season of studies on passive

revolution, the present paper will suggest that this can be seen as a synonym with modernity only so long as the passivity of the masses is not conceptualised as imposed by exogenous forces, but always-already incorporated in their everyday-praxis. In particular, three main interrelated dialectical relations will be identified as being key to understanding both passive revolution and the struggle against it: at the ideational level, the dialectic between *common sense* and *good sense*; at the institutional level, the dynamic between *bureaucratic* and *democratic centralism*; at the level of class struggles, the dynamic between *corporatism* and *universalism*. A close investigation of these categories in Gramsci's *oeuvre* is essential in order to see how the different dimensions of passivity are not merely imposed on subaltern groups, but rather represent the effect of their own shortcomings, that can always be turned into a revolutionary upheaval.

The present paper will be structured as follows. Firstly, I will discuss current approaches to the concept of passive revolution, particularly focusing on its recent reception in studies in critical political economy. Secondly, I will provide a critique of current approaches to the term and, coming back to the *Prison Notebooks*, I will suggest an alternative reading revolving around the aforementioned categories. In particular, I shall argue that it is only by seeing the seeds of capital restructuring already at play in the every-day practice of the subaltern groups, that Gramsci is able to think their potential for emancipation. Ultimately, I will conclude by summarising the possible contribution of a renewed understanding of passive revolution for both studies in critical theory and for redefining the challenges of anti-capitalist movements today.

Domination Without Hegemony? Passive Revolution in the Literature

Recent scholarship touching upon the notion of passive revolution, particularly within critical political economy, has revolved around the issue of how far we can extend this concept and the extent to which this is an apt representation of how changes and stability work in contemporary capitalism. Three main interventions have been recently made in this regard. Firstly, Adam Morton suggests that passive revolution today is a 'portmanteau concept that reveals the continuities and changes within the order of capital' (2007, 68). In this sense, Morton agrees with Peter Thomas in arguing that passive revolution has become almost a synonym with modernity, and a particularly apt notion to explain both capitalist state formation and maintenance (Morton, 2010, 322; see also McKay, 2010).

In critiquing such an approach, Alex Callinicos argues that this definition brings about an issue in terms of distinguishing different situations. In this sense, passive revolution would lose its own specificity thus becoming 'a distinction without difference' (2010, 505). Relying on Gramsci's uses of the term, Callinicos argues that, for example, the analogy between Risorgimento and Fordism fails to recognise a crucial difference between the two processes. Only the former seems in fact to appear as a plausible representation of passive revolution inasmuch as 'the ancien régime has given way to a society in the capitalist mode of production prevails' (*Ivi*, 498). It is thus argued that the emphasis should be placed on the passage from one mode of production to another, not extending the use of passive revolution to transition *within* capitalism.

In fact, Callinicos continues, neither fascism nor Fordism produced a systemic transformation and thus these are better seen as '*counter*-revolutionary projects that seek to manage the structural contradictions of the capitalist mode of production, not the accomplishment of socialist transformation by other means' (*Ibidem*). Callinicos thus concludes that what we need is a more restricted understanding of passive revolution, in order not to make it interfere with other concepts such as that of counter-revolution. A third approach that tries to integrate the previous two interpretations is the one delineated by Roberto Roccu, who criticises Morton for the over-extension of its use of the term while at the same time contesting the idea that passive revolution somehow needs to produce a transition to a new mode of production, as in Callinicos. In particular, Roccu stresses the importance that the partial fulfilment of people's demands has in what Gramsci defines as passive revolution – something that finds only limited echo in Morton's formulation (Roccu, 2017, 549).

Whilst such a discussion is certainly of theoretical relevance, I shall argue that the extension or limitations of passive revolution can only be rethought via a renewed understanding of Gramsci's usage. Notwithstanding the differences highlighted in the previous conceptualisations, in fact, the three authors tend to agree in understanding the outcome of passive revolution as being ultimately in the hands of the ruling classes – something that seems in contrast with Gramsci's treatment in the *Prison Notebooks*. The existing literature acknowledges that the phenomenon of passive revolution originates from the limits of bourgeois rule (Morton, 2013, 55). In this sense, the process is seen to represent a response to dynamics that ruling circles do not directly control. These dynamics can vary from crisis-induced contradictions amongst ruling class fractions in which its progressive force tends to deteriorate (Q1§44, 42), to external shifts in the

accumulation process forced by uneven tendencies in capitalist development (Morton, 2011, 36), or from subaltern challenges to the established hegemonic bloc. Nevertheless, the outcome of passive revolution is often seen as heavily dependent on ruling classes' power.

In his book on Mexico, Morton proposes two definitions of passive revolution: first, 'a revolution without mass participation, or a "revolution from above," involving elite engineered social and political reform that draws on foreign capital and associated ideas while lacking a national-popular base' (*Ivi*, 38); second, a situation in which 'a revolutionary form of political transformation is pressed into a conservative project of restoration' (*Ivi*, 39). Although, the two definitions are in some respects different, they both imply a top-down force that produces a conservative form of change, either by not including the subalterns in the process or by displacing their demands. This might be only a matter of emphasis. In fact, Morton acknowledges that in the process of passive revolution a significant role is played by the shortcomings of counter-hegemonic projects. For example, he argues that,

> [i]n the case of Italy, the "passive" aspect refers to the restrictive form of hegemony that emerged out of the Risorgimento because of the failure of potential 'Jacobins' in the Partito d'Azione to establish a program reflecting the demands of the popular masses and, significantly, the peasantry (Morton, 2013, 52).

In addition, many of Morton's analyses of Gramsci's texts as well as applications to concrete examples remark the importance of acknowledging the limits of movements of opposition *vis-à-vis* capital, and of not considering bourgeois rule as a 'quasi-automatic' process (2011, 46). This is shown, for example, by his sensitivity towards the backwardness of the Italian peripheral forces in Southern Italy before the Risorgimento (2007, 62), as well as towards the lack of a united front based on the alliance between the proletariat and the peasantry during the revolutionary upheaval in Mexico (2011, 45-6).

Yet, Morton never theoretically elaborates on what the key features of such shortcomings are and on the extent to which these influence and facilitate capitalist restructuring itself. For this reason, passive revolution is ultimately seen as a process in the hands of the ruling bloc – that, although at times is forced to accommodate requests from below, it always does so within the existing social

formation given its privileged position within the state (*Ivi*, 53; Sassoon 1987, 207). In analysing the Italian Risorgimento, for example, whilst acknowledging the deficiencies of the Action Party, Morton ultimately sees passive revolution as representing 'the inability of the ruling class to fully integrate the producer classes through conditions of hegemony' (Morton 2007, 68). Given the absence of hegemony, he adds, the state becomes crucial in order to further capitalist dominance (*Ivi*: 102). Morton applies similar considerations to the process of capitalist developments in Mexico, where the peasants' revolution ended up being offset by 'Mexican populism' that had 'counterrevolutionary roots based on the domination and manipulation of the masses behind the façade of revolutionary rhetoric' (Morton, 2011, 48). In this sense 'passive revolution … *is* a revolution, marked by violent social upheaval, involving a relatively small state class engaging with "the acceptance of certain demands from below" in order to restrict class struggle, while insuring the creation of state power and an institutional framework consonant with capitalist property relations' (Morton 2013: 54; original emphasis). In Morton's account is implied something that we will see developed more clearly in Callinicos and Roccu: namely, a juxtaposition (rather an interrelation) of the revolutionary upheavals of the subaltern and the potential for the ruling classes to restructure order and hegemony. Rather than seeing the former as limiting (and potentially impeding) the possibility of the latter, Morton seems to argue that the more requests from below become pervasive the more the ruling classes' privileged access to the state becomes crucial in order to restructure society. This point will be better explained by referring to the arguments made by Callinicos and Roccu.

Postulating or Presupposing? The Antithetical Treatment of the Antithesis

Roccu attempts to move beyond Morton's interpretation, suggesting that the emphasis should be placed on the partial fulfilment of people's demands which, he argues, is exactly the means that produces masses' passivity. He acknowledges the ambivalence of Gramsci's application of passive revolution, as in some occasions this 'is presented as a residual strategy deployed to maintain power when hegemony is lacking ("dictatorship without hegemony")', whilst in other passages of the *Prison Notebooks* 'passive revolution seems to occur under conditions of limited, fractured, hegemony, when a class or fraction thereof is hegemonic towards some others but not across society' (2017, 546). Such a remark, however, does not result in a sceptical position as in Callinicos. In fact, Roccu is convinced that we can extrapolate a core from Gramsci's multi-facet

engagement with passive revolution. This core is made of four elements, of which the first two are presuppositions, the third has to do with its specific method, and the fourth with its outcome.

The first element is linked to the international situation that in periods of structural changes requires 'from specific state formations an attempt to developmental catch-up through transition, both from a non-capitalist to a capitalist mode of production…and between different regimes of capital accumulation' (*Ivi*, 545). Secondly, Roccu refers to Gramsci's use of Hegel's categories in order to contend that passive revolution also presupposes a thesis that, despite its limitations, 'develops to the full of its potential for struggle' (Q15§11), while the antithesis is incapable of doing the same. Thirdly, in terms of method, Roccu argues that crucial for passive revolution is an heavy reliance on state power by the ruling classes in order 'to weaken and defuse the political potential of subaltern classes' (Roccu, 2017, 545). Lastly, as it pertains to the outcome, passive revolution combines a real transformation, 'either towards or within capitalism' (*Ivi*, 546), and, at the same time, the 'partial fulfilment and displacement of the demands raised by the embryonic subaltern bloc' (*Ibidem*).

This attempt at extrapolating the core of passive revolution from Gramsci's writings is certainly valuable if one wants to define the limits and potentiality of the term, perhaps moving beyond both Morton's overextension and Callinicos' excessive scepticism *vis-à-vis* its use. Yet, what is puzzling in Roccu's formulation is that the weakness of the antithesis is emphasised as being both a presupposition and a result of the process. This already makes it difficult to understand what the contribution of passive revolution would be, if the passivity that this is supposed to impose on the subaltern bloc (*Ivi*, 550) is in fact there from the beginning. On the other hand, this basic presupposition is questioned by Roccu himself. In fact, when criticising Morton for under-appreciating the role played by the partial fulfilment of popular demands, he argues that much more emphasis should be placed on 'the presence of a vigorous antithesis *prior to* a passive revolution' (*Ibidem*; my emphasis). Also Callinicos (2010, 501) makes the same point, as he argues that actually the vigorous antithesis is a basic feature to a passive revolution. The justification for this idea is found in a quote from Notebook 15, where Gramsci (Q15§62, 1827) argues that 'the conception [of passive revolution] remains a dialectical one – in other words, presupposes, and indeed postulates as necessary [*presuppone, anzi postula come necessaria*], a vigorous antithesis which can present intransigently all its potentiality for development.' Callinicos seems to completely misread the meaning of this formulation, as he takes it to suggest that

in order to have a passive revolution we need a strong antithesis. Gramsci's position is actually the opposite: it is *in order to avoid* a passive revolution that the antithesis needs to develop to its full potential.

This is clear already from the quoted note Q15§62, where Gramsci provides the aforementioned argument in order to prevent any 'historical defeatism' and 'fatalism' associated with the term passive revolution, particularly in reference to the Italian Risorgimento. In fact, he also adds that passive revolution is not to be understood as a political program, but rather as 'criterion of interpretation in absence of other active elements in a dominant manner' (*Ibidem*). This becomes even more evident when looking at Gramsci's treatment of the Risorgimento and the relation between the Action Party and Cavour's project of modernisation. Borrowing an expression of Vittorio Emanuele II, he argues that the Moderates had their opponents in their pockets, given the latter's inability to form a real hegemonic alternative to Cavour's leadership (Q1§44, 41-2). In fact, 'the Moderates represented a relatively homogenous class … whilst the Action Party was not based on any historical class and the oscillations that its governing bodies experienced ultimately followed the interests of the Moderates' (*Ivi*, 40-1).

For Gramsci, the moderate bloc should be understood as being a dominant class in two manners: 'it is leading [*dirigente*] of the allied classes and dominant [*dominante*] of the opposing classes' (*Ivi*, 41). The distinction between leading and dominant is often understood as marking two opposite alternative forms of government, which would give the ruling classes the option to choose according to the specific situation to use coercive mechanisms in order to retain power when hegemony is absent. Nevertheless, Gramsci promptly remarks that a certain class must possess political hegemony *before* taking governmental power, and also once it has become dominant 'it continues to be "leading"' (*Ibidem*). The example of the Risorgimento proves exactly this. In fact, the Moderates 'continued to lead [*dirigere*]', and not merely to dominate, 'the Action Party also after 1870.' It is, thus, exactly thanks to this cultural and political subalternity of the antithesis that the ruling bloc is capable of using the state as a means to integrate also the sporadic active elements in the opposing forces (for example, through the phenomenon that Gramsci names *trasformismo*).

The emphasis on the presupposition of a strong antithesis seems also to remove one of the two preconditions that Roccu argued were constituting the core of Gramsci's concept: namely, a lacking antithesis. In this sense, passive revolution seems to describe two possible situations. On the one hand, a situation in which

both capitalist class and its opponents are weak; on the other hand, a condition in which they are both powerful at the same time. This schematic and abstract representation already shows something interesting regarding current approaches to the term: namely, the fact that thesis and antithesis are not dialectically related, but rather abstractly juxtaposed. The growing power of the antithesis does not *per se* reduce the potential for the thesis to respond, but rather surprisingly increases it. Conversely, the weakness of movements of opposition is not seen as necessarily implying a relative position of dominance for the ruling classes. The result is that passive revolution is invoked to represent a situation of relative equilibrium between opposing fractions, with the necessary clause that at the end the struggle is going to be solved by the favourable position of the ruling bloc within the state.[8] This is further proved by the fact that both in Callinicos and Roccu passive revolution is seen as opposed to counter-revolution and hegemony, two situations in which the capitalist class is thought as being relatively stronger than its opposition. Failure to link the lack of a strong antithesis to the empowerment of the dominant class, ultimately forces us to view passive revolution as 'a *backup strategy* for a ruling class that fails to be hegemonic and thus relies on its control of state power and a favourable balance of political forces to perpetuate its own political dominance under new structural conditions' (Roccu, 2017, 556; my emphasis).

Hegemony and Passive Revolution: The Zero-Sum Game of Political Struggles

Degenerations of such an approach could be found, for example, in Ian Bruff's account of Agenda 2010 in Germany, where passive revolution is explicitly contrapposed to hegemony (Bruff, 2010; see also Coutinho, 2007 and Losurdo, 1997, 155). It is true that Gramsci himself refers to certain historical developments to be the result of a condition of 'dictatorship without hegemony' (Q15§59); yet, if taken literally, this formulation can be highly misleading. The reason for this can be exposed by looking at Gramsci's treatment of the disaggregation and reconstruction of the hegemonic group after World War I. Gramsci's line of thought is the following:

[8] This approach can be seen also in Roccu's (2017, 555) treatment of the Tunisian restructuring after Ben Ali's overthrowing, considered as exemplary of what Gramsci calls passive revolution. Roccu, in fact, seems not to consider the absence of a Jacobin moment in Tunisia as the primary reason for capitalist restructuring.

> First of all, why has it disaggregated? Perhaps because a strong collective and antagonistic political will has developed? If that was the case, *the problem would have been solved in favour of this antagonistic force*. It has disaggregated, rather, because of purely mechanic causes of different type: 1) because great masses, previously passive, started moving [*sono entrate in movimento*], but in a chaotic and disorganised movement, without direction, i.e.: without a precise collective political will; 2) Because the middle classes that during the war had a position of leadership and command, have lost it during the time of peace … 3) Because the antagonistic forces resulted incapable of organising for their own advantage such disorder (Q7§80: 912-3; author's translation and emphasis).

It is certainly true that there is a substantial difference between a purely a-critical mass of people that passively accepts the ruling order (thus fully accepting its position of leadership and command) and one that moves against it, though in a chaotic and un-organised manner. However, as it is clear from this passage, the absence of an organic collective will is the ultimate reason why oppositions do not manage to move beyond, and thus end up re-precipitating into, the previous hegemonic bloc. Here it is probably worth referring to what Ernesto Laclau and Chantal Mouffe, in a rather critical account of Gramscian understanding of hegemony, define as the 'zero-sum game of political struggles […] where a failure in the hegemony of the working class can only be followed by a reconstitution of bourgeois hegemony' (2014, 59). This means that passive revolution, in Gramsci, should not be seen as opposed to hegemony; but rather as describing a situation in which failures to produce a creative moment force the subaltern to recapitulate, *nolens volens*, into the previous hegemonic bloc.

As it has been argued in this section, current approaches to passive revolution not only are at times philologically inconsistent with Gramsci's text but they also present at least three issues in the conceptualisation of movements of opposition and their relation *vis-à-vis* capitalist restructuring. Firstly, the great emphasis placed on the potential of the ruling bloc to use state power seems to undermine (both theoretically and practically) any potential for revolutionary politics. Secondly, and connected to the first point, the aforementioned approaches are unable to account for strengths and weaknesses of movements of resistance *vis-à-vis* capitalist restructuring, mainly because they do not see the two

realms as dialectically interrelated, and a strengthening of the former could always be repressed by impositions from the later. In fact, and this is the third point, the strong antithesis of the subaltern, even when emphasised, appears as being never enough when compared to capital's ability to restructure the social order. In what follows, I will suggest that engaging with Gramsci's notion of passive revolution could be useful to move beyond these fallacies. In particular, I shall argue that it is only by seeing the seeds of capitalist restructuring always-already at play in the every-day praxis of the subaltern classes, that Gramsci is able to conceptualise the potential for revolutionary politics.

Passive Revolution in the *Prison Notebooks*: Passivity Revisited

Given the aforementioned criticisms to current approaches to passive revolution, this section will argue that Antonio Gramsci's conceptualisation of changes and stability within the capitalist society has the potential to re-establish a connection between struggles and socio-historical development. Against the general conceptualisation of current studies that think the Gramscian analyses of passive revolution as a process that is ultimately in the hands of the ruling classes, I suggest that this is better understood as being based on the *passivity* of a potentially transformative agency. The notion of passive revolution was firstly formulated by Vincenzo Cuoco, who employed it in order to understand the lack of involvement of the popular masses in the Neapolitan revolution of 1799.

Gramsci argues that whilst Cuoco meant it as a 'warning to create a national mood of greater energy and popular revolutionary initiative', the term was soon converted by the Moderates and the neo-Guelphs 'into a positive conception, into a political programme' that concealed 'the determination to abdicate and capitulate at the first serious threat of an Italian revolution that would be profoundly popular, i.e.: radically national' (1971, 59f, Q10§6, 1220). The idea of passive revolution as a process crucially dependent on the shortcomings of subaltern groups is well encapsulated in a note that Gramsci writes in Notebook 8, where he criticises the idea of mechanicism as explaining capitalist stability. Gramsci argues that:

> when the subaltern becomes diligent and responsible, mechanicism appears sooner or later as an imminent peril […] the limits and the dominance of the force of things are restricted, why? Because, at the end, whereas yesterday the subaltern was a *thing*, today he is not a thing anymore but a

> historical person; whereas yesterday he was irresponsible because he resisted an external will, today he is irresponsible because he does not resist, despite being an active agent. But has he ever been mere *resistance*, mere *thing*, mere *irresponsibility*? Certainly not, and that is why it is always necessary to demonstrate the futility of mechanic determinism (Q8§205, 1064; author's translation).

Stability is thus not the product of external impositions, rather it is dependent on the passive role played by the subaltern groups that (*actively*) help in reproducing the current system of exploitation.[9] In fact, Gramsci warns us that 'it is never to be forgotten that historical development follows the laws of necessity only so long as the initiative has not decisively passed on the side of those forces that aim at the construction according to a plan, of pacific and sympathetic division of labour' (Q14§68, 1729; author's translation).

Passivity is thus related to the lack of political initiative of the subalterns. In this sense, Gramsci not only provides us with useful theoretical tools to criticise the vulgar materialism associated with Nikolai Bukharin that understands the subaltern classes as *ontologically* deprived of will. The *Prison Notebooks* conversely criticise the idea that the masses are always-already *active*. In fact, as he argues in a famous passage, 'the philosophy of praxis […] is not an instrument of government of the dominant groups in order to gain the consent of and exercise hegemony over the subaltern classes; it is the expression of these subaltern classes who want to educate themselves in the art of government and who have an interest in knowing all truths, even the unpleasant ones, and in avoiding the (impossible) deceptions of the upper class and – even more – their own' (Gramsci, 1995, 395-6; Q10§41xii, 1320). Continuity in the order of capital is thus not rooted in external impositions or in the rationalisation of society operated by institutional apparatuses, but rather in the self-deception of potentially oppositional social groups. Therefore, a strong antithesis, rather than being the basic condition for a passive revolution, as Callinicos and Roccu would have it, is the primary antidote to it.

It thus becomes crucial to understand what is involved in the passage from a state of passivity to one of creative activity. Returning to the *Prison Notebooks*, three overlapping dialectical relations are identified as being key to

[9] For a similar argument see Finocchiaro, 1973.

Gramsci's understanding of this relation: at the ideational level, the dialectic between *common sense* and *good sense*; at the institutional level, the dynamic between *bureaucratic* and *democratic centralism*; at the level of class struggles, the dynamic between *corporatism* and *universalism*. This analysis is not meant to suggest an abstract fragmentation of Gramsci's holistic thought.

As I will show, in concrete situations, these dimensions are indeed very much interrelated. The purpose of analysing them separately, however, can be seen as threefold. First, it will help me to emphasise Gramsci's treatment of the manifold roots of popular passivity and its implication for rethinking popular agency. Secondly, I will be able to demonstrate that such passivity is not seen as being imposed on the subaltern through the backup strategies of the ruling class, but rather it is always part of dynamics internal to the subaltern themselves. Thirdly, I will argue that Gramsci takes such passivity as the main reason why the ruling class is capable of keeping and reinforcing its position of dominance. I will thus argue that it is on these levels that the *Prison Notebooks* identify the challenges faced by revolutionary projects, that do not limit themselves to accept the already established structures, but want to engage in the creation of a new state. For the reasons highlighted in the previous section, these dimensions can also be seen as different levels on which the ability of the subalterns to emancipate themselves from pre-established hegemonies – and thus create their own – is articulated. In turn, I will take into consideration both the role that they play in the perpetration of capitalist dominance as well as the political project that they point towards if one wants to overcome it.

Common Sense and Good Sense

As anticipated, the struggle against passive revolution at the ideological level is identified with the dialectic between common sense and good sense. In Gramsci, this dichotomy is at the core of the relationship between intellectuals and people-nation. Whilst common sense is an incoherent stage of opinion formation, good sense is realised once people begin to think coherently and organically to their everyday life experience, thus producing their own intellectuals. In the *Prison Notebooks* good sense is thus the embodiment of philosophy in society. Gramsci significantly argues for a strict connection between philosophy and common sense, suggesting that we would need a history of common sense in order to investigate the genesis of the problems that are reflected only in a minimal part in the history of philosophy. This would ultimately 'help to demonstrate their real value (if they still have one) or the significance that they

have as overcome links of a chain and to individuate the new and actual problems or the actual stage of old problems' (Q11§12, 1383; author's translation).

The value which is alluded to here is that coming from the connection 'between intellectuals who "know" and the "people-nation" that merely "feels"' (Fontana, 2015, 57). These two are strictly connected, as there is no 'high culture' that has not germinated from everyday-issues and, conversely, no philosophical speculation is meaningful if it is unable to speak to people's problems. The *Prison Notebooks* thus recognise both the importance of and the necessity to overcome common sense, thought as both being the necessary point of departure of critical intellectual activity and, at the same time, as one of the main obstacles that keep the subalterns in their position of passivity and prevent them from becoming hegemonic.

Therefore, not only is there a common ideological feature shared by both fragmented common sense and what Gramsci calls 'high culture' (*alta cultura*) – that proper to those intellectuals that construct a coherent philosophy detached from the masses and functional to socio-political domination. More radically, for Gramsci, these are two sides of the same coin: 'high culture' can be coherently articulated and used as a means of dominion only so long as common sense is fragmented and incoherent. The *Prison Notebooks* thus radically detach themselves from the physiological readings of ideology *à la* Bukharin, also developed by the *idéologues*. It is ultimately the recognition of the historical, thus potentially criticisable, nature of ideas to give the 'philosophy of praxis' its non-deterministic character. Ideology, for Gramsci, is not a pre-constituted set of ideas that is to be merely installed by the dominant groups into the minds of the subaltern classes. This is ultimately far from a coherent monolith: '[s]ome participate in ideology because of their position in the world of production, others for their participation in disaggregated world of common sense; there are those that produce ideology from their position as great intellectuals and those that do so as simple "clerks of the dominant group"' (Filippini, 2012, 94; author's translation).

This manifold manifestation of the ideological production points also to the fact that the incoherent rejection of the ruling class' intellectual production, *per se*, does not imply a complete emancipation. An example can be found in Notebook 3, where Gramsci discusses the position of peasants in Southern Italy (defined as *morti di fame*, the 'starvelings') and their 'generic' hate for the so-called 'masters' (Q3§46, 323) matured in conjunction with the highly uneven development of the Italian state since the beginning of the 19th century. The

polemic position of the peasantry, Gramsci argues, can be seen as a primary level of rejection of the constituted order; but at the same time it is insufficient to build 'class consciousness' inasmuch as 'not only does it not have an exact consciousness of its own historical personality, but it does not even have the consciousness of the historical personality and limits of its opponent' (*Ivi*, 323-4). This also escalates into the collaboration of the most productive sections of the *morti di fame* (those that aspire to small municipal jobs or to positions of clerk in the city) with the local bourgeoisie against the peasantry. The backward praxis of peripheral groups is thus understood as giving rise to a vague 'cosmopolitanism' that proves inadequate to build a revolutionary position based on a thorough knowledge of the state and on an organic class consciousness. Gramsci ultimately attributes a stage on 'non-activity' (linked to the lack of 'comprehension of one's own role') to the sporadic and subversive actions of the *morti di fame*, and argues that this needs to be linked to '"subversion" from above, thus … an arbitrary politics and of a personal or group clique [*cricca personale o di gruppo*]' (*Ivi*, 326-7; author's translation).

This makes clear that, in Gramsci, the leading position of restricted groups is always mirrored (and in some sense is the epiphenomenon of) the cultural passivity of the subalterns. Or, as Robert Jackson puts it, 'the sedimented layers of the anachronistic tradition continue to be reproduced not simply from above, but by the very groups that stand to benefit from the negation of their influence' (Jackson, 2016, 221). As it is clear from the example of the *morti di fame*, Gramsci connects the inconsistent intellectual production of subaltern groups both to the fragmentation of struggles and to the bureaucratisation of politics that leaves coercive power in the hands of a restricted group of people. These other dimensions on which passivity is articulated and reproduced will be analysed in the following sub-sections.

Bureaucratic Centralism and Democratic Centralism

Gramsci defines bureaucratic centralism as the dominion of a part over the whole, whilst democratic centralism is 'centralism in motion' [*centralismo in movimento*], thus a continuous adjustment of the organization to the real historical development' (Q9§68, 1139; author's translation). Bureaucracy plays a crucial role in ensuring the continuity of capital as it is 'the most dangerous habitual and conservative force' (Q13§23, 1604; author's translation). Institutional dynamics are therefore a primary example to be taken into consideration if we are to understand the 'non-contemporaneity of the present'

(Thomas, 2009). In this emphasis on the connection between bureaucracy and the continuation of capitalist dominance, Gramsci shares a concern that is common among contemporary critical studies – particularly those that highlight the role played by strong institutions in ensuring the endurance of capital's laws (Bonefeld, 2015, 2017; Ryner, 2015).

Yet, the identification of the sources of such bureaucratic structure seem to be radically different in the two cases. Whilst the reference to strong institutions usually alludes to the displacement of an otherwise already democratic stance of change, for Gramsci bureaucracy is possible only in virtue of masses' passivity. In fact, he argues that 'it needs to be stressed that the unhealthy manifestations of bureaucratic centralism occurred because of a lack of initiative and responsibility at the bottom, in other words because of the political immaturity of the peripheral forces, even when these were homogeneous with the hegemonic territorial group' (Gramsci, 1971, 189; Q9§68, 1139). In synthesis, it is only by seeing the seeds of bureaucracy in the everyday shortcomings of potentially transformative agency that Gramsci is able to conceive an overcoming of bureaucratic centralism. Against such static structures, in fact,

> democratic centralism offers an elastic formula, which can be embodied in many diverse forms; it comes alive in so far as it is interpreted and continually adapted to necessity. It consists in the critical pursuit of what is identical in seeming diversity of form and on the other hand of what is distinct and even opposed in apparent uniformity, in order to organise and interconnect closely that which is similar, but in such a way that the organising and the interconnecting appear to be a practical and 'inductive' necessity, experimental, and not the result of rationalistic, deductive, abstract process – i.e.: one typical of pure intellectuals (Gramsci, 1971, 189; Q13§36).

Democratic centralism, therefore, can be seen as the truest realisation of the unity of theory and praxis, which involves an organic connection between the intellectual strata and the popular masses as well as between the rulers and the ruled (Gramsci, 1971, 190). Gramsci thus points towards the need to move beyond bureaucratic systems, beginning with the awareness of the main reasons that brought about bureaucracy in the first place and, therefore, identifying the aspects on which the subaltern can work to overcome it. This will ultimately give

collective subjects, rather than isolated individuals, the possibility to produce real historical change (Filippini, 2017, 51). This critically shows the interrelations between the overcoming of bureaucratic centralism and the need to move both beyond occasional and fragmented opinion and beyond disaggregated forms of struggles, in order to create a collective subjectivity. This will be best understood by looking at the following sub-section.

Corporatism and Universalism

In a note called *Alcuni aspetti teorici e pratici dell' 'economicismo'*, Gramsci argues that movements of resistance should not be solely studied via the lenses of economic activity, 'as this affirms an immediate element of force, thus the availability of a certain financial supply direct or indirect… and that's it. Too little. Also in this case, the analysis of the different degrees of relation [*gradi di rapporto*] of forces cannot but culminate in the sphere of hegemonic and of ethico-political relations' (Q13§18, 1597; author's translation). In fact, Gramsci's understanding of revolutionary politics should be understood as articulated on three levels (see Frosini, 2010). Firstly, an organization based on an homogeneous social group linked to professional relations within a certain group. Here we have the mere corporatist phase typical of the *organizzazioni di mestiere*. Secondly, the group develops the consciousness of solidarity but still purely within the economic realm. Thirdly, we have a phase in which

> consciousness of one's corporatist interests…overcome the corporatist realm of the economic circle, and can and should become the interests of other groups subordinated. This is the phase more explicitly political… determining beyond the economic unity and politics also the intellectual and cultural unity, not on a corporatist realm, but rather on a universal one, of hegemony (Q4§38, 457; author's translation).

Praxis *par exellance* in Gramsci is thus not that of economic activity, but rather the ethico-political production. It is only through the creation of a new hegemony that the 'structure ceases to be an external force which crushes man, assimilates him to itself and makes him passive; and it is transformed into a means of freedom' (Gramsci 1971, 367; Q10§6, 1244).

Such a dynamic was already emphasised in Gramsci's polemic against trade unions for remaining still within the realm of economic competition, and in the comparison with the Factory Councils which were more apt to create a revolutionary alternative, based not only on the competition between classes, but on a new ethico-political system and on the self-government of the working class (Gramsci, 2016). In particular, whilst trade unions were acknowledged as being a positive organism to move beyond workers complete subalternity *vis-à-vis* capital, their action was necessarily also conservative as their very organisation made sense only within the borders of a capitalist system. In Gramsci's (2000, 93) words, '[t]he emergence of an industrial legality is a great victory for the working class, but it is not the ultimate and definitive victory.' For this reason, Gramsci criticised the approach to unionism of organisations such as the *Confederazione Generale del Lavoro* (CGL) and its metal-mechanic affiliate, the *Federazione Italiana Operai Metallurgici* (FIOM). This is again a situation in which a purely passive and alienated mass of workers can be distinguished from forms of organisations, such as unions, that help in producing a critical consciousness of one's position.

Yet, in both cases the antithesis tends to fall back into the previous hegemonic bloc, in as much as it does not create a hegemonic moment of its own. This idea in Gramsci is ripped of any form of determinism, as he argues that '[t]he trade union is not a predetermined phenomenon. It becomes a determinate institution, i.e. it takes on a definite historical form to the extent that the strength and will of the workers who are its members impress a policy and propose an aim that define it' (*Ivi*, 92). Gramsci also adds that

> [i]f the trade-union officials regard industrial legality as a necessary, but not a permanently necessary compromise; if they deploy all the means at the union's disposal to improve the balance of forces in favour of the working class; and if they carry out all the spiritual and material preparatory work that will be needed if the working class is to launch at any particular moment a victorious offensive against capital and subject it to its law then the trade union is a tool of revolution, and union discipline, even when used to make the workers respect industrial legality, is revolutionary discipline (*Ivi*, 93).

Ultimately, the success or failure of trade unionism to sublate itself and develop into a revolutionary movement is dependent on the capacity of hegemonic

production of the workers and people that compose it. In the same manner, the defeat of the Factory Councils in the 1920s proved that the absence of coordination of revolutionary forces makes it possible for moderates to incorporate them into a conservative project (Salvadori, 2018, 151-61).

Conclusion

As previously remarked, in 1933 Gramsci suggested that passive revolution should not be confused for a political project, but it can guide praxis only to the extent that it 'assumes, or postulates as necessary, a vigorous antithesis' (Q15§62, 1827).[10] In Gramsci, the historical subject is thus not shaped by pre-existing structures but proves its autonomy in actively recomposing and overcoming given conditions, crucially emancipating itself 'from the fallacies of representation and perception of life that that subject, being subaltern, necessarily possesses in itself at the beginning' (Finelli, 2011; author's translation). Objective historical conditions are, therefore, never the ultimate explanatory tool to understand the failure of a revolutionary project, and conversely only a project capable of moving beyond immediate reality to produce a creative moment of its own can overcome passivity and become hegemonic. In fact,

> [m]ass action is not possible while the masses remain unconvinced of the purposes it is pursuing or the means to achieve them. If it is to become a governing class, the proletariat must rid itself of all the residue of corporatism, of every syndicalist prejudice. What does this mean? It means that not only must the divisions between different jobs be overcome, but that to achieve consensus and to win the trust of the peasants and some of the semi-proletarian urban masses some prejudices have to be addressed as well as elements of egotism which still persist among workers even when they have left behind craft particularisms. The metal worker, the carpenter, the building worker will need to learn to see themselves as members of a class that will lead the peasants and the intellectuals, a class that can only win and build socialism if it is supported and followed by the majority of society. *If it does not achieve that* […] it will give

[10] For accounts that consider passive revolution as a political project see e.g.: Callinicos, 2010; Vianna, 1998.

> the state the possibility of crushing the rising tide of workers' struggles and breaking the movement (quoted in Robaina, 2006; my emphasis).

The link is thus evident between the potential for the bourgeoisie to impose coercively its own control over society and the fallacies of subalterns' attempt to become true organic subjectivity (Badaloni, 2014, 102). The coerciveness of capital restructuring would in fact not be possible if it was not for the ideological (common sense), organizational (bureaucratic centralism) and interest-based (corporatism) fragmentation of potentially revolutionary social groups. Gramsci seems to reverse the general insight of critical theorists according to whom we can understand the continuation of capitalist practices as the result of increasing rationalisation and coerciveness of the capitalist system.

In this light, future studies should point not only to the significance of Gramsci in grappling with crucial theoretical concepts which allow us to overcome the fallacies of contemporary critical studies. At the same time, the *Prison Notebooks* could be a fruitful source to point in the direction of alternative lines of research that not only focus on how mechanisms of government tend to impose capitalist dynamics but also to how such logics are asserted, reproduced and can potentially be contested from the subalterns themselves. This challenges us to identify and perpetrate the forms of praxis that are capable of offsetting the dead mechanisms that seem to mechanically rule over our everyday life. Having this as an objective, the concept of passive revolution can be an important tool both to guide political praxis and to provide a coherent understanding of the connection between capitalist dominance and its potentially contested nature.

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Precarity as the New Reality? Millennials' Representation in the Changing Workplaces Review Policy Process

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ABSTRACT: Millennials, comprising the majority of the Canadian labour market, have come of age in a time of shrinking safety nets and precarious work. The Changing Workplaces Review (CWR) in Ontario was commissioned to explore how work conditions have shifted in line with globalization, neoliberalism, labour market restructuring, and the gig economy. The final report offered a golden opportunity to suggest legislative adjustments to employment standard and labour relation legislation in a way that strengthened workplace and employment conditions for millennials. Considering the unique barriers facing this generation, this paper proposes a scale for categorizing the type of representation this group received within the consultation phase of the policy process of the review. Findings demonstrate that the most salient aspects of precarious work which specifically target millennials received a small, but substantive representation from community groups, labour unions, and other allies within community consultations. However, our analysis revealed that the substantive representation was not reflected in either the final report or in the ensuing legislation. We conclude that a small clustering of substantive representation, while an important contribution to the public debate, can be overlooked by policy makers, especially when concerns run counter to the dominant framing of the group and issue.

KEYWORDS: intersectional policy analysis; millennials; precarious work; policy process; changing workplaces review

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Introduction

The topic of millennial workers has received growing attention from academia, (Broido, 2004; Standing, 2011; Twenge, 2006; Worth, 2016) business management (Ng, Lyons, & Schweitzer, 2017; Pînzaru, Vatamanescu, Mitan, Savulescu, Vitelar, Noaghea, & Balan, 2016), and marketing (Goldman Sachs Global Investment Research, n.d.; Norris, 2015). This generation's workplace values, goals, and characteristics are commonly conceived as an anomaly to be studied and explained (Bonfiglio, 2008; Deal, Altman, & Rogelberg, 2010; Holt, Marques, & Way, 2012; Kuron, Lyons, Schweitzer, & Ng, 2015). Interestingly, however, there does not exist one common definition for millennial (Ng et al., 2017). The generation born after 1980 has had a number of names: Generation Y, Gen Me, Gen Next, Generation Squeeze and Millennials (Kershaw, 2017; Ng et al., 2017; Twenge, 2006). Media representations of millennials have contributed to the confusion of how we understand this cohort. For example, Mirrlees (2015) has identified four media representations of millennials that include, "a member of a youth cohort, a sovereign consumer, a worker to be managed, and an immiserated victim of hard times" (p. 278). While these representations reflect the diversity of the group's constructed identities, we use the popular designation of millennial as introduced to academia by Howe and Strauss (2000) who defined the cohort by their age range, as being born between the years 1982 to 2002 (aged 18-37).

Ontario finds itself at a pivotal point for millennials who are just entering the labour market or are searching for an end to precarious employment. For the first time in 25 years, the Ontario government has struck a commission that will impact the *Employment Standards Act, 2000* (ESA) and the *Ontario Labour Relations Act, 1995* (OLRA). The Changing Workplaces Review (CWR) was commissioned by the Ontario Liberal Government in 2015 to explore the changing nature of work in Ontario and how labour laws may need to adjust in accordance. As the provincial government is intent on moving forward with alterations to legislation (Ministry of Labour, 2017), the CWR provides a unique opportunity to examine how millennials are represented in relation to discussions of their participation in the Ontario labour market. Such a review further offers the possibility to ensure that the voices and concerns of the most precarious workers are represented and remedied.

Although millennials are a diverse cohort with varying life goals, oppressions and privileges, the one constant that remains is their inevitable and

necessary participation in the Ontario labour force[13] (Ng, Lyons, & Schweitzer, 2017). While most will participate in paid work, their participation will occur in different ways in the labour force, ways that range from low wage labourers to employers. Statistics Canada (2016) identified that Ontarians, between the ages of 15-34, have reached over 2 million. Nationally, they have become one of the largest age group in the labour force, surpassing the Baby Boom Generation (Norris, 2015). The value of focusing on millennials can be explained by their many years of future labour force participation[14]. If labour and employment law policy reform are to occur, it must adequately address the needs and challenges of a generation entering a labour market that is increasingly characterized by contract, temporary and precarious forms of employment.

This study seeks to explore the different types of representation that this cohort received in the policy process. More specifically, we aim to understand how millennials and their labour force options and experiences are represented in the submissions to the CWR and the final report. We recognize that, while this cohort is defined by age, their multiple constructions (Mirrlees, 2015) and lived experiences pose challenges in how they are represented in the policy process. Based on the nature of their representation in this policy process, we explore the degree to which millennials are a serious consideration of labour policy, and as such, if they are viewed as a group deserving of this attention.

This paper will argue that addressing the challenges of millennials in the Ontario labour force is an important policy goal. It will then identify the significance of representation in the policy process in relation to an intersectionality-based policy analysis (IBPA), followed by examining the depth of precarity for this demographic and a brief timeline of the events leading up to the CWR. Four codes were developed to operationalise representation in the policy process, and these will be used to explore the research questions. Following this analysis is a discussion of how representation is taken up in the submissions to the CWR and in the final report and the implications of the degree of representation achieved. The paper concludes with opportunities for future research that links representation and intersectionality.

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[13] Here is it important to note that the authors are in full support of those who exist outside of that labour force due to health-related issues or otherwise.

[14] For more information on the experiences of Baby Boomers and their experiences of precarious work; please see Standing (2011) and Silver, Shields, Wilson, & Scholtz (2005).

Representation in the Policy Process and Intersectionality-Based Policy Analysis

In 2016, Federal Minister of Finance Bill Morneau told a group of Canadian youth that they should expect "job churn" (characterised by short-term, temporary employment) throughout their lifetime (Canadian Press, 2016). The comment led to an action by members of a Canadian Labour Congress youth labour forum who turned their backs on Prime Minister Justin Trudeau in peaceful protest against the Minister's remarks (Pedwell, 2016). A demonstration such as this reveals that some members of the 18 to 37 cohort are deeply disappointed with the current conditions of work and the lack of political responses.

The peaceful protest against the Prime Minister and Minister of Finance's comments highlighted the disapproval of precarity as the new status quo for millennials. As explained by André and Depauw (2017) disagreement between constituents and their political representatives is a predictable aspect of politics; however, when the opinions of elected officials are found consistently incongruent with their constituents, citizens are likely to be discontent with their policies. This discrepancy reflects the increasing importance of representation in the policy process (André & Depauw, 2017).

On the topic of representation and community participation in the policy process, the Organisation for Economic Co-operation and Development (OECD; 2001) outlines a number of benefits. Significantly, the report explains how engaging citizens in policy-making contributes to strengthening public faith in governments and creates better policy. Results of the report note "higher levels of implementation and compliance given greater public awareness of policies and participation in their design" (OECD, 2001). Moreover, "allowing governments to tap wider sources of information, perspectives, and potential solutions" improves the quality of policy (OECD, 2001, 19). The report further highlighted the importance of ensuring representation with respect to diversity as a vital aspect of robust policy creation. In short, representation is important for good policy.

Recognizing the diversity and complexity of a group's lived experiences is another important aspect of policy creation and is one of the central tenants of an intersectionality-based policy analysis (IBPA). In a discussion of intersectionality and public policy, Hankivsky and Cormier (2011) argue for a policy process that considers the unique experiences of social locations that are context dependent and fluid. An intersectional analysis, informed by social

location, gained recognition when it was articulated by Crenshaw (1991) in her seminal work in the field of law. Crenshaw examined the ways gender, Blackness, and class interlock creating unique experiences of oppression for Black women in the legal system. Intersectionality has since gained popularity in academic fields including public policy (Bishwakarma, Hunt, & Zajicek, 2007; Hankivsky & Cormier, 2011; Hankivsky, Hunting, Giesbrecht, Fridkin, Rudrum, Ferlatte, & Clark, 2014). In the area of social policy, "intersectionality conceptualizes social categories as interacting with and co-constituting one another to create unique social locations that vary according to time and place. It is these intersections and their effects that are of concern in an intersectionality analysis" (Hankivsky et al., 2012, 35). To do so, IBPA uses three components in policy analysis. The first element is concerned with the interrogation of diverse sources of information and knowledge, and the implicit assumptions, historical context, and relationships of power that frame the policy issue, (Hankivsky et al., 2014). The second component speaks specifically to issues of representation and how policy issues impact specific populations; while the third highlights areas for advocacy efforts (Hankivsky et al., 2014). When using an IBPA, these three components are applied to and guide the entire policy process.

In this research project, we focus specifically on how millennials are represented in the submissions to the CWR. While this consultation is only one aspect of the policy process, it is the most publicly accessible aspect where issues of representation can be readily introduced. Therefore, the focus of this analysis will centre upon this early stage of policy formulation wherein proposals for addressing policy issues are provided and policy actors engage in community consultation processes (Biskwakarma et al., 2007). Focussing on this area of the policy cycle, our research is grounded in the assumption that "to fully understand who is at issue also requires…the voices of vulnerable and marginalized individuals and groups be represented within the policy-making process" (Hankivsky & Cormier, 2011, 219). If a group is not represented, then by extension it would be challenging to create a policy that addresses their concerns. Further, without effective representation, the analysis cannot move to a reflexive consideration of the "meaning-making processes of privilege and exclusion in policy making and ultimately lead to the reconstruction of harmful and oppressive policies" (Hankivsky & Cormier, 2011, 219).

When working with communities, Code (1995) asks what type of space is created for community members to express their ideas. The author argues that "our concern should not be directed at what is said but more significantly, what is

heard, discussed and considered? Whose voices and concerns have 'a reasonable expectation of take-up'" (Code, 1995, xiv). The first step in this process is to identify if the voices of millennials were represented, if the group was heard, were their issues considered or discussed and subsequently if they were taken up in a meaningful way in the final policy.

Why Millennials?

Globally, millennials are encountering substantial barriers to accessing the labour market in the wake of the financial recession of 2008 (International Labour Organization, 2013). The International Labour Organization (ILO) estimates the global youth unemployment rate was at 12.6 per cent in 2013; accounting for approximately 73 million young people. Prolonged unemployment is leading many young people to take on jobs that are temporary to generate income (ILO, 2013). Compounding this crisis is a skills mismatch wherein young people are overqualified for the job they are doing leaving the benefits of their skills lost on society (ILO, 2013, 1). In response, the ILO is calling for nations to implement "creative, wide-ranging policy solutions" (2) to break this damaging cycle.

Canada is among the nations impacted by this crisis. The Canadian labour market has undergone a drastic transformation, through the 1990s, producing high levels of unstable, part-time precarious work (Cranford, Vosko, & Zukewich, 2003b; Silver, Shields, & Wilson, 2005). Since then, Canadians have experienced the proliferation of non-standard and precarious work (Lewchuk, 2017). Precarious employment is defined by "atypical employment contracts, limited social benefits and statutory entitlements, job insecurity, low job tenure, low earnings, poor working conditions and high risks of ill health" (Cranford et al., 2003, 455b). Notably, a recent Statistic Canada analysis reveals 5.6% of Canadians were involuntarily employed part time, while 12% found themselves in temporary work, and 15% were self-employed (as cited in Fleury & Cahill, 2018).

Workers' perceptions of their employment situation are an important indication of the impact of precarious employment that reach beyond the workplace. Lewchuk and colleagues' (2013) Employment Precarity Index measures precarious employment through indicators that include the relationship between the employer and employee, earning and hours of employment, when and how workers are paid (including on missed days), sense of confidence in articulating concerns without fear of losing their job, and personal perception of job permanence. Cranford and colleagues (2003a) add the dimension of legislative

protection to this definition by underscoring the lack of employment standard coverage for precariously employed workers. Although there are circumstances where part-time employment is desirable and non-precarious, many workers are interested in full-time permanent opportunities (Shier, Graham, Giotam, & Eisenstat, 2014). The dismantling of full-time, secure, unionised employment favours the interests of business and capital (Stanford, 2008), dramatically affecting workers' quality of life.

The lack of security afforded by precarious work has adverse impacts on the future of Canada as millennial workers will soon be the largest cohort in the labour force. There are 6.8 million young Canadians between the ages of 15 – 29[15] ; of which one-third find themselves in temporary employment (Canadian Labour Congress [CLC], 2016, 6). Although there is a proliferation of part-time work, "over 230,000 young workers would rather work full-time hours but business conditions [do not] allow for it" or they could not locate full-time employment (CLC, 2016, 8). This is in sharp contrast to the core working age group[16] as young workers are twice as likely to be unemployed (CLC, 2016, 7). Nationally, Ontario has been cast as one of the worst places for youth unemployment and limited full-time job prospects (Kershaw, 2017).

In 2013, Geobey outlined the reality of youth unemployment in Ontario, a valuable analysis which illuminates the experiences of a subset of the millennial category (i.e., those 18- 24 years old). The report highlights the challenge young workers aged 15 to 24 encounter when accessing the labour market post-recession. The report indicates Ontario's youth are faring worse than other provinces at rates that are "twice as high as the overall provincial unemployment level" (Geobey, 2013, 5). More troubling was the finding that youth unemployment is "turning out to be chronic, rather than a short-term result of a global economic crisis" (Geobey, 2013, 7). The Law Commission of Ontario (LCO; 2012) explored this actuality explaining the compounding effect of their challenges in accessing the labour market and their desire for employment, resulting in young workers being pushed into non-standard jobs (characterised by temporary, part-time, contingent work). As a result, young people are overrepresented in temporary, part-time employment. An additional factor in

[15] Statistics Canada does not use the 18–37 age group but instead 15-19, 19-24, and 24 and over.

[16] Statistics Canada identifies the core-age labour force as 25-54. http://www.statcan.gc.ca/pub/75-001-x/10906/9297-eng.pdf

analysing the unemployment rate is the increase of unpaid internships outside of the degree-specific requirements which add to this generations' level of precarity. Unpaid labour has broader and longer-term negative impacts on the Ontario economy (LCO, 2012). In response to these economic circumstances, the LCO identified younger millennials as a vulnerable group within the labour market.

These findings are echoed by Kershaw (2017) who argues Ontario is one of the worst performing economies in Canada for people under 45. Employment vulnerability has adverse impacts on millennial's short – and long-term quality of life. The standard of living for millennials has deteriorated, impacting this generation's ability to secure good-paying jobs as "Ontario is the only province in Canada to report a decline in full-time earnings for the typical 25– 34-year-old since 2003" (Kershaw, 2017, 3). Home-ownership is increasingly challenging, taking an average of 15 years to secure a 20 percent down payment; a stark contrast to the five years it took in 1976 – 80 (Kershaw, 2017). High levels of personal debt are burdening the futures of young generations, which has risen by $19,000 since 1999 for Ontarians under 35 (Kershaw, 2017). This reality has adverse impacts not only on the quality of life of millennials but also for Ontario as the downward pressure of a dwindling middle class leads to less purchasing power and re-investment of capital back into the economy (Kershaw, 2017).

Millennial's vulnerability and uncertain future is heightened as they are less likely to be covered by the ESA. Vosko, Noack, and Thomas (2016[17]) explain that "[m]ore than a quarter of young [aged 15 to 29] employees (27%) have special rules relating to public holiday pay, compared to only 20% of employees overall. Young employees' relatively short job tenure also results in lower levels of access to vacation time as well as termination and severance pay" (p. 4). This is particularly acute in sectors where millennials are overrepresented, such as construction and hospitality which are characteristically precarious. Due to the nature of their work, young employees find themselves exempt from the ESA on issues related to vacation time, termination and severance pay (Vosko et al., 2016). In this way, the ESA has created enforcement loopholes that lead to exploitive employment practices impacting this group. Many labour organisations and community activists have long advocated for increasing the provincial minimum wage and codifying stronger workers' rights in law.[18]

[17] Report commissioned for the Changing Workplaces Review

[18] See http://workersactioncentre.org/

Chronology

Over the past decade, there have been a number of reports examining the issue of precarity and its relationship to poverty, poor health, and family cohesion. Beginning in 2007, the United Way produced the report *Losing Ground: The Persistent Growth of Family Poverty in Canada's Largest City*. Drawing attention to the considerable increase in poverty within the Greater Toronto Area the report. Evidence pointed to precarious employment and the deteriorating social safety net as among the causes of this disparity. Calls for changes to the labour force were heralded by academics, activists, organised labour and charities alike (Kalleberg, 2011; Law Commission of Ontario, 2012; Lewchuk et al., 2013; Workers Action Centre, 2011). Focussing on vulnerable workers in precarious labour, the Law Commission of Ontario (LCO; 2012). The authors put forward 47 recommendations to address the disadvantages faced by groups through legislative changes. In Southern Ontario, an Lewchuk and colleagues' (2013) report reinforced the overwhelming impact of precarious employment and poverty on the social, community, financial, physical, and mental well-being of residents in the region.

The ongoing conversation about precarity garnered attention in the political realm with Premier Wynne's 2014 Speech from the throne (Office of the Premier, 2014) wherein she committed to consulting with Ontarians to consider what could be done to address the changing workplace within the context of Ontario's labour and employment laws. Soon after, Minister of Labour Michael Flynn received his Mandate Letter from Premier Wynne. Therein, he was charged with leading a review of the province's employment and labour standards. In spring of 2015, the CWR was launched. The Advisors C. Michael Mitchell and John C. Murray were mandated to:

> "… consider the broader issues affecting the workplace and assess how the current labour and employment law framework addresses these trends and issues with a focus on the LRA and the ESA. In particular, the Special Advisors will seek to determine what changes, if any, should be made to the legislation in light of the changing nature of the workforce, the workplace, and the economy itself, particularly in light of relevant trends and factors operating on our society, including, globalization, trade liberalization, technological change, the growth of the service sector, and changes in the prevalence and

> characteristics of standard employment relationships" (Ontario Ministry of Labour, 2017, para 15).

Excluded from the consultations were labour provisions for the construction industry, the minimum wage, and issues that other policy reviews are already addressing (Ontario Ministry of Labour, 2017).

The pieces of legislation governing employment relationships in Ontario under review are the OLRA and the ESA. The OLRA is the law that regulations relations between employers and employees in workplaces including collective bargaining. There have been a number of revisions to the act, however, no major changes have occurred since 2005. The ESA establishes the minimum standards of workplaces in Ontario and underwent a major review in 2000-2001. As these critical guiding statues have not undergone a comprehensive revision in over a decade, the CWR provided a valuable opportunity to enhance labour protections in response to the onset of widespread precarious employment. Given its broad scope and mandate, issues related to millennials' engagement in the labour market would thus have the possibility of being addressed (Government of Ontario, 2016).

Over two years, the Advisors held public consultation sessions across the province and received submissions from various interest groups, community organisations, and independent establishments. During Phase 1 of the public consultations, the review received 217 in-person and written submissions from May 2015 to September 2015 (Government of Ontario, 2017). The Advisors also reviewed academic literature in preparing their report. After the release of the interim report in July 2016, public consultations were held. Phase 2 submissions responded to the CWR interim report and the added issue of personal emergency leave coverage (PEL). A total of 210 submissions were received for Phase 2, bringing the total public, written submissions to 427. The final report was released in May 2017.

Methodology

To examine how millennials were represented in the CWR, this study used content analysis to analyze the submissions to the CWR and its final report (2017). Content analysis is a methodology which is a "careful, detailed, systematic examination and interpretation of a particular body of material in an effort to identify patterns, themes, biases, and meanings" (Berg, 2007, 304). Remaining consistent with the methodology, Berg (2007) notes the criteria of selection must

be sufficiently rigorous and established prior to the analysis. The decision to use submissions to the CWR was founded upon the desire to understand the type and degree of representation millennials received in the consultation process and to explore the ways in which their concerns were discussed. Equally important was the presence of this cohort in the final report which helped inform the final legislation (Ontario Ministry of Labour, 2017).

At the first stage of analysis, we identified where millennials appeared in the 427 submissions by developing a list of descriptive search terms. In accordance with content analysis, Berg (2007) explains categories that emerge through the process of developing criteria should reflect all aspects of the messages, using exact wording when possible. As such, an inductive approach was used to create search terms by examining two submissions from groups that explicitly identified themselves as representing young workers and millennials: Ontario Public Services Employees Union Provincial Young Workers Committee (OPSEUPYWC; 2015) and Ontario Economic Development Society (OEDS) (Dedier, 2015). Within these two submissions, young workers and millennials were described using terms indicated in Table 1. In this way, search terms were not selected arbitrarily but rather in accordance with the subject group's self-identification. Further, these search terms were very stable in that when these terms appeared in the submissions, they were always referencing millennials.

Table 1: Search Terms Used in Submissions and the Changing Workplaces Review Final Report

Population demographic characteristics
Young*
Youth
Millennial
Generation*
Student

Note: an asterisk indicates any variation on the term, e.g., generations, younger.

Submissions were manually searched using the terms from Table 1, resulting in a sample of 109 submissions that contained any or all of these terms.

Only submissions that were directly related to the CWR were included[19]. From this group, three submissions were withdrawn resulting in the inclusion of *106 submissions* in the final sample used for our analysis. Further, the word student had multiple meanings that did not exclusively refer to post-secondary students (such as students under 18, or the student minimum wage). These occurrences were therefore excluded as they did not meet the inclusion criteria of the 18 to 37 age range.

When exploring the representation of millennials, it was important to first consider the physical presence of the demographic identifiers in the text. Manifest content analysis is an approach that examines what is physically countable and present in the sample (Berg, 2007). As this study is investigating the extent to which millennials are represented in the text, the number of times the identifiers occurred was counted to evaluate the frequency and magnitude of their presence. Our categories of representation where then applied to the total sample of 106 submissions which is inclusive of Phase 1 and Phase 2 consultations. The frequency distribution of these search terms and the corresponding category of representation is presented below, starting in Table 4.

Definition of Categories

To examine the degree of representation in the community consultation process this research proposes a methodology for categorising a group's presence in policy submissions. Each category of representation indicates an increasing recognition of the group. Our methodology consisted of coding both the type and frequency with which millennials are identified and their labour force experiences recognized. Rather than coding an entire report or submission, coding was initiated by the appearance of a demographic identifier and then the type of representation was determined by considering the surroundings words and sentences. Table 3 illustrates the definitions of the categories of representation, followed by an in-depth explanation of each category, including sample quotes from the submissions to illustrate how the coding was conducted.

[19] The above-noted letters from OPSEUPYWC and OEDS were excluded they were used to shape the conversation and search terms. Additionally, the submission made by Trillys Systems was withdrawn as it was a transcript of a debate in the provincial government on Bill 139.

Table 2: Definition of Categories of Representation

Type of Code	Mere mention	Nod	Substantive	Recommendation
Definition	Appearance in a list connected to other groups; or, used as an example	Come into focus as a stand-alone group with unique experiences; no in-depth discussion of issues	Group's issues are discussed in detail; issues relate directly to the labour market and labour laws	A recommendation to change the ESA or OLRA is made which name's the group and is in relation to an issue affecting the demographic

Mere Mention

The excerpts compiled within this category were chosen based on a demographic characteristic's appearance in a list (e.g.: racialized people, women, young people, disabled people, etc.) or as an example of a broader issue. This often occurs in the context of identifying a list of those who are considered vulnerable in the labour market. For instance:

> "It is a similar story in Thunder Bay as it is elsewhere in the province for precarious workers. They are living on the edge. Many go to the food bank regularly. Inadequate wages and benefits exacerbate mental and physical health problems. Children's lives are restricted. There is little time to participate in community activities. Precarious low wage jobs are heavily represented by women (many single mothers), Aboriginal people, recent immigrants and young people" (Poverty Free Thunder Bay, 2015, 3).

This quote demonstrates the way young people are mentioned as part of a list of people experiencing precarity. By doing so, the authors are speaking more to the issue of precarity rather than the specific experiences of millennials. This occurs again when they are used as an example:

> "Recent research on the economic and labour market impact of EPL has found that strict EPL can reduce job flows, negatively impact the employment prospects of some vulnerable groups (e.g. youth), reduce productivity, and impede economic growth" (Apotex, 2015, 11).

If the submission or report only identifies the group through a mere mention, then it would be difficult to develop an intersectional policy response as they are taken up as part of a group rather than a unique demographic requiring their own analysis.

Nod

This category was applied to sections of text in which millennial characteristics appeared as a stand-alone problem, and not attached to other groups of people or issues. Millennials are spoken about as a unique group with their particular issues regarding participation in the workforce. When millennials are discussed in this context, they suddenly come into focus as a group experiencing vulnerability and precarity in a unique way. Below are a number of examples to illustrate this appearance:

> "Compared to other Ontario employees subject to the ESA, a more significant percentage of employees in small firms are employed part-time (25%) or on a temporary basis (17%). And young employees (ages 15-29) are also concentrated in small firms. In short, the current exemption for PEL exacerbates labour market insecurity for employees already experiencing social disadvantages and precariousness in employment" (Closing the Employment Standards Gap 1, 2016, p 38).

> "The growth of so-called non-standard employment is itself a symptom of the growing power imbalance between employers and workers. With good jobs hard to find and a tattered safety

> net, people must take whatever is offered – temporary jobs, jobs where agencies rake a commission off their wages, jobs offering too few hours, multiple jobs, jobs without benefits or even meeting minimum standards, or accepting contract or phony "self-employment" status at the cost of ESA protections. Young workers are particularly vulnerable" (International Association of Machinist and Aerospace Workers1, 2015, 4).

The excerpts in this category highlight the way millennials are spoken about as a distinct group with their own experiences of marginalization in the labour force.

Substantive

This category extends beyond an acknowledgement of the stand-alone nature of the group and represents a substantive discussion or elaboration of an issue related to millennials. This is where the seeds an intersectional analysis would appear. The excerpts identify concrete employment issues, barriers, and strategies. They reflect an analysis of the concerns this group has about their futures and how the current laws impact their participation in the workforce. It also highlights different perspectives on millennials' labour force participation from industry and employers who discuss the role millennials occupy as their employees, and the perceived benefits of part-time and temporary employment for this group.

> "In addition, among the women we have interviewed, there is a shared desire for job-protected sick leave. "I worry about making ends meet…paying for the rent, transportation and the other necessities. There isn't anything left. I feel bad about getting sick and that I have to choose between work and health. If I lose hours or any of my jobs, I'm afraid we will end up in one of the shelters." The above expression of anxiety is spoken by a younger refugee woman, a university graduate who is juggling 3 part-time jobs in order to support her parent with disabilities and her siblings, as well pay her student loan" (Ng, 2016, 2).

> "Expected long tenure with one employer may be high for incumbent older workers, but many new entrants to the

> workforce cannot expect to have "lifetime" long-tenured jobs and a semblance of job stability with the same, often unionized, employer as did earlier generations. Younger workers can expect to start off in limited-term contracts or in internships (sometimes unpaid), or self-employment, and can expect to change careers often working for different employers" (Murray & Mitchell, 2017, 54).

The issues presented in the above excerpts highlight the realities of millennials and a declaration that their experiences of precarity need to be addressed.

Recommendation

This category is applied when demographic characteristics are named as part of a recommendation or solution. All submissions were coded for recommendations but it was beyond the scope of this study to determine whether substantive appearances lead to recommendations. For instance:

> "Unifor strongly recommends that the exemptions and variations listed in category 1 of Existing Exemptions (page 161) should be removed immediately and workers in these seven categories (IT workers, pharmacists, managers and supervisors, residential care workers, building superintendents, janitors and caretakers, students and liquor servers) have the full protection of the ESA" (Unifor, 2016, 38).

> "Cover all classes of worker and employers under the ESA without any exemptions. That would include younger workers, farm workers, workers with shorter tenure and managerial staff" (Registered Nurses' Association of Ontario, 2015, 10).

Recommendations speak to specific changes that need to be made to the OLRA or ESA in order to address the substantive issues impacting millennials' workforce participation.

Findings

The findings presented are discussed in relation to the two Phases in which the submissions were received by the CWR. In the first Phase of

submissions, the results reveal that demographic characteristics appeared a total of 300 times, whereas in the second Phase, they appeared 245 (for a total of 545 times in all submissions in which demographic identifiers appeared), and 39 times in the CWR final report.

Table 4 displays the cumulative count of both sets of submissions both by the terms searched and the type of representation. Of all the codes, the largest is substantive representation. Within this code, the terms used most frequently were: student (213) and young (161). However, it is important to note that the largest degree of substantive representation was clustered in only *19 submissions* across both Phases. This indicates that millennials and their relationship to labour laws and the workforce were only discussed substantively in 4.4%[20] of the submissions.

Integral to the research question is whether the presence of group characteristics in the community consultation process made an impact on the subsequent policy document. To explore this question, the same codes were applied to the CWR final report. Table 5 demonstrates that within the CWR final report millennial demographics appeared 39 times, with the majority located within the substantive category. Students accounted for a larger portion of the substantive comments as there was an entire subheading addressing the issues of the ESA student exemption from the 3-hour[21] rule which was followed by a recommendation to eliminate this from the labour laws. This was the only recommendation that was reflected in the submissions and the final report which used millennial demographic identifiers.

Table 4: Total Frequency of Appearance of Demographic Characteristics in Phase 1 and 2 Submissions to the Changing Workplaces Review

Terms/ Type	Mention	Nod	Substantive	Recommendation	Total by Terms
Student	22	21	145	25	213

[20] Cluster of 19 substantive submissions divided by the total 427 submissions times 100 equals 4.4%

[21] The 3-hour rule "establishes minimum pay for employees whose shifts are normally longer than three hours, but are sent home after working fewer than three hours" (Vosko, Noack, & Thomas, 2016, p. 61)

Young	33	40	79	9	161
Youth	22	9	41	4	76
Generation	3	16	24	0	43
Millennial	0	0	52	0	52
Total by Type	**80**	**86**	**341**	**38**	**545**

Table 5: Frequency of Appearance of Demographic Characteristics in the Changing Workplaces Review Final Report

Terms/ Type	**Mention**	**Nod**	**Substantive**	**Recommendation**	**Total by Type**
Student	3	1	15	1	**20**
Youth	4	3	2	0	**9**
Young	4	1	3	0	**8**
Generation	0	1	0	0	**1**
Millennial	0	1	0	0	**1**
Total by Terms	**11**	**7**	**20**	**1**	**39**

Notably, the top terms used to describe millennials in the submissions were student, young, and young. Constructing the group in this way connotes a temporary state of being in the labour market. Madison (2005) highlights the importance of representation in research. The author argues the way people are represented is often how they are taken up. These labels signify phases of life that someone can move through. Such a temporality may allow policymakers to normalize precarity during these periods as passing and therefore resistant to make an effort to change the outcomes for these groups. Whereas a more fixed term such as millennials identifies a generational group that continues to suffer

the impacts of precarious labour throughout their lifetimes. The next section will discuss the implications of these findings on millennials.

Discussion

Representation in the policy process was a principle concern in this research. As such, the study sought to operationalise representation through the development of four categories that reflect a scale of representation. The study asked if millennials are represented in submissions to the CWR and the final report, and if so, to what degree and how. We found that millennials were represented in a quarter of all submissions to the review[22]. While they appeared in a quarter of the submissions, the substantive representation was clustered in only 4.4% of all submissions (or 19 submissions in both Phase 1 and Phase 2). Further, Phase 2 submissions revealed a stronger presence of substantive comments. This finding could be attributed to the nature of Phase 2 submissions as responses to the interim report. It is possible that the public responded to the lack of representation in this interim report with more substantive comments regarding millennials in the second round of consultations. This may explain why they were only discussed substantively 20 times in the CWR. In the CWR, these occurrences were in seven paragraphs of a 420-page report.

At the policy level, the limited presence of substantive representation across the submissions would suggest that millennials are being grouped under the heading of vulnerable or precarious along with other groups. Although many groups may face similar concerns, this resulted in a nominal consideration of millennials as facing unique challenges. Another reason for the liminal presence is the way millennials were predominantly framed as young, youth, and students; therefore, inhabiting a temporary state of precarity. As one would expect, this similar pattern of nominal consideration was reflected in the CWR final report which only came forward with one recommendation aimed explicitly at millennials: the elimination of the student exemption to the 3-hour rule.

Using the lens of an IPBA, it is vital that the voices of the most vulnerable be present in the consultation process to create a nuanced, accurate response to the issues identified by marginalized communities (Hankivsky & Cormier, 2011). These findings have implications for an IPBA as millennials were nominally present in the final report and appeared in only one recommendation. This can

[22] Number of submissions in which demographic characteristics appeared (108; includes OECD and OPSEUPYWC) divided by total submission (427) times 100 equals 25.29

suggest a connection between a low frequency of appearance in the community consultation process of policy formulation and limited uptake of the group's concerns in the final policy document. Additionally, this policy was not intersectional as it did not reflect the experiences and challenges for millennials that were well articulated in the substantive excerpts. It is worrisome that this group was not given specific attention as it will soon become one of the largest demographics in the labour force.

Further, this study responds to the research question: how are millennials and the employment concerns they face taken up in the CWR final report? As there is only one recommendation that used millennial demographic characteristics, it was unlikely their issues would have been taken up in a way that would make an impact on subsequent policy decisions. Given their intense but limited representation in these policy documents, millennials are not represented as a serious consideration of labour policy. Consequently, although millennials received substantive representation in this policy process, their outcomes are limited to modest gains afforded to the larger category of those in precarious work.

Shortly after the release of the CWR, the Ontario Liberal government passed new legislation on November 22, informed, in part, by the CWR final report. Bill 148 – the Fair Workplaces, Better Jobs Act 2017, provides amendments to the OLRA and the ESA. Notable changes included a rise in the Ontario minimum wage to $14 per hour in 2018 and $15 per hour in 2019 followed by yearly adjustments to the minimum wage in line with inflation. Additional provisions regarding notification of scheduling changes, equal pay for part-time and temporary help workers, regulation around employee misclassification, and redress some of the more limiting aspects of union certification, among others, were also implemented (Ontario Ministry of Labour, 2017). A number of labour organisations have lauded many of the proposed changes to the OLRA and ESA. The Ontario office of the Canadian Centre for Policy's Alternatives' analysis of the report noted that the rise in minimum wage will universally support vulnerable Ontarians (Macdonald, 2017). Other aspects of the proposed legislation will support equal pay for equal work and dis-incentivize employers from using temp agencies (Block, 2017). The new legislation addresses some of the most egregiously exploitative practices that millennials encounter in the precarious labour market.

The community consultations for the CWR was an important aspect of the policy process that led to Bill 148. A significant ongoing challenge for

millennials will be disrupting the idea of precarity as the permanent economic status, as the Prime Minister and Minister of Finance suggested. There are already traces of this discourse in the CWR final report. One of the most telling statements is found in the comments made within the CWR final report by the Advisors in regards to employment tenure:

> "Expected long tenure with one employer may be high for incumbent older workers, but many new entrants to the workforce cannot expect to have "lifetime" long-tenured jobs and a semblance of job stability with the same, often unionised, employer as did earlier generations. Younger workers can expect to start off in limited-term contracts or in internships (sometimes unpaid), or self-employment, and can expect to change careers often working for different employers" (Mitchell & Murray, 2017, 54).

The notion that precarity is the new "reality" must be disrupted to protect the future of the millennial generation and the Ontario economy as a whole.

As millennials were grouped under the label of vulnerable workers, any benefit this group gains will be experienced by millennials in some capacity. This is primarily based on ideas put forward by intersectionality policy theorists that demonstrate how recognizing common issues and barriers across identity groups that can be collectively addressed through policy responses (Hankivsky & Cormier, 2011; Parken, 2010). However, to truly address the complexities of millennials' access and engagement in the labour market, their issues must be represented more fully in policy and then monitored to detect and remedy problems of inequality. Intersectional policy creation seeks to attend to the unique experiences of different groups and thereby "prevents the distinctions between forms of inequalities from being lost and provides for an inquiry that would capture both individual and group disadvantages" (Hankivsky & Cormier, 2011, 266). Using this approach, policymakers would actively examine the challenges facing a group of people by placing their uniqueness at the fore of the policy process.

As stated earlier, this study does not seek to essentialize a group as diverse as the millennials. Instead, our research demonstrates that without an intersectional analysis, achieved through effective representation, millennials' unique experiences of marginalisation are not addressed in the policy process.

Our study suggests that effective representation must be substantive and appear extensively in the policy process. As we found, a small clustering of substantive representation, while important, can be overlooked by policymakers, especially when concerns run counter to the dominant framing of the issue. As we will see below, any degree of representation can be disregarded and erased with changes in the political landscape.

Conclusion

This research presents a methodology for evaluating the types of representation that appear in the policy process. We offer this scale as the beginning of an IBPA in the area of community consultation. The results suggest a correlation between weak representation at the community consultation phase and the outcomes in the final policy. Although the subsequent proposed legislation could benefit millennials, the opportunity for an IBPA that considers the unique experiences within this cohort was missed.

Millennials were represented in the submissions to the CWR and the final report through a cluster of substantive comments. Though they appeared in only a quarter of submissions, their concerns were heard by the Advisors through the tireless activism of community groups, labour organizations, and other allies. Importantly, millennials and their allies have challenged the status quo of precarity and seek to disrupt its damaging presence in the lives of workers.

Many of the proposed changes to the ESA and OLRA were brought to the fore by activists, labour unions, and anti-poverty organizations who worked tirelessly to identify the acute realities of precarity and mobilise for change. Future research would do well to compare the policy outcomes of Bill 148 with the demands of these organisations through a social movement and class lens. This also provides an opportunity to consider how the different arguments about precarity and millennials were constructed, and whether we can move towards understandings that can form the basis for collective class action.

Although Bill 148 – Fair Workplaces, Better Jobs is a move in the right direction, with the recent election of a majority Progressive Conservative government in Ontario in June 2018, labour gains have been severely impacted. Premier Doug Ford has set a path of cancelling and eliminating many Liberal reforms in the name of reducing Ontario's debt. Cuts have targeted young people, French language programs, Indigenous education training, midwifery, women, low wage earners and the environment (Beattie, 2018).

With respect to labour reforms, the PC government introduced Bill 47, Making Ontario Open for Business Act, on October 23, 2018. This new legislation has repealed many of the "modest" workplace changes introduced by Bill 148, including the elimination of the two paid sick days and pay equity for part-time and casual workers. Most notably, any planned increases to the $14.00 minimum wage have been deterred until October 2020, with current projections indicating that the increase to $15.00/hour will now not occur until 2024 as they will be linked to inflation. Instead, the Ford government has eliminated income tax on incomes of these than $30,000, though this clearly disadvantages low-income earners that would have been better off with an increase in the minimum wage (Rushowy & Mojtehedzadeh, 2018).

While Ontarians brace themselves for new levels of precarity and vulnerability, the importance of representation and intersectionality-based policy analysis have never been more important. Further research that monitors and documents the new legislation, Bill 47, and its path of deepening precarity is necessary, along with on-going advocacy and activism. Otherwise, we risk the very real fear that millennials and other vulnerable groups will continue to be left behind in this era of "progressive" policy.

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Building Justice in the American Labor Movement

Biko Koenig[23] & Deva Woodly[24]

ABSTRACT: To what extent does the American Labor Movement conceive of justice in ways beyond narrow economic benefits? To assess the notion of justice in discourse and practice, this paper examines cases from three dominant models of labor organizing in the United States: traditional unions, worker centers, and the hybrid form of the Fight for $15. Over four case studies, we use interviews with workers and organizers, analytical accounts of the differing organizational structures of these labor advocacy groups, and discourse analysis of organizational materials of each to illuminate the strengths and weaknesses of each model. Through this examination, we show that across all organizing forms relatively little attention is paid developing and articulating the reasons why a strong labor movement is necessary and beneficial to either workers as a class or society as a whole. We then submit that if labor is to be a movement, rather than a collection of service organizations, then it is important to put forward an idea of "labor justice" which can help members of the polity reconceptualize the relationship between work, leisure, care, dignity, productivity, and prosperity.

KEYWORDS: labor unions; worker centers; labor movement; justice; inequality

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Introduction

Over the course of more than a century, the US Labor movement has been one of evolving strategy, membership, and politics. From the shop and trade-based strikes of the 19th century to the Federations and Employee Unions of the 20th, the espoused values, human composition, and goals of labor have shifted in numerous ways. During the early 20th century, workers made significant gains, not only winning the legal right to collective bargaining, but perhaps more importantly, altering expectations about treatment, compensation, and work schedules. Indeed, the greatest success of the American labor movement may have been changing common understandings about how society ought to evaluate work and working conditions (Woodly 2015). Labor organizers mobilized to establish a new common sense about what employers owed workers (including reasonably safe working conditions and a family wage for white male workers) as well as what workers deserved as members of society (e.g., 8 hours of work, 8 hours of sleep, and 8 hours of leisure per day).

However, during in the mid-20th century, after the hard-won common sense of the labor movement was codified into law in the National Labor Relations Act and took on institutional life as the National Labor Relations Board, the vision of the labor movement evolved once again. Labor unions became more stable, winning many contractual victories from the 1930s to the 1970s. At the same time, the movement's focus on changing the way that the general public thinks about work, its conditions, and what workers deserve, gave way to more targeted concerns about servicing members and narrow electoral claims. In many ways, the social movement aspect of labor movements dwindled under the obligations of becoming part of the federal bureaucracy (Piven and Cloward 1977, Fantasia 1988). Today, modern labor organizations are diverse in their commitment to organizing new categories of workers, especially the women, people of color, and immigrants who increasingly constitute American service workers, as well as whether and how they articulate the benefits of organized labor to both potential members and the general public (Fine 2006, Milkman 2006, Warren 2010). However, overall, 21st century labor organizers and leaders have focused much less than their earlier counterparts on communicating a vision of work and workers that contributes to fair working and living conditions for all.

Like previous scholars, we are interested in the processes that would lead a collection of unions and union-like groups to function like a dynamic social movement, to "reconcile the short-term and economistic demands of [union] workers with longer-term concerns for generalized social and economic justice"

(Levi 2003, 46). In particular we are interested in the ability of developing and deploying discursive frames and concrete practices that actively transcend the interest-based economistic framework of unions-as-bureaucracies in order to push toward a new understanding of labor justice.

In the following, we argue that for labor to become a vibrant and influential force in American politics, the movement needs to claim explicitly political space in line with their common-sense arguments of the early 20th century. This goes beyond throwing financial support behind political parties and endorsing candidates. Labor must instead articulate a political vision that aims to persuade both potential union members and the general polity that rethinking the meaning of labor and prosperity is necessary political work. We propose that labor organizations could accomplish this by developing and deploying a political philosophy, what we dub *labor justice*, that explains *why* workers must organize as well as *what* that organizing accomplishes in broad terms. Crucially, the audience for these claims needs to target society at large, rather than workers already within or directly adjacent to labor organizations. Promisingly, labor already has the makings of such a political vision in some of the discourse that unions and workers centers have been using in recent years. We see this in public opinion research where the importance of unions and key policy issues such as the $15 per hour minimum wage has increased, particularly among people 18-29 (Maniam 2017). However, labor activists and unions must continue to move towards more consistently speaking and acting in ways that move beyond wage claims and member service. Previous research has shown that when social movements make resonant arguments consistently over time they are able to change the common sense governing public debate thereby creating a more favorable political environment for their claims. Below, we develop a notion of what labor justice might look like while evaluating its presence across a number of labor organizations.

First, a definition of terms. Labor justice is a concept that centers the dignity that *all* workers are due and insists on certain rights of self-determination for the entirety of society, such as work-life balance, dignified treatment, and the power to participate in setting the terms of employment. Importantly, labor justice points to the need for *all* people to have the ability to holistically flourish in society, and not simply have higher wages. What organized labor requires, if it is to be a political force akin to a movement, is a set of values that speaks not only to economic justice in the distributive register, but one that speaks to the capability of all workers to live lives free of oppression, the "institutional

constraint on self-development" (developing capabilities) and domination the "institutional constraint on self-determination" (choosing actions) (Young 1990, 37). Finally, in providing a framework for an equitable society, labor justice is intersectional because the oppression of working people operates through the structural relations of race, gender, immigration status, sexuality, and heritage. In light of these facts, economic justice, which is primarily concerned with wage distribution, is but one component of labor justice.

This discussion should be set against a background of steady union decline. From the highpoint in the 1950s where almost a third of the economy was unionized, in 2018 only 10.5 percent of workers were in a labor union (U.S. Bureau of Labor Statistics 2019). This number is buoyed by the relatively high unionization rate of public employees at 33.9 percent. In the private sector, union density stands at 6.4 percent, the lowest in over a century (U.S. Bureau of Labor Statistics 2019). While the Democratic Party is typically seen as a union ally, membership dropped over 10 percent, or 1.5 million members, during President Obama's two terms in office (Dirnbach, 2017). Absent a strong political vision, it should not come as a surprise that members have come to subscribe to widely varying worldviews, including reactionary positions on race, immigration, and nationalism seen in strong union support for Donald Trump in the 2016 presidential election. And while worker centers have emerged as an innovative approach to the labor movement, their numbers remain small relative to that of traditional unions.

Our arguments build off of ongoing discussions of the potential for revitalization in the labor movement, a topic that has garnered much attention by scholars and practitioners in the past few decades. A core argument in this thread is the need for unions to return to aggressive organizing, an approach that faces internal challenges of organizational conservatism where "many members have learned to view their union as quasi-insurance companies or lawyers" (Milkman and Voss 2004, 6). Several remedies to this challenge have been articulated by labor scholars, including attention to specific tactics (or combinations of tactics), broad strategies, organizational partnerships, and the structure of groups themselves (Bronfenbrenner, Friedman, et al. 1998; Sherman and Voss 2000; Bronfenbrenner and Hickey 2004; Milkman and Voss 2004; Ness 2014). Further scholarship has examined the role of low-wage and immigrant workers as a necessary component to revitalization (Apostolidis 2010; Milkman and Ott 2014; Adler, Tapia and Turner 2014). These arguments connect to scholarship on worker centers and "alt-labor" organizations that support immigrant and low

wage workers but exist outside of traditional union models (Fine 2006; Eidelson 2013; Milkman and Ott 2014). A further line of analysis called for "social movement unionism" focused on rank-and-file activism connected to broader movements in society that, together, would drive institutional change for issues like labor law and political economy (Freeman and Rogers 1999; Robinson 2000; Levi 2003; Fantasia and Voss 2004).

The discussion below builds on these insights and shares an affinity with social movement unionism and its aim to build a labor movement that works on behalf of the entire society. Within this, our primary concern is that efforts that focus solely on economic redistribution for members, even when they are successful, have not been enough to transform the labor movement into a dynamic social movement with clear aims for social and economic justice. We make the case for labor justice both theoretically and empirically.

In the following sections, we lay out the concept of labor justice and indicate what makes it both more expansive and more persuasive than the idea of economic justice. After making the theoretical case, we advance our argument by doing an empirical examination of the discourse and practices of four different labor organizations across the spectrum of organizational models from traditional union to workers center, including: Service Employees International Union (SEIU), Fight For $15 (FF15), Restaurant Opportunities Center - United (ROC), and the Laundry Workers Center (LWC). Our aim here is not to draw conclusions about the labor movement in general, nor to make causal arguments about the nature of movement work. Rather, we utilize interviews with leaders and participants in the organizations and content analysis of informational materials to answer the question: to what extent do these labor organizations express an idea of labor justice, and how can we see their ideas about the labor movement's purpose carried out in their work?

Theorizing Labor Justice

Most labor appeals are in the frame of economic justice. Economic justice is an account of fairness that derives from what Iris Young calls the "distributive paradigm," the view that what justice requires can be wholly fulfilled by focusing on the "the allocation of material goods […] and social positions" (Young 1990, 15). On this account, the problem of oppression can be solved by making sure each individual or group of individuals has a fair allocation of goods. A diverse array of theories of justice, from John Rawls' liberalism to Karl Marx's communism, are based on this premise. Young contends that while the

distribution of material goods and social position is a necessary component of what justice requires, it is not sufficient. Instead, Young indicates that we must pay attention to the social beliefs and institutional processes that have produced distributive patterns. Otherwise, distributive corrections only have short-term effects because the social beliefs and practices that made maldistribution seem inevitable, convenient, or even favorable, will cause people to re-inscribe old intent onto new policies in the way that they interpret or implement them. For this reason, it is important for social movements and others who seek to change the status quo to change the way people think about their issue(s) in addition to changing policy.

In the case of labor, this means that a successful labor movement must change people's ideas about what work requires and what all people who work for a living deserve at the same time that they seek specific wage increases or other benefits. As discussed below, this dilemma maps all too well onto the wage victories of the Fight for $15. If activists and unions focus almost exclusively on raising wages, they reproduce a neoliberal view of the worker which values them only as producers, possessors, and consumers of goods rather than people who create value not only through the work that they do, but also through the lives they live. From this perspective justice requires not only fair distribution of wages and benefits, but also non-material goods like decision-making power, practical opportunity (which is distinct from formal opportunities that may be difficult or impossible to access), self-respect, care, and leisure time. That means workers must have not only the *right* to negotiate the conditions of their employment but must also have a *reasonable capability* to exercise those rights. Effecting the capability of workers to determine the conditions of their labor would require re-thinking how unions and other organizations in the labor movement conceptualize their task. Labor organizations would need to focus less on improving wages and conditions in particular workplaces and more on questioning and seeking to change the beliefs, practices, and institutional processes that create the conditions of oppression and domination that govern *most people who work for a living, most of the time.*

In this way, labor justice requires respect for the labor of life, not only in terms of fair compensation for economic work, but also in terms of acknowledging and supporting non-economic labors such as care work, civic engagement, or play. Through this lens, having a predictable schedule, paid sick leave, accessible, quality healthcare and childcare, and affordable leisure are as important as having a higher hourly wage. This is because the acknowledgement

and support of non-wage-earning labor is necessary to ensure that the full benefit of wage-related gains can accrue to people who work for a living. Labor justice, then, is not solely about the re-allocation of resources, but is instead about the elimination of domination and oppression from the institutions that govern work. Importantly, this framing makes it easier for labor to ally with other movements seeking to eliminate institutional domination and oppression.

The elements of labor justice that we can glean from how workers describe what just relations might look like concretely: dignity, respect, fairness, work-life balance, and security. This deeper definition of labor justice is not only intrinsically important for the labor movement to better understand the appropriate scope of work required to improve people's lives, but also is essential if the movement hopes to be politically persuasive. Recent research in political science has shown that when those who challenge the status quo are able to make resonant arguments consistently over time, they are able to shift common sense on the topic, thereby creating a political environment in which they can more effectively advance their claims (Baumgartner, DeBoef and Boydstun 2008; Woodly 2015; Jackson 2018; Williams 2018). For example, Deva Woodly has shown that marriage equality movement was able to change the political common sense on that issue over a 10 years period by making resonant arguments that reframed the status quo understanding of gay families and what counted as gay rights (2018). Similar findings indicating that those challenging the status quo can shift public understanding through the use of what Mustafa Menshawy has described as "effective' discourse that [is] coherent, consistent, and resonant …, as well as a 'credible' discourse which combine[s] words with actions" have been produced across several topic areas including the gun debate (Kerr 2018) and foreign policy (Menshawy 2018). Put simply, the arguments that movement actors make have concrete impacts on their potential for societal change.

An Examination of Discourse & Practice

In the next section, we examine four different organizational formations in the labor movement to assess the presence of Labor Justice within their discourse and practices. We have intentionally selected a range of cases to gauge the presence of labor justice in a variety of contexts, and this is not intended to be a representative sample. The inclusion of two worker centers—ROC and LWC—responds to the importance of the model in contemporary organizing, while the hybrid FF15 has achieved significant gains in minimum wage policy victories (Luce 2015). SEIU stands out for its sheer size in the movement as well as for its

role in creating the FF15. For each organization, we briefly describe the characteristics of their organizational form. Then, using interviews and public-facing documents, we examine their understanding of what broad political philosophy underlies their work. In addition to scrutinizing their discourse, we observe the institutional habits and practices that either support or contradict their stated worldview. Finally, we consider whether and to what extent any of the organizations have a theory and/or practice of labor justice, as we have described it.

In concrete terms, what would a labor justice approach to a campaign or an organization look like? In the first order, claims must be made to impact the material lives of working people: contract negotiations, higher wages, and improved benefits all fit into this category. While all labor campaigns involve this type of claim making, labor justice also looks to increase the power of working people relative to economic, political, and social institutions. Most labor movement work actively empowers insiders and members in this institutional struggle, but routinely frame this part of the work as secondary to the material ends of new policies or better contracts. For unions in particular, empowerment is typically limited to members. A labor justice approach should seek to empower working people broadly, and not only through policies, such as a higher minimum wage, that impact large numbers of people. This empowerment must also include the symbolic work of impacting widely held norms of work, life, and fairness. It may be the case that the institutional structures of formal labor unions mean that they have no choice but to make narrow distributive claims in service of a continually declining membership base. But as labor continues to lose density, it also continues to lose the normative war about what working life could be. If we are to move beyond the neo-liberal hegemony of work and society, we must construct our own framework of common sense to contest the status quo (Smucker 2017). That many labor organizations note these issues in their discourse is telling of their importance, but as the next section shows, few groups put them into practice with much strength.

SEIU International

The Service Employees International Union (SEIU), one of the largest U.S. labor unions in terms of membership size, organizes workers in three core sectors: health care, government, and property services. Like many labor unions, SEIU is organized as a federation, with an international branch that acts as the head and local unions that oversee most day to day operations with members.

Internationals do a great deal in terms of providing rhetorical leadership, setting national agendas for the union, and lobbying to political groups. Much of the energy for a renewed approach to organizing comes from international unions, who can set organizing mandates, provide funding for locals, and occasionally even directly organize workers in areas without a local union. Nonetheless, locals have a considerable amount of autonomy in regard to international unions, and are the main site of most organizing efforts and contact with workers.

Given the ability of SEIU International to set the agenda, we look to how they frame the purpose and activity of the union. SEIU is an exemplary case of a union that is conscious of the need to organize new workers. While they have received much criticism for their efforts, beginning in the mid-1990s SEIU became the leader of new organizing efforts across the AFL-CIO (Estreicher 2006; Early 2009). This included the development of a new tactical repertoires for union campaigns, including strategic corporate research, working outside of NLRA union elections to win recognition, and running campaigns with community support outside of the workplace.

As such it is no surprise that the discourse of SEIU International contains the strongest labor justice framings we found in the research. Of course, much of the language still contains economic justice frames that are geared specifically towards the benefits that unions provide only for their members, such as higher wages, benefits, and job security. We do not contend that such language should be absent, only that it be contextualized in a larger, principled and explicitly political framework. Some examples of this kind of framing include:

> "SEIU is a center of unity for underpaid workers who are demanding that our economy works for everyone - not just the rich" (SEIU N.D.).

> "Unions lead the fight today for better lives for all working people" (SEIU N.D.).

> "When unions join together and behind advocating for better wages, non-union workers then see the power of unity and start demanding better treatment themselves. Unions help all working families a stronger voice in our communities, in the political arena, and in the global economy" (SEIU N.D.).

The common theme here is the universality of the appeals. Unions and the labor movement are going to make beneficial changes for *everyone*, not only members. Here, unions may lead but the ultimate aims are a society that provides both material and non-material benefits for workers regardless of membership. The economy that "works for everyone" will of course include "good jobs" and "better wages," but it will also transform society through the "collective power" of the working class, that will have a "stronger voice" from local communities to global economies and overall "better lives."

The upshot is that the enactment of this discourse requires a set of practices much different from servicing union contracts and handing grievances. In fact, a labor justice practice needs to extend beyond narrow tactics that only seek to organize new members. Given the placement of the International, it is challenging to directly assess their practices. As such, we turn to two different SEIU local campaigns to add additional layers of analysis. The FF15 campaign acts as both an organization in its own right, and a yardstick for how SEIU International puts a labor justice framework into practice. We also look at SEIU healthcare campaigns in Pennsylvania, which are run by local unions but rhetorically folded into the FF15 national campaign by the international. Both show that, in practice, the economic justice frame guides union activity, while labor justice appeals are mostly rhetorical.

The Fight for $15

While the origin of the Fight for $15 in Chicago and Fast Food Forward is uncertain, SEIU began funding and directing fast-food worker organizing efforts of these and similar organizations across the country by 2012 (Brown 2013, Gupta 2013). By 2014, these groups coalesced under the universal name Fight for $15, and by 2015 SEIU had expanded the discourse to include low-wage workers across the economy, including healthcare workers, adjunct university professors, and child care workers.

The demand of FF15 is straightforward: "$15 and a union!" As both a slogan and goal, the demand is easy to explain and provocative given current minimum wages and lack of union representation prevalent throughout low-wage industries. It presents itself as a demand to both government and employers. This has been especially effective in regards to minimum wage legislation, given that states and some cities are able to set their own wage floors and thus allow for a national slogan that can be tailored locally (Oswald, 2016). Tactically, FF15 uses a mix of labor strikes, direct action, and a savvy social media presence. The city or

nation-wide one-day strike is the main tool of FF15: workers from across the low-wage economy strike together on a single day, usually attending a march or a rally that includes progressive figures from religious groups, the local community, and elected government. Usually these strikes do not shut down entire stores, but draw small numbers of workers from individual locations across a city. The widespread but thin nature of strike participation means that low-wage workers are less able to use their economic power through impacts in production, but instead gain influence by raising awareness and striking blows against corporate reputations.

Nonetheless, the discourse of FF15 is parallel to most labor unions in the call for economic justice. Given that the wage demand is in the name of the organization, it should come as no surprise that much of their language is connected to better pay, along with pointing out the bad job conditions that are typical of low wage work:

> "As underpaid workers, we know what it's like to struggle to get by.
> We can barely pay our bills and put food on the table for our families. McDonald's answer? Go on food stamps. …
> On top of it all, even McDonald's knows it takes $15/hr to get by.
> We work hard and we're still stuck in poverty. It's not right.
> That's why we fight back.
> It's time to pay people enough to survive.
> It's time to pay people what they deserve.
> It's time for $15/hr and union rights" (Fight for $15 N.D.).

FF15 touts its tactics, calling the hikes in minimum wage that it has won, "raises":

> "We know striking works. By standing up and going on strike for $15/hr and union rights we won $62 billion in raises for 22 million people across the country.
> We've taken the fight to more than 300 cities in the US and 60 countries across the world on 6 different continents.
> Now, $15/hr is law in California and New York State. It's law in Seattle, in Pennsylvania for nursing home and hospital workers, and for municipal employees in countless cities. Mayors, city

> councils, and state governments across the nation have announced $15 initiatives.
> What's the secret to our success? You. Me. All of us who have come together to tell our stories of what it's like trying to live on low pay from corporations like McDonald's.
> It's important to remember that we don't win because politicians or companies decide out of the goodness of their hearts to give us raises. We win because workers stand together to make them give us what we deserve" (Fight for $15 N.D.).

Unlike the language of SEIU international, The Fight for $15 fits squarely into the economic justice frame: the power of its wage claim is real, but it is also its limit. What does FF15 offer workers who do not fall under the proposed wage floor? What goals exist outside of the higher wages? It is true that anyone can attend the strike events, escort workers to and from their work, or engage with social media campaigns. But to do so as an activist who is not a low-wage worker means that it is not your movement, and you remain on the outside.

Though FF15 has won important increases in municipal and state minimum wages, these policy victories are limited. First, most of the legislated wage increases phase in over a period of 3 to 5 years. Ney York State, for example, passed a minimum wage increase in 2016. However, the $15 minimum wage won't be fully phased in until 2021. Further, a family of four living in New York State where one person works full time making $15 an hour will still be impoverished. Further, the calls for union recognition have been less successful, with SEIU officials indicating they have no clear idea what unionization would actually look like in practice, and labor commentators noting there is no strategy in place for FF15 to transition into a labor union (Zahn 2016).

The very nature of these victories shows the importance of the Labor Justice frame: higher minimum wages have not translated into broader social movements nor narrower union revitalization. In short, though these increases are incredibly important for workers in low-wage jobs, they illustrate the limitations of distributive claims—the $15 wage rate, while unimaginable before FF15 started demanding it 5 years ago, also doesn't effectively address the problem of working poverty nor the structural issues that spur rising inequality. To put it differently, it does not attempt to construct new norms around work and society. After the $15 wage is won, what goal can organizers push for which will utilize the discursive and organizational foundation that they have laid? It remains unclear

what will happen in locations that have won higher minimum wages, but the nature of the discourse means that there will be little room left to engage in new campaigns without a fundamental shift in mission and vision. Perhaps the "…and a union" component will lead to a second round of organizing, but this seems unlikely given the lack of planning and the fact that no workers have been directly unionized by the campaign.

To be clear, this only becomes a problem when we assume that the economic claims of the FF15 will somehow lead to broader practices of Labor Justice. As a movement with a specific, and powerful, policy agenda, FF15 is incredibly successful. But if this is the upper limit of transformative political action, then more attention must be paid to how movements seek to change the status quo in the wake of policy victories.

One might argue that we are calling for too expansive a notion of justice, and that the power of FF15 is in its narrowness and simplicity: $15 and a union. Why should a single campaign have to provide discursive and practical entry points for *all* workers? In response we offer that FF15 (and similar national campaigns such as UFCW's OUR Walmart) is arguably the most innovative attempt at organizing workers that unions have used in modern times. However, the inability of FF15 to spur either a renewal in union membership or mass mobilization that leads to significant political changes, we must ask what is missing. As we see it, it is worth exploring a justice argument that has universal applicability for workers everywhere. A staffer from SEIU illustrates the limits of the FF15 frame in a discussion about outreach:

> "Fight for 15 is built around fast food workers … I was knocking doors around the election, and I knocked on the door of a woman who's a phlebotomist, and she started talking to me about, 'I make 13 [an hour], and I'm a phlebotomist, I had some education to do this, why would anyone think that fast food workers should make 15? It's totally outrageous!'" (SEUI Staff member, Interview, 2016).

Their response to the woman was to draw on principle: fast food workers shouldn't have to earn poverty wages. The challenge is that it sets up an insider/outsider binary. For a college educated phlebotomist making $13 an hour, increasing the minimum wage to $15 would likely be in her material interests. But without a discourse that is built to include her, she cannot square her own

experiences with that of other workers. A movement with a labor justice frame could have something to offer her, both in terms of a compelling argument as well as a pathway to participation.

SEIU Healthcare Pennsylvania

Over 20,000 health care workers in Pennsylvania are members of SEIU Healthcare Pennsylvania (HCPA), including doctors, nurses, aides, and food workers in hospitals and nursing home across the state. As a local that is part of the SEIU federation, HCPA is more directly concerned with the day to day business of running a union: servicing members, processing grievances, and preparing for contract negotiations and their attendant mobilization campaigns. While national data suggests that unions today organize at lower rates, even the most conservative unions must routinely mobilize members during contract negotiations. SEIU stands as the most aggressive union when it comes to organizing new members, and locals are required to spend 20 percent of their budgets on organizers (SEIU Staff Member, Interview, 2017).

Given SEIU's commitment to organizing, we would expect the discourse of HCPA to be attentive to organizing new members, while at the same time focused on the clientelist aspects of member relations. HCPA frames its mission this way:

> "Nurses and healthcare workers are diverse, but we all we want:
> Wages that attract and retain professionals to do caregiving work, with no employer paying less than $15 an hour for any healthcare job;
> Union rights for all workers to organize and raise their voices to change the healthcare industry for the better; and
> Access to quality, affordable healthcare for everyone in our communities. …
> We want a more just and humane society.
> We won't stop fighting until we get it" (Abromaitis 2016).

The discourse here is mixed. There is language about what unionization offers its members in terms of higher wages and a stronger voice on the job. At the same time, there are principles of a "just and humane society" and a focus on the importance of healthy communities. The broader language around healthcare is a reflection of the industry. Interviews with HCPA staffers revealed that most

contract and unionization campaigns are constructed in a narrative frame that emphasizes high standards of patient care as the primary concern, and better wages and job conditions as a necessary pathway to those high standards. While this framework is certainly strategic in negotiations with employers, staffers indicate that it also comes directly from workers—sometimes organizers must push workers to demand better wages alongside other problems of delivering quality care, such as high turnover and cheap materials. Such a challenge indicates the power of common sense to frame how people understand their economic situation.

The question for our purposes is, how does this added layer of caregiving and a concern for healthcare intersect with the discourse and practice of justice? In the first instance, some of the language used by HCPA fits into a labor justice frame, especially calls for a just society and fairness for everyone. However, it is not clear how one might support the process of building a fair society save through joining the union as a health care worker. Further, even the caregiving language remains in a distributive frame seen mainly as a material benefit. One could imagine that healthcare and the patient-caregiver relationship present fertile ground for more emancipatory calls for justice, presenting entre for taking a position on an issue as topical as universal healthcare, for example. Instead we see a similar discourse to that of FF15: join a union, get better wages, improve your job, and somehow that might deliver us to a new future.

We should note that many union workers are not necessarily interested in questions of labor justice as we discuss them:

> "I think some of our best nurses, our activist nurses, get it [the problem of low-wage work], but it doesn't speak to their core primary issue, which is staffing and nursing conditions … we have some of our best activist nurses who come out to our Fight for 15 rallies, and they understand the connection between poverty and health, and that's the other thing, when they deal with poor people, coming in, they understand the link between the healthcare system and inequality and poverty, but I wouldn't say that that's the majority of our nurse membership feels that way. I think that, like in many unions the majority of workers, speaking transparently, are focused on: how do we band together to improve our working conditions, and the healthcare system more broadly and so on, but the Fight for 15

> doesn't speak as strongly to them certainly, as many other issues that the union tries to engage in" (SEIU Staff member, Interview, 2016).

Nonetheless, staffers noted that in the 2016 contract, non-nurse workers at the bottom of the pay scale received the largest raises, upwards of $3 per hour. At the same time, senior nurse staff received very small raises. This came out of the drive to get all workers at or close to the $15 per hour wage, but required that nurses recognized and advocated for higher wages for support staff, even at the cost of their own raises. An organizer from SEIU explains how this played out during the contract negotiation:

> "… so that conversation happened first with organizers, then with the rank-and-file leadership, and when we're getting the point of trying to settle these contracts, we were having that same conversation with committees, and that same conversation during the ratification drive. You had really good rank-and-file leaders who are going to get a very small raise compared to other workers, who 'we can't be working next to people who are living in poverty, because they can't provide good care. It affects our ability to provide good care.' You have LPNs [licensed practical nurses] who are higher wage workers in the nursing home who will get small raises, who'll say, 'I can't do my job next when I've got people next to me who are working double shifts, or two jobs.' Really, in many ways, I found that to be one of the most fascinating parts of the campaign" (SEIU organizer, interview, 2016).

Similar to the employers, this is explained through the power of the national FF15 campaign in changing the norms on wages and poverty for workers inside the union. The way that the Fight for $15, the largest, most innovative labor movement campaign in modern times, has created real benefits for healthcare workers once again highlights both the value of the discourse as well as its real limits. Sparking solidarity between workers is no small accomplishment, particularly when it requires material sacrifice, such as the nurses who took a smaller raise.

At the same time, it does not offer either a language or a practice geared towards mass mobilization and societal change: workers *outside* of the union. Rather, it finds its highest value in the narrow, nuanced world of contract negotiations. In its discourse, how does it offer a vision for a better world that is accessible to all workers? In its practice, how does it scale up and create spaces for participation outside of trade union membership? Union staffers themselves are concerned about these questions.

> "We're also trying to think how you get to scale, and how you create the space for people to participate in organizations that doesn't look like a traditional trade union necessarily. And the way we've been thinking about it in home care, what do you need to do that, you need a list or access to the workers, you need a way for people to self-sustain the organization, you need a way to build power and change" (SEIU Staff member, interview, 2016).

As they put it, unions may have figured out how to raise the issue of minimum wage and impact the lives of some workers, but have not yet figured out the practice of mass mobilization, or as the staffer asks, "How does the union with its limited set of resources create a lot of doors for people to participate in lots of different ways?" Unions have not yet found an answer.

Restaurant Opportunities Center - United

ROC, founded by Saru Jayaraman and Fekkak Mamdouh in 2001, was initiated to help the survivors of the Windows on the World restaurant in the wake of 9/11. As a worker center, they do not organize people into collective bargaining agreements, but have historically run workplace justice campaigns to combat wage theft, discrimination, and unsafe working conditions at specific worksites. Their strategy has evolved significantly since that time, and today they seek to work on several things at once: informing workers about their rights, collecting research for campaigns, organizing employers to take the "high road to profitability," and lobbying state legislatures for favorable policy. ROC is also explicitly collaborative and often works in coalition with other organizations, including acting as a founding member of the Food Chain Workers Alliance and forming a partnership for the "On Fair Wage" campaign with FF15 in New York.

The discourse and practice of ROC today is best summarized in their own words:

> "The Restaurant Opportunities Centers United (ROC-United) engages workers, employers and consumers to improve wages and working conditions in the restaurant industry. The ROC-United model involves "surrounding the industry" by simultaneously: (1) Engaging workers through job training and placement […] (2) Engaging employers through our "high road" employer association RAISE [… and] (3) Engaging consumers through Diners United […]" (Restaurant Opportunities Center-United N.D.)

As we see from their self-description, ROC has abandoned its more confrontational tactics of workplace justice campaigns to embrace an advocacy role and building relationships with owners and customers. A core tenant of this approach is the articulation of "high road" strategies for employers: paying higher wages, offering benefits, and building safe worksites. The highroad strategy is translated into action through programs like RAISE and the Restaurant Roundtable, which organize and bring together restaurant owners to learn about high road employment practices.

Workers, for their part, are the focus of career training programs and know your rights political education. Although these activities are not ideological at all, Catherine Bennett of ROC describes her work in deeply principled terms:

> "At the end of the day, it's about power. It's about economic power and so many of us don't have that … [Labor justice is about] fairness –its about dignity and professionalism being ascribed to the work, no matter what it is. We work to live, that should be valued and regarded as important. Work deserved to be lifted up, recognized and respected, especially the work of women and people of color [which is often denigrated]."

She also describes the goal of ROC as having a balance between expert guided and worker-led initiatives. She admits that ROC does not always achieve that aspirational balance. "There is some tension. Some groups are more worker-led and concrete, while others are more top-down." Further, sometimes people in the

organization will say "in order to really be successful, we have to move legislation." But Catherine wonders "do we?" She goes on to say, "we're all struggling with the question of balance and we need to further interrogate it going forward."

She also notes that they don't often "talk about structural change. We usually say 'disruption,' or 'transformation,' –amp up the rhetoric to 'black-beret' levels sometimes, but what we're really talking about is structural change. Because we have to put changing the system, reinforcing solidarity, at the center of what we do. It's not just about running trainings."

The practices of ROC are nonetheless limited in ways that are similar to FF15: their advocacy for abolishing the tipped minimum wage and training for employers to engage in high road employment practices can provide important material benefits to workers while offering little in the way of mobilization. Indeed, the place of workers as political agents for ROC's work has been reduced over time, replaced with a focus on employers, consumers, and policy makers. At the same time, their advocacy programs, while drawing on languages of labor justice, do not surpass the distributive calls for wages that characterize the mainstream labor movement.

Laundry Workers Center

The Laundry Workers Center (LWC) is a worker center founded in the fall of 2011 to focus on worksite problems among low-income immigrant laundry workers throughout New York City. In short order, however, the LWC turned its attention to food retail, partnering with immigrant deli workers in the Hot and Crusty campaign, as profiled in the documentary *The Hands that Feed*. While their attention has remained in the food sector with campaigns at other restaurants, they have also successfully organized workers at two warehouses for B&H, a photography and video equipment company. Partnering with United Steel Workers (USW), LWC led a successful union drive that culminated in an NLRB election for over three hundred workers, though B&H ended up moving their facility out of state to escape the contract.

In its discourse, LWC is worker-centric, with a bare-bones framework that focuses on fairness for workers in low-income industries. In most discussions of the work, the emphasis is on tactics and training, with a philosophy grounded in worker leadership and power.

> "Laundry Workers Center's political philosophy is rooted in organizing workers and building their leadership skills and

> political power through a variety of worker-led tools and tactics, including taking direct action at the workplace, serving as their own voice to media outlets, speaking out as member of the community, and acting as their own advocates at the negotiation table. Our members are primarily low-income immigrant workers who believe in social and economic justice. LWC campaigns are all member-led" (Laundry Workers Center N.D.).

Here they present themselves as a tightly focused organization whose main concern is the hands-on training of workers in their core demographic.

It is worth pointing out that the workers involved in LWC campaigns are often at the crossroads of multiple labor policy infractions similar to workers in the restaurant industry that are ROC's focus. The demands of many LWC campaigns involve stopping illegal practices, such as unpaid or forced overtime and subminimum wages. For the B&H campaign, problems included erratic scheduling, the handling of chemical hazards without training or equipment, unsafe working speeds with heavy packaging, and overt harassment of immigrant employees. In typical fashion, the campaign was met with heavy resistance from the company, who fired organizers and refused to recognize the union. The upshot is that for most workers involved in LWC campaigns, their jobs involve some of the worst wages and conditions in our economy—simply getting minimum wages can be a big improvement in their lives. Further, many workers are afraid of speaking out due to fears of losing their jobs and, in some cases, being threatened with deportation. Given that these conditions tend to be standard practices in the low-wage economy, workers cannot easily move to a better job.

The demographics of the workers combined with the employment challenges they face and LWC's commitment to worker leadership leads to a unique model of organizing workers. As described to us by co-directors Rosanna Rodriguez and Mahoma Lopez, the core of the LWC model involves a training program called the Leadership Institute. The Institute provides the essentials of workplace organizing combined with political education: a history of the labor movement, how to speak with employers, engaging the media, and designing direct action campaigns. The institute is free, and attended by workers who come to LWC with a problem at their worksite. In fact, the only requirement attached to participating in the Institute is that workers must commit to putting what they learn into practice. Rather than acting as representatives of workers, the purpose

of the LWC is to train and empower workers to develop and run their own campaign.

> "Well we cannot decide [what the campaign will look like] because it all depends on what the workers want. So we never decide beforehand. We always have the conversation, you know, 'what do you want to see in your workplace?' or 'what is your ideal workplace?' or 'what is your goal? And then, we find a way to support that. But we never make the decision for workers" (Rosanna, Interview 2016).

In and of itself, learning the details of organizing a labor drive can comfortably fit into an economic justice frame, especially when the main goals involve wages and benefits at specific worksites. However, while the goals of the workplace justice campaigns are focused on single worksites, their overall strategy recognizes that individual changes are not enough, something Mahoma noted in a previous interview:

> "Mahoma López, a leader at the [Hot and Crust Campaign] and now co-director of the center, remembers his first conversation with organizer Virgilio Aran. "He told us why it's important to organize," López said. Without organizing, even if you win back your stolen wages in court, "they will fire you, and you'll go to some other place where you will be exploited" (Singh 2016).

The goal of the Leadership Institute is thus to empower workers not only to lead campaigns at their worksite, but to become "liberated" in wider, dynamic sense. As Mahoma underlined, the direct-action component is key to this process.

> "…every time we launch a campaign, we occupy the workplace, the workers deliver a demands letter and, that's what we call Liberation Day. They have a lot of fear, and there is a lot pressure, it is a lot of... a lot of things together, inside of you… but that day when you go public, and you are the person who delivers the letter it's like 'okay, now it's my turn. I have a lot of people in the back support me.' Every single worker who experiences that, that the liberation that's... everything changes.

> You can see the people to next day with a new face, you know, 'okay, I did it!' You know, they are waiting sometimes so many years. For some people who are exploited, they don't have that opportunity to confront [the employer] face to face. 'I'm here, now it's my time. You have to respect me, and I am not gonna keep quiet'" (Mahoma, interview, 2016).

Both Rosanna and Mahoma are explicit in that, while their campaigns involve important material benefits such as wages and better treatment, they also work within a justice framework geared towards empowering immigrant workers for the long-term. Political education and the actual work of campaigns are the tools of this empowerment.

> Rosanna: "I think like one of the way to break up the fear is more about political education. So, you know... that's the only way that people can understand. To empower people ... how they can, you know, take power. Ummm...and it is possible to break that fear … I mean, [justice and empowerment] can be about, you know, treatment. The treatment in the wages in term of having a living wage, and that the company respects and follows the law. It depends of all the necessity of the workers because every campaign is different. Even though we have common issues like wage theft or discrimination.
>
> Mahoma: "Yeah but also, when Laundry Workers Center says "justice," It's just basically when the workers have the power. After a long process or at the end of the campaign the workers can step in front the boss and say, you know, 'we need this, and we demand this, and we have no fear.' You know, it's like just basically they become empowered. […] And yes that's justice because that person is not going to be oppressed no more. It's like, they are fighting for the people they represent themselves" (Rosanna and Mahoma, interview, 2016).

Additionally, LWC makes strong efforts to bridge workplace justice issues with a wider political agenda. In the first place, they are involved in a range of wider political and policy issues, including legislation on wage theft and paid

sick days. Given their roots in the immigrant community, they are also involved in a number of initiatives for immigrants that offer a wider justice framework:

> Mahoma: "The Laundry Workers Center, together with other organizations, we have launched a movement called *Somos Visibles* or "We are Visible." We feel very proud to be part of this new movement. But we are part of this movement because want to fight for the recognition that all immigrant workers have the right to make decisions in their communities at the local level […]
>
> Rosanna: "So, it's not about the [2016 presidential election]. It's more about, if I am part of this community and I want to have a new school, or have a better park, or have better housing, I have the right to make a decision in my neighborhood and my community and be a part of that. Even though, if I'm an immigrant, or undocumented, I am living over here and I have the right to make decisions in my community" (Rosanna and Mahoma, interview, 2016).

Drawing on the training of the Leadership Institute, *Somos Invisibles* uses community organizing and direct-action tactics to take their concepts of fairness out of the worksite and into the wider immigrant community.

Conclusion

Communication Workers of America (CWA) Regional Director Bob Master, quoting Martin Heidegger, puts the problem this way: "'language is the house of being' and people on the left have been homeless because we talk in veiled terms … Labor has underestimated the appeal of direct ideological challenge to the status quo, [but] it's impossible to represent workers without a change in the entire power dynamic, that means an ideological fight." Labor Justice is our proposed framework for this fight, one that must take place both conceptually and practically. Labor organizations must think together about what it means for people who work for a living to be able to live free of oppression and domination in the workplace and beyond. In addition, the practices of union organizing, campaigns, policy advocacy and other political engagement must make appeals beyond members and potential members, to society as a whole. Organizations

must think critically about their own practices and implement modes of organizing that open pathways for people from various social locations to participate. This is because, whether a person concerned with labor justice can be a member of the union, they should be able to be a member of the movement.

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A JOURNAL OF CRITICAL SOCIAL RESEARCH
VOL. 30, ISSUE 2 – 2019

In 2019, the International Labour Organization celebrated its 100th anniversary. The ILO used the occasion to renew calls for improved opportunities and working conditions, social protections and collective bargaining rights. There is a vast gap between this call for living wages and fundamental rights, and the reality most workers face in the workplace. For decades, employers have been attempting to increase profit margins by re-organizing work through the use of subcontracting, offshoring, converting full-time jobs to part-time and temporary, and reclassifying direct employees as independent contractors. In addition to employer-led demands for concessions, state power has often supported these measures by introducing anti-labour reforms: at times imposing austerity from above or leading the charge from below, and at other times creating the conditions for capital to lead an assault against working class institutions built up over generations. Although liberal democratic capitalism is losing legitimacy, what comes next may be a form of right-wing populism supported by nationalist politicians and movements looking to close borders and blame immigrants and trade for economic insecurity. Will unions look to protectionism or internationalism? Will working class movements be able to unite across borders to radically shift the balance of class power relations?

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