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# **The Antagonisms of Choice: New Labour and the reform of public services.**

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The current enthusiasm for choice as a principle for organising public services poses a series of problems for policy analysis. In this article we draw attention to three of these problems and try to address the questions that they establish. The first problem concerns the proper level of analysis of choice as a policy mechanism: is it to be studied as part of an international trend in public service reform, possibly linked to global neo-liberalism; or should it be approached through the micro-analysis of what choice means in specific policy domains? The second problem concerns how to approach the problematic politics of choice as a policy mechanism: what sorts of political tendencies and projects are mobilised through choice? The third problem involves the antagonisms of choice: the conflicts that are at stake in the emergence of choice as a policy mechanism. We suggest that three conflicts are compressed in arguments about choice that may be worth separating analytically: conflicts over inequalities, conflicts over power and conflicts over publicness.

*Something in the air? Choice and public service reform.*

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Choice works at a number of different levels as a figure in policy discourse. At the most particular level, there are important questions to be posed about ‘who, choosing what?’ (Greener, 2003). In different places, in different public services choice is specified – in the small print, so to speak – as a particular mechanism. As such it involves carefully specified actors (parents, patients, etc) acting in carefully delimited fields of possibility (preference of school, site of treatment) through a variety of governmental techniques and technologies. Although various initiatives are grouped under the figure of choice (in the UK and elsewhere) the substance, conditions, practices and techniques of choice vary substantially. The long established principle of confessional choice in care in the Netherlands works on a different political and governmental logic from the choice created or enabled by systems of direct payments to service users (Kremer, 2006). This is important ground for forms of comparative analysis – between services and between countries – as choice mechanisms proliferate. It also is fertile ground for discussions about which, if any, of these mechanisms constitute ‘real choice’ – a normative debate that we will not take up here.

Choice also works as a figure in policy discourse at a national level. Here it functions more as an image that defines an orientation to policy – and, of course, enables a contrast with other orientations. Here we can see its growing centrality to New Labour’s approach to public service reform in the last decade. Building on inherited models of choice (for example, in the ‘right to buy’ approach to council housing; and in parental choice in education), New Labour overcame an early rhetorical resistance to ‘markets’ in public services to establish a consumerist or marketised conception of choice as a key organising principle for public service reform. The ‘Third Way’, after all, was constructed as a path between state and market, between Old Left and New Right. Despite this, choice mechanisms which act as, or mimic, market processes have emerged as central to the reform of a variety of services, from direct payments in social care through to ‘patient choice’ in the NHS. It is important to note that – at this national level of analysis – choice has worked as a discursive figure that links policy initiatives and political rhetorics. The figure of choice articulates popular desires and doubts about the future of public services to a promise of policy solutions that will escape from the frustrations and failures of the past. ‘Choice’ draws on a political imaginary of how life might be – often involving fantasies of exercising power and

control (fantasies that may be shared by politicians, journalists and users of public services).

But this political imaginary is not only, or perhaps not even, a national product. Taking choice seriously as a figure in policy and political discourse means attention to the ways in which it has been produced and circulated through transnational processes. There are some problems about moving the analysis to the international or global level where it is tempting to read the rise of choice as merely one more example of wider trends. So the shift towards marketisation and privatisation in both Conservative and Labour policy developments can be, and have been, read as the expression of the global dynamics of capitalist restructuring in globalising, post-Fordist or neo-liberal forms (see, most recently Harvey, 2005). The preference for markets over states, for private over public provision, and for individualism over collectivism form part of a global realignment of the public realm, and its greater subordination to private/corporate interests. We have argued elsewhere that treating specific reform programmes as examples or expressions of wider trends tends to ignore the problems posed by attention to temporal and spatial specificity (Clarke et al. 2007).

Similar arguments may be raised around the tendency to see these changes as embodying the shift from expansive to advanced liberal governmentality delineated by some Foucauldian scholars (Rose, 1999). Equally, claims about the shift to new forms of network governance or regulatory state that posit (more or less) universal trends involving the recomposition of the state and modes of governing tend to look most compelling when detached from the complex and contradictory mix of tendencies that are visible in specific national conjunctures. This does not mean focusing analytic attention only within the territorial box of a specific nation state. Rather we think it means paying attention to the specificity of the national formation as it is shaped by transnational relations, dynamics and processes. Such transnational conditions are profoundly connective – linking peoples, places, powers and ideas, including ideas about states, governments and governance (Sharma and Gupta, 2006). In that light both the real and imagined ‘globalising’ character of corporate capital changes the calculative space of governments (Farnsworth, 2004; Cameron and Palan, 2004). At the same time, transnational networks of ‘policy’ proliferate and distribute

models of reform, innovation and ‘good governance’, predicated on the need to ‘move beyond’ old-fashioned, sterile, expensive and demoralising ‘statist’ models of public provision. Finally, we might note the extensive dissemination – in both governmental and popular cultural forms – of what Thomas Frank (2001) calls ‘market populism’. Frank’s analysis is deeply located in the transformations of US politics and culture, but his description of market populism – and its appropriation of anti-elitism – surely identifies a travelling discourse:

Wherever one looked in the nineties entrepreneurs were occupying the ideological space once filled by the noble sons of toil. It was businessmen who were sounding off against the arrogance of elites, railing against the privilege of old money, protesting false expertise and waging relentless, idealistic war against the principle of hierarchy wherever it could be found. They were market populists, adherents of a powerful new political mythology that had arisen from the ruins of the thirty-year backlash. Their fundamental faith was a simple one. The market and the people – both understood as grand principles of social life rather than particulars – were essentially one and the same. By its very nature the market was democratic, perfectly expressing the popular will through the machinery of supply and demand, poll and focus group, superstore and Internet. In fact, the market was more democratic than any of the formal institutions of democracy – elections, legislatures, government. The market was a community. The market was infinitely diverse, permitting without prejudice the articulation of any and all tastes and preferences. Most importantly of all, the market was militant about its democracy. It had no place for snobs, for hierarchies, for elitism, for pretense, and it would fight these things by its very nature. (2001: 29)

We will take up this populism – and its anti-elitism – in considering contemporary political discourses around choice in the UK. Above all, market populism sought to naturalise a particular view of markets as *social* agents rather than merely technical means of coordination. Frank reveals the construction of *markets with character*. The density of the economic, cultural, political and linguistic flows tying the UK to the US suggest just how this market populism might have travelled.

## **Choice for the many, not the few? The politics of choice.**

Choice has been controversial as a policy mechanism, attacked both for its specific effects (as in the field of parental choice in education) and for what it is taken to represent. Choice is challenged both for its inequality inducing effects and for its role as a proxy for other policy initiatives – including those of marketisation and privatisation:

By reflecting on choice as a proxy, we want to open out the analysis of what choice does in terms of political and governmental calculation. Other than reflecting the aspirations of modern, consumerist citizens, why might New Labour (as a party and a government) be champions of choice? There are a number of interpretations that might be made. First, choice is a proxy for electoral ambition ... Promising to extend choice ‘from the few to the many’ is a characteristic form of New Labour’s populism and anti-elitism. Second, choice is a proxy for the political problem of the middle classes ... By promising choice in valued public services (especially education and health), the defection of the affluent to privately purchased choices is averted. Thirdly, choice might be understood as a proxy for competition. Choice is the ‘human face’ of competition policy, legitimating the expansion of market and quasi-market dynamics in public services. Fourthly, choice might be a proxy for processes of privatization or what we might call ‘quasi-privatization’ in which public organizations are either transformed into private entities or are required to behave in ways appropriate to private entities. Lastly ... choice may be the proxy for instability as a dynamic of system reform. Patient choice and payment by results are the ‘levers’ that will finally (in governmental terms) destabilise the institutional architecture of the NHS and its perceived inertial resistance to reform. (Clarke et al, 2006: 000).

This view of choice as a proxy is critical to many of the debates around choice in two respects. First, critics have used it as a way of demonstrating that choice functions as a rhetorical device that conceals other political intentions – the process of privatization being a critical element here. Choice, so to speak, comes to stand for and

mask these other dynamics. As the above quotation indicates, choice may have functioned as a proxy for a diverse array of political and governmental objectives and orientations. Secondly, this view of choice in New Labour policy and political discourse implies its oscillation between meanings. The politics of choice works through the capacity of the word 'choice' to flicker between at least three types of meaning:

1. the specificity of choice as a particular policy mechanism (e.g., choice meaning the expression of parental preference for the schools that their child may attend);
2. choice as a practice involving the exchange of resources for a desired object, service or outcome (the market principles of exchange through the cash nexus or its equivalent);
3. choice as a generic social and political value (the 'freedom to choose' as a liberal and libertarian value).

This oscillation between meanings has proved to be a powerful discursive resource for New Labour's politics of choice, enabling a certain tactical mobility in relation to actual and potential criticism of reforms based on choice mechanisms. The defence of choice has moved between policy pragmatics (choice works in this service for these objectives); market equivalences (choice works because it is how markets work); and abstract value or right (choice for the many, not for the few). The critical hinge for this discursive work is, of course, the equation of choice with market exchange. Choice as an abstract liberal value does not centre on the market (though it may include it). Rather, choice is about the capacity for self-direction exercised by a self-possessed individual in the personal, social, economic and political arrangements (from choice of partner to freedom of expression of political views). The collapse of these into a market model of exchange is characteristic of what Frank calls market populism, evacuating other domains and forms of 'choice' in favour of the freedom to spend one's 'own money'. Through this hinge discursive equivalences can be constructed between specific policy mechanisms and the abstract value of choice. Choice is good – choice is exercised in the market through exchange – choice in public services needs market-mimicking mechanisms.

But this oscillating character of choice also enables it to act as a political and policy *condensate* – containing, combining and compressing multiple meanings (Clarke et al, 2006; see also Ball, 2007). Other conceptions of choice – emerging from other political projects – are captured in this oscillation, making choice difficult to contest in policy discourse. To be against choice in particular (e.g., in the form of parental or patient choice) is at risk of being elided with being against choice in general. In the discursive field of New Labour, different meanings of choice are assembled: choice as a pragmatically effective policy mechanism (choice is ‘what works’); as a market-like mechanisms (people want choice in public services as they do in other areas of their lives); and as a valued principle that should not be a privilege but a right. See, for example, the comments by Ministers for State to the Public Administration Select Committee in 2004 where they insisted:

- It’s what users want
- It provides incentives for driving up quality, responsiveness and efficiency
- It promotes equity
- It facilitates personalisation (Ministers of State, 2004: 4)

These are potent – if contested – claims about the value of choice for public service reform. Although stated in the terms of policy objectives, it is possible to see something of the oscillation between different meanings of choice here. In the process, the meaning of choice is always both highly mobile and elusive and simultaneously reduced to market-mimicking conceptions of choice as consumer choice. Other conceptions of choice as a social and political practice are displaced in this process – conceptions of negotiation, deliberation, conflict or contestation are made to disappear.

*What’s at stake? Antagonisms of choice.*

This mixture of elusiveness and particularity in the way choice has been framed in policy and political discourse has also contributed to blurring the sorts of controversy surrounding the place of choice in public and social policy. In this section we draw out three antagonisms that are at stake in the re-emergence of choice in public service

reform. Each of these has a distinctive character; each is driven by different social and political commitments; and each of them is embedded in different struggles around public services.

The first antagonism centres on the issue of *inequality*. Critics of choice point to the capacity of market processes to produce and reproduce socio-economic inequalities. As a result, the creation of market-mimicking choice mechanisms in public services, even if they do not involve full marketization, will tend to reproduce social and economic inequalities. Critics of choice have been able to draw on the mounting evidence of educational inequalities associated with the parental choice mechanism as a demonstration of the relationship between choice and inequality. School choice has favoured those with access to economic and cultural capital – parents who can mobilise socially valued resources to achieve their schools of choice for their children. Growing political anxieties about school choice reflect both the evidence of its inequality producing and reproducing effects, and the costs and risks that seem to be attached even for affluent, mobile and white middle class parents. The *inability* of choice mechanisms to reproduce inequalities effectively may be, in some senses, as politically dangerous as their capacity to create inequality.

New Labour have consistently resisted this critique of choice in public services, arguing that in reforming public services the commitment to equity and access to choice is the dominant principle. Former Prime Minister Blair articulated this translation of equality into equity, and demonstrated the equitable commitment to choice:

Extending choice - for the many, not the few - is a key aspect of opening up the system in the way we need. But choice for the many because it boosts equity. It does so for three reasons. First, universal choice gives poorer people the same choices available only to the middle-classes. It addresses the current inequity where the better off can switch from poor providers. But we also need pro-active choice (for example, patient care advisers in the NHS) who can explain the range of options available to each patient. Second, choice sustains social solidarity by keeping better off patients and parents within the NHS and

public services... Third, choice puts pressure on low quality providers that poorer people currently rely on. It is choice with equity we are advancing. Choice and consumer power as the route to greater social justice not social division (Blair 2003).

This view of choice has provided a powerful legitimating device for the extension of choice in public services, not least because it has enabled a dismissal of critics as part of an 'elite' who want to keep choice for themselves, who would deny equal access to the poor, and who hold a elitist and paternalist view of the poor as lacking the capacity to make choices. Despite much evidence that the poor make more, and tougher, choices than the affluent (see Lister, 2004: 124-157), there is an elision in New Labour discourse between the capacity to make choices and the capacity to realise choices. Inequalities of wealth and income, and of cultural and social capital, affect both the range of choice available and the ability to make desired outcomes materialise.

The second antagonism concerns the relationship between choice and *power*. This antagonism takes place on a different field of social and political relations – specifically those between public services and their users. Although this issue is certainly about inequalities within power relations, it sits at an angle to the question of socio-economic inequalities. There is a long history of challenges to public services around questions of power, particularly in a view of services as structured through power relations between institutions (and their staff) and those who use or are obliged to receive public services. From social work to policing; from council housing to health care, public services have been revealed as a site for the production and exercise of power (Clarke and Newman, 1997). In this field of power, we can identify at least two key dynamics. First, there is the power at stake in the bureaucratic or professional relationship – rendering the client, user, tenant, or patient vulnerable to the judgments and decisions of office holders. In such contexts, the ethos of public service has often been experienced as judgmental, overbearing and dependency inducing. Users of public services are always at risk of having their experiences and views translated through bureaucratic and professional filters to turn them into recognisable and legitimate categories. Users, so to speak, have needs and expert

knowledge (embodied in the professional) is needed to discover and clarify the nature of those needs (and therefore the response that may or may not be made to them). The disability movement, in particular, has been in the vanguard of challenging this organisations of bureau-professional power (demanding people's right to be viewed as 'experts of their own condition'), but other user groups have actively challenged the presumption that 'professionals know best' during the last forty years.

The second dynamic of power in public services is that bureau-professional fields of power create the space in which other social inequalities may be produced or reproduced. So, challenges to public services have also taken shape around their ability to act in prejudicial or discriminatory fashion, exemplified in the idea of 'institutional racism' in the Macpherson Report (1998) on the murder of Stephen Lawrence. Racism has been one central and recurring focus for critiques of public services – from policing and the criminal justice system to public housing and social care – but it is not the only focus. Public services have been implicated in the reproduction of a range of inequalities associated with social difference: dimensions of able-bodiedness, age, gender, sexual orientation as well as normative assumptions about families and family life, for example, Public services have been the focus for long drawn out 'equality struggles', resulting in a range of initiatives intended to promote equality of employment, equality of access and equality of treatment in public services. The establishment of effective legal and bureaucratic principles for the production of equality remains – as we write – a contentious issue, not least because of the creation in 2007 of a new and combined 'equalities' body (the Commission on Equalities and Human Rights).

New Labour's approach to choice in public service draws extensively on these challenges. It addresses the question of power through its framing of the problem as the relationship between Producers and Consumers (in a borrowing from Public Choice theory):

Public services... have to be refocused around the needs of patients, the pupils, the passengers and the general public rather than those who provide the services. (Blair, Preface to Office of Public Service Reform, 2002: 8)

If social services are going to genuinely put users first then those users have got to have more power. And that means more choice. Choice is not just a question of consulting users or promising to take their views into account. Nor is it just about making advocacy services more widely available. It is all these things – and I believe that it is more. Choice means opening up a broader span of services so that care can be tailored to fit the needs of the individual rather than assuming the individual will simply fit the off-the-peg service (Alan Milburn, then Secretary of State for Health, Speech to the Annual Social Services Conference, 16 October 2002).

This view that services should be organised around the interests of the consumer, rather than being driven by those of producers, has been a recurrent element of New Labour discourse on public services and is a precondition for the figure of Choice, as the Milburn extract indicates. As we have argued elsewhere, New Labour also takes up the second dynamic of choice, particularly through the idea of ‘diversity’ (Clarke et al, 2007). Diversity works as a rhetorical device through which the contested inequalities associated with social difference become reconfigured as a field of individual uniqueness:

Since every person has differing requirements, their rights will not be met simply by providing a 'one size fits all' service. The public expects diversity of provision as well as national standards (Office of Public Services Reform, 2002: 13).

Thirty years ago the one size fits all of the 1940s was still in the ascendant. Public services were monolithic. The public were supposed to be truly grateful for what they were about to receive. People had little say and precious little choice. Today we live in a quite different world. We live in a consumer age. People demand services tailor made to their individual needs. Ours is the informed and enquiring society. People expect choice and demand quality (Alan Milburn, Speech by the Secretary of State for Health to the New Health Network, 14 January 2002.).

Power, difference and choice form a potent combination. They do, indeed, speak to people's desires – for control, for respect, for being taken seriously and for not being treated in a demeaning fashion in their encounters with public services. But New Labour's appropriation of these concerns tends to separate them from their original political mobilizations, turning them instead into de-politicised and fetishised notions of difference that can be resolved through choice. The double dynamics of power, however, continue to pose problems for the organisation of public services: who identifies legitimate demands/needs; who allocates resources and priorities and who gets to exercise what sorts of choice?

These questions bring us to the final antagonism of choice: this centres on the relationship between *public and private*. Choice and the promise of more personalised services offer to mimic the workings of market exchange in public services, though without (so far) the direct exchange of cash or its equivalents. But treating public services as though they are simple transactions misses many aspects of what makes them public – for users, for people who work in them and, potentially, for a wider public. For many people in our recent study, using public services was emphatically 'not like shopping' (Clarke, forthcoming). Such services were needed in conditions of distress or illness (rather than being pursued as a choice); they were viewed as fundamentally relational rather than transactional; and they had a public as well as a personal character – people recognised that services had to deal with multiple and competing demands with finite resources (and that some of those other demands might be more pressing or urgent than their own needs).

Equally, for people managing and working in public services, choice threatened to short-circuit complicated processes of public judgement and calculation (about priorities, resource allocation as well as 'professional' decisions about forms of intervention). Such decisions combined elected political will, bureaucratic norms, professional knowledge and financial calculation in complex and compound forms. But 'choice' was seen as potentially disrupting all of these decision-making logics in a context where resources had never matched demand. The market model claims to resolve such questions of allocation through the price mechanism, bringing supply and demand into more or less perfect alignment. But the arrival of choice as an

organising mechanism in public services lacks an equivalent to the price mechanism to address the complex problems of resource allocation, balancing demand and supply, and collective priority setting.

This dilemma is, in one sense, widely understood – and is the source of anxieties about choice as the vanguard force for future marketization and privatization. But, at present, what the promise of choice does is to blur and confuse understandings of the public and private – and how they are articulated in public services. In part, this is visible in the arguments over what sorts of organization can legitimately provide public services, and the associated scepticism about the private interest that might drive and even distort public provision. At the same time, however, other understandings of the private (as the terrain of individual, personal, domestic and familial) are summoned into the discourse of choice in public services. Here we find a confusion about the publicness of public services, since it is precisely the circumstances of personal lives create the need for many such services – experiences of illness, victimization and vulnerability, for example. It is in this sense that people often talked of wanting to be treated with respect, to be seen as individuals in their encounters with public services (rather than being dehumanised, demeaned or rendered dependent).

We have tried to show how the rise of choice in public service reform engages different antagonisms, making clear-cut arguments about the value of choice difficult, if not impossible. Knowing that choice may produce or reproduce inequalities does not remove the problems of how power is organised in public services; nor how the private, personal and public can be best articulated in such provision. Part of the problem for the promoters of choice – and for its critics – is that this is not a single axis of debate and conflict. As a result, public, policy and political discourse about choice continues to slide around these different axes of antagonisms, proving disconcerting, distressing and disorderly in the process.

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