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# Neo-liberal versus Social Democratic Policies on Homelessness: The Nordic Case

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Evelyn Dyb

Norwegian Institute for Urban and Regional Research, Oslo, Norway

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## Introduction

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On the twenty-first of May 2013, a group consisting of 250 ministers and diaconate staff of the Lutheran Church of Norway joined members of voluntary organizations to sleep rough for a night in one of Oslo's parks. This was in protest against the recent revival of a ban on sleeping in public places in Oslo. It was another example of a frightening trend in the criminalization of poverty, the organizers explained. The Church of Norway wanted to show its solidarity with people living on the streets. The new regulation, adopted by the city council, is but one of several diverging approaches to policy on homelessness and social marginalization in Norway. I want here, in responding to O'Sullivan's extensive and thorough discussion of 'the punitive neo-liberal state', to point out and comment on various tendencies in the social democratic state of Norway, to illustrate the strengths and limitations of the 'punitive state' thesis. Like O'Sullivan, I question the master narrative that European welfare states, under the influence of neo-liberal ideology, are pursuing an increasingly tough and repressive line on homeless people and other disadvantaged groups.

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## Punitiveness and the Nordic Welfare Model

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The Nordic welfare model – which is also known as the social democratic welfare regime – is characterized by a generous redistribution of resources, relatively small social differences and high employment rates. The Nordic model is recognized for the care it takes of its citizens. Norway fares better than most other countries in that it has Europe's lowest rate of unemployment; indeed, there is a shortage of labour in some sectors. Prison populations in the Nordic welfare states are also relatively low. Sweden, Finland, Denmark and Norway have the lowest incarceration rates in Europe, significantly below the average for the EU countries (except Slovenia) (O'Sullivan 2012, Table 1). And while the Nordic prison population grew

between 2001 and 2011, the rate of growth remained below the European average. There may be various explanations for the low number of prison inmates in the Nordic countries. First, the social democratic welfare state is less punitive in mind-set and constitution than other types of welfare regime. A generous welfare state tends moreover to reduce the prevalence of certain types of crime, in particular offences associated with homelessness and destitution. This, of course, also helps keep the general crime rate down. A third explanation, related to the second, is that a high degree of equality is likely to dampen tendencies to social unrest, an activity which, if not resulting in violations of the law, is often subject to criminalization itself.

### **Control of Public Space**

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The social control exerted by the welfare state takes place, broadly speaking, in two spheres; the civil sphere and the penal system. The latter includes the police, courts and correctional services. The remaining institutions of the welfare state constitute the civil sphere. In the universe constituted by the master narrative of the punitive welfare state, an important point is that these two spheres are intertwined, and further that this process has been accelerating in recent decades. There is and will always be a need to regulate public space. Regulation takes place more or less through internalized (unwritten) norms, formal rules and regulations. Rules and regulations tend to impact disproportionately on marginalized groups, such as homeless people, people begging and active drug users. As O'Sullivan points out, it is difficult to say whether the intention is to control homeless people and other users of public space on the streets, or whether they get caught in the crossfire as a result of the steps taken. It isn't difficult to find examples of public spaces, which due to privatization and architectural transparency, are increasingly hostile to homeless people. The major Nordic cities and urban areas are no exception in this respect (Franzén, 2001; Lomell, 2007). In historical terms, some of the techniques used to police public spaces, such as surveillance cameras and surveillance technology in general, are of relatively recent date. Other methods are as old as the poor laws and anti-vagrancy laws. One of these non-technological methods is the "police gaze".

The term "police gaze" originates from an observational study of police patrols (Finstad, 2000). The police have a duty to maintain public order. The professional gaze is an important tool for the police and possibly a crucial factor for the safety of both the police and the public in many situations. What attracts the police gaze tends to be people who by definition don't fit in, that is, they are "out of place" (Douglas, 2002). Police observations while patrolling the streets are collated and divided into formal and informal categories. "Slob" ("slask") is one of the informal categories. A "Slob" is not defined by a single characteristic, but several. They include general appearance, clothing, hair length, circadian rhythm, places

frequented, with whom and at what times of the day. The police gaze searches for a particular type of person, according to Finstad, primarily people with signs of active drug use, low educational levels, and unemployment. Their lifestyle is public and visible. A “Slob” does not need to have committed an offence; he just has to look like a regular “customer” of the police. The “Slob” will tend to share many of the characteristics of the homeless (Dyb and Johannessen, 2013). After spotting a “Slob” on the streets, the police frequently initiate a “stop and search” procedure: The individual is stopped, questioned and searched for possession of drugs, stolen goods, etc.

It is not difficult to find analogies between current stop and search procedures and the control mechanisms under the Vagrancy Act, which remained in force in Norway until about 1960. The Vagrancy Act was not so very different from similar laws in other countries. It gave the authorities the power to take people into custody for those without a fixed abode, begging on the streets and being drunk in public. In a comprehensive study of vagrants in Oslo in the early 1960s, Ramsøy *et al* (1971) reproduced an interrogation protocol used in the remand of vagrants. What we see here is that not only was the verdict an aspect of the control of so-called vagrants, the interrogation was too. The questions are detailed and revolve around difficult and sometimes embarrassing issues. Many people went through this interrogation grinder time and time again.

## **Control in the Correctional Services**

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We arrive now at the direct, open control mechanisms that target specific groups on the margins of society, i.e. the mechanisms of criminalization and incarceration of homeless alcoholics. Work camps used to be promoted as the most effective means of treating and preventing vagrancy and drunkenness in the Nordic region, as they were in other European countries. The Opstad Labour Camp for ‘alcoholics’ was the leading facility within this part of the modern prison system of the 1900s. Opstad opened in 1915 after a lengthy planning period, including study trips abroad to observe more advanced penal systems than Norway’s was considered to be at this time. The Opstad buildings recall the panoptic surveillance philosophy (see Foucault, 2001), the point being to monitor the many while remaining inconspicuous oneself. We find the same idea in the account of how Opstad came into being by its founder (Omstad, 1949). The most important form of surveillance was, however, the internal control procedures, which are still used extensively in today’s prison system. Privileges are awarded and withdrawn according to an internal punishment and reward system. Rewards can be individual and collective. Penalties are often collective, however, which encourages detainees to enact a form of internal justice. The so-called “confidence system” at Opstad was a crucial control mechanism

simply to get the place to work. Inmates working in the forests and fields were subject to limited scrutiny. It was a policy intended to enable their rehabilitation and, not least, balance the institution's operating budget.

The emphasis of modern correctional services on the rehabilitation of inmates and on keeping them in work and other forms of employment is considered a crucial aspect of prison rehabilitation programmes. The correctional services, however, offer several ways of serving a custodial sentence, with tests, training and education programmes to help inmates cope with life outside prison. Cohen (1994) lists 27 different forms of detention in terms of facilities, terms and courses, as well as hundreds of tests, scales, diagnostic tools and sorting mechanisms used by Western correctional services in the mid-1980s. The Norwegian correctional services offer today a broad range of detention programmes and services to offenders. Cohen applies a classification and control perspective to the analysis of imprisonment, training and testing in modern Western correctional services. It is difficult to find support for the idea that differentiated forms of detention and training are intended to enhance the control of inmates and offenders in various types of custody. On the other hand, the penal system and control measures put in place with the best of intentions cannot escape their association with the welfare state's institutions of crime control. Since the difference between assistance and control balances on a fine line, it can be difficult to differentiate between what is motivated by the need for control and the intention to provide help.

Opstad labour camp for 'alcoholics' closed for good in 1970, and the place is used today as an ordinary prison. The social profile of the current inmates of Åna Prison is, however, remarkably similar to that of the old labour camp's internees with an overrepresentation of the most disadvantaged people in the prison system, characterized by habitual relapse into crime, serious substance abuse and homelessness. Alcoholism is no longer punishable by imprisonment or fines. Drunken and disorderly behaviour is typical in city centres on Friday and Saturday nights. Illicit drugs have taken over the role of drink and are the main reason why homeless people are taken into custody. One-third of all inmates in Norwegian prisons are convicted of illicit drug offences. In addition, a large percentage of inmates have committed illicit drug-related offences, especially violence perpetrated under the influence of illicit drugs and drink and theft to finance the habit. Imprisonment is one, and the most immediate, way of controlling certain types of social deviance.

## A Neo-liberal Criminal Regime?

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As Esping-Andersen (1990) points out, one of the preconditions for the legitimacy of the welfare state is that the middle classes demonstrate solidarity with the working class. Middle-class support for universalistic welfare programmes are an important feature of the Nordic model. This middle-class support relies on a certain assumption; that is that the schemes and programmes are designed in such a way that the affluent classes have no need to purchase care and attention from the private sector. The popular legitimacy and support of the welfare state rely on everyone making a contribution and shouldering part of the burden. The main poverty-reducing mechanism in the Nordic countries since the 1980s has been workfare, which has cross-political support. At a macro level, the goal is to get everyone working and at the individual level, entitlement to state benefits requires participation in the workforce. According to several studies, including a recently published research report (Djuve *et al*, 2012), the various workfare schemes do not produce the anticipated results. A minority do find a job and are offered new programmes with varying results.

In the more populist debates about workfare as a policy, political pundits in Norway agree it is important to get up in the morning even if, or precisely because, you are unemployed. In reality, many young people in the groups targeted by workfare schemes and programmes belong to and will remain members of a reserve labour force, as did the old alcoholics. Many of them did odd jobs in good periods, as stevedores or factory hands for example. Politically, to ensure the popular legitimacy of a relatively generous welfare, workfare in its various forms is an absolutely essential policy. According to this way of reasoning, the control of healthy, unemployed persons is a government imperative. There was a general election in Norway in 2013 resulting in a victory for the Right after eight years of Left-wing government. Neo-liberalism enjoys significant voter support in the Nordic welfare states, though they have preserved many of their so-called social democratic features, including relatively small social differences and small prison populations.

## Conclusion

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One of the questions asked by social scientists and politicians is whether immigration could undermine the Nordic welfare state. One of the reasons for the success of the liberalist Right parties is their tough line on asylum and immigration policy. In Norway, we are again discussing the issue of begging on the streets, a few years after the ban on begging was repealed (2006) – which, incidentally, was the final remnant of the old Vagrancy Act. Along with a stricter ban on sleeping in public places, a revival of the anti-begging law would represent another step towards the criminalization of the homeless and poorest in society. But it is highly questionable whether any of these measures can be linked directly to a neo-liberal political wind in the Nordic welfare states. These discussions and protests have been triggered by a group of highly visible beggars who are ethnically Roma and originate from Romania. Neo-liberalism means in essence support for the free flow of people (as well as capital and goods), and a more open Europe. People's growing opposition to begging and sleeping rough in public places probably has something to do with concerns about this group. The Roma are a stigmatized group in Norway, as indeed they are in the rest of Europe. It is worth noting in this respect that no one today would condone the treatment meted out to gypsies in Norway in the 1950s and '60s, the heyday of the social democratic welfare state. It is seen as a gross example of a government's abuse of a vulnerable group. Although there are plenty of examples of institutional abuses of power, control and criminalization of the homeless and the most vulnerable groups in the social democratic welfare state, it is difficult to say, using Norway as a case study, whether control and criminalization have grown stronger over the last few decades.

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