

# Workfare schemes given legal sanction in UK

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“The German slogan ‘Arbeit Macht Frei’ is somewhat tainted by its connection with Nazi concentration camps, but its essential message, ‘work sets you free’ still has something serious to commend it.”

This was the comment of the *Daily Mail*’s Dominique Jackson, welcoming the decision of the High Court earlier this week that the Conservative/Liberal Democrat government’s welfare-to-work programmes are lawful.

Most people would baulk at Jackson’s paean to the sign that appeared above entrances to the Nazi concentration camps, where millions worked as slave labour, were starved, tortured and finally gassed. But the High Court ruling and the remarks of Jackson and others are indicative of the contempt and disregard for democratic rights of the ruling elite and its media apologists.

The High Court action had been brought by Cat Reilly, 23, from Birmingham and Jamieson Wilson, 40, from Birmingham.

Reilly, an unemployed geology graduate, and Wilson, an unemployed lorry driver, argued that government workfare schemes violated Article 4 of the European Convention on Human Rights, which prohibits forced labour and slavery.

Reilly has been out of work since 2011 and had been volunteering at a museum. She told the court she had been forced into an unpaid “training period” of six weeks at a local Poundland store. The work involved shelf stacking and cleaning and had nothing to do with preparing her for employment, she argued. She had also not been informed that she could opt out of the scheme and believed her £56 a week Job Seekers Allowance (JSA) would be stopped if she refused.

Last November, Wilson, a father of three who has been unemployed since 2008, received a letter informing him that he must carry out 30 hours unpaid work a week, for six months, or lose his JSA for up to 26 weeks. He was informed that his job would be to help collect unwanted furniture and renovate it. Wilson said that if the training could have led to “concrete” employment, he would “jump at the chance” but the work had no such benefit

and seemed “pointless”.

When he refused, he was stripped of his benefits and forced to rely on family and friends to support him.

In his ruling, Mr. Justice Foskett acknowledged that errors had been made in not making clear to Reilly that the work placement was not mandatory. He also said that the letter sent to Wilson did not conform to the Department of Work and Pensions (DWP) rules on providing clear information, and that his loss of benefits for six months was therefore unlawful.

But he rejected that the government’s schemes amounted to “forced labour”.

They “are a very long way removed from the kind of colonial exploitation of labour that led to the formulation of Article 4,” he said.

Why Justice Foskett choose to focus on “colonial exploitation” is not clear. The European Convention on Human Rights was developed in the immediate aftermath of the Second World War. While framed in the context of the developing Cold War against the Soviet Union, its advocacy of human rights was regarded by millions as providing constitutional guarantees against any repetition of the type of abuses by the state that had swept Europe in the 1930s and 1940s and which had culminated in the Holocaust.

Article 4 prohibits slavery, servitude and forced labour except where it is carried out as a “normal part of imprisonment”, “in the form of compulsory military service”, during a state of emergency or where it is “considered to be a part of a person’s normal ‘civic obligations’.”

In his ruling, Justice Foskett stated, “The [human rights] convention is, of course, a living instrument, capable of development to meet modern conditions, and views may reasonably differ about the merits of a scheme that requires individuals to ‘work for their benefits’ as a means of assisting them back into the workplace.”

This would imply that workfare can be considered part of a “person’s normal ‘civic obligations’.”

Small wonder that a spokesperson for the DWP said the

department was “delighted” by the ruling: “Comparing our initiatives to slave labour is not only ridiculous but insulting to people around the world facing real oppression.”

The spokesperson continued, “Those who oppose this process are actually opposed to hard work and they are harming the life chances of unemployed young people who are trying to get on.”

The ruling opens the way for a significant expansion in the workfare programme. Poundland, which had suspended its involvement in the programme, immediately announced it would re-enter the scheme.

Jackson claims she is not in favour of a return to “Victorian workhouse Britain”. The problem was that Britain’s legions of young unemployed—particularly unemployed graduates—must abandon their “unrealistic expectations” and understand that “there is dignity to be gained from any job, no matter how menial”.

The same sentiment was echoed in numerous commentaries on the High Court ruling, including from the nominal “left”.

Brendan O’Neill is editor of the online journal Spiked. Set up by the former Revolutionary Communist Party to replace its *Living Marxism* journal, it now describes itself as “humanist” and “libertarian”—sharing the right-wing nostrums of similar tendencies in the United States.

Blogging in the *Telegraph*, O’Neill welcomed the High Court ruling as “a smack in the chops for today’s self-pitying youth.”

The problem with the young is that they are, “crazily convinced that their lives are harder than their parents and grandparents” and motivated by “concern for their precious self-esteem ... have become the most self-pitying generation in living memory.”

So much so, that “they think little of comparing themselves with enslaved peoples of earlier eras.”

Jackson and O’Neill are archetypal representatives of a self-satisfied petty bourgeois layer that pollute the British media. Whether nominally “right” or “left”, their arrogance as regards rising social inequality and the daily struggles of millions of working people, young and old, is coupled with a deep sense of foreboding as to its potential consequences for their own privileged existence should these same people decide that enough is enough.

They mock comparisons between government-imposed workfare and slavery, all the while supporting the firm whip of the state in helping to impose discipline and values on the supposedly “work-shy”.

There is nothing voluntary about the government’s

schemes. Even without the threat of losing benefits—condemning people to months without any income—the schemes are being rolled out under conditions where unemployment has officially passed 2.5 million, with more than one million out of work under the age of 25.

The situation is worsening. The UK economy is in a double-dip recession. While billions are handed over to the banks, the government’s austerity measures are leading to mass job losses, and ever deteriorating social conditions. Jackson herself notes that last year “more than 10,000 graduates took on so-called ‘elementary occupations’, including as cleaners, labourers and rubbish collectors...”

More than 34,000 young people are currently on unpaid job placements. The *Guardian* found that one major government contractor, Avanta, was using unemployed workers to clear houses, flats, offices and council premises under the workfare programmes. Only recently it was exposed that one of the largest private providers of workfare schemes, A4E, had forced jobseekers to work without pay in its own office, among other allegations of widespread fraud by the company.

The schemes have nothing to do with finding people decent, well-paid employment. Such jobs are being destroyed as the ruling elite uses the economic crisis to drastically restructure the economy even more radically in its favour.

Workfare programmes are integral to this. As the *Guardian* reported, “The Department for Work and Pensions (DWP) has previously stated that all mandatory schemes must be for ‘community benefit’. However, under government rules, this can be defined as increasing the profit of organisations where the unemployed are sent to work without pay.”

“Arbeit macht Frei” was initially the slogan of the Weimar Republic’s “public works” programme and was used to mobilise the unemployed to satisfy the profit demands and military aims of the German bourgeoisie. It could be adopted by the Nazis precisely because of this underlying aim.



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