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WELLBEING

Political Discourse and Policy in
the Anglosphere

LE BIEN-ÊTRE

Discours politique et politiques
publiques dans le monde anglophone

Sous la direction de
Louise Dalingwater, Iside Costantini et Nathalie Champroux



revue **INTERVENTIONS**
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Wellbeing: Political Discourse and Policy in the Anglosphere.

Introduction

Le bien-être : discours politique et politiques publiques dans le monde anglophone. Introduction

Louise Dalingwater, Iside Costantini and Nathalie Champroux

- 1 In recent years, policymakers have shown renewed interest in the notion of wellbeing, or happiness, which are often interchangeable terms in discourse. However, subjective wellbeing or happiness dates back to ancient times. For Aristotle (384-322BC), happiness could take two forms: eudaimonic happiness, the ultimate goal of one's existence which could be reached by following a virtuous path and undertaking meaningful activities, and hedonistic happiness, linked to the pursuit of personal satisfaction and emotional comfort.
- 2 Wellbeing as we understand it today mostly stems from Western sources. 'The pursuit of happiness' was in fact included as a 'human unalienable right' among others on the American Declaration of Independence on July 4, 1776, whilst that same year British philosopher Jeremy Bentham recommended happiness as a social measure to promote 'utility' or the 'greatest happiness of the greatest number' (Bentham, 1776: 142). Political and economic changes such as the independence of the United States of America (USA), the French Revolution and industrialisation in 19th century England brought about unprecedented and large scale democratisation which had a deep impact on the lives of citizens. The increase in wealth and spread of democracy led to an improvement in the quality of life in general, even if it failed to prevent wars and eradicate poverty from all spheres of society. As the political structure of European countries went through the process of 'state and nation building, mass democratization and the rise of different types of welfare systems' (Glatzer and Kohl, 2017), the material wellbeing and happiness of society became a concern for public institutions for present and future generations.
- 3 Although the term 'wellbeing' has existed for centuries¹, it was more widely adopted by economists and policymakers in the second half of the 20th century², probably encouraged

by its use in psychology in the late 1960s. Since then, the concept has been reviewed and further developed as a means to focus more on subjective wellbeing and social progress, rather than economic growth. But there is still no commonly agreed definition of wellbeing. Some consider wellbeing to be equivalent to happiness (Layard, 2005). Others relate the notion to life satisfaction, quality of life and sustainability (OECD, 2014; Scott, 2012). The recent focus on subjective wellbeing is, in the field of economics, close to John Stuart Mill's 'deliberative utilitarianism': how people think and feel about their lives. Indeed, Mill rejected hedonism and defended human happiness that consisted in the exercise of one's rational capacities (Mill, 1861). While the term remains open to interpretation, there does seem to be a fair amount of consensus on the similarities between happiness and subjective wellbeing, which are mostly interchangeable. Subjective wellbeing or happiness is said to incorporate three main components: first, life satisfaction which can be gauged by asking people how happy they are overall with their life; second, positive emotions and an absence or low level of negative emotions; third, such notions are also completed by psychological wellbeing and eudaimonic wellbeing (Diener, 2000; Argyle, 2001).

1. Measuring Wellbeing for Policy

- 4 Yet attempts at expressing the nature of wellbeing have mainly focused on the implementation of measures and monitoring rather than definitions. For instance, since 2003 Eurofound (European Foundation for the Improvement of Living and Working Conditions) has undertaken four surveys on the quality of life in Europe. Many recent measuring initiatives were also taken after the publication of the 2009 study on alternatives to measuring growth, commissioned by French President Nicolas Sarkozy and led by the economists Jean-Paul Fitoussi, Amartya Sen and Joseph Stiglitz (Stiglitz *et al.*, 2009). The Council of Europe included the concept of wellbeing for all its members as part of a new strategy for social cohesion, which was approved by the Committee of Ministers in 2010. In 2011, the General Assembly of the United Nations adopted a resolution to encourage member countries to consider happiness and wellbeing in their measurement of social and economic development with a view to guiding public policy. This non-binding resolution further asserted that the 'pursuit of happiness is a fundamental human goal' (UN, 2011). The Organisation for Economic Cooperation and Development (OECD) (2011 Better Life Index), European Commission (2016 European Social Progress Index) and Organisation of the Islamic Cooperation, based in Saudi Arabia (Islamic Inclusive Growth Index) now all undertake measurement of social progress going beyond conventional economic measures like GDP per capita. In 2010, the British Office for National Statistics (ONS) was asked by Prime Minister David Cameron to create a 'UK happiness index' as part of a £2m-a-year wellbeing project. Other indicators include the 'Happy Planet Index', created by the London-based think tank New Economics Foundation (NEF), ranking countries according to happy life years and particularly focusing on environmental goods and bads (NEF, 2008).
- 5 Diener and Ryan (2006) developed the most common way of measuring wellbeing based on a bounded scale to evaluate experience from 0 to 10 or 1 to 7 called the Cantril Self-Anchoring Scale, invented by pioneering social researcher Dr. Hadley Cantril. According to this scale, there is considered to be a minimum and maximum value to one's happiness. The problem is that it is thus assumed that there is a limit to maximum happiness. But

should subjective wellbeing or happiness be bounded or unbounded? It is difficult to analyse whether there are limits, which raises problems for such evaluations of subjective wellbeing. However, very few surveys report 10/10 (the average in the United Kingdom (UK) for example is 7/10), which would suggest that such boundaries are not exceeded.

- 6 But how do these measures translate into wellbeing or happiness policies? Proponents of using measures to inform policy have suggested measuring subjective wellbeing or happiness by using these happiness indexes and then, after looking at the drivers of happiness, trying to increase the values of the index through appropriate policy interventions. For some researchers, the value of such measures is not necessary to create new happiness policies but to reflect on whether we are currently happy with our lives and establish the determinants of happiness. Diener *et al.* (2009) suggest that policymakers and other stakeholders might ultimately use this information to decide, in the utilitarian tradition, whether policies influencing those determinants really result in a higher level of happiness for the greatest number. Such values could also be used to assess and value goods that cannot really be expressed in monetary terms, that is a non-market goods such as health care, social services, transport, environmental policies and government action (Diener and Ryan, 2006). Measuring wellbeing in this way might also provide crucial information on what people value most and therefore which policy goals should be chosen by governments. When resources are limited, it might help to decide which area or areas should be given priority, bringing the ethics of wellbeing into play (Diener *et al.*, 2009: 54-63). Richard Kraut, for example, in his publication *What is Good and Why. The Ethics of Wellbeing* analyses what causes human beings to flourish: that is, what is good for us. He argues that what is good for complex organisms is the maturation and exercise of their natural powers (Kraut, 2009). The essential problem is coming to an agreement on the politics of happiness and whether happiness politics or wellbeing policies should be developed.
- 7 While there is a dispute on the role of government in formulating policy specifically to enhance subjective wellbeing or happiness, some proponents on increasing happiness, such as Layard (Layard, 2005), claim that they do have a role in ensuring that misery is avoided. Other advocates of happiness politics besides Layard have argued that happiness or wellbeing should guide policy (Donovan and Halpern, 2002; Veenhoven, 2002, 2004; Diener and Seligman, 2004; Marks, 2004; McAllister, 2005). Research has found that happy people tend to be more sociable, interesting and creative-minded (Argyle 2001). They also tend to have reduced stress levels and choose healthy lifestyles (Veenhoven, 2004). Overall happy individuals can have a positive overall effect on society. Indeed 'if we want a happier society, we have got to approach our own lives in a way that prioritises the things that really matter-including happiness of those around us' (Wilkinson, 2011). McAllister (2005) thus argues that policies to enhance the happiness of the population can only be beneficial. Those who promote happiness research and measurement also contend that it can have some use in public policymaking because it supplements macro-economic information (Frey and Stutzer, 2007).
- 8 However, detractors argue that it is difficult to increase happiness or wellbeing because of the woolly definition of both terms (Schoch, 2006; Wilkinson, 2007; Johns and Ormerod, 2007). Moreover, knowledge about the determinants of happiness still remains at the experimental stage (Donovan and Halpern, 2002). Measuring happiness and wellbeing and assessing its drivers to ultimately increase happiness is also based on normative political and ethical assumptions that presume, in the philosophical tradition of utilitarianism of

Jeremy Bentham and John Stuart Mill, that happiness as the basic principle of ethics should be the ultimate goal in life; the greatest happiness of the greatest number. However, even though happiness may be intrinsically good, as ‘a universally understood and desired goal’ (Duncan, 2010: 11), it does not necessarily follow that maximising happiness should be an ethical or political goal.

- 9 Happiness remains a complex and contestable notion, so as Duncan underlines ‘any liberal-democratic polity would [...] need to consider how the ideal of happiness may be expressed within diverse communities’ (Duncan, 2010: 7). As individuals and cultures have different values and policy priorities, how people can achieve happiness or a good life may be questioned in the realm of policy-making (Duncan, 2010).
- 10 A number of detractors also claim that the pursuit of happiness can actually result in misery, especially if it involves trying to achieve material wellbeing (Mauss *et al.*, 2011; Gruber *et al.*, 2011; Ford *et al.*, 2017). Diener *et al.* argue against the maximization factor but defend action to enhance happiness not just for the present but also for future generations (Diener *et al.*, 2009). Indeed overemphasis on growth, markets and individual identity has led to systematic imbalance and may actually result in social costs which can exceed the private benefits in affluent societies where resources are allocated to meet citizens’ basic needs (Howard, 2012), especially if specific environmental and social policies are not implemented.
- 11 There can be negative consequences in maximising happiness. For example, an obligation to be happy may make one unhappy because of unrealistic expectations (Bruckner 2000; Buss, 2000, Nettle, 2005, De Pryckner, 2010), or stigmatise unhappy people (Bruckner 2000). Specifically, in the policy domain, there may be a misuse of happiness indicators. For example, different interest groups may try to distort or manipulate figures. It might mean individuals misinforming on their happiness levels to influence policymakers and policymaking (McMahon, 2005; Frey and Stutzer, 2007). Happiness data may also be used selectively to fit the political agenda: for example showing that freedom is an important factor in happiness to support a liberal programme.
- 12 So there would seem to be two essential problems in putting happiness on the agenda in public policy. First, policymakers will often promote happiness if it coincides with their own objectives and the likelihood of being elected. Second, if people know that their answers are to be used for happiness policies, they may misreport their answers to avoid manipulation by policymakers or provide a supportive response, as in some cultures feelings are not easily expressed. Finally, policies aimed at increasing happiness are not difficult or impossible to implement, but they may have a negative impact on social welfare as illustrated by Bhutan’s attempt to adopt nationwide Gross National Happiness (GNH) policies, which neglected other aspects such as chronic unemployment, poverty, education and corruption. Indeed, Bhutanese Prime Minister Mr Togyay claimed upon his election in 2013 that ‘the concept was overused and masked problems with corruption and low standards of living’ (BBC News, 2013). He went on to criticize the GNH as distracting the government away from delivering basic services.
- 13 Indeed, the emphasis on subjective wellbeing and, in particular, ‘deliberative’ utilitarianism moves the focus away from other more objective concerns linked to inequality or welfare (Blanchflower, 2004; Gadrey, 2012). Many of the current wellbeing measures and wellbeing policies that have been developed take very little account of structural inequalities or social relations between communities, which are also significant key drivers of wellbeing. Moreover, subjective wellbeing is close to the sense of economic

utility, relating to 'personal benefit gained by an individual from a particular interaction or a particular behavior' (Eichhorn 2013). The resurgence of 19th century laissez-faire economic liberalism since the 1980s is thus a key to the current context of wellbeing, which favours less general social welfare and a greater need to measure individual wellbeing and apply measures related to improving this (Scott, 2012; Eichhorn, 2013, Coron and Dalingwater, 2017).

- 14 Another drawback of measuring subjective wellbeing is that it is looking at individual satisfaction rather than social content. It is not gauging improvements in quality of life or human progress (Eckersley, 2013). Diener and his co-researchers who were pioneers in developing measures of subjective wellbeing remain very cautious about how these measures could be actively used to inform policy and practice. At the same time, the authors show that alternative measures provide useful supplementary information and give citizens' views on how well or badly they perceive changes in society (Diener *et al.*, 2013). The question of reliability of data is very important to bear in mind. For example, Diener *et al.* (2013) reported that when political questions were raised after asking people to evaluate their life satisfaction, people tended to view the questions from the perspective of satisfaction with their personal lives and not related to the societal and political affairs context. This might mean that individuals are happy with their own lives, but dissatisfied with society-wide conditions. Americans have been said to be losing confidence in the nation, but still believe in themselves and it is mainly the latter evidence (happiness with their own lives) which is measured by the most recent subjective wellbeing indicators. If you ask Americans whether they are happy, from an individual perspective they will probably give positive answers. However, two thirds of Americans also believe that the past decade is one of decline, not progress. They consider the future to be bleaker for their children (Eckersley, 2013).

2. Wellbeing Policies and Political Spectrums

- 15 The use of wellbeing for political ends depends, of course, on which side of the political spectrum wellbeing is being considered. The 'political left' for example is inclined to put emphasis on social wellbeing and the creation and maintenance of welfare states, whereas 'right wing' governments might focus on economic wellbeing, whereby the market is prioritised in order to create prosperity (Atkinson and Morelli, 2012). Although 'left' and 'right' have less meaning today with the rise of centrism, both political leanings claim that their philosophies are the best way forward for the country in both economic and social terms and ultimately for the wellbeing of its citizens.
- 16 The debate is therefore whether subjective and objective wellbeing varies depending on a particular type of policy implementation (De Prycker, 2010). Veenhoven (1997) and Diener *et al.* (1995) found that countries that were considered to be more individualist than collectivist reported greater mean levels of happiness. They argue that this leaves individuals scope for more choices to lead their own lives or seek their own happiness. This is in contrast to earlier research. Lindblom (1977: 82) argues that pursuing a market-led political approach leads to greater insecurity for the population. Esping-Andersen (1990) contends that in a market economy, individuals are also captive to power which is not within their control, which then results in greater stress levels. Economically liberal governments argue that too much intervention of the state can make individuals powerless because of intrusive governmental bureaucracy and can also result in too much

dependency and complacency, which is negative in terms of self-respect and autonomy. To what extent governments should be intrusive is a very significant question. If it is to ensure security and safety, intervention is crucial. However, neoliberal theory³ would contend that too much intervention of the state may be detrimental to individual wellbeing. This can be linked to a more general reflection on the role of the welfare state.

- 17 The objective of the welfare state is to reduce inequality and poverty. However, there is a debate about the extent to which this purpose is served. Economically liberal governments tend to accuse excessive state intervention and a tight welfare state of crowding out the private sector because of excessive public spending (Bacon and Eltis, 1976) while encouraging dependency on the state of the unemployed. Collectivism can also have negative effects on individual privacy, freedom and autonomy. So whether welfare is good for society and ultimately makes it happier is often linked to the debate around entitlements and the market. Too much welfare and decommodification⁴ might result in inefficiency and wastefulness, which will impose costs on society that will ultimately reduce overall levels of happiness.
- 18 However, is there any proof that either increasing or decreasing welfare can have any effect on subjective wellbeing or happiness? Veenhoven (2000) in a comparative study of 41 nations from 1980 to 1990 studied the link between levels of wellbeing and the size of the welfare state and concluded that there was no link. The only justification for increasing or decreasing welfare would be according to political ideologies. Radcliffe (2001) on the other hand found a strong positive connection between life satisfaction and welfare. He concludes that 'subjective evaluation of life is enhanced by the extent to which the state reduces market dependence through the decommodification of labour and, in general, adopts a social democratic welfare regime.' However, Pacek and Radcliffe (2008) contend that neither study is ultimately convincing because of poor design. In order to measure the impact of welfare on happiness, some have concentrated on the level of expenditure, but as Esping-Andersen (1988) underlines this is not necessarily very relevant or even perhaps misleading, because it does not sum up the state's commitment to welfare.
- 19 Esping-Andersen (1990) delves deeper into the question of the quality of the welfare state in *The Three Worlds of Welfare Capitalism*. He examines the role of decommodification and how this reflects the quality as well as quantity of social rights and entitlements. Decommodification for him means that individuals can opt out of work if necessary and it will not impinge on their overall welfare. They are thus not dependent on the market. Emancipation from market dependency is measured by the level of pensions, income allowance for ill health or disablement and unemployment benefits. Generous welfare states will have a higher degree of decommodification. Another measure that Esping-Andersen uses to compare levels of welfare is in terms of the social wage; that is the share of national income that is distributed according to social need rather than by market distribution.
- 20 According to Pacek and Radcliffe (2008), welfare states contribute to human wellbeing and if welfare is reduced, people are forced to act as commodities to survive. Albert Einstein (1949) argued that socialism was the best way of structuring society to make human life as satisfying as possible. He also contended that capitalism encourages one to see society not as a positive asset but as a threat to natural rights. Pacek and Radcliffe support his theory: 'market economies tend to make individuals prisoners of their own egotism', so that 'they feel insecure, lonely and deprived of the naïve, simple, and

unsophisticated enjoyment of life' (Pacek and Radcliffe, 2008). The political debate on the role of the market and state intervention thus plays a significant role in the development of wellbeing policies. It is particularly relevant if we look at the set of countries which make up the Anglosphere. These countries have adhered quite strongly to neoliberal policies and given a significant role to the market even in the public policy domain.

3. Reflecting on Wellbeing Policies in the Anglosphere

- 21 But how might we define the Anglosphere and why might it be relevant to consider this sphere in relation to the political economy of wellbeing? The Anglosphere⁵ can be defined as “the countries of the world in which the English language and cultural values predominate” (Merriam-Webster). Apart from sharing the same language, these countries also have common institutions inherited from the colonial past with democratic parliaments largely based on the British political system and legal system of common law. The creation of political parties in these countries was largely inspired by British bipartism and to some extent its welfare state. Since the 1980s, the neoliberal model⁶ and/or the so-called ‘Anglo Saxon model’ has also been a common feature in much of the Anglosphere.
- 22 The Anglosphere would seem to share a number of values and beliefs which are important in the context of wellbeing. The World Values Survey, a global network of social scientists studying changing values and their impact on social and political life, identifies the Anglosphere or English-speaking sphere, as they refer to it, as one of eight significant cultural spheres. A series of publications by this think tank⁷ aims to show that people’s beliefs play a major role in economic development, the emergence and flourishing of democratic institutions, equality and effective government. These factors are also inherent ingredients of wellbeing. The common historical, cultural and language connections mean that comparisons within the Anglosphere may be more consistent than wider comparative studies of wellbeing.
- 23 Indeed wellbeing remains a complex notion and means different things to different people across cultures. Blanchflower and Oswald’s study (2004) for example found that errors might have occurred when analysing wellbeing in Australia with too general and universal a comparison. Their study questions the UN Human Development Index’s reporting where Australia now ranks 3rd in the world. The authors report on their own study of a sample of English-speaking nations which places Australia much lower in the ranking, claiming that their re-evaluation of subjective wellbeing in Australia is perhaps more reliable because of the choice to focus on countries with a common first language and historical ties. A similar approach was taken by Olafsson (2013) in his analysis of Nordic countries. It is for this reason that a number of comparative studies have chosen to concentrate on sub-samples where a common language, similar cultures and/or heritage can make wellbeing analysis more reliable.
- 24 The same reasoning is behind our decision to compare wellbeing policies within the Anglosphere. We felt that illustrating policies in a sub-sample of English-speaking nations would produce more reliable outcomes for debate. Some of these countries have also been pioneers in the creation of wellbeing measures as we have already illustrated. For this reason, we chose an international team of researchers and experts with particular knowledge of one or several countries of the Anglosphere.

- 25 While literature on the notion of wellbeing and measurement has been fairly extensive in the Anglosphere and beyond, produced by both researchers and policy institutions alike over the last decade, there would seem to be relatively less literature on how such work has contributed to the emergence of wellbeing policies, with the exception of a few studies produced for example by the NEF or the highly contested Legatum Institute.
- 26 Our analysis differs from these studies in its outreach and considers the establishment and development of wellbeing policies in several countries and regions of the Anglosphere (Australia, Hong Kong, New Zealand, the UK and the USA) in particular policy domains: social policy, health, housing and education, from a historical and political perspective. It is interesting to explore whether these countries and regions of the Anglosphere, with similar cultural roots and strong adherence to neoliberal policies have developed similar policies to improve wellbeing. The contributions of this volume assess how policymakers are influenced by the specific national setting in the creation of a framework for wellbeing in various policy domains.
- 27 The debate on the role of the state in enhancing both material and subjective wellbeing is a theme which brings the articles together, and some common paths to wellbeing are illustrated in the collection of articles. Both Rodd's and Ewens's contributions show how New Zealand and Australia were pioneers in the creation of legislation and social policies to enhance wellbeing. New Zealand was the first country in the world to introduce public old age pensions in 1898, and the first country in the Anglosphere to establish a welfare state. Australia quickly followed suit in the wellbeing-through-welfare approach by introducing a minimum wage and a whole number of welfare reforms to increase safety, which is identified as one of the key drivers of wellbeing by Ewens. In stark contrast, Costantini describes how Hong Kong, which was under British rule until 1997, suffered from a deeply fragmented health care system until the 1990s and it was not until December 2000 that citizens could enjoy a statutory retirement pension scheme. Yet the author claims that Hong Kong has now developed one of the most advanced health and education systems in the world, which has driven improvements in the quality of life of its citizens. In his article, which analyses the link between health and wellbeing, Holdsworth contends that if political trends in the US regain the momentum that surrounded the Affordable Care Act, legislation would increasingly be able to provide health care to help people not only to get well, but also to live well and achieve greater happiness.
- 28 Several articles illustrate the move from collective welfare to individual wellbeing after the introduction of neoliberal policies in the 1980s. Indeed, Rodd describes the radical shift of policies in New Zealand centred on the 'people's wellbeing' to 'individual' wellbeing promoted by an 'enabling state' from the 1980s onwards. Dalingwater's contribution shows how, in the UK, connecting health and wellbeing has led to a strong individualist approach, centred on the 'self' and personal entitlements within the framework of self-improvement rather than enhancing collective actions to improve the health of nations. Smith's paper highlights the limits to the neoliberal form of intervention in the USA. Economic policies implemented in the 1980s, which focused on individual ownership as a way to happiness, were in part responsible for the subprime mortgage crisis of 2007, causing misery for many Americans. He thus questions the state's emphasis on homeownership as a way to happiness. Fée also shows how the increase in the role of the market in the provision of housing for British citizens has led to a decline in home ownership and social housing.

- 29 The way in which wellbeing measures have an influence over policy is also illustrated in a number of papers in this special issue. In post-crisis, austerity-driven Anglosphere economies, the papers show how the publication of the results of wellbeing measures is a way in which governments may well justify policy choices or actually retreat from intervention. Costantini suggests that wellbeing measures in Hong Kong have been formulated in order to reflect favourably on the government which has witnessed its initial autonomy further been reduced especially in the political sphere. But, to be fair, wellbeing indicators can be a way of directing policy to improve the quality of lives of its citizens. Dalingwater's contribution for example shows how significant use can be made of personal wellbeing data in terms of cost-benefit analysis of policy appraisals. Fée's article underlines that cost-benefit analysis is already used in the realm of housing. Both Dalingwater's and Fée's contributions show how statistics on personal wellbeing can inform governments about which areas of spending are likely to lead to the largest increases in personal wellbeing. However, such indicators may well be used to provide support for policies that already exist rather than to develop new policy directions or initiatives.
- 30 There has been an increasing emphasis on discourse to improve the wellbeing of citizens. Yet, some of the papers in this special issue show how political discourse on wellbeing, wellness or happiness may be a way of detracting from the shortcomings of the state. Holdsworth's paper shows how the focus in American health policy on wellbeing and wellness fails to solve the most fundamental problem of unaffordable health coverage. Many Americans are unable to get or pay for the clinical care they need. Smith's contribution contends that while American policymakers have consistently used happiness rhetoric and a specific notion of virtue to promote an ownership model of wellbeing, this may well have the opposite effect and make citizens feel unhappy if they fail to achieve accession to ownership. Fee's article underlines the disconnect between discourse on wellbeing in the UK since the 2008 financial crisis and effective policies to ensure decent housing for all.
- 31 Analysis of the implications of policy directions of the state, the use of measures to drive policy and policy discourse is thus at the heart of the contributions which show common trends across the Anglosphere, but also point to how wellbeing policies and practice are influenced by the specific national setting.

4. The contributions

- 32 **Claire Ewens** studies how, since the nation's federation and independence in 1901, authorities in **Australia** have made the wellbeing of their citizens a priority, through **health and social justice legislation**. She shows that the nation has evolved under the influence of the notions of solidarity and civic-mindedness, so that Australian legal milestones have been instrumental in bringing about the greatest wellbeing (both objective and subjective) for the greatest number of Australians. She underlines two features specific to Australia in this domain. First, the country has had a pioneering role in collective wellbeing legislation (with the universal minimum wage, compulsory seatbelts for every person in a motor vehicle, random breath testing of drivers, ban on firearms, and ban on attractive cigarette cartons) or even complete singularity (as with the compulsory vote). Second, far from resenting these laws, which people in other countries in the Anglosphere might consider meddlesome or intrusive, the vast majority

of Australians welcome them, as they tend to value equality and solidarity over individual rights.

- 33 **Adrian Rodd** examines **New Zealand's** quite radical **social and economic policies**. He first emphasizes that New Zealand was the first country in the English-speaking world to introduce significant public measures to improve working-class living standards, before setting up an unprecedented welfare state in the 1930s. He then shows that the dismantling of these policies half a century later was no less radical. His analysis is that the political conceptualisation of wellbeing, from collective to individual, is at the root of this evolution from Welfare State to 'Enabling State'.
- 34 **David Fée** analyses the link between wellbeing and **housing** in the **United Kingdom**. Relying on a long tradition of official data collection, he traces the evolution of British housing conditions, which are components of objective well-being, over the long term. He then explains how housing has become a public policy and how the official discourse on housing has varied according to the government in place between 1890 and 2018. Finally, considering the degree of satisfaction of British people regarding their homes and neighbourhoods, he examines whether the policy choices made in the field of housing since 2010 can improve the subjective well-being of British people.
- 35 **Bradley Smith** presents a brief history of the use of happiness and wellbeing rhetoric to bolster political support for the expansion of **homeownership** in the **United States**. After exploring the relation between the right to pursue happiness and the right to own property in the American founding documents, he studies the happiness discourse that accompanied the rise of the suburban model of homeownership in the 20th century. He contrasts this discourse with that which accompanied the policy shifts implemented in the late 20th century to conserve the model.
- 36 **Max Holdsworth** examines select **US health care** promotion campaigns and policies with reference to health, wellness, wellbeing and the social determinants of health. In particular, he looks at the health promotion campaign *Healthy People* and the Patient Protection and Affordable Care Act (ACA) of 2010. He finds these initiatives reveal some of the changing perspectives on the meaning of health that are becoming more prevalent in the USA. US contemporary health policies are evolving in new directions towards wellness that in turn extend towards wellbeing and happiness. Nevertheless, the fundamental problem remains that there are many Americans without health insurance who are unable to get or pay for the clinical care they need. More quantitative information and consideration of social and neighbourhood determinants of health could help wellness and wellbeing along with health care feature more highly on the health policy agenda.
- 37 **Louise Dalingwater** considers the complexities of formulating and implementing joint **health** and wellbeing policies in the **United Kingdom (UK)**. UK authorities have officially recognised a two-way relationship between health and wellbeing. Recent national publications and policy approaches in the UK have therefore incorporated wellbeing within almost all policy prescriptions. After analysing the origins of the health-wellbeing linkage, the author examines health and wellbeing policy articulation and prescriptions in official documents. She then reflects on the inherent difficulties of the joint framework approach.
- 38 **Iside Costantini** focuses on policy inputs in **health and education** in **Hong Kong** and their relationship with wellbeing. She examines the birth and the evolution of public

policies in health and education and their wellbeing outcomes, and explores more recent developments and forthcoming challenges. She makes specific reference to the colonial legacy and Chinese cultural environment, and assesses how particular factors (geography, history and politics) may have influenced health and education policies.

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NOTES

1. “*Well-being* first entered English in the mid-16th century as a translation of the Italian term *benessere*. The word also derives from Spanish *bienestar* and post-classical Latin *bene esse*, both of which are documented from the mid-13th century. As modification of the gerund of ‘to be’ coupled with generalized adverb ‘well’ implies, *well-being* differs from mere *being* as a matter of quality or degree. The distinction between that which is essential for life and that which is not essential but improves the life of a person or community explains the tendency to treat *well-being* and *quality of life* synonymously.” University of Pittsburgh/ Jesus College, University of Cambridge (2011-2016), *Keywords project*, Keyword: Well-being, <http://keywords.pitt.edu/keywords_defined/well-being.html>
2. Note that the term had been used by some economists previously, like British economist Alfred Cecil Pigou who mentioned “social well-being” in *The Economics of Welfare* published in 1920 (p. 196).
3. Neo-liberalism can be defined as an “Ideology and policy model that emphasizes the value of free market competition”. There is considerable debate on the defining features of the neo-liberal thought and practice. However, there does appear to be a consensus on the fact that it emphasizes minimum state intervention and freedom of trade and capital. Although neo-liberalism emerged in the late 1930s during discussions held at the Walter Lipmann Conference, which brought together 26 economists and liberal thinkers, it became a central part of government policy in many parts of the Anglosphere towards the late 1970s.
4. Understood here as an exit from the labour market with little or no loss of income.
5. A term which has nevertheless become derogatory in recent time in relation to the neocolonial tone of brexiteers and what critics have classed as Empire 2.0.
6. Neo-liberalism can be defined as an “Ideology and policy model that emphasizes the value of free market competition”. There is considerable debate on the defining features of neo-liberal thought and practice. However, there does appear to be a consensus on the fact that it emphasizes minimum state intervention and freedom of trade and capital. Although neo-liberalism emerged in the late 1930s during discussions held at the Walter Lipmann Conference,

it became a central part of government policy in many parts of the Anglosphere towards the late 1970s.

7. See <<http://www.worldvaluessurvey.org/wvs.jsp>>, accessed on 5 November 2018.

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Linking Health and Wellbeing in Public Discourse and Policy: The Case of the UK

Santé et bien-être, discours et politique publique au Royaume-Uni

Louise Dalingwater

1. Introduction

- 1 Wellbeing is a much debated and much contested notion. While some may use wellbeing and happiness interchangeably (Layard, 2005), others tend to understand the concept in relation to life satisfaction, quality of life and sustainability (OECD, 2014; Scott, 2012). However, the literature has tended to equate subjective wellbeing to happiness (Diener, 2000; Argyle, 2001). As underlined in the introduction to this special issue, subjective wellbeing has three main components: first, life satisfaction, which is measured by national statistics bodies such as the Organisation for National Statistics (ONS) by asking people how happy they are overall with their life; second, emotions (a low level of negative emotions should result in a high level of wellbeing) and; finally, psychological wellbeing and eudaimonic¹ wellbeing (Diener, 2000; Argyle, 2001). Objective wellbeing or material wellbeing is somewhat different and related to real-life conditions: income, housing conditions, conditions at work, educational attainment, home environment, life expectancy, etc.
- 2 It is also useful to contextualise the notion of wellbeing. It is perhaps in the health domain that this term is most frequently used. Yet it is also in the area of health that there is an overlap between subjective and objective wellbeing, in the same way as there can be an overlap between physical and mental health. For example, those suffering from chronic illnesses, such as Parkinson's disease or cancer patients may also be diagnosed with depression.
- 3 Wellbeing has emerged as a defining feature of health policy in recent years. Good health is considered to be a predictor for, or determinant of, a high level of wellbeing, and also

an outcome. There is therefore a clear relationship between health and wellbeing, and recent national publications and policy approaches in the UK have incorporated wellbeing within almost all policy prescriptions. Indeed, the 2014 Department of Health policy brief clearly states that “wellbeing” is a “shared government objective” (Department of Health, 2014). It contends that raising levels of wellbeing can have beneficial effects on health.

- 4 In the literature, health and wellbeing have often been described as bidirectional, whereby health has a significant impact on wellbeing and wellbeing an impact on health (Department of Health, 2014; Royo-Bordonada and Román-Maestre, 2015). Although health does not quite equate to wellbeing, it is considered to be one of the basic ingredients of wellbeing and a significant determinant and outcome. Nevertheless, wellbeing has many other drivers², health being just one of them.
- 5 From this perspective, it may be misleading to systematically employ the two notions together in policy papers. Wellbeing is a contested notion, which also suggests that articulation of interventions and policies to improve health and wellbeing may also meet with difficulties.
- 6 But UK policymakers are perhaps aware of the conceptual difficulties. There is also a communication strategy at play in linking health and wellbeing, as with mental health. In recent years, more attention has been given by health authorities to improving mental health and wellbeing. Linking mental health to wellbeing is said to reduce the stigma attached to mental illnesses and can thus encourage more people to seek treatment (Department of Health, 2012). The inclusion of wellbeing in health policy is therefore also very much a communication tool because the term wellbeing is considered to be more inclusive and acceptable. It is also clearly a holistic term that can incorporate both physical and mental health.
- 7 This article will thus consider the complexities of formulating and implementing joint health and wellbeing policies in the UK. It will begin by considering the origins of the health-wellbeing linkage. It will then look at health and wellbeing policy articulation and prescriptions using government policy papers and documents. Finally, it will consider the inherent difficulties of the joint framework approach.

2. Origins of the Use of Wellbeing in Political Discourse and Policy Practice

- 8 Wellbeing has been part and parcel of our understanding of health at an international level for many years before it started to be mentioned in national policy papers. Indeed, in the World Health Organization (WHO) Constitution, the founding principles state:

Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity. (WHO, 1948)

- 9 However, it was only really in the last decade that the WHO started to establish a set of indicators to measure wellbeing and create a policy framework. This can be explained by the fact that wellbeing is a concept which was first scientifically examined in the field of psychology and it is only more recently that the disciplinary borderline between psychology and other social sciences has become blurred (Coron and Dalingwater, 2017). The WHO Regional Office only recently set up a working group to measure wellbeing as

part of the framework of Health 2020: “Measurement of and Target Setting for Well-being” (WHO 2012). It found that wellbeing was multidimensional and as such included both objective and subjective components, and it was in this way that a link between health and wellbeing could be made.

- 10 It is particularly interesting to focus on the UK’s approach to wellbeing measurement and policy implications because this country is regarded as being one of the most advanced countries in terms of measuring subjective wellbeing and developing a wellbeing agenda. Indeed, in recent years, UK policymakers have shown renewed interest in the notion of wellbeing, and especially subjective wellbeing or happiness, and how it might be measured at a national and regional level. In November 2010, the UK’s ONS launched its Measuring National Wellbeing Programme, just after the publication of the Stiglitz 2009 study on alternatives to GDP for the measurement of economic performance and social progress (Stiglitz *et al.*, 2009). It was also inspired by the development of a dashboard of indicators produced by the Organisation for Economic Co-operation and Development (OECD) to measure both objective and subjective wellbeing. The intention was to establish a set of trustworthy indicators to understand and monitor wellbeing in the UK (ONS 2012a: 1). The results could then be used by government, policymakers but also the British population to improve personal or subjective wellbeing (ONS, 2012b: 33). The other important part of the process of wellbeing in the UK was looking at different domains and sectors, including health, and how they impact on subjective wellbeing and within these policy domains how subjective wellbeing might be improved (ONS, 2012b; Bache *et al.*, 2016).
- 11 But interest in the area of subjective wellbeing or happiness had already arisen earlier in the UK and got wider national coverage from 2006 onwards with Layard’s highly publicised academic work *Happiness: Lessons from a New Science* (2006). Just before the publication of Layard’s well-known book, a framework of wellbeing was introduced at governmental level. The Whitehall Wellbeing Working Group was created and its first meetings were devoted to finding a common approach to wellbeing and incorporating coherent policies to enhance wellbeing (Dalingwater 2017). In one of its first meetings, the Working Group recognized that there was no common definition of wellbeing (Whitehall Wellbeing Working Group, 2006, Dalingwater 2017). The Sustainable Development Unit (SDU) was thus commissioned by central government to explore the use of wellbeing concepts in UK policy making. Following this meeting, SDU staff carried out a series of interviews with government departments to investigate how wellbeing was being used for policy development, what kind of approach and rationale was being used in relation to wellbeing, the strengths and weaknesses of such approaches and the possible benefits and barriers of using the term wellbeing and implementing policies in this area (Dalingwater, 2017).
- 12 The expected outcome was the development of a common understanding of wellbeing for policymakers to act upon at both national and local levels. However, the results of the committee showed that there was confusion between wellbeing and happiness with recent focus being on subjective wellbeing. While the same confusion was not acknowledged in relation to health, they did point out that a number of departmental policy statements related wellbeing to health alone, which made it difficult to give wellbeing a broader meaning across government sectors and departments (Dalingwater, 2017).

- 13 Following this report, and despite the aforementioned difficulties, a statement of common understanding was established cutting across all government departments:

Wellbeing: Statement of Common Understanding

Wellbeing is a positive physical, social and mental state; it is not just the absence of pain, discomfort and incapacity. It arises not only from the action of individuals, but from a host of collective goods and relationships with other people. It requires that basic needs are met, that individuals have a sense of purpose, and that they feel able to achieve important personal goals and participate in society. It is enhanced by conditions that include supportive personal relationships, involvement in empowered communities, good health, financial security, rewarding employment, and a healthy and attractive environment. (Whitehall Wellbeing Working Group, 2006: 3)

- 14 There are striking similarities at the beginning of this definition with the WHO's aforementioned 1948 definition of health. The Working Group has actually used all the key words present in the WHO's definition of health: "state" "complete physical, mental and social" "absence of pain" and "incapacity" which is very close in meaning to the WHO's "infirmity". It then actually cites a number of determinants that also relate to health. Health and wellbeing have thus become interchangeable notions in official discourse in the UK in line with the WHO's approach.
- 15 In his speeches in 2006 and 2010 on wellbeing, David Cameron describes both health and wellbeing as interchangeable notions, but also improved mental health as an essential driver of wellbeing.
- 16 In the 2006 speech, he underlines how leading healthy lifestyles can lead to improved health and wellbeing:

Anyone looking at the health of our nation would conclude that some of the biggest prizes in terms of improved health and greater well-being would come through encouraging people to live healthier lifestyles. Smoking. Obesity. Substance and alcohol abuse. Sexual health. These are the four vital challenges of public health. (Cameron, 2006).

- 17 Whereas in the 2010, he describes good mental health as a driver of wellbeing:

I think, actually, in the realm of mental health is an excellent example of a whole area that if you just look at economic growth, you are missing out on a huge part of wellbeing in terms of people's mental health, in terms of problems of depression. These are all issues that we need to think about properly as a country, rather than just sweep them under the carpet. (Cameron, 2010).

- 18 In various documents that have been written in recent years making explicit reference to the link between health and wellbeing (see Appendix for the most recent documents), the Department of Health acknowledges that its objectives as regards health and wellbeing are inseparable and that this is at the heart of all its activities, priorities and policy documents. Even earlier papers, such as the Public Health White Paper *Choosing Health: Making Healthy Choices Easier* (Department of Health, 2004) for example, make a number of commitments to include wellbeing in overall health strategy. The comprehensive public health information and intelligence strategy is said for example to aim at "bringing together sources of information on health and wellbeing from routine sources and local studies to give a comprehensive picture of how lifestyle factors affect health"

(Department of Health, 2004: 191). Many of the publications point to a bidirectional relationship between health and wellbeing. Some underline how boosting wellbeing can have an effect on health and vice-versa without taking a firm stance as to whether one has more influence than the other. The recent emphasis on including wellbeing analysis in health policies finds support in studies which have shown an important link between health and wellbeing.

3. Literature Review to Support the Link between Health and Wellbeing

- 19 These policy prescriptions are indeed supported by a number of studies which have explored the link between wellbeing and health. Some of the studies point to how reduced wellbeing (or ill-being) may result in poor health, whereas others point to the deterioration of wellbeing (both subjective and objective) as a result of ill health. It is not possible therefore to draw firm conclusions on which is the main driver or whether health and wellbeing influence each other on an equal footing. Studies have established a link for example between low wellbeing and heart disease (atherosclerosis) (Krantz and Manuck, 1984; Kubzansky and Kawachi, 2000; Stewart et al., 2007). Researchers have also found evidence to suggest that it is important to promote happiness because, among other things, happy people have been found to be less susceptible to stress and more likely to choose a healthy lifestyle (Veenhoven 2008). Other studies have found a link between happiness and longer life expectancy (Diener and Chan, 2011), between wellbeing and health outcomes (Howel *et al.*, 2007), between higher wellbeing and stress reduction (Howel *et al.*, 2007) and between higher levels of satisfaction and resistance to cold viruses (Cohen *et al.* 2003). Studies on the impact of sports, weight watching and reduction of alcohol and tobacco consumption have underlined the link between healthy lives and healthy minds (Sabatini, 2014).
- 20 Research has also shown that self-perceptions of health can have a knock-on effect on happiness. For example, Bok found that a fall by 20% in self-evaluations of health is associated with a significant decline in happiness (a 6% decline) (Bok, 2010). Self-reported health is important because it is connected to conditions that may not be detected through medical tests such as stress, depression, etc. Yet, some of the sickest people may not necessarily be those with the lowest wellbeing. It was found that those individuals who lost a limb or became quadriplegic reported equivalent satisfaction within a year compared to that reported before the accident. However, some other illnesses have shown to have a lasting effect on happiness such as chronic pain, depression or the onset of chronic or fatal disease such as AIDS or cancer (Bok, 2010). Such literature thus gives support to policymakers to link health and wellbeing when formulating policies. However, there are significant challenges to measuring wellbeing and then using those measures for policy prescriptions.

4. Challenges to Using Wellbeing Measures to Inform Wellbeing Policy

- 21 Wellbeing measures still remain at the experimental stage and are not intended to replace other more well-established measures in a variety of policy domains. In 2018, an

ONS report on how to use personal well-being data remained rather vague (ONS, 2018). The organization underlined four main uses of personal well-being: monitoring national well-being, use in the policy-making process, international comparisons and allowing individuals to make informed decisions about their own lives. However, the ONS did provide guidance for policy makers to make use of already existing data on personal wellbeing. For example, the Annual Population Survey (APS) provides information which enables comparisons between different ages and ethnic groups, but also differences within areas, in countries or regions. Such information can thus enable policy makers to target certain groups or regions which have the most need for policies to improve wellbeing. The ONS report underlined another significant use which can be made of personal wellbeing data, that is cost-benefit analysis of policy appraisals. Indeed statistics on personal wellbeing can inform governments about which areas of spending are likely to lead to the largest increases in personal wellbeing. A Green book is currently used jointly by HM Treasury and the Department for Work and Pensions (DWP) to propose potential uses of personal well-being measures in social cost-benefit analysis (HM Treasury, 2018).

- 22 The Department of Health has some very specific ways in which it measures wellbeing within the health domain. First, measures are used in relation to mental wellbeing: questions used to measure mental wellbeing aim to assess whether life is worthwhile for example, levels of anxiety, satisfaction with one's life, etc. Such information is retrieved from the Integrated Household Survey. The Warwick/Edinburgh mental wellbeing scale is also used to measure positive mental wellbeing. Mental illness is measured using a general health questionnaire devised by the Department of Health (where a score of 4 or more indicates mental ill health). Objective wellbeing in the health domain is measured by life expectancy and mortality rates (Department of Health, 2012). However, the New Economic Foundation (NEF), which has actively promoted wellbeing policies, has nevertheless underlined the problems of the governmental wellbeing approach. The organisation argues that the wellbeing evidence that has been collected from measuring subjective wellbeing since 2010 might well be used to provide support for policies that already exist rather than to develop new policy directions or initiatives (NEF 2014). The problem is therefore how to identify the effectiveness of the wellbeing measures to inform policy.
- 23 The other problem is gauging the reliability of wellbeing measures. The essential problem with the current subjective wellbeing measures which involve asking participants how they are feeling today is that responses may be highly transient and there may be a lack of a common understanding of such questions (De Vos, 2012: 185–186; Bache *et al.*, 2015). The answers may be given according to the interviewees' hopes and wishes for policy implications (Erikson, 1993: 77; Bache *et al.*, 2015). Comparative issues have been seen as the biggest problem because different interpretations of wellbeing are difficult to compare among individuals, across regions, countries and different cultures (Diener, Suh, Lucas, and Smith, 1999; Stutzer and Frey, 2000; Di Tella and MacCulloch, 2008, 29–30; Bache *et al.*, 2015). There is also the argument about to what extent government should be involved in raising levels of wellbeing.
- 24 Different traditions of economic thought affect whether improving wellbeing or happiness is the government's responsibility. Liberal tradition tends to think that it is not the business of the state and is concerned that the state may become "paternalistic", "a nanny state" and/or "a big brother society" (NEF, 2014). However, in the area of health,

there is support from citizens for the intervention of the government, or at the very least a tax-based public system, to ensure an adequate supply of public health services to the nation (at least in the UK).

5. Health and Wellbeing Policy Implementation in the UK

- 25 If we take a look at the high number of policy papers linking health and wellbeing, it would seem that it is in the area of health, more than other policy areas, that the government has chosen to intervene and incorporate wellbeing (see Appendix). It would be impossible to review all the domains in which wellbeing is linked to health policy in the UK. This section will thus review policy in two areas: mental health and more generally measures to join up health and wellbeing at the local level. In these two domains the linkage between health and wellbeing has been significant.
- 26 In recent years, more attention has been given to mental health within public health policy prescriptions. While there is a dispute on the role of government to formulate policy specifically to enhance subjective wellbeing or happiness, some proponents of increasing happiness, such as the leading British academic on happiness, Lord Layard, claim that the government can have a role in ensuring that misery is avoided. Layard reports that one in six Britons suffer from poor mental health and notably depression and anxiety. He believes that it is the government's responsibility to mitigate such effects by tackling the root causes among other things (Layard, 2006). However, identifying the root causes of depression and anxiety is not simple and depends very much on the individual. Lots of factors may be involved including past or childhood experiences (abuse, bereavement, bullying), current pressures (long hours, housing or income problems...), drugs and medication and physical conditions (for example Parkinson's disease can cause depression). Treating the root causes is also very complex.
- 27 Linking mental health to wellbeing is also said to reduce the stigma attached to this disease and thus can allow for more effective treatment of the condition if both the patient and society accept this condition. The inclusion of wellbeing in health policy has thus become a communication tool or strategy with the term wellbeing making certain conditions more inclusive and acceptable. It is also a holistic term that can incorporate both physical and mental health. This is clear from the National Suicide Prevention Strategy for England which targets risk groups which may have not sought help previously. It focuses on the mental wellbeing of the population as a whole rather than mental health (Department of Health, 2002).
- 28 Wellbeing is thus perhaps a way of incorporating mental health within policy without stigmatising those suffering from mild to severe mental health issues. This was the case for example in a Department of Health policy briefing entitled *Wellbeing and Health* (Department of Health, 2012). The policy paper refers to the correlation between stopping smoking and gains in mental health and subjective wellbeing. Improvements in quality of diet are reported to lead to higher levels of good mental health in adolescents, although the relationship between mental health and diet is said to be complicated. They are thus differentiated but the link between the two is not made very clear. The document leads on to talk about initiatives to treat mental health problems such as cognitive behavioural therapy, self-help and computer-assisted therapy.

- 29 More generally, wellbeing discourse has also been used to join up health and wellbeing initiatives at the local level. Significant power to implement wellbeing initiatives was devolved to local authorities through the Local Government Act 2000 and the subsequent 2011 Act to enable local authorities to “do anything they consider likely to promote the economic, social and environmental wellbeing of their area” and included the creation of Local Strategic Partnership (LSPs). LSPs have been described as the “partnership of partnerships” and are made up of senior officers from the public sector (councils, health officers, police officers, Jobcentre Plus agents, community and voluntary sector representatives). In 2005, Lambeth LSP (Lambeth School Partnership) launched a Mental Health and Wellbeing Promotion Programme. The Liverpool Primary Care Trust also developed the 2010 Year of Health and Wellbeing programme. Lancaster County Council teamed up with the NHS Primary Care Trust (PCT)³ and devoted a significant amount of resources to provide services to support psychological and social wellbeing by setting up a social prescribing project. This involved the use of non-medical interventions to improve wellbeing. In Hertfordshire the county’s schools forum contributed the sum of £250,000 to support the creation of a resilience programme, following a successful pilot programme. Resilience training has also been extended to other initiatives such as ‘Think Family’ and parenting programmes (Local Government Group 2010). The intention is that these programmes eventually become financially self-sustaining⁴, as training places are sold to other local authorities (Dalingwater, 2017).
- 30 Such initiatives have been continued in recent times (Dalingwater, 2017). The Lyons inquiry reinforced the importance of ‘place shaping’, which it defined as “the creative use of powers and influence to promote the general wellbeing of a community and its citizens” (Lyons, 2010). The 2012 Health and Social Care Act created Health and Wellbeing Boards in each locality to continue this joined up approach to health and wellbeing. Subsequently, Newcastle established Newcastle’s Wellbeing for Life Strategy. The strategy is intended to improve the situation of low employment and poor outcomes for health and education. Other wellbeing projects include the partnership between the Young Foundation, Professor Richard Layard of the Centre for Economic Performance at the London School of Economics, the Improvement and Development Agency (IDeA) and three local authorities: Hertfordshire County Council, Manchester City Council and South Tyneside Metropolitan Borough Council. The aim of the Local Wellbeing Project is to build new communities that can flourish and become socially sustainable to ensure the wellbeing, quality of life and satisfaction of present and future residents. A number of projects have been created such as organising meetings and forums to facilitate contact between neighbours, giving residents opportunities to influence decisions in the community and giving residents the power to control local circumstances through a forum of ideas. The local wellbeing project team set up a series of information campaigns so that these communities understand how they can influence decisions and control local circumstances (Hothi, 2007).
- 31 The 2012 Health and Social Care Act also devolved new responsibilities to local government in public health, as set out in the Health White Paper (Department of Health, 2004). Joint Strategic Needs Assessments (JSNAs) have thus been created focusing on early intervention and prevention and, in addition, joint strategic asset assessments (JSAAAs). These work on the aforementioned determinants of ill health, but also on diminished wellbeing. The aim of these initiatives is to give special attention to real needs and assets of an area rather than just on the delivery of traditional services. A series of assessments

are produced by health and wellbeing boards. Policy interventions are then taken either by the local authority in the area, the Clinical Commissioning Groups (CCGs) or the NHS Commissioning Board depending on the needs identified. For example, if the local needs assessment identifies poor health outcomes in a specific area, then all three organizations will be involved in initiatives to improve poor health outcomes (Department of Health 2017).

- 32 However, the Local Government Group underlined a number of difficulties for local governments to set up a credible health and wellbeing policy. In a review conducted in 2006, it was found that while 92 per cent of aforementioned LSPs were aware of the power of competence to promote wellbeing, only 8 per cent had used it (Local Government Group 2010). The major challenge for local authorities in the use of wellbeing power has been linking wellbeing to health when the former is so ill-defined and can also create legal complexities. Moreover, while the aforementioned Acts of 2000, 2011 and 2012 grant power to local authorities to enact wellbeing policies, they often meet with restrictions because certain policies may be prohibited elsewhere in legislation and the term “wellbeing” remains very elusive. And if enacting wellbeing policies does not coincide with business interests, business associates may argue that wellbeing policies are ineffective, inadequate or impeding growth. This is indeed the danger when wellbeing is both associated and decoupled from policy initiatives. For example, the Brent LBC versus Risk Management Partners court case did not favour the local authority in its use of the wellbeing power in 2009 (Local Government Group 2010)⁵. The government cannot give a legal endorsement of the use of the wellbeing power so it is left to the courts to decide. In addition, local authorities are restricted by budgetary cuts. The Department for Communities and Local Government underwent a 40% budget cut in the 2011/12 to 2015/6 period, which significantly reduced any action taken under the framework of health and wellbeing policies (Dalingwater, 2017). Moreover, it could be argued that the new approach to combining health and wellbeing, which was reinforced by the 2012 Health and Social Care Act and emphasis on measuring wellbeing, is also a way of shifting the responsibility for health outcomes to the individual and rationing health care.

6. Wellbeing Discourse: Shifting Responsibility and Rationing

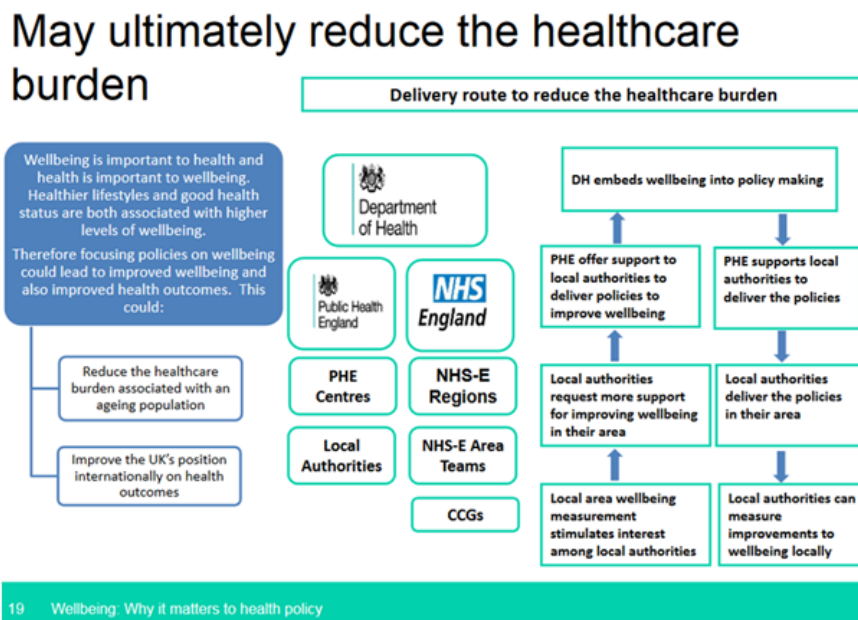
- 33 Indeed, in practice, there are a number of concerns about this joined-up approach. Wellbeing, especially subjective wellbeing, is seen as an individual process. Beyond the specific community-based approach, a lot of health and wellbeing projects often focus on individual responsibility and may encourage disengagement of key health actors in the localities. It could be a way of filling a void for those functions that used to be fulfilled by social institutions, which have been taken over by the market (Ferguson, 2015; Li, 2014; White 2017). These “person-centred” policies could in fact be a way of creating a false self (Craib, 1994) or including a false self in a process which is not really inclusive of the individual. Wellbeing has in fact been developed as strongly individualistic, centred on the self and personal entitlements within the framework of self-improvement (Rose, 1998; White 2017).
- 34 Further examination of policy papers makes it clear that developing a more far-reaching wellbeing policy in the regions is intended to reduce the health care burden. Indeed in its

document “Wellbeing why it matters to health policy”, the Department of Health claims that “a focus on wellbeing can lead to improved wellbeing and improved health outcomes, which may ultimately reduce the care burden.” (Department of Health, 2013: 3) Wellbeing, and particularly, subjective wellbeing places the emphasis on the ‘individual’, on the ‘personal’ and ‘subjective’ and personal empowerment rather than collective or the community. Indeed, Sointu (2005) and Atkinson & Joyce (2011) show how the notion of wellbeing has moved from relating to the population to concentrate on the individual. Extending policy from health interventions, relating to both mental and physical health, which is generally seen as collective, to wellbeing and health is indeed a way of transferring responsibility to the individual.

- 35 Making an association with wellbeing thus underlines that the individual is responsible for the health care process by taking responsible actions to ensure that the treatment will work, by for example monitoring his or her weight, giving up smoking, reducing drinking, eating more healthily, taking exercise. Health care workers are now strongly encouraged to engage the individual as part of the wellbeing approach to take care of his or her health. Such a rationale began essentially in 1997 with the arrival of the New Labour government and has been continued, based on the notion of agency, autonomy and self-responsibility, as part of the “responsible citizen” mantra. Policy papers make this quite clear as is evident from the quote and diagram below:

You should recognise that you can make a significant contribution to your own, and your family’s good health and well-being, and take some personal responsibility for it. (NHS England, 2009: 9).

Figure 1. Wellbeing: a means to ultimately reduce the healthcare burden



Source: Department of Health, 2013

- 36 The idea of transforming health completely into a private responsibility and full privatisation of the British National Health Service is unlikely because public support for this institution is very strong. However, making an individual responsible for his or her health and wellbeing has resulted in the rationing of health care. According to Pollock

(2004), some surgeons will decline to perform elective surgery if patients do not follow advice such as stopping smoking and losing weight. Moreover, promoting improvements in health and wellbeing through work have been a way of reducing welfare benefits to the disabled and sick. Indeed, in a speech entitled 'Health and Wellbeing', David Freud, former Minister for Welfare Reform, claims how getting the sick back to work is important for increased wellbeing:

Work provides more than just an income. Employment can also give people a sense of purpose, some structure to their lives. It can also be an important part of people's social lives. Quite simply work is good for you. (Freud 2011).

- 37 While research has shown a firm link between unemployment and lower levels of wellbeing, the essential objective in promoting improved health and wellbeing by encouraging these disabled and sick workers back to work is also to reduce payments of disability benefits. Cuts were made to benefits as part of the austerity measures introduced by the UK coalition government of 2010. By 2017, nearly half of disabled (sick or infirm) people had been reassessed and had seen a fall or removal of benefits (Bulman, 2017). A study which collected information from 137 disabled workers and 141 organizations to investigate the effects of welfare reforms since 2010 has shown that in many cases efforts to get people back to work failed and the disabled who were forced back to work were suffering from low levels of wellbeing (Harwood, 2015).
- 38 The individual approach to wellbeing has been reinforced by an emphasis on wellbeing from Sen's capability approach. This approach essentially focuses on the person and his or her capabilities. Capabilities are important to enable an individual to act in the way that he or she sees fit (Sen, 1983, 160). Think tanks in the UK, such as the New Economic Foundation (NEF), have also developed actions to improve wellbeing which imply individual action: Connect, Be Active, Take Notice, Keep Learning (NEF, 2008). Indeed, the latter all target individual behavior. On the other hand, Layard underscores how important collective, and not just individual projects, are to enhance personal wellbeing (Layard, 2006).
- 39 Emphasis on wellbeing may actually thwart other more collective actions to improve health outcomes. Improvements are much easier to publish in wellbeing and subjective wellbeing than concrete progress in health outcomes. This is because subjective measures of wellbeing are actually measuring modernisation and satisfaction with modernisation rather than real improved quality of life and development (Eckersley, 2013).
- 40 The underlying weakness of bringing in measures and accompanying policies which link wellbeing and health is thus that there is increasing emphasis on the individual and individual satisfaction rather than collective notions of social engagements which are very important in the health sector. Freedom is prioritised for example above collective action. Neoliberal policy approaches put greater emphasis on individual choice and freedom. However, such an approach has also shown to have significant health risks such as isolation and can have a significant impact on mental health. For example, Eckersley noted a link between freedom and increased rates of mental health problems among Western youth (Eckersley 2005, 2009, 2011).

7. Misleading Definitions and Usage

- 41 Moreover, because of the definitional problems associated with wellbeing, the association of health and wellbeing in policy could be quite detrimental to policies which aim to improve health outcomes. It is important to emphasise that health does not quite equate to wellbeing, even though it might be one of the basic ingredients of wellbeing and a significant determinant and outcome. Health alone does not make up wellbeing. The latter has many other drivers, including work and life balance, family and friends, etc. So, health is just one driver among many. Nevertheless, health and wellbeing are indeed systematically used together in policy papers.
- 42 The WHO definition of health which incorporates wellbeing, and on which the UK's definition of wellbeing is based, can actually lead us to misinterpret the meaning of health. Indeed, if the WHO's definition is taken literally, it implies that individuals are unhealthy if they are unhappy with their lot in life or if they feel unfulfilled. It can also be interpreted as suggesting those with poor health cannot be happy. This discredits research which has developed coping theory (Lazarus *et al.*, 1974; Costa and McCrae, 1989; Krohne, H. W. and Hindel, C., 1988; Lazarus, 1993), whereby those with a defined disease, illness or disability can actually reach a certain level of happiness if they are well cared for.
- 43 The Department of Health has tried to clarify such a situation admitting that "terminology around wellbeing and health is often used interchangeably, and sometimes, incorrectly used" (Department of Health 2012). It has more recently attempted to clarify the 2006 definition (given above) and defines wellbeing as "an individual's experience of their life; and a comparison of life circumstances with social norms and values" distinguishing between subjective wellbeing: "how people think and feel about their own wellbeing" (life satisfaction, positive affect, meaningfulness) and objective wellbeing: referring to basic human needs and rights. It gives a further definition of mental wellbeing as "part of overall wellbeing (...) more than just the absence of mental illness (...) a positive state of mind and body, underpinned by social and psychological wellbeing" as opposed to mental illness which is described as "a range of mental health problems that can cause marked emotional or cognitive distress" (Department of Health, 2012). However, subsequent policy papers with policy prescriptions for health and wellbeing make this distinction less clear as discussed earlier.

8. Conclusion

- 44 To conclude, there is some evidence to suggest that linking wellbeing to health may help formulate policy and improve health outcomes, especially in the domain of mental health to remove the stigma surrounding such health issues. At the same time, creating a policy framework which joins up health and wellbeing in the UK can also be seen as a way of shifting the financial burden of health onto the individual, which has led to the rationing of health care and welfare. As time goes on, wellbeing is likely to become devoid of meaning and out of fashion and be replaced by a new definitional communication tool to fit the policy direction of those in power. White goes as far as to say that current references to wellbeing actually reflect cultural anxiety and significant ill-being, which she links to the "erosion of the social" (White, 2017: 133). This might suggest why

wellbeing has been used so frequently in the health domain, without necessarily being the most effective tool to guide policy to improve the health of the nation.

Appendix: Recent Policy Papers and Government Documents Linking Health and Wellbeing

1. Defence people mental health and wellbeing strategy
 - 15 March 2018
 - MOD
 - Policy paper
2. Women in prison: standards to improve health and wellbeing
 - 8 March 2018
 - PHE
 - Guidance
 - Part of the collection: Public health in prisons and secure settings
3. Health matters: community-centred health and wellbeing approaches
 - 28 February 2018
 - PHE
 - Guidance
 - Part of the collection: Health matters: public health issues and Health matters: public health issues
4. Wellbeing and mental health: applying All Our Health
 - 21 February 2018
 - PHE
 - Guidance
 - Part of the collection: All Our Health: personalised care and population health
5. Health, Safety & Wellbeing Awards 2017
 - 12 December 2017
 - Highways England
 - Form
6. The wellbeing of 15-year-olds: analysis of the What About YOUTH? survey
 - 17 January 2018
 - PHE
 - Guidance
7. Wellbeing and health
 - 31 July 2013
 - Cabinet Office and DHSC
 - Research and analysis
 - Part of the collection: National wellbeing
8. Health and Wellbeing Fund 2017 to 2018: application form
 - 10 October 2017
 - DHSC and PHE
 - Form
9. Improving health and wellbeing through our national parks
 - 8 September 2017

- PHE
- Policy paper
- 10. Future of the sea: health and wellbeing of coastal communities
 - 31 August 2017
 - GO-Science
 - Research and analysis
 - Part of the collection: Future of the sea
- 11. Five ways to mental wellbeing
 - 22 October 2008
 - GO-Science
 - Guidance
 - Part of the collection: Mental capital and wellbeing
- 12. Health and wellbeing board duties
 - 17 July 2013
 - DHSC
 - Consultation outcome
- 45 First published during the 2010 to 2015 Conservative and Liberal Democrat coalition government
 1. Wellbeing and health policy
 - 6 February 2014
 - DHSC
 - Guidance
 - Part of the collection: National wellbeing
 2. Health and wellbeing of service personnel
 - 1 October 2010
 - MOD
 - Independent report
 3. Preventing homelessness to improve health and wellbeing
 - 1 July 2015
 - PHE
 - Research and analysis
 - Part of the collection: Homes for health
 4. Arts for health and wellbeing: an evaluation framework
 5. Mental health and wellbeing of looked-after children: response
 - 13 September 2016
 - DfE and DHSC
 - Policy paper
 6. JSNAs and joint health and wellbeing strategies
 - 19 January 2012
 - DHSC
 - Guidance
 7. Supporting the health and wellbeing of military families
 - 19 November 2015
 - PHE

- Guidance
 - Part of the collection: Public health contribution of nurses and midwives: guidance and Public health contribution of nurses and midwives: guidance
 - 8. Health and wellbeing: introduction to the directorate
 - 16 May 2013
 - PHE
 - Guidance
 - 9. Defence annual health and wellbeing report 2015
 - 20 June 2016
 - MOD
 - Corporate report
 - Part of the collection: Defence health and wellbeing annual reports
 - 10. Health and wellbeing at work: survey of employees
 - 21 July 2015
 - DWP
 - Research and analysis
 - Part of the collection: Research reports from 2010 onwards
 - 11. Health and wellbeing of people in England: 2010
 - 30 November 2010
 - DHSC
 - Policy paper
 - 46 First published during the 2010 to 2015 Conservative and Liberal Democrat coalition government
 1. Midwifery services for improved health and wellbeing
 - 26 June 2013
 - DHSC and PHE
 - Guidance
 - Part of the collection: Public health contribution of nurses and midwives: guidance
 2. Children's and young people's voices on their wellbeing
 - 27 September 2012
 - DfE
 - Research and analysis
-

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NOTES

1. A state of being happy, healthy and prosperous.
2. The European Social Survey for example points to security, safety, work-life balance among other issues: <<http://esswellbeingmatters.org/drivers/index.html>>.
3. The NHS Primary Care Trusts were formerly Britain's National Health Service (NHS) hospital management units.
4. Financial sustainability does not necessarily take into account the human costs. When new structures are built, the social cost is not always taken into consideration. Here we are therefore referring to collective wellbeing and sustainability rather than individual wellbeing.
5. The Risk Management Partners claimed that Brent local authority had no right to open up risk management to other providers even if it was to reduce overheads in order to allocate these savings to wellbeing policies.

ABSTRACTS

Wellbeing has emerged as a defining feature of health policy in recent years. In the UK, a 2014 briefing paper from the Department of Health stated that there is a two-way relationship between health and wellbeing because health has an impact on wellbeing and wellbeing also impacts on health. Good health is a predictor for, or determinant of, a high level of wellbeing, and also an outcome. There is therefore a clear relationship between health and wellbeing. Recent national publications and policy approaches in the UK have incorporated wellbeing within almost all policy prescriptions. This article will consider the complexities of formulating and implementing joint health and wellbeing policies in the UK. It will begin by considering the origins of the health-wellbeing linkage. It will then look at health and wellbeing policy articulation and prescriptions using government policy papers and documents. Finally, it will consider the inherent difficulties of the joint framework approach.

Le bien-être est apparu comme une composante déterminante de la politique de santé au cours de ces dernières années. Au Royaume-Uni, un document d'information publié en 2014 par le ministère de la Santé (Department of Health, 2014) indique qu'il existe une relation bidirectionnelle entre la santé et le bien-être, l'un et l'autre s'influençant mutuellement, sans cependant se confondre. Il existe une relation claire entre la santé et le bien-être et les récentes publications nationales et approches en politique de santé au Royaume-Uni ont incorporé le bien-être dans la plupart des recommandations politiques. Cet article met en évidence les complexités de la formulation et de la mise en œuvre de politiques conjointes de santé et de bien-être au Royaume-Uni. Il commence par examiner les origines du lien santé-bien-être ; il se penche ensuite sur l'articulation entre les politiques et les recommandations en matière de santé et de bien-être à l'aide de documents gouvernementaux. Enfin, il examine les difficultés inhérentes à l'approche d'un cadre commun d'analyse.

INDEX

Keywords: wellbeing, UK, government, policy papers, health

Mots-clés: bien-être, Royaume-Uni, gouvernement, prescriptions politiques, santé

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Wellbeing through Legislation and Litigation: the Australian Example

Le bien-être à travers la législation et les litiges : l'exemple australien

Bronwen Claire Ewens

1. Introduction

- 1 “Australian political culture is very utilitarian and looks at the greatest happiness for the greatest number. The United States and Britain are individual-right cultures, so the idea that you should be forced to do something for the greater good of the majority would not be something that’s inherent in the political culture,” states Professor Ian McAllister of the Australian National University (ANU), in explaining why compulsory voting, unique in the Anglosphere, enjoys “widespread support” across the nation. (McAllister, 2016). In the same interview identifying differences between Australian sociopolitical culture and those of the two most populous Anglophone countries, McAllister noted that compulsory voting has ‘widespread’ national support, noting that opinion surveys by the ANU show that the ‘portion of people who are very strongly in favour of it (compulsory voting) far outnumber the people who are very strongly against it’.
- 2 Is it Australia’s compulsory voting laws that underpin this utilitarian political culture and how successful is it in ensuring subjective wellbeing (SWB), if this is taken to mean ‘the greatest happiness for the greatest number’? In April 2001, the year after Seligman and Csikszentmihalyi introduced the concept of positive psychology, (Seligman and Csikszentmihalyi, 2000) the Australian Unity mutual company and Deakin University’s Centre on Quality of Life started producing the Australian Unity Wellbeing Index (AUWI), a comprehensive measure of how satisfied Australians were with their lives referenced in academic journals worldwide (Australian Unity Wellbeing Index, 2011). This far pre-dates Nicolas Sarkozy’s and David Cameron’s preoccupations with assessing non-material wellbeing in the wake of the 2007 global financial crisis.
- 3 For nearly two decades, the AUWI has evaluated satisfaction with life across a range of areas – standard of living, health, achievement (purpose) in life, personal relationships,

safety, community connection and future security; in other words, it assesses Australians' satisfaction with their own lives as well as with life in general in Australia, which covers national preoccupations such as security and the economy (Hawkins, 2014). Also in 2001, the Australian Bureau of Statistics (ABS) published *Measuring Wellbeing*, a book giving primacy to objective indicators while acknowledging that "(t)here can be no single measure of wellbeing that satisfies all parties interested in helping people improve their lives." (Australian Bureau of Statistics, 2001).

- 4 In its 33rd Personal Wellbeing findings, published in 2016, the AUWI found that "[t]he Personal Wellbeing Index has been generally rising over the last 16 years and it is currently, numerically, at its highest level yet recorded (76.7 points)" (Australian Unity Wellbeing Index, 2016).
- 5 According to the 2017 *Better Life Index* created by the Organization for Economic Co-operation and Development (OECD), which measures both subjective and objective indicators, this is a good outcome. "In general, Australians are more satisfied with their lives than the OECD average. When asked to rate their general satisfaction with life on a scale from 0 to 10, **Australians gave it a 7.3 grade on average, higher than the OECD average of 6.5**" (OECD, 2017).
- 6 **This paper will examine Australian legal milestones that have been instrumental in bringing about the greatest wellbeing (both objective and subjective) for the greatest number of Australians, and how Australians have accepted the costs and constraints they have engendered in a way that 'individual-rights' cultures in the Anglosphere¹ notably the USA and the UK, might consider unpalatable.**

2. Pioneering in Legislating for Fair Minimum Wage

- 7 In *The Inner Level: How More Equal Societies Reduce Stress, Restore Sanity and Improve Everyone's Wellbeing*, Wilkinson and Pickett demonstrate that subjective suffering in the form of stress, anxiety, depression and addiction is worse in economically unequal societies like the UK and the US than in the least unequal ones (Norway, Finland and Japan) (Wilkinson and Pickett, 2018).
- 8 Relative, not absolute deprivation, is the driver of a lack of subjective wellbeing. Wilkinson and Pickett cite research from the *Journal of Social Policy* showing that while the poor in Britain and Norway are objectively far better off than the poor in India and Uganda, "the subjective experience of being poorer than others in each society was found to be remarkably similar.... (they experienced an) internalized sense of shame" that engendered feelings of self-loathing, despair and depression. (Wilkinson and Pickett, 2018).
- 9 According to the OECD's Better Life Index, **the average household net-adjusted disposable income per capita in Australia is USD 33 417 a year**, more than the OECD average of USD 30 563 a year, but there is a considerable gap between the richest and poorest – **the top 20% of the population earn more than five times as much as the bottom 20%** (OECD, 2017). This distribution is comparable to Canada's and less unequal than that prevailing in the UK and USA, as well as Japan. In the US, the ratio of the difference in earnings between the top 20 percent and the bottom 20 percent is as high as eight (OECD, 2017).

- 10 Australia is not a socialist country, nor does it lack for billionaires. In fact, Gina Rinehart, the richest Australian, has at times been named the richest woman in the world. Moreover, the billionaire population is booming. With a population of 25 million, Australia counted 33 billionaires, an increase from 24 a year ago (SBS, 2018).
- 11 One fact mitigating the effects of the fivefold difference between the earnings of the top and bottom 20 percent is that social mobility in Australia, even if somewhat lower than in Canada, is markedly higher than in the UK or US. This was shown in major comparative study by the US-based Stanford Centre on Poverty and Inequality by Miles Corak, an economics professor at the University of Ottawa. (Corak, 2016). It is also worth noting that despite the OECD statistic, the World Economic Forum reported in 2016 that Australia had the world's highest minimum wage, US\$ 9.54, after the relevant adjustments are made for the post-tax rate and for purchasing power parity (World Economic Forum, 2016).
- 12 The concept of a 'fair and reasonable wage' – an obvious means of promoting socioeconomic equality – was introduced in legislation in Australia in the 1907 *Excise Tariff Act* but not defined until *Ex parte H.V. McKay* – known ubiquitously as the **Harvester case** – **was heard later that year at the Commonwealth Court of Conciliation and Arbitration, the national workplace relations tribunal.**
- 13 Then-Deputy Prime Minister Julia Gillard emphasized Australian pride in legislating for a living wage shortly after nationhood, stating in a 2008 speech that the link between the compulsory living wage and the Australian obsession with fairness is inextricable:
- The signature values of nations are often defined by the circumstances of their birth. This is as true for Australia as for other countries. And for us there's one value above all others that we identify with as truly our own. It's the value that emerged out of the circumstances of Federation, which coincided with the industrial turbulence of the late nineteenth and early twentieth centuries. That value is fairness. Or as we like to put it: 'the fair go'. It inspired us to establish a society that aimed to give every citizen a decent standard of living. And it led us in 1907 to establish the principle of the living wage. (Gillard, 2008)
- 14 Gillard is not alone in seeing the implications of the mandated minimum wage as being greater than merely the financial. Former Australian High Court justice Michael Kirby wrote: "We forget the truth when we pretend that the national arbitral tribunal of this country was a mere agency of economics. ... it has been an agency of something more important - industrial equity, a 'fair go all round' or, as many would now describe it, human rights – " (Kirby, 2004) and, one could add, of human dignity, and therefore of subjective wellbeing. Moreover, a former dean of law at The University of Sydney, Ron McCallum, believes that "the establishment of wage rates on a national basis ... contribute (d) to increases in our national productivity on a reasonably egalitarian basis, which helped in the welding together of our nation" (McCallum, 2005).
- 15 One result of this in the fairly recent aftermath of *Harvester* was Australia's distinctive participation in the First World War. Lacking military conscription – unlike the UK, Canada, New Zealand and the United States – Australia, with a population of fewer than five million, sent 416,809 volunteers to fight on the other side of the world, of whom more than 60,000 were killed and 156,000 wounded, gassed, or taken prisoner. This horrific toll sealed the Australian identity definitively, more so than the *Harvester* case did, yet it is

interesting to consider what the national mood must have been in the first 15 years of the twentieth century; one of pride, solidarity, of being ‘all in it together’, both when the *Harvester* case was heard and when war was declared, and of a young nation being truly ‘welded together’.

- 16 Henry Bourne Higgins, president of the **Commonwealth Court of Conciliation and Arbitration** in 1907, was a man of his times. Though a Protestant, he was deeply influenced by Pope Leo XIII’s 1891 encyclical *Rerum Novarum*, or *Rights and Duties of Capital and Labor*, which discussed the relationships and mutual duties between labor and capital and established the notion of ‘the dignity of labor’ in Catholic social thought. The correlation between dignity – perhaps the very opposite to the feeling of ‘shame’ dogging the poor surveyed by Wilkinson and Pickett – and decent wages was emphasized sharply by Higgins in a 1915 article he wrote for the *Harvard Law Review*: “No employer is entitled to purchase by wages the right to endanger life or to treat men as pigs” (Higgins, 1915).
- 17 It bears repeating that Higgins sought to identify and enforce not just a minimum wage but a “fair and reasonable” one. He thought that bargaining as a means of obtaining this was not feasible, given the asymmetry in power between employer and employee. In *Harvester*, he cited an English case, *re Stuart* [1893] 2 Q.B. 201, to state that:

I cannot think that an employer and a workman contract on an equal footing, or make a ‘fair’ agreement as to wages, when the workman submits to work for a low wage to avoid starvation or pauperism (or something like it) for himself and his family; or that the agreement is “reasonable” if it does not carry a wage sufficient to insure the food, shelter, clothing, frugal comfort, provision for evil days, etc, as well as reward for the special skill of an artisan if he is one (Higgins, 1907).

- 18 His ruling is remarkable for its meticulousness and its grounding in sworn evidence. Higgins set about assessing what a “fair and reasonable” level of remuneration would be both by abstract reasoning and by collecting solid evidence. His reasoning, quoted here at length, led to the bolded conclusion:

The provision for fair and reasonable remuneration is obviously designed for the benefit of the employees in the industry; and it must be meant to secure to them something which they cannot get by the ordinary system of individual bargaining with employers. If Parliament meant that the conditions shall be such as they can get by individual bargaining- if it meant that those conditions are to be fair and reasonable ... there would have been no need for this provision. The remuneration could safely have been left to the usual, but unequal contest ... for labour, with the pressure for bread on one side, and the pressure for profits on the other. **The standard of ‘fair and reasonable’ must, therefore, be something else; and I cannot think of any other standard appropriate than the normal needs of the average employee, regarded as a human being living in a civilised community (Higgins, 1907).**

- 19 Having defined his criterion, Higgins went on to ascertain whether the wages of McKay’s employees, with no overtime or “constancy of employment” was a fair and reasonable sum that met the benchmark. Higgins accepted the evidence led by “nine housekeeping women” that the average weekly expenditure for a labourer’s home of about five persons seemed to be about £1 12s. 5d. In this calculation, Higgins included only rent, groceries, bread, meat, milk, fuel, vegetables, and fruit. He went on to emphasize:

This expenditure does not cover light, clothes, boots, furniture, utensils (being casual, not weekly expenditure) rates, life insurance, savings, accident or benefit societies, loss employment, union pay, books and newspapers, tram and train fares, sewing machine, mangle, school requisites, amusements and holidays, intoxicating liquors, tobacco, sickness and death, domestic help, or any expenditure for unusual contingencies, religion, or charity. If the wages are 36s. per week, the amount left to pay for all these things is only 3s. 7d.; and the area is rather large for 3s. 7d to cover - even in the case of total abstainers and non-smokers (Higgins, 1907).

- 20 Higgins also cannily appealed to employers' self-interest, noting that an underfed, underpaid workforce was not in the employer's interest, writing that:

One witness, the wife of one who was formerly a vatman in candle works, says that in the days when her husband was working at the vat at 36s. a week, she was unable to provide meat for him about three days in the week. This inability to procure sustaining food - whatever kind may be selected - is certainly not conducive to the maintenance of the worker in industrial efficiency (Higgins, 1907).

- 21 If Higgins was appealing to employers' self-interest, it was perhaps because he had no illusions about their priorities:

The employer can displace men by introducing machinery as he chooses. He can make the work as monotonous and as mind-stupefying as he thinks to be for his advantage. He has an absolute power of choice of men and of dismissal. He is allowed ... to make any profits that he can. But when he comes, in the course of his economies, to economise at the expense of human life, when his economy involves the withholding from his employees reasonable remuneration, or reasonable conditions of human existence, then, as I understand the Act, Parliament insists on the payment of Excise duty (Higgins, 1907).

- 22 After hearing evidence and using his criterion of "the normal needs of the average employee, regarded as a human being living in a civilised community", Higgins decided that the wages being paid to the McKay employees were insufficient, and that seven shillings a day, or 42 shillings a week, was a "fair and reasonable" wage for an unskilled labourer with a wife and three children to support. This was an increase of 27 percent to the pay of the unskilled labourer then employed by McKay.
- 23 By the 1920s, this living wage applied to over half of the Australian workforce. It became known as the 'basic wage' or a 'family wage', the assumption being that the sole breadwinner in the family was the husband. As Higgins wrote in the *Harvard Law Review*: "Treating marriage as the usual fate of adult men, a wage which does not allow of the matrimonial condition and the maintenance of about five persons in a home, would not be treated as a living wage" (Higgins, 1915).
- 24 Higgins, an idealist without illusions, wrote in the *Harvard Law Review* that: "Give (workers) relief from their materialistic anxiety; give them reasonable certainty that their essential material needs will be met by honest work, and you release infinite stores of human energy for higher efforts, for nobler ideals" (Higgins, 1915). More than a century before David Cameron made his 2010 House of Commons speech about the 'Big Society' and distinguished GDP from "what really matters" (Cameron, 2010), Henry

Bourne Higgins had decided that all Australians must, by law, be paid a living wage that would enable and empower them to pursue “higher efforts”.

3. Legislating for Road Safety

- 25 “‘Safety’ is an Australian fixation”, observes William Coleman of the ANU’s College of Business and Economics (Coleman, 2016). Safety and public measures to ensure both objective and subjective wellbeing in Australia are not limited to public awareness campaigns or sloganeering, but rather, mandated by law in a way that might seem heavy-handed in other Anglosphere jurisdictions. Once again, we can detect the Australian predilection for utilitarianism over individual rights.
- 26 First, let us define safety as a state of not being in danger or at risk. Its importance to objective wellbeing hardly needs elucidating. But it also matters to subjective wellbeing, and not just because death or injury caused by neglect or accident cause incalculable psychological suffering to victims and their loved ones. The AUWI features “how safe you feel” as one of its seven indicators of personal wellbeing and 2016’s *The Victorian happiness report: the subjective wellbeing of Victorians* takes as a criterion of its evaluation of subjective wellbeing whether people feel safe walking alone down a street at night, considering this an element of social capital (Victoria State Government, 2016). Finally, in 2018, the South African consultancy New World Wealth ranked Australia as the safest country in the world for women (NWWealth, 2018). Australians will generally accept reasonable restrictions on their autonomy if a higher purpose – in this case, safety – is being served. For examples of this, we will move from the living wage litigation of the nation’s early days to the latter third of the twentieth century. This is not to say that the country did not evolve during that time. One clear development was the advent of multiculturalism, triggered by the end of the Second World War. A federal Immigration portfolio was established in 1945 and negotiated agreements with Britain, some European countries and with the International Refugee Organization to encourage migrants, including displaced persons from war-shattered Europe. The result is that ‘Australia has a higher proportion of people born overseas (26 per cent) than other high-immigration nations, including New Zealand (23 per cent), Canada (22 per cent), the United States (14 per cent), and the United Kingdom (13 per cent).’ (SBS, 2017).
- 27 While post-war developments changed the ‘face’ of Australia, the ideals of building a better, more inclusive, fairer and safer society did not. An interesting and emblematic fact is that in 1970 the state of Victoria was the first jurisdiction in the world to mandate the use of seat belts by all vehicle passengers. The law took effect nationally in 1972. The comparable year for the UK is 1991. In Canada, Ontario led the way in 1976, with other provinces and territories following at their leisure, some waiting until 1991.
- 28 Similarly, random breath testing (RBT) of drivers for alcohol was introduced in Victoria in 1976 and went national in 1985. Refusing to be breath-tested is a criminal offence, punished with greater severity than testing over the limit. According to research gathered and analysed by the Australian Foundation for Alcohol Research and Education (FARE), “Australia is deemed to have the most successful RBT program internationally, measured in terms of alcohol-related traffic crash (ARTC) reductions,” (Erke, Goldenbeld, & Vaa, 2009). Perhaps partly for this reason, fully 96 percent of the population supports it (Petroulis, 2011). The present author’s personal experience supports this finding. Australians willingly tolerate the trifling inconvenience of being breath-tested roadside

since the enforcement of RBT demonstrably saves lives; few would see it as a violation of their rights. It is simply “a part of everyday life” (ABC News, 2017). There is even a popular reality TV show, produced in cooperation with the police, depicting people who have agreed to be filmed while being tested. A success with the viewing public, the show has been running since 2010.

- 29 The early and ready acceptance of mandatory RBT in Australia stands in contrast to the UK, where it does not exist, Canada (where it was introduced as late as 2018) and those US states that have not introduced it. New Zealand enacted compulsory breath testing legislation in 1993. It is in keeping with McAllister’s diagnosis of the country’s utilitarian political culture; Australians readily accept the ‘sacrifice’ of submitting to potential RBT while driving in return for safer roads and reduced loss of life.

4. Gun Control for a Better and Safer Australia

- 30 The mass shooting at Port Arthur, Tasmania, was the deadliest in Australia’s history. It left 35 killed and 23 wounded. When the massacre took place, on 28 April 1996, John Howard had been prime minister for about six weeks after 13 years of Labor governments. However, he acted effectively, swiftly and decisively to negotiate a National Firearms Agreement which enjoyed bipartisan support and was implemented by all the state and territory governments.
- 31 In response to the Port Arthur massacre, Howard convened a special meeting on 10 May of the Australasian Police Ministers’ Council (APMC) at which all Australia’s states and territories agreed to implement stringent and uniform firearms laws. (In Australia, the regulation of firearms is the responsibility of the state and territory governments, not the federal government.)
- 32 “Port Arthur was our Sandy Hook.... Port Arthur we acted on. The USA is not prepared to act on their tragedies,” (Fischer, 2016) opined Tim Fischer, one of the most conservative politicians in Australia, 20 years after the massacre, which occurred when he was deputy prime minister. (Glover, 2017).
- 33 Fischer here was signalling not just Australian pragmatism but also the utilitarian ethos McAllister ascribes to the Australian polity and society. Indisputably, gun control promotes objective wellbeing. A rigorous statistical study published in the *Journal of the American Medical Association (JAMA)* concluded that the ban was associated with reductions in mass shootings and total firearms deaths. (JAMA, 2016). There have been no mass shootings in Australia since 1996. In addition, noted the lead author of the study, Professor Simon Chapman, “[w]e’ve shown that a major policy intervention designed to stop mass shootings has had an effect on other gun-related deaths as well”, given the reduction in suicides and all types of homicides (not just mass killings) by firearms since 1996 (Chapman, 2016). Indeed, the OECD Better Life Index reports that “**Australia's homicide rate is 1.0**, lower than the OECD average of 3.6.” (OECD, 2017).
- 34 Given this link to personal safety it is argued that subjective wellbeing will also increase if the use of firearms is controlled. As stated above, the AUWI features “how safe you feel” as one of its seven indicators of personal wellbeing. Drawing on Maslow’s hierarchy of needs, the 2018 *World Happiness Report* states that safety is a vital condition for happiness (*World Happiness Report*, 2018). In the wake of the Port Arthur massacre, Howard’s campaigning was relentless. He produced polling that showed that his reforms had a 90

percent support rate among the Australian public. In addition to this positive persuasion, Howard was prepared to wield a 'stick'. If the states did not fall into line, he threatened to hold a referendum and seize power for firearm registration from the states.

- 35 "If you have political capital, you can be certain of one thing: it will disappear. You don't keep political capital for very long. You either see it disappear through inaction, or you spend it on a good cause," (Howard, 2016), Howard reflected 20 years after the event. That Howard, a conservative's conservative, was prepared to spend the political capital he enjoyed soon after his election on gun control, as well as the fact that he enjoyed bipartisan and popular support, is another indicator of Australians' readiness to sacrifice, to a certain extent, individual rights and freedoms for the greater good.
- 36 Persuading the states to enact uniform firearms control legislation was one challenge. The next was passing legislation at the federal level to make possible the 'buy-back' of firearms, the incentive for gun owners to surrender their weapons. In the end, 650,000 firearms were surrendered and melted down, at a cost of \$350 million.
- 37 Howard raised the funds by a short-term increase of 0.2 % in the national Medicare Levy, the tax that funds Australia's national health system. At his Second Reading Speech of the Medicare Levy Amendment Bill 1996, Howard, the first elected Australian prime minister to identify himself as a conservative (Australian Broadcasting Corporation, 2007) stated: "I do not enjoy for one moment imposing this degree of additional regulation and inconvenience" (Howard, 1996). This was completely in keeping with his belief in small government and with his conviction that his party "must always be seen as the party of individual freedom and personal rights," (Howard, 1996).
- 38 Yet Howard was no challenger of the Australian ethos that, within reason, the greater good must prevail over individual wishes and liberties. As he said in his Second Reading Speech:

It is a matter of honest regret that taxpayers need to meet this cost, and that law-abiding gun owners need to surrender guns which they have found useful to them in one way or another But, **when the whole of the matter is weighed, there is a greater good to be served in taking such comprehensive measures** These historic measures are designed to avoid any slide into a gun culture in this country. ... **It is our obligation to build a better and safer community for all Australians.** (Howard, 1996). (Emphasis added.)

- 39 Twenty years later, in a series of interviews about Port Arthur and its legislative aftermath, as well as the reduction of firearms-related deaths in Australia, Howard rejected the idea that the US, with its Second Amendment (Bill of Rights, 1791) obsession, could follow the Australian example to reduce the toll that gun deaths and shootings take in that country:

[T]he last thing I want to do is pretend the culture and the circumstances in America and Australia are the same. (In the US) gun possession is seen, wrongly in my view and historically erroneously, as being some kind of fundamental right of the individual. The original intention was the right to maintain state militias. (However), I thought "(f)or heaven's sake, what's the point of being in office when you can't do something significant in relation to something that affects community safety?" (Howard, 2016).

- 40 Incidentally, John Howard's interpretation of the text is far from controversial. For most of last century, the United States Supreme Court and federal courts held that it only applied in the context of militias, the right of states to protect themselves from federal interference and was not an individual's right (Yuhas, 2017).

5. Wellbeing Versus Intellectual Property Rights in the War on Smoking

- 41 The link between health /objective wellbeing and tobacco consumption requires no elaboration, and it is surely self-evident that the benefits to health and longevity that abstention brings will also promote the happiness of the ex-smoker's loved ones.

- 42 In terms of subjective wellbeing (SWB) recent research published in *The BMJ* found

no evidence that the change in SWB of those who quit smoking under stricter tobacco control policies is different from those who quit under a more relaxed regulatory environment. Furthermore, our cross-sectional estimates suggest that the increase in SWB from quitting smoking is statistically significant and also of a meaningful magnitude (Weinhold and Chaloupka, 2017).

- 43 Through legislation and litigation both domestically and abroad, the Australian government has done everything it feasibly can to discourage smoking. Since 1 December 2012, all tobacco products sold, offered for sale, or otherwise supplied in Australia must be contained in 'plain packaging'. There are no longer any Marlboro Men or luxury-looking Benson and Hedges packets to be seen, a sea change from the previous situation, when cigarettes were sold in branded packaging but plastered with health warnings. Cigarette packs sold in Australia now feature images of gangrenous limbs, cancerous lungs and broken, rotting teeth. This is in keeping with subsection (2) of the *Tobacco Plain Packaging Act 2011* (Cth), (the TPP Act), which states that:

(2) It is the intention of the Parliament to contribute to achieving the objects in subsection (1) by regulating the retail packaging and appearance of tobacco products in order to:

- (a) reduce the appeal of tobacco products to consumers; and
- (b) increase the effectiveness of health warnings on the retail packaging of tobacco products; and
- (c) reduce the ability of the retail packaging of tobacco products to mislead consumers about the harmful effects of smoking or using tobacco products.

- 44 As was the case with the gun buy-back and associated Medicare levy, the legislation effecting this pioneering approach to the deterrence of tobacco consumption was supported by all the main political parties. *The Sydney Morning Herald* reported in May 2011 that

New laws to sell cigarettes in plain packets are set to pass parliament after the coalition swung behind the Gillard government move.

Opposition Leader Tony Abbott said the coalition would not oppose the laws when they were presented to parliament later this year, but would propose a number of amendments. However, if the amendments - which Mr Abbott did not spell out in detail - were not carried, coalition MPs would allow the bill to pass. (*The Sydney Morning Herald*, 2011).

- 45 The bill passed the House of Representatives in August 2011, supported by “both major parties” (Australian Broadcasting Corporation, 2011). It passed the Senate in November of that year. Even those who spoke and voted against it, such as opposition whip John Williams, stated: “I do hope that this does reduce smoking but I also hope that it does not cost the nation billions and billions of dollars. And I do hope the government have their legal advice correct.” (Williams, 2011).
- 46 Section 3(1)(a) of the TPP Act is very clear about its purpose: “The objects of this Act are: (a) to improve public health...” The aggressiveness of the Australian legislation to discourage tobacco consumption inspired politicians in other Anglosphere countries and encouraged other jurisdictions to follow suit (Mayor Michael Bloomberg of New York hailed the Australian Attorney-General as “a rock star” for her efforts) (Bloomberg, 2012).
- 47 A 2016 post-implementation review (PIR) by the Australian Department of Health stated that “[w]hile the full effect of the tobacco plain packaging measure is expected to be realised over time, the evidence examined in this PIR suggests that the measure is achieving its aims” (Australian Government Department of Health, 2016) and that “[t]he body of experimental, behavioural and other studies into the effects of the tobacco plain packaging measure shows that it is having a positive impact on the three specific mechanisms of reducing the appeal of tobacco products, increasing the effectiveness of health warnings, and reducing the ability of the pack to mislead.”
- 48 Once again, Australia led the world in using the law to bring about wellbeing, and the world noticed. Following Australia's lead, a number of other countries now also require plain packaging: France (for cigarettes sold after January 2017), UK (May 2017), New Zealand (June 2018), Norway (July 2018), Ireland (September 2018) and Hungary (planned for January 2022). Matthew Rimmer, writing in the magazine of the World Intellectual Property Organization, noted that the World Health Organization
- welcomed the landmark ruling and called upon the “rest of the world to follow Australia’s tough stance on tobacco marketing” which is fully in line with the WHO Framework Convention on Tobacco Control. The Director-General of the WHO, Dr Margaret Chan, said that the ruling would encourage other countries to implement tobacco control measures, such as the plain packaging of tobacco products, noting, “with Australia’s victory, public health enters a brave new world of tobacco control. Plain packaging is a highly effective way to counter industry’s ruthless marketing tactics.” (Rimmer, 2013).
- 49 Not unexpectedly, the tobacco industry mounted a challenge. In response to the 2011 legislation, British American Tobacco (BAT) and JT International SA filed suit against the Government of Australia in the nation’s High Court (its supreme court). The tobacco giants alleged breach of the Australian *Constitution*, specifically, section 51 xxxi which concerns “the acquisition of property on just terms from any State or person for any purpose in respect of which the Parliament has power to make laws”, claiming that their intellectual property, specifically, copyright, design, goodwill, trademarks and trade dress such as arrangements of words, colours, designs, logos, lettering and markings had been expropriated.
- 50 By a majority of six to one, the High Court rejected the tobacco companies’ arguments that there had been an acquisition of property under the Australian *Constitution*. The

majority judges variously described the case of the tobacco companies as “delusive”, “synthetic”, “unreal”, and suffering “fatal” defects in logic and reasoning.

- 51 Then-Chief Justice Robert French quoted academic literature to point out that: “Intellectual property is ... a purely negative right, and this concept is very important. Thus, if someone owns the copyright in a film he can stop others from showing it in public but it does not in the least follow that he has the positive right to show it himself.” The Chief Justice went on to point out that “BAT correctly submitted that rights to exclude others from using property have no substance if all use of the property is prohibited”. Accordingly, he opined:

There is ... an important distinction between taking of property and its acquisition. Taking involves deprivation of property seen from the perspective of its owner. Acquisition involves receipt of something seen from the perspective of the acquirer. Acquisition is therefore not made out by mere extinguishment of rights....On no view can it be said that the Commonwealth as a polity or by any authority or instrumentality, has acquired any benefit of a proprietary character by reason of the operation of the TPP Act on the plaintiffs' property rights. (French, 2012).

- 52 Current Chief Justice Susan Kiefel noted:

The (TPP Act) and ... Regulations, in conjunction with the 2004 and 2011 Information Standards, may be a rare form of regulation of the packaging of a harmful product, in that they require those distributing a product to place warnings on the product's packaging which might dissuade persons from using the product at all. However, the plaintiffs did not seek to argue that the measures were not appropriate to achieve the statutory objectives or disproportionate to them, or that the legislation was enacted for purposes other than those relating to public health. In the end result, their argument was only that the possible achievement of the statutory objectives of the (TPP Act) was sufficient to amount to an acquisition for the purposes of s 51 (xxxi). It is possible that there be a statutory objective of acquiring property, as there was in the *Bank Nationalisation Case*, but there is no such purpose evident in the present case. The central statutory object of the (TPP Act) is to dissuade persons from using tobacco products. If that object were to be effective, the plaintiffs' businesses may be harmed, but the Commonwealth does not thereby acquire something in the nature of property itself. (Kiefel, 2012).

- 53 The single dissent, from Justice Heydon, was by no means laudatory to the purposes and existence of the tobacco companies, which he accused of trafficking in “lies and death” (Heydon, 2012).
- 54 Having lost its case at Australia's High Court, Philip Morris turned to the International Permanent Court of Arbitration in The Hague, claiming that the TPP breached Australia's Bilateral Investment Treaty with Hong Kong. The tobacco company's failure was spectacular, as not only did the PCA rule against Philip Morris, it also ordered the company to pay Australia compensation of tens of millions of dollars, possibly \$50 million (*The Sydney Morning Herald*, 2017).
- 55 Finally, in June 2018, the World Trade Organization's panel of judges ruled in Australia's favour, rejecting arguments brought by Cuba, Indonesia, Honduras and the Dominican Republic that the TPP Act infringed tobacco trademarks and violated intellectual property rights (World Trade Organization, 2018).

6. Legislation in Favour of Well-Being and the Compulsory Vote

- 56 Australians generally accept restrictions on their autonomy if a higher purpose is being served, to a degree that would often be unacceptable in comparable Anglophone jurisdictions. It is tempting and by no means illogical to link their acquiescence to the mandatory vote specific to Australia in the Anglosphere.
- 57 Although it became compulsory for both non-Indigenous Australians, both male and female, to enrol to vote before the First World War, a decline in voluntary voter turnout from more than 71% at the previous 1919 election to less than 60% at the 1922 elections was the catalyst for legislation to make voting at the federal level mandatory. From the start, it was non-controversial:

On 17 July 1924 a Private Member's Bill ... was debated in the Senate. Five Senators spoke on the Bill and it was passed that day. In the House of Representatives only three members spoke. Significantly, for such a piece of far-reaching legislation, Mr Tony Smith MP, noted that there were only a few speakers on each side and it went through on the voices. (Parliament of Australia).

- 58 The States and Territories comprising the federation then enacted bills making voting compulsory at their level of government. Voting at the local council level and in referenda is also compulsory.
- 59 The compulsory vote promotes an attitude that everyone has their say and that eventually the greatest good for the greatest number does prevail. A causal link between the compulsory vote and the propensity of the Australians to accept some degree of restriction on their autonomy is impossible to prove, but indications exist that support at least a correlation.
- 60 When former US President Barack Obama praised Australia's compulsory voting system in a 2016 speech at the University of Chicago Law School, he called it "transformative", noting how it would counteract the all-too-powerful influence of "big money" in the US electoral process. (Tovey, 2016). Obama highlighted the 2014 findings of the Pew Research Center, which found that the millions who refuse to participate in American elections are younger, more diverse and less affluent than those who do vote. This skews policymaking in favour of the affluent. To take just one example, "more nonvoters say that government aid to the poor does more good than harm than say the opposite (51% vs. 43%). Likely voters, by 52% to 43%, say that government aid to the poor does more harm than good". (Pew Research Center, 2014). Along the same lines, a BBC report from 2013 canvassed the issue and quoted Rohan Wenn, of a non-partisan advocacy group: "(In other countries) the people who don't vote are the poor and disenfranchised, and those are exactly the people we think should be voting" (Wenn, 2013).
- 61 The Australian Political Science Professor Ian McAllister posits that the high voting turnout caused by compulsory voting may increase overall satisfaction with the political system. (McAllister, 2016). Yet the UK-born McAllister does not believe that compulsory voting would work elsewhere in the Anglosphere, owing to the uniquely Australian utilitarian social and political mindset. Similarly, Professor Lisa Hill states: "our system of compulsion creates a particularly equitable democracy, where all eligible citizens have an

equal say in the outcome in Australia voting is not simply a privilege, it is also a duty” (Hill, 2012). Supporting Hill’s contention that the system enjoys broad backing, an article in *The Conversation*, an Australian academic publication offering public affairs commentary, stated:

[M]any experts consider Australia's electoral system to be one of the finest in the world. The majority of Australians apparently share this view: 70% approve of compulsory voting.

For decades, compulsory voting has done what it was supposed to do: maintain high and socially even turnout levels that are the envy of the industrialised voluntary-voting world. Prior to its introduction at the federal level in 1924, turnout was hovering in the 50–60% range (of registered voters). Since then, it has remained steady for many decades at around 93%. The system is easily accessible, well-managed and, despite some rare but highly publicised cases, controversy-free. Without compulsory voting, turnout would be considerably lower at around 55-60% of the eligible population, mimicking similar democracies such as the US or Canada.

Switching to a voluntary system ... would plunge Australian democracy into the same crisis of citizenship that democracies everywhere in the voluntary-voting world are going through: that is, the rapid decline into gerontocracy as voters – especially young people – turn their backs on voting in droves. (The Conversation, 2015).

- 62 The Australian parliament has a Joint Standing Committee on Electoral Matters whose role is to enquire into matters relating to electoral laws and practices and their administration. Accordingly, it reports on the conduct of federal elections, reports of irregularities in state elections, trials of electronic voting systems, and electoral funding. There has been no governmental or popular desire of sufficient import for it to examine the benefits and disadvantages of compulsory voting.
- 63 Australians travel widely and are subjected to British and U.S. media from childhood. They appear unconvinced that their lives would be better in the larger Anglophone countries. Thanks to the ‘unicorn’ E3 visa, Australian citizens enjoy the right to work professionally in the United States without the paperwork and hurdles faced by citizens of every other country. Yet this unique privilege has limited interest for Australians: in 2017, half the quota of E3 visas went unused. (Knott, 2018). While many Australians use ancestral passports or working holiday visas to spend time in Britain, the relatively low wages offered in the UK, and the knowledge that traditionally, Britons have sought a better life in the New World, act as impediments to any notion that the UK offers a higher standard of living or quality of life.
- 64 *The Economist* gave its imprimatur to the Australian way of life and the political centrism promoted by the compulsory vote in late 2018 (emphasis added):

Rising incomes, low public debt, an affordable welfare state, popular support for mass immigration and **a broad consensus on the policies underlying these things** – that is a distant dream in most rich countries. Many Western politicians could scarcely imagine a place that combined them all. Happily they do not need to, because such a country already exists: Australia.... **Australia’s political system rewards centrism. All eligible citizens must vote**, by law.... The system of preferential voting, whereby Australians rank candidates in order of choice, rather than picking just one, also exerts a moderating influence. (*The Economist*, 2018).

7. The Potential Disadvantages of the Benthamite, Utilitarian Approach

- 65 Do individuals and their rights suffer in a culture that promotes the greatest good for the greatest number? Surely it is worthy of note that Australia lacks a constitutionally-anchored, stand-alone Bill of Rights, in contrast to the *Canadian Charter of Rights and Freedoms*, for example, or the U.S., New Zealand, English Bills of Rights or the UK Human Rights Act?
- 66 Perhaps this fact is all the more ironic given that it was an Australian, Herbert Vere ('Doc') Evatt, in his capacity as President of the General Assembly of the United Nations, who presided over the adoption and proclamation of the Universal Declaration of Human Rights.
- 67 It would be a mistake, however, to think that individual rights are slighted despite the lack of a Constitutional guarantee. This century, Victoria enacted the *Victorian Charter of Human Rights and Responsibilities Act 2006*, and every law passed in Victoria must be compatible with the Charter. (State of Victoria, 2019). Similarly, the Australian Capital Territory passed its *Human Rights Act* in 2004. Both pieces of legislation were influenced by the Canadian, New Zealand and UK examples, though not that of the U.S. (Stephenson, 2017). In general terms, they reflect the International Covenant on Civil and Political Rights.
- 68 The Australian Constitution guarantees certain rights, such as freedom from a state religion and freedom of conscience. Before its enactment by the Westminster parliament, residents of the Australian colonies already enjoyed the rights and protections laid out in the 1688 English Bill of Rights and Magna Carta, as well as the heritage of common law. Like Canada, New Zealand and the UK, Australia also ratified and implemented into domestic legislation seven of the key international human rights treaties. The tally for the USA is four.

8. Conclusion

- 69 Australia's efforts in legislating safety and wellbeing began soon after Federation in 1901. The *Harvester* litigation of 1907 mandated a living wage for all workers, however the employer was faring financially. President Higgins rejected any notion of profit-sharing, saying that the remuneration was to be paid whether the profits were nil or 99.9 percent. He was adamant that the living wage was necessary not just to achieve a basic standard of material wellbeing, but also to promote dignity, equity, and a civilised society, which today we might consider as inseparable from subjective wellbeing.
- 70 Australia has been earlier than other Anglosphere jurisdictions to use the law to mandate such measures as the wearing of seatbelts and random breath testing.
- 71 Although Australia has led the way internationally in promoting the reduction of tobacco use through plain packaging legislation and litigation, other jurisdictions, in the Anglosphere and elsewhere, have emulated this approach. It is perhaps easier for those nations lacking the utilitarian political ethos to do so as smoking, unlike fair wages, gun

control and road safety, can only be discouraged, not controlled, through legislation and litigation. No-one thinks a prohibition on tobacco would be practicable.

- 72 Australia's Benthamite, utilitarian political culture means that citizens expect the state to promote the greatest good for the greatest number, and the law is used as the tool to regulate Australian society across a number of spheres and in a number of ways. It is reasonable to conclude – though hard to prove – that the compulsory vote, unique in the Anglosphere, promotes the feeling of everyone having a stake in the polity and of legislation truly reflecting the will of the majority.

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NOTES

1. The five Anglophone/Anglosphere/predominantly English-speaking countries that constitute the close-knit 'Five Eyes' intelligence pact. All are OECD member states that share a common-law heritage and all except the UK are 'New World' countries. It is these

commonalities that make comparisons and differences useful and interesting.) This paper also aims to shed light on the belief that '[i]f there is one characteristic that separates Australians from much of the world, it's that belief we are on a mission to create a truly great society'. (Downer, 2019)

ABSTRACTS

From the time of the nation's federation and independence, in 1901, Australian authorities have concerned themselves with the wellbeing, through the health and the social justice of the citizenry. It is interesting to keep in mind that Australia, uniquely in the Anglosphere, has the compulsory vote, and not just in federal elections. Citizens who fail to vote in state government and local government council elections are also fined. As early as 1907, the young nation mandated a universal minimum wage, a wage sufficient to meet the needs of a person living in a 'civilised society'. The nation continued to evolve under the influence of these notions of solidarity and civic-mindedness. Signs of these values are noticeable in a number of laws and lawsuits relating to wellbeing in Australia. One example is the fact that the state of Victoria was the first jurisdiction in the world to mandate the wearing of a seatbelt by every person in a motor vehicle. Similarly, Australia was a pioneer in random breath testing of drivers. Towards the end of the twentieth century, in the wake of a massacre in Tasmania, Australia quickly and effectively passed laws making firearms illegal in most circumstances. This century, it was the first country in the world to ban trademarks, attractive images and colours from cigarette cartons. It is telling that, far from resenting these laws, which people in other countries might consider meddlesome or intrusive, the vast majority of Australians welcome them, as they tend to value equality and solidarity over individual rights. Given this societal context, citizens appreciate governmental efforts to promote their wellbeing.

Les autorités australiennes se sont intéressées au bien-être des citoyens, à travers la santé ainsi que la justice sociale, depuis l'indépendance de la nation en 1901. Il convient de garder à l'esprit que l'Australie est le seul pays anglophone dans lequel le suffrage est obligatoire, et ce à chacun des trois niveaux gouvernementaux: local, fédéral, et national. C'est en 1907 que le pays a fixé un salaire minimum obligatoire national; un salaire qui satisferait les besoins d'une personne vivant dans une 'société civilisée'. Ce sont avec ces notions de solidarité et de civisme que le pays a continué à évoluer. On remarque ce sens du civisme en Australie lorsque l'on examine certains litiges et lois relatifs au bien-être. Par exemple, ce fut l'État du Victoria qui fut la première juridiction du monde à rendre obligatoire le port de la ceinture de sécurité par chacun des passagers d'une voiture. De même, l'Australie a initié les contrôles aléatoires d'ivresse au volant. Vers la fin du 20^e siècle, suite à un massacre en Tasmanie, l'Australie a promulgué avec rapidité et efficacité l'interdiction des armes à feu dans la plupart des circonstances. Il y a moins de 10 ans, c'était le premier pays à interdire l'utilisation des marques et/ou de couleurs et images attractives sur les paquets de cigarettes. Il est important de noter que la plupart des Australiens apprécient ces lois, qui seraient considérées comme 'envahissantes' des libertés dans bien d'autres pays. Les Australiens attachent plus de prix à l'égalité et à la fraternité. Dans un tel cadre social, la promotion du bien-être du citoyen est appréciée.

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Mots-clés: Australie, civisme, bien-être, litiges, lois, sécurité, santé, anglophone

Keywords: Australia, civic-mindedness, wellbeing, lawsuits, laws, safety, health, Anglophone/
Anglophere

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Politique du logement et bien-être en Angleterre : perspective historique et réflexions sur la situation contemporaine

Housing Policy and Well-Being in England: Historical Perspective and Analysis of the 2018 Situation

David Fée

1. Introduction

- 1 Le logement est inscrit dans la Déclaration universelle des droits de l'Homme (Assemblée Générale des Nations Unies, 1948 : §25.1),¹ car il est nécessaire au bien-être de l'Homme à plusieurs titres : en tant qu'abri, il est indispensable pour satisfaire certains besoins humains physiques fondamentaux (dormir, se protéger des éléments, etc.) ; en tant qu'habitat, de par sa dimension ontologique, il permet d'assurer un sentiment de sécurité et d'intimité ; en outre, en tant que domicile, il permet de tisser des relations sociales, car il s'inscrit dans un environnement plus large, la rue ou le quartier. Enfin, en tant que marchandise, il influe sur la situation économique et financière d'un foyer (Y. Fijalkow, 2011). Partant, le mal-logement² peut être considéré comme un obstacle au bien-être objectif et subjectif, car il rejaillit sur le développement d'un individu, sa participation et son insertion sociale, voire son niveau de vie ou sa santé.
- 2 Les liens entre logement et bien-être et l'influence du logement sur les autres politiques publiques sont reconnus depuis longtemps au Royaume-Uni et ont fait l'objet de nombreuses études et évaluations. Ainsi en est-il de la relation logement-éducation. Il est prouvé que de mauvaises conditions de logement rejaillissent de multiples façons sur les résultats scolaires : le mal-logement, lorsqu'il est synonyme de surpeuplement (*overcrowding*), induit un manque d'intimité, du bruit, un manque de sommeil, une fatigue et donc une baisse d'attention en milieu scolaire (Shelter, 2006). Lorsqu'il signifie des

conditions de vie dégradées comme l'humidité ou le froid, il conduit à la maladie et donc l'absentéisme (J. Giggs *et al.*, 2008 : 11).

- 3 De même, logement et santé sont étroitement liés, bien qu'il soit difficile de démêler les différents facteurs impliqués et de séparer le logement de son environnement plus large. Un exemple extrême réside dans le nombre de décès supplémentaires liés au froid durant un hiver rigoureux (M. Marmot, 2010 : 80). S'il ne débouche pas toujours sur un décès, le mal-logement induit des effets négatifs sur la santé : asthme, autres maladies respiratoires, cardiovasculaires, etc. (P. Howden-Chapman *et al.*, 2007). En outre, de nombreuses études pointent les liens entre l'aspect physique d'un logement et la santé mentale des résidents (G. Evans *et al.*, 2003). Enfin, dans une dernière acception, lorsque le mal-logement est synonyme d'absence de logement, il est lié à des taux supérieurs de dépendance et de troubles mentaux (S. Fazel *et al.*, 2008).
- 4 Ce chapitre s'attachera donc à examiner, dans un premier temps, comment le logement s'est imposé dans l'évaluation du bien-être des Anglais, subjectif et objectif (en termes de satisfaction d'une part et de conditions matérielles évaluées selon des normes nationales, d'autre part)³. Dans un deuxième temps, dans une perspective historique, nous nous concentrerons sur l'action publique : nous nous attacherons à montrer comment les pouvoirs publics ont cherché ou non à répondre à la question du bien-être (sans toutefois recourir à ce concept jusqu'à une date récente), par le biais d'une politique publique du logement. Les choix effectués après 2010 seront analysés en détail. Enfin, dans un dernier temps, nous étudierons les conséquences de ces choix politiques et l'évolution, peu propice à l'amélioration du bien-être, du système immobilier anglais. En raison de la décentralisation de la collecte des données statistiques et de la politique du logement depuis 1999, consécutive à la réforme de la gouvernance du Royaume-Uni (*devolution*), le choix a été fait de se concentrer sur l'Angleterre après 2000⁴.

2. Une nouvelle donne : bien-être subjectif et logement en Angleterre

- 5 C'est assez récemment que le concept de bien-être s'est explicitement invité dans le débat politique au Royaume-Uni. Si de très nombreuses enquêtes s'étaient en effet penchées sur la question de la pauvreté à partir des années 1960⁵, la problématique n'avait pas été posée en termes de bien-être. La Stratégie de développement durable publiée en 1999 par le gouvernement Blair, puis celle de 2005 (DEFRA, 2005), ainsi que la création d'un groupe de travail au sein de l'administration centrale (W3G, Whitehall Wellbeing Working Group) avait marqué un tournant discret dans la réflexion politique au Royaume-Uni en faveur d'un nouvel indicateur (le bien-être), tout en remettant sa définition à plus tard. Cette nouvelle donne avait, par la suite, été officialisée le 25 novembre 2010 lorsque le nouveau Premier ministre, David Cameron, avait annoncé la création du *Measuring National Well-being Programme* avec à la clef deux millions de livres sterling⁶. David Cameron tenait ainsi un engagement pris dans l'opposition lors de la conférence européenne Google Zeitgeist. En écho au discours de campagne de Robert F. Kennedy de 1968, il y avait déclaré que la vie ne se limitait pas à l'argent et qu'il importait de mesurer autre chose que le PNB (The Guardian, 22.05.2006)⁷. Il importait, dit-il en novembre 2010, de prendre en compte la beauté de l'environnement, la qualité culturelle ainsi que la force des relations humaines (The Conservative Party, 2010)⁸.

- 6 C'est à cette tâche que l'*Office for National Statistics* (ONS) au Royaume-Uni s'est attelé en novembre 2010, dans le but de mettre au point un index du bien-être afin de pouvoir en tenir compte dans la formulation des politiques publiques. Après un débat national de cinq mois orchestré par l'ONS, un tableau d'indicateurs fut élaboré et le *Measuring National Well-Being Programme* débuta. Le programme conduisit l'ONS, à partir d'avril 2011, à recueillir l'opinion de 200 000 Britanniques sur leur vie (*Subjective Well-being*), sur la base de 43 indicateurs objectifs et subjectifs, dans 10 domaines différents⁹. Parmi ces indicateurs, un seul se rapporte directement au logement et deux indirectement¹⁰ (voir partie 2 ci-dessous). La place limitée qui lui est accordée n'est pas unique à l'ONS et est reflétée par d'autres rapports où le logement n'est pas explicitement mentionné parmi les facteurs influençant le bien-être subjectif, souvent partagés en trois catégories (économiques, sociaux, personnels) (G. O'Donnell *et al.*, 2014 : 43). Depuis 2012, l'ONS publie deux rapports par an sur la base de ces indicateurs afin de mesurer l'évolution de la qualité de vie et du bien-être des Britanniques en général (*Measuring National Wellbeing : Life in the UK*).
- 7 En parallèle, il fut décidé d'inclure à partir de 2012 dans la *Annual Population Survey* quatre questions sur le bien-être subjectif¹¹ découlant d'approches théoriques différentes : approche évaluative, eudémonique, et expérimentale (ONS, 2015 : 35). En juillet 2011, le ministre des Finances George Osborne a mis à jour le *Green Book*, la directive du Trésor qui conseille l'administration centrale sur la manière d'évaluer les projets et les politiques publiques, afin d'inclure ces mesures dans les analyses économiques traditionnelles (*cost-benefit analysis*).
- 8 Cette nouvelle donne a eu des conséquences sur la collecte de statistiques dans le domaine du logement. Des données sur le bien-être subjectif sont désormais disponibles dans *The English Housing Survey*, l'enquête nationale sur le logement en Angleterre. Depuis 2013-14, en raison du programme national consacré au bien-être, l'ONS inclut deux indicateurs de bien-être subjectif dans cette enquête nationale (*life satisfaction* et *anxiety*) ainsi que les quatre questions mentionnées précédemment (voir note 10). L'objectif est d'évaluer l'influence du logement sur la minorité des Anglais déclarant être peu satisfaits de leur vie (5 %) et anxieux (21 %) (DCLG, 2014). Il s'agit, pour l'ONS, de corrélérer l'entretien avec l'échantillon des résidents sondés sur leur sentiment de bien-être avec leurs conditions de vie telles qu'elles sont évaluées par l'enquêteur chargé du sondage. L'évaluation subjective de leurs propres conditions de logement par les résidents interviewés est exclue.
- 9 Les éditions successives de l'EHS ont révélé que le facteur le plus influant sur le sentiment de bien-être est la situation financière des répondants et plus particulièrement la situation d'arriérés, suivi du statut d'occupation, et du type de logement (DCLG, 2016d). L'édition de 2016 auprès de 13 468 foyers montre que les propriétaires sont ceux qui se déclarent être les plus satisfaits de leur vie et que vivre en appartement ou en maison semi-mitoyenne a une influence négative sur le sentiment de bien-être. Paradoxalement, les conditions de vie telles que le surpeuplement d'un logement, son confort thermique ou le degré d'humidité n'ont guère d'incidence sur les réponses, probablement parce que les perceptions individuelles diffèrent des normes gouvernementales. De manière générale, les statistiques de l'ONS montrent que le logement influe peu directement sur le sentiment de bien-être à la différence d'autres facteurs tels que la santé, le revenu, ou l'emploi.

- 10 Comme il a été dit dans l'introduction, le logement s'inscrit dans l'environnement plus large du quartier. C'est pourquoi l'environnement bâti et le voisinage entrent dans les questions posées lors de l'entretien utilisé par l'ONS pour l'enquête nationale sur le logement. Si une très grande majorité des personnes sondées se déclare satisfaite de son quartier (88 %), se sent en sécurité dans la journée (95 %) et estime que le quartier s'est amélioré ou n'a pas changé (75 %), on peut noter des différences : plus ces personnes appartiennent à un groupe socio-économique élevé, blanc et propriétaire, plus elles sont satisfaites de leur quartier (DCLG, 2016b).

Tableau 1. Logement et bien-être subjectif en Angleterre en 2016

	Satisfaits de leur quartier	Amélioration du quartier	Déclin du quartier	En sécurité seul la nuit dehors
Nord	87 %	14 %	-	-
Sud	88 %	10 %	-	-
Londres	89 %	17 %	-	-
Minorités ethniques	84 %	23, 3 %	22, 7 %	66, 7 %
Population blanche	88 %	13 %	24, 8 %	67, 1 %
Propriétaires	90 %	13 %	26 %	70 %
Locataires du secteur privé	87 %	13, 8 %	17, 5 %	73 %
Locataires HLM	82 %	19 %	24 %	50 %
16-24 ans	81, 2 %	17 %	13 %	64 %
+ 75 ans	91, 4 %	9 %	29, 4 %	40 %
-£10 000 brut/an	84, 1 %	-	-	-
+50 000	92, 5 %	-	-	-

Source : ONS, table FA5342, FA 5363, FA5211

- 11 Bien que limitées, ces variations reflètent les conditions de logement et la localisation des différents groupes socio-économiques et ethniques en Angleterre et traduisent l'influence indirecte que le logement exerce sur la perception par les Anglais de leur environnement immédiat et sur leur sentiment de bien-être. Elles contribuent aussi à cerner le lien entre sentiment de bien-être et capital social tel qu'il est défini par Robert Putnam (R. Putnam, 2000). Tout porte à croire en effet que la confiance, l'interaction, les réseaux sociaux (le capital social en résumé) sont plus à même de se développer localement là où le sentiment de bien-être et d'appartenance s'exprime et vice versa.

3. Logement et bien-être objectif : Une longue tradition d'évaluation

- 12 Cependant, le bien-être n'est pas seulement subjectif, de l'ordre du sentiment, mais il peut très concrètement se mesurer, dans le cas du logement, à l'aune des statistiques recueillies sur les conditions de vie passées et présentes des Anglais.
- 13 Dans ce domaine, l'Angleterre peut se prévaloir d'une longue histoire. Dès 1919, la loi sur le logement et l'urbanisme (*Housing and Town Planning Act*) imposa aux collectivités locales l'obligation d'évaluer leurs besoins en logements, surtout après la définition officielle du surpeuplement (*overcrowding*) formulée en 1935 dans le *Housing Act*¹². La collecte de ces informations s'avérant inégales et les collectivités locales étant suspectées de sous-

estimer les problèmes de mal-logement, la première enquête nationale sur le logement (*House Conditions Survey of England and Wales*) vit le jour en 1967 à la demande du Comité central de conseil pour le logement (*Central Housing Advisory Committee*). Rebaptisée *English Housing Survey* (EHS) en 2008-09, après la fusion de *The English Housing Conditions Survey* et *The Survey of English Housing*, elle couvrait jusqu'aux années 2000 l'Angleterre et le pays de Galles (puis la première uniquement). Depuis 1976, elle inclut un entretien avec un enquêteur et associe enquête qualitative et quantitative.

- 14 Ces enquêtes ont eu une incidence indéniable sur les politiques publiques : ainsi, celle de 1967 a conduit à la définition de zones de rénovation de l'habitat (*General Improvement Areas*) et celle de 1976 à davantage d'aides pour la rénovation des logements antérieurs à 1919 ; après 1991, l'évaluation du pourcentage de foyers en situation de pauvreté énergétique (*Fuel Poverty*) a conduit à la création du *Winter Fuel Payment* en 1997 ; de même, entre 2001 et 2010, l'enquête a permis aux pouvoirs publics d'évaluer le succès du *Decent Homes Programme* ainsi que l'évolution du bien-être matériel des résidents du secteur social (voir plus bas).
- 15 L'*English Housing Survey* confirme que les conditions de logement des Anglais ont profondément changé, souvent pour le meilleur. Ainsi, entre 1967 et 1991, le pourcentage des logements anglais ne possédant pas l'un des équipements de base¹³ est passé de 25 % à 1 % (DCLG, 2017a : 12). Quant au pourcentage de logements classés comme indécents (*unfit*)¹⁴, il est tombé de 12 % à 4 % entre 1967 et 1996. De même, sur la base des nouveaux critères d'évaluation introduits en 2006, il est possible d'établir que le pourcentage des logements présentant un risque de catégorie 1 est passé de 22 % à 12 % du parc anglais entre 2006 et 2015 ; le pourcentage de logements indécents incluant cette nouvelle mesure est tombé, quant à lui, de 35 % à 20 % en 2016. Le froid ayant une incidence majeure sur le nombre de décès chaque hiver en Angleterre, l'EHS a récemment intégré une rubrique sur l'efficacité thermique et l'isolation des logements : il est ainsi possible d'affirmer qu'alors qu'en 1961, le pourcentage des logements isolés était proche de zéro, en 2015, 95 % des logements anglais étaient équipés de double vitrage.
- 16 L'enquête nationale montre néanmoins la dégradation d'un indice majeur du mal-logement, à savoir le taux de surpeuplement, pour des raisons qui seront examinées plus loin. Alors que ce taux était resté stable entre 1995 et 2015 parmi les propriétaires, il a légèrement augmenté dans le secteur social (passant de 5 % à 7 %) et dans le secteur locatif privé (3 % à 5 %). Le pourcentage varie fortement cependant entre les groupes ethniques et atteignait 30 % des foyers bengalais contre 7 % des foyers chinois en 2015-16¹⁵ en raison de la taille différente des familles.
- 17 En comparaison avec les autres pays de l'OCDE, les conditions de logement dans l'ensemble du Royaume-Uni sont supérieures à la moyenne : selon l'OCDE, à 7 %, le taux de surpeuplement est plus proche de celui des Pays-Bas (2 %) que de celui de la Pologne (48 %) et le pourcentage de la population vivant dans un logement indécents (15 %) est plus proche de celui de la Finlande (5 %) que de celui de la Turquie (42 %) (OECD, 2011 : 81-102).

4. Idéologie politique, bien-être et logement sur le temps long : 1890-2010

- 18 Cette évolution largement positive est le résultat de l'attention accordée à la question du logement (*the housing question*) par les pouvoirs publics de la fin du 19^e siècle au Livre vert de 1977 (DOE, 1977) et de leur intervention soutenue dans ce domaine pour des motifs variés, au nombre desquels figure l'amélioration des conditions de vie matérielles (sans que la notion de bien-être soit explicitement convoquée).
- 19 Il faut garder à l'esprit que les prémisses de l'action publique dans le domaine du logement au Royaume-Uni sont indissociables de la question sanitaire¹⁶. Elles découlent du rapport de 1842 d'Edwin Chadwick, ancien commissaire de la réforme des *Poor Laws*, dans lequel un lien entre environnement insalubre et épidémies récurrentes fut établi pour la première fois (E. Chadwick, 1842 : 422)¹⁷. Ce constat attisa la crainte de voir les épidémies s'étendre aux classes moyennes, déclenchant les premières mesures législatives¹⁸.
- 20 Dans les années 1880, en raison du rapport de la Commission royale sur le logement des classes ouvrières (Royal Commission, 1885) et de l'évolution de l'opinion publique, à la suite d'un certain nombre d'enquêtes privées révélant l'échec des premières mesures sanitaires, le débat sur le bien-fondé de l'intervention de l'État évolua. Un discours éthique émergea alors qui mit l'accent sur le devoir moral de légiférer et d'agir pour alléger la souffrance des classes ouvrières et améliorer leurs conditions de vie¹⁹. Ce discours aboutira en 1890 au vote du *Housing Act* permettant aux collectivités locales de financer la construction de logements publics sur les impôts locaux. À cet impératif moral vint s'ajouter une visée utilitariste au tournant du siècle : la découverte par les autorités médicales durant la guerre des Boers que la santé de 35 % des appelés ne leur permettait pas de combattre contribua à établir un lien entre le bien-être physique des classes ouvrières et la défense de l'Empire (G. Cherry, 1988 : 54). La publication du rapport du *Inter-Departmental Committee on Physical Deterioration* (1905) ainsi que le débat qui s'ensuivit sur le déclin de la « race britannique » contribuèrent à faire avancer la question des conditions de vie matérielles dans le débat politique. Ce discours utilitariste dominait en particulier au sein du parti conservateur, renforcé par la conviction de ses dirigeants qu'une législation sociale (limitée) constituait l'exact antidote à la structuration du mouvement ouvrier britannique en syndicats et sociétés socialistes (A. Balfour, 1895).
- 21 Les mesures votées par les gouvernements libéraux entre 1906 et 1914 posant les bases d'une sécurité sociale pour la population britannique, sous la pression de leurs alliés travaillistes, laissèrent de côté la question du logement public. Il fallut attendre la Grande Guerre pour qu'elle fût incluse dans l'action publique au plan national : le *Housing Planning Act* de 1919, finançant un programme de logement public national pour les classes ouvrières (*Homes fit for Heroes Programme*) fut justifié par un discours mêlant reconnaissance et utilitarisme. À la volonté de récompenser les combattants britanniques²⁰ et d'améliorer leurs conditions de vie se superposait la crainte du désordre social consécutif à la démobilisation et à l'exemple de la révolution russe²¹.
- 22 Le programme ne devait pas survivre cependant aux problèmes économiques de l'après-guerre et aux changements de gouvernements. L'envolée des prix de la construction, en raison de l'inflation d'après-guerre, de la rareté des matériaux et de la main-d'œuvre, et

des taux d'emprunt élevés, conduisit le gouvernement à établir le *Departmental Committee on the High Cost of Building Working Class Dwellings*. Le rapport du comité de 1921 fut utilisé par le gouvernement pour mettre un terme au programme et restreindre les dépenses publiques dans ce domaine. Les arguments idéologiques et financiers des Conservateurs pour restreindre l'intervention de l'État à un minimum l'emportèrent sur les efforts des travaillistes pour faire accepter le principe moral de la construction de logements publics ouvriers. C'est ainsi que les subventions à la construction publique de logements ouvriers furent progressivement réduites pour être *in fine* limitées aux logements indécents et à la lutte contre l'insalubrité par la loi sur le logement de 1933. Cette intervention minimale fut confirmée par la loi sur le logement 1935 qui eut le mérite de fournir une formulation officielle en creux du bien-être matériel, par le biais d'une définition précise du surpeuplement d'un logement (voir plus haut). Le lien entre bien-être matériel et politique nationale du logement se dessinait, quoiqu'implicitement.

- 23 Tout différents furent le cadre discursif et les politiques d'après-guerre. Comme Ruth Levitas l'a démontré (R. Levitas, 1998), l'action publique après 1945 s'inscrit dans plusieurs phases, auxquelles la politique du logement n'échappe pas. Ainsi, des années 1950 aux années 1970, elle fut sous-tendue par un discours de redistribution (ou RED selon la formule de Levitas) qui se concentra sur la lutte contre la pauvreté et les inégalités. Cette direction de l'action publique explique le consensus interpartisan autour d'un programme de construction publique après-guerre et la reprise de la lutte contre l'insalubrité en 1956 afin d'améliorer les conditions de vie de l'ensemble des Britanniques. Cette volonté, gravée dans le programme électoral travailliste de 1951²² découle d'une définition élargie de la citoyenneté britannique. Selon la thèse de Thomas Humphrey Marshall, ce statut impliquait désormais de jouir non seulement des droits civiques et politiques antérieurs, mais aussi désormais de droits sociaux, dont un droit universel au logement (T.H. Marshall, 1950 : 8) concrétisé par la loi de 1949 sur le logement (*Housing Act*). Limitée après 1956, en raison de profonds désaccords entre travaillistes et conservateurs sur la définition de ce droit (universel ou sélectif), sur le montant des subventions et les destinataires des logements publics, l'intervention de l'État se poursuivra néanmoins jusqu'au début des années 1980, bon an mal an, par le biais d'un programme public de construction soutenu. L'État avait accepté la responsabilité d'améliorer les conditions de vie matérielles des Britanniques par le biais d'une politique du logement.
- 24 Cependant, dès les années 1950 émerge en parallèle un nouveau discours qui deviendra dominant avec l'arrivée au pouvoir en 1979 des néo-Libéraux sous la houlette de Margaret Thatcher. Restreint initialement à certains membres du parti Conservateurs, ce discours moralisateur (MUD selon R. Levitas), axé sur les thèmes de l'assistanat, et de la dépendance vis-à-vis de l'État-providence (MHLG, 1965 : 9)²³ conduisit à une profonde réforme de la politique du logement après 1979. Parmi ses caractéristiques on distingue la volonté de reléguer au second plan cette question au profit de la réduction des dépenses publiques, de la réduction de l'inflation et de la liberté de choisir. Ce désintérêt se manifeste entre 1979 et 1997 dans le domaine du logement par le refus de quantifier les besoins en logements (C. Whitehead, 1991 : 872) et l'absence de Livre vert consacré au sujet entre 1979 et 1995.
- 25 Parce qu'il était perçu par la Nouvelle Droite britannique comme l'incarnation de l'assistanat (N. Ridley, 1992 : 87)²⁴, de la banqueroute de l'État, et de la mauvaise gestion des collectivités locales, le logement public fut soumis dès 1980 à des réformes radicales.

Le discours d'indépendance et de responsabilité formulé par les pouvoirs publics durant les années de pouvoir conservateur fut ainsi utilisé pour justifier les politiques de réduction budgétaire drastique (-98 % pour le logement social entre 1980-81 et 1997-8) (P. Balchin, 1995 : 23), le retrait en 1988 aux collectivités locales de leur droit de bâtir, ainsi que l'encouragement de la propriété et la vente des logements sociaux à leurs locataires (CUCO, 1979)²⁵, concrétisé par le *Housing Act* de 1980 (droit étendu en 1984, 1986, 2012 et 2016). En dix-huit ans, près de 1,7 million de logements HLM furent ainsi vendus à leurs locataires, avec à la clef des recettes qui dépassèrent toutes celles des autres programmes de privatisation (Fée, 1998). La question des conditions de logement fut éclipsée pendant 16 ans, jusqu'à l'élection du New Labour en 1997 (à l'exception du programme *Rough Sleepers Initiative* pour les sans-logis à compter de 1990) par des considérations économiques et idéologiques.

- 26 L'arrivée au pouvoir en 1997 d'un parti travailliste se réclamant d'une Troisième Voie (*Third Way*) illustre le consensus bipartisan autour de ce que Alan Murie, Richard Grove and Christopher Watson nomme « une protection sociale fondée sur des actifs » (*asset-based welfare*) (A. Murie et al., 2007). En effet, si le discours dominant s'infléchit, la politique du logement du New Labour ne s'écartera guère de la ligne des Conservateurs. Le leitmotiv de la responsabilité et de l'indépendance céda néanmoins la place à la lutte contre l'exclusion sociale, illustrée par la création en 1997 de la *Social Exclusion Unit* et la mise en œuvre de deux stratégies nationales de rénovation urbaine²⁶. Inscrite dans une vision plus large prônant la nécessité de moderniser l'État (T. Blair, 1998 : 5) et de trouver un nouveau contrat de protection sociale (*a new settlement on welfare*) (T. Blair, 1995), la politique du logement travailliste fut placée en grande partie sous le signe de la continuité. Elle s'en distingue néanmoins par, en parallèle, un retour à des mesures en faveur des conditions de logement (bien-être matériel), comme en témoigne le titre du Livre vert sur le logement de 2000 (*Quality and Choice*) (DETR, 2000). La mesure phare des mandats travaillistes fut ainsi le *Decent Homes Programme* fixant aux bailleurs sociaux la tâche de mettre aux normes leurs logements avant 2010, avec des aides de l'État totalisant 40 milliards de livres sterling. Le *Housing Act* de 2004 a par ailleurs donné aux collectivités locales le droit de définir des normes minimales légales pour le logement et a mis en place le *Housing Rate and Safety Rating System* afin d'évaluer différemment les conditions de logement en Angleterre (voir plus haut).

5. Tensions et contradictions entre discours de bien-être et réformes du logement post 2010

- 27 Le retour au pouvoir des Conservateurs en 2010 dans une coalition avec les Libéraux Démocrates, puis seuls depuis 2015, a été suivi de coupes sombres dans les dépenses publiques et de réformes qui portent toujours à conséquence pour le bien-être des Anglais. Ces réformes soulèvent la question de la cohérence entre le discours politique plaçant l'accent sur le bien-être et les choix mis en œuvre dans le domaine du logement.
- 28 Depuis 2010, la politique du logement s'inscrit à nouveau dans un discours économique libéral (M. Beech et S. Lee, 2015), hostile à l'intervention de l'État et aux dépenses publiques, et peu propice à l'amélioration, voire à la stabilité du bien-être matériel des Anglais dans le domaine du logement. Ceci tranche avec les efforts de D. Cameron pour repositionner le parti conservateur durant ses années dans l'opposition, et changer son

image dans l'électorat, en bannissant tout discours culpabilisateur vis-à-vis des pauvres et en promettant davantage de justice sociale (M. D'Ancona, 2012). À ces éléments de langage nouveaux étaient néanmoins associés des thèmes plus traditionnels comme la dénonciation de l'Étatisme des travaillistes (D. Cameron, 2006). Tout aussi traditionnelle était la description négative du logement social dans les documents officiels, ainsi que l'accent mis sur l'accession à la propriété (The Conservative Party, 2007 : 122-128).

- 29 Ce repositionnement n'a cependant pas survécu à la crise financière mondiale de 2007-08 et a été supplanté par un contre-discours axé sur l'austérité budgétaire et la nécessité de réduire les dépenses publiques (R. Page, 2015 : 71). Dans son discours du budget de juin 2010, le chancelier de l'Échiquier avait en effet annoncé 30 milliards de livres sterling d'économie (dont 11 pour les dépenses sociales) en plus des objectifs de ses prédécesseurs travaillistes, entre 2010 et 2014-15²⁷. Le budget social a par ailleurs été amputé de 7 milliards supplémentaires en octobre de la même année suite à l'*Autumn Spending Review*. Dans un contexte de crise aigüe du logement, le lien entre logement et « bien-être économique et social » a néanmoins été explicitement formulé²⁸ (HM Government, 2011 : viii). Ce lien a conduit le gouvernement de coalition à se fixer pour objectif dans sa stratégie pour le logement de 2011, d'une part, de soutenir l'effort de construction des différents acteurs du marché immobilier afin de réduire le taux d'effort des ménages et élargir leur choix et, d'autre part, d'améliorer les conditions de vie de certaines catégories de la population (les sans-logis et les personnes âgées) ainsi que la qualité du bâti (architecture et isolation thermique)²⁹ (HM Government, 2011 : vii).
- 30 La tension entre ces deux objectifs se lit dans les réformes introduites après 2010. Au premier rang des postes visés par les coupes budgétaires figuraient en effet le logement. Steve Wilcox estime ainsi que le budget consacré au logement abordable³⁰ a été ramené de 3,7 milliards de livres sterling en 2009-10 à 0,4 milliards en 2013-14 (Wilcox *et al.*, 2016). La Coalition s'est également attaquée au coût de l'allocation logement que le chancelier de l'Échiquier avait annoncé vouloir réduire de 1,8 milliard par an entre 2010 et 2015. Cette décision a été justifiée par l'envolée du montant des allocations logement, passé de 14 à 21 milliards entre 2000 et 2010. Ces annonces ont conduit au *Welfare Reform Act*, 2012 qui a réformé le système selon quatre principes : la réduction d'une culture dite de « l'assistanat » (*dependency culture*) censément induite par les baux à vie ; le plafonnement des allocations en dessous du salaire moyen ; davantage d'égalité entre les différents statuts d'occupation ; l'incompatibilité entre allocations et logements sous-occupés (A. Murie, 2017 : 195). L'allocation logement versée dans le secteur privé (*Housing Allowance*) a ainsi été indexée sur les 30 % des loyers locaux les plus bas, encadrée de 280 à 417 livres sterling par semaine selon la taille du logement (DCLG, 2012) et son augmentation plafonnée à 1 % de 2016 à 2021. Le montant total des allocations sociales versées a par ailleurs été limité à 26 000 livres sterling par an par foyer dans un premier temps, avant d'être revu à la baisse en 2015 (maximum 23 000 à Londres et 20 000 dans le reste du pays) par le *Welfare Reform and Work Act*, 2016. Quant à l'allocation logement versée aux locataires du secteur public (*Housing Benefit*), elle peut être amputée (de 14 % à 25 %) si le logement est considéré comme étant sous-occupé (plus d'une chambre vide) et elle est incluse dans un crédit universel (*universal credit*) qui a remplacé à partir d'avril 2013 toutes les allocations sociales, d'abord pour les personnes célibataires et progressivement pour l'ensemble des foyers. Les jeunes de moins de 35 ans sont par ailleurs désormais exclus de l'allocation logement et ne peuvent prétendre qu'à une allocation limitée, le *Single Room Rate*.

- 31 Surtout, l'existence même du parc social paraît menacée et les missions des bailleurs sociaux sont de plus en plus difficiles à remplir : le budget de l'automne 2015 leur a ainsi imposé de réduire leurs loyers de 1 % par an pendant quatre ans. La *National Housing Federation* estime pour sa part que cette baisse de revenu pour les bailleurs sociaux réduira de 27 000 logements les programmes des bailleurs sociaux (A. Murie, 2017 : 198). En outre, la décision d'étendre aux locataires du secteur associatif le droit de se porter acquéreurs de leur logement grâce au *Housing and Planning Act* de 2016 ne manquera pas de réduire le parc social un peu plus.
- 32 Les multiples références dans les documents officiels aux « foyers qui travaillent dur » (*hard-working households*) et aux « personnes méritantes » (*deserving people*) (DCLG, 2013 : 4-6) se sont traduites par le vote du *Localism Act* (section 160) de 2011. La loi donne désormais la possibilité aux collectivités locales de choisir leurs critères d'attribution (hors population prioritaire comme définie par la loi de 1977) et de restreindre leurs listes d'attente pour un logement social. Une directive de 2013 les encourage ainsi à prendre en compte la durée de résidence, l'engagement dans la communauté et l'emploi local (DCLG, 2013 : 4). La loi de 2011 leur donne également la possibilité de loger un demandeur dans le secteur privé sans son accord, de plafonner la durée d'un nouveau bail social à 7 ans et de porter le loyer des nouveaux locataires du secteur social à 80 % du loyer du marché. Cette hausse devait permettre aux bailleurs sociaux de s'auto financer et de bâtir 175 000 logements entre 2010 et 2015 (HM Government, 2011 : 24).
- 33 Le passage de relais en 2016 entre D. Cameron et Theresa May, n'a pas fondamentalement changé la donne en matière de logement, bien que le discours général du gouvernement soit axé encore davantage sur « les travailleurs ordinaires » (*ordinary working people*) et les foyers « qui s'en sortent juste » (*just about managing*) (T. May, 13 juillet 2016)³¹. La politique du logement reste sous-tendue par l'objectif prioritaire pour le gouvernement d'accroître l'offre en logements et le volume de la construction, afin de réduire le taux d'effort dégradé des (jeunes) ménages. On peut néanmoins noter un engagement plus marqué en faveur des SDF (objectif de zéro SDF en 2017), avec à la clef la création de la *Rough Sleeping and Homelessness Reduction Task Force*, et du logement social avec l'annonce de nouveaux financements à hauteur de deux milliards de livres sterling en septembre 2018. Le vote du *Homelessness Reduction Act* en avril 2017 fixe par ailleurs une nouvelle obligation aux collectivités locales, à savoir prévenir le basculement dans la rue des foyers fragilisés et agir en amont. La loi de 2016 *Housing and Planning Act (part 2)* leur a également donné davantage de pouvoir pour s'attaquer aux bailleurs privés peu scrupuleux (*rogue landlords*) et leur interdire de louer.
- 34 Néanmoins, comme le montre le Livre blanc sur le logement de 2017, la politique du logement est désormais conçue en Angleterre dans une perspective utilitaire. Elle vise à assurer le bien-être économique et financier des foyers, voire de la nation (DCLG, 2017 : 11)³² et à réduire les inégalités³³. La question du bien-être objectif, de l'amélioration des conditions de vie matérielles des Anglais, objectif phare des années *New Labour*, est, quant à elle, devenue secondaire et circonscrite à quelques catégories des Anglais (sans-logis, personnes âgées et vulnérables). Celle du bien-être subjectif, si elle n'a pas totalement disparu des discours et politiques du logement, semble cantonnée aux résidents du secteur locatif privé³⁴ et reléguée aux enquêtes statistiques de l'ONS.

6. L'évolution défavorable au bien-être du système immobilier britannique

- 35 En conséquence de ces choix sur le long terme, le système immobilier britannique a connu de profonds bouleversements pendant les trois dernières décennies. Il est ainsi passé entre 1981 et 2016 d'un système dominé par la propriété (57,2 % du parc anglais), en parallèle d'un puissant secteur HLM (31,7 % du parc anglais) associé à quelques associations bénévoles et d'un secteur locatif privé restreint (11,1 % du parc anglais) à un système dans lequel la part du secteur locatif privé ne cesse de croître aux dépens des deux autres (62,9 %, 17,2 % et 19,9 % du parc anglais pour chaque secteur mentionné précédemment) (DCLG, 2016c). Ces évolutions sont peu propices au bien-être des Anglais et ont engendré des problèmes structurels dans le système immobilier comme nous allons le voir.
- 36 La croissance du secteur locatif privé a été en partie alimentée par le développement des programmes d'investissement locatif (*Buy-to-Let*) depuis les années 1990 (en particulier depuis 1996 grâce aux *Specialist Landlord Loans* permettant des déductions d'intérêts). Ces programmes ont connu un ralentissement après la crise de 2008, les prêts pour le secteur passant de 346 000 en 2007 à 88 000 en 2009, mais ils connaissent un regain avec 197 000 prêts en 2014, en dépit d'une révision à la baisse en 2016 des avantages financiers (A. Murie, 2017 : 200).
- 37 L'encouragement de la croissance du secteur locatif privé depuis les années 1980 peut être considéré comme un frein à l'amélioration du bien-être objectif et subjectif des Anglais à plusieurs titres : premièrement, parce que ce secteur a été déréglementé dans les années 1980 et assure une moindre protection aux locataires désormais. La loi de 1988 (*Housing Act*) a remplacé les baux réglementés (*secured tenancies*) par des baux plus courts (*assured shorthold tenancies*) qui sont devenus les baux par défaut depuis le *Housing Act* de 1996. Ceux-ci durent de six à 12 mois, incluent un préavis de deux mois seulement de la part du propriétaire, permettent la révision du loyer au terme du bail et peuvent être cassés à tout moment par le propriétaire (sauf si le bail a commencé après 2015). Ces baux ne sont donc pas de nature à assurer des conditions de vie stables et sécurisantes. En outre, le secteur est le plus fortement touché par les problèmes d'habitat indigne : en Angleterre en 2016-17, 5 % des foyers du secteur étaient ainsi en situation de surpeuplement et 27 % des logements y étaient classés comme indécents contre 13 % pour le secteur social. Le parc privé étant plus ancien, il présente également plus souvent des problèmes d'humidité et les loyers y sont nettement plus élevés que dans le secteur social (respectivement 192 livres sterling par semaine en moyenne contre 102 en 2016-17) (DCLG, 2017b).
- 38 À l'inverse, le parc social, dont la mission est de garantir en Angleterre le bien-être matériel des plus vulnérables, connaît un déclin marqué depuis les années 1980. Ceci est dû avant tout au droit accordé aux locataires du parc social d'acquérir leur logement, comme expliqué plus haut, ainsi qu'à une politique de plus en plus contraignante imposée par l'État aux collectivités locales de transfert de leur parc HLM vers des bailleurs associatifs (*not for profit*) à compter de 1988. Ce sont près de 2 millions de logements qui ont ainsi été retirés du parc social entre 1980 et 2018 en Angleterre. Dans le même temps, la réduction drastique du financement du logement social dès les années 1980, le basculement des aides vers le secteur associatif et la redéfinition des missions des

collectivités locales en 1988 ont limité les possibilités d'accroître le parc social et de compenser ces pertes : de 200 000 nouveaux logements sociaux en 1969-70 en Angleterre, la construction est ainsi tombée à 26 840 en 2015-17 (DCLG, 2017c : 4), alors même que l'on estime à 78 000 le nombre nécessaire chaque année (A. Holmans, 2013 : 5). Depuis 2011, 47 520 logements abordables ont été bâtis chaque année en moyenne seulement (JRF, 2017 : 2).

- 39 Le déclin de la construction publique a aggravé la pénurie de logements qui découle d'un déséquilibre marqué entre offre et demande. Le nombre annuel moyen de logements bâtis, qui était de 223 700 entre 1961 et 1971, est tombé à 166 000 entre 2006 et 2016 (DCLG, 2017a : 8) alors que le Livre vert sur le logement de 2017 estime entre 225 000 et 275 000 le nombre nécessaire (DCLG, 2017d : 9). Cette pénurie explique à son tour la détérioration du taux d'effort des ménages (*affordability*) et le nombre croissant de ménages en situation de *housing stress*, c'est-à-dire dépensant plus de 30 % de leur revenu pour leur logement. En 2016-17, la proportion du revenu consacré au logement était ainsi de 18 % pour les propriétaires accédants contre 28 % pour les locataires du parc social et 34 % pour ceux du privé. En excluant les allocations logement, le pourcentage s'élevait à 37 % et 39 % chez ces derniers (DCLG, 2017b : 15). En 2015, en Angleterre, le ratio prix d'achat médian/revenu médian des ménages avait atteint 7,63 (contre 3,54 en 1997), ce qui rend désormais l'accès à la propriété impossible pour une majorité de jeunes Anglais, car les spécialistes considèrent qu'un ratio soutenable est de 3,5. Cette inflation explique le déclin de la propriété depuis 2003, la hausse du taux de surpeuplement chez les moins de 45 ans (5,5 % contre 1,5 % chez les plus de 75 ans en 2015) et l'émergence d'associations dénonçant cette situation (*Generation Rent*). Les loyers HLM ont quant à eux augmenté de 334 % entre 1988 et 2014 (D. Bowie, 2017 : 88). Dans le quintile inférieur des ménages anglais, la proportion dépensant plus de 30 % de ses revenus (allocation comprise) pour se loger est passée de 39 % à 47 % entre 1994 et 2016 (JRF, 2017 : 4) ce qui explique le doublement du nombre de foyers pauvres dans le secteur locatif privé (JRF, 2017 : 6).
- 40 Autre conséquence de la pénurie, le nombre de foyers sans logement personnel (*homeless*) en Angleterre est en hausse sensible. Ces foyers sont de deux types. Le premier inclut ceux qui entrent dans la définition de la loi de 1977 (*Housing and Homeless Persons Act*) et sont donc prioritaires, mais logés par les collectivités locales dans des structures temporaires faute de logements sociaux ; leur nombre a augmenté de 60 % depuis 2012 (soit 78 000 foyers en 2018), mais reste inférieur au nombre de dossiers déposés et traités par les collectivités locales (115 550 en 2016-17) Le nombre de personnes acceptées par les collectivités locales comme étant sans-logis, soit 59 000 en 2016-17, est quant à lui supérieur de 19 000 au chiffre de 2009/10. Le second groupe inclut les personnes sans toit et à la rue (*rough sleepers*), dont le nombre est en augmentation de 169 % depuis 2010 et dépassait 4 700 personnes en 2016-17 (S. Fitzpatrick *et al.*, 2018). La littérature scientifique a montré combien ces deux groupes, ainsi que les locataires sans bail stable ou logement abordable, souffraient de problèmes de santé, de surmortalité (Kottke, Abariotes, Spoonheim, 2018)³⁵. À ce titre, ces hausses sont inquiétantes pour le bien-être des Anglais.
- 41 Enfin, les réformes de l'allocation logement introduites après 2010 ont réduit la capacité des locataires des secteurs locatifs privés et social à payer leur loyer et ont contribué à accroître l'insécurité en matière de logement. Selon l'organisation *Crisis*, la proportion des foyers relogés dans des structures temporaires par les collectivités locales suite à la dénonciation d'un bail par un propriétaire dans le secteur locatif privé (en raison de la baisse des allocations sociales) serait passée de 11 % à 31 % entre 2009 et 2016-17

(S. Fitzpatrick *et al.*, 2018). Ces réformes ont également entraîné des déménagements contraints vers des zones géographiques moins chères, migrations peu propices au sentiment de bien-être subjectif et d'appartenance à un quartier et une communauté. On estime que le nombre de locataires ayant quitté Londres pour ces raisons a ainsi augmenté de 9 % entre 2010-14 (New Policy Institute, 2016 : 9).

- 42 Seule avancée notable, la rénovation du parc social des années 2000 a eu une influence considérable sur les conditions de vie en Angleterre. Elle a permis de mettre aux normes 3,6 millions de logements et s'est traduite par de meilleures conditions de vie pour huit millions de personnes, dont 2,5 millions d'enfants (Marmot, 2010 : 134)

7. Conclusion

- 43 Cet article a cherché à montrer comment le discours politique et l'action publique ont progressivement pris en compte depuis plus d'un siècle la notion de bien-être dans le domaine du logement, sans toutefois utiliser explicitement ce concept jusqu'à une date récente. En raison des multiples dimensions sociales économiques et urbanistiques que le logement revêt, les pouvoirs publics sont intervenus pour améliorer les conditions de vie des Anglais (et plus largement des Britanniques), et agir sur ce qu'il convient d'appeler leur bien-être objectif pendant près d'un siècle, de 1890 à 1979.
- 44 Depuis les années 1980, les gouvernements successifs ont laissé au marché (et accessoirement au secteur associatif) le soin d'assurer un logement décent aux Anglais, signe d'un nouveau consensus interpartisan en matière de politique publique. L'intervention de l'État s'est cantonnée à aider directement des catégories restreintes de la population perçues comme ayant des besoins spéciaux (les sans-logis, les personnes âgées ou vulnérables). On peut néanmoins lire dans le programme *Decent Homes* des travaillistes visant à améliorer les conditions de logement dans le secteur social entre 2000 et 2010, ainsi que dans le programme électoral travailliste de 2017 (et son engagement d'améliorer les conditions de logement telles que l'espace ou l'isolation), un intérêt soutenu du parti pour le bien-être matériel des Anglais (Labour Party, 2017 : 60).
- 45 Après 2010, le contexte économique engendré par la crise financière mondiale de 2008 a justifié des choix financiers peu favorables à l'amélioration du bien-être objectif des Anglais (leurs conditions de logement). Les budgets successifs ont amputé les dépenses appliquées au logement et fragilisé un peu plus le secteur social existant. L'accent placé sur l'accession à la propriété, couplé à un déséquilibre grandissant entre offre et demande en logements, a contribué à exclure un nombre croissant de foyers anglais de ce statut d'occupation. En conséquence, le secteur locatif privé, qui présente le moins de garanties, loge une part croissante de la population anglaise.
- 46 Il est donc difficile de lire dans les choix politiques effectués depuis 2010 une traduction du regain d'intérêt illustré par le programme d'évaluation du bien-être initié par D. Cameron dans le gouvernement de coalition. Bien que l'ONS se consacre toujours à une évaluation du bien-être dans le domaine du logement (élargie depuis 2013 au bien-être subjectif, à savoir la satisfaction d'habiter un logement donné), cette évaluation semble demeurer lettre morte en l'absence d'intervention directe des pouvoirs publics pour s'attaquer à certaines formes du mal-logement (pénurie de logements sociaux, surpeuplement en hausse, insécurité des locataires, etc.). Discours et pratique se trouvent donc en tension.

- 47 La réforme de la gouvernance du Royaume-Uni post-1997 a conduit à des choix différents en matière de logement et l'émergence d'un agenda politique explicitement axé sur la notion de bien-être dans les autres nations du Royaume (Écosse, pays de Galles en particulier), qu'il n'est pas possible d'analyser dans le cadre de cet article³⁶. S'ils s'avèrent éclairés et adaptés, ces choix contribueront peut-être à légitimer une meilleure prise en compte du bien-être dans la formulation de la politique du logement en Angleterre dans un avenir proche.

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NOTES

1. « Toute personne a droit à un niveau de vie suffisant pour assurer sa santé, son bien-être et ceux de sa famille, notamment pour l'alimentation, l'habillement, le logement, les soins médicaux ainsi que pour les services sociaux nécessaires [...] ». De nombreuses lois ont réaffirmé ce droit et consolidé ces principes comme la loi 2007-290 du 5 mars 2007 en France, qui institue un droit au logement opposable ou le *Housing (Homeless Persons) Act* de 1977 et le *Homelessness Reduction Act* au Royaume-Uni. Le premier a créé une obligation pour les collectivités locales britanniques de reloger certaines catégories de la population sans domicile, le second impose aux collectivités de travailler en amont avec les familles vulnérables pour éviter qu'elles se retrouvent à la rue.
2. Le mal-logement se définit par le caractère technique d'un logement (insalubre, surpeuplé, précaire, etc.) ou/ et le statut juridique de ses occupants (qui ne maîtrisent pas la durée de leur hébergement) (N. Kesteman, 2014).
3. Pour de nombreux chercheurs, le bien-être comporte trois dimensions (matérielle, subjective et relationnelle, voir McGregor, 2007) d'où la nécessité d'étudier bien-être subjectif et matériel dans le cas du logement. Bien que des divergences existent, le bien-être subjectif d'un individu est fréquemment défini sur la base de trois critères (degré de satisfaction quant à sa vie, affect/sentiment de bonheur et eudémonie ou sens positif de sa vie, voir le rapport Stiglitz de 2009).
4. Les quatre nations du Royaume-Uni utilisent en effet une méthodologie différente pour leur propre enquête nationale sur les conditions de logement: contrairement à l'*English Housing Survey*, la *Northern Ireland House Conditions Survey* se base sur un échantillon plus restreint, n'est pas annuelle et n'inclut pas de données sur la valeur marchande des logements; la *Scottish House Condition Survey* est semblable à l'EHS et a fusionné avec la *Scottish Household Survey* en 2012; la *Living in Wales Annual Sample Survey* couvrait les mêmes rubriques que l'EHS, mais a été remplacée en 2009 par la *National Survey for Wales*. En outre, la définition d'un logement décent varie d'une nation à l'autre.
5. Voir par exemple, *The Poor and the Poorest* en 1965 par P. Abel-Smith et P. Townsend ou *The Children and Poverty* de D. Piachaud en 1981 ou encore *Britain Divided* en 1997 dirigé par A. Walker et C. Walker.
6. "Today the government is asking the Office of National Statistics to devise a new way of measuring wellbeing in Britain. And so from April next year, we'll start measuring our progress as a country, not just by how our economy is growing, but by how our lives are improving; not just by our standard of living, but by our quality of life" (The Conservative Party, 2010).

7. "It's time we admitted that there's more to life than money and it's time we focused not just on GDP but on GWB – general wellbeing".
8. "Wellbeing can't be measured by money or traded in markets. It's about the beauty of our surroundings, the quality of our culture and, above all, the strength of our relationships. Improving our society's sense of wellbeing is, I believe, the central political challenge of our times. Now I think this is something that is important to our goal of trying to create a more family-friendly country and it is something I have been calling for a long time".
9. "Personal well-being, our relationships, health, what we do, where we live, personal finance, the economy, education and skills, governance, the natural environment".
10. Dans la rubrique 5 "where we live"; ils sont intitulés respectivement: "satisfaction with accommodation", "felt fairly/very safe walking alone after dark" et "agreed strongly they felt they belonged to their neighbourhood".
11. Respectivement : "how satisfied are you with your life nowadays? to what extent do you feel the things you do in your life are worthwhile? how happy did you feel yesterday et how anxious did you feel yesterday?"
12. "A separate bedroom is allowed for each married or cohabiting couple, any other person aged 21 or over, each pair of adolescents aged 10-20 of the same sex, and each pair of children under 10. Any unpaired person aged 10-20 is notionally paired, if possible, with a child under 10 of the same sex, or, if that is not possible, he or she is counted as requiring a separate bedroom, as is any unpaired child under 10", Housing Act, 1935, §2(1).
13. Douche ou baignoire, un WC intérieur, un lavabo et un accès à l'eau chaude et froide à trois points du logement.
14. Présentant des problèmes de stabilité, d'humidité, d'éclairage, de ventilation, de rejet des eaux usées ou une absence de raccordement au réseau d'eau potable, ou d'équipement sanitaire ou de cuisine.
15. Consulté le 23/04/2108, accessible à <https://www.ethnicity-facts-figures.service.gov.uk/housing/housing-conditions/overcrowded-households/latest>
16. Voir par exemple Hansard, *HC Deb 08 May 1874 vol 218 cc1943-87, Dwellings of Working People in London*.
17. "That such disease, wherever its attacks are frequent is always found in connection with the physical circumstances above specified".
18. *Torrens Act* de 1868 et le *Cross Act* de 1875 accordant des pouvoirs facultatifs aux collectivités locales.
19. Voir A. J. Balfour, Hansard, HC, vol. CCLXXXV, col. 509.
20. *The Times*, 13/11/18, p. 9c.
21. Voir Local Government Circular 192, 14/11/18, p. 1 et PRO CAB 23/9, WC 525 (04/02/19), p. 7.
22. "It will proceed with a housing programme with the maximum practical speed until every family in this island has a good standard of housing", *The Labour Party Manifesto*, 1951.
23. "Her Majesty's Government believe that the people of this country prefer, in housing as in other matter, to help themselves as they can rather than rely wholly or mainly upon the efforts of the Government".
24. "Housing was the area where Margaret Thatcher thought it was easiest to start to dismantle the dependency culture".
25. "Home-ownership ... helps create greater responsibility and stability in society".
26. *New Deal for Communities 1998* et *National Strategy Action Plan 2001*.
27. http://webarchive.nationalarchives.gov.uk/20130129110402/http://www.hm-treasury.gov.uk/junebudget_speech.htm, consulté le 5 février 2017.
28. "A thriving, active but stable housing market that offers choice, flexibility and affordable housing is critical to our economic and social wellbeing".

29. “Housing is crucial for our social mobility, health and wellbeing – with quality and choice having an impact on social mobility and wellbeing from an early age, and our homes accounting for about half of all household wealth”.

30. Sa définition se prête à controverse, mais inclut pour le gouvernement conservateur tous les programmes aidés par l’État, quel que soit le niveau du loyer, et non plus comme auparavant le seul logement social.

31. “You can just about manage but you worry about the cost of living”.

32. “High rents are bad news for all taxpayers including those who own their own home. If rents are too high, then private renters struggle to pay - and the taxpayer has to foot the bill with more Housing Benefit”.

33. “So the shortage of housing in this country reinforces inequality. It prevents social mobility and stops people fulfilling their potential. It creates and exacerbates divisions between generations and between those who own property and those who do not”, Discours de T. May, 5 mars 2018.

34. “Most tenants have a good experience of renting. Recent English Housing Survey research shows that 85 per cent of tenants in the private rented sector are very or fairly satisfied with their accommodation”, HM Government, 2011: 35.

35. Voir aussi D.S. Morrison, *Homelessness as an independent risk factor for mortality*, University of Glasgow, 2009.

36. Voir Lund, Brian, *Housing Politics in the UK: Power, Planning and Protest*, Bristol: Policy Press, 2016.

RÉSUMÉS

Notre article se propose d’étudier les liens entre logement, politique du logement et bien-être en Angleterre principalement et accessoirement au Royaume-Uni. Il s’articule autour de trois points principaux. Premièrement, notre article explique comment l’évaluation explicite du bien-être subjectif s’est imposée récemment dans le domaine du logement, en réponse aux injonctions gouvernementales. Cette évaluation est venue compléter une longue tradition d’évaluation du bien-être objectif des Britanniques (sans utiliser ce concept néanmoins) qui souligne les liens entre logement et bien-être matériel. En second lieu, dans une perspective historique, notre article s’intéresse à l’évolution du discours des pouvoirs publics en relation avec l’objet logement pour mettre en lumière quelle dimension du bien-être matériel a été privilégiée sur le temps long. Enfin, notre article analyse les mesures gouvernementales post-2010 dans le domaine du logement et montre combien les choix politiques sont en tension avec le discours officiel sur le bien-être et sont peu susceptibles d’améliorer celui-ci.

This article explores the links between housing, housing policy and well-being in England essentially, as well as the UK in a more limited way. It focuses on three central points : first, it explains how assessing subjective well-being has become an official concern in relation to housing in response to government demands. It builds on a long-standing tradition of assessing objective or material well-being in the field of housing. Second, in a historical perspective, this article focuses on the changing official discourse in relation to housing to underscore how material well-being has been construed over time. Lastly, the article analyses post-2010 housing

measures and posits that there is a discrepancy between the official rhetoric of well-being and the policies implemented since 2010.

INDEX

Mots-clés : logement, construction, austérité, propriété, location, sans-domicile, bailleurs sociaux, santé, logement abordable, bien-être

Keywords : housing, construction, austerity, home ownership, renting, homelessness, social landlords, health, affordable housing, well-being

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Health, Wellness and Wellbeing

La santé, le « wellness » et le bien-être

Max Albert Holdsworth

1. Introduction

- 1 For responsible Public Policy to effectively enhance overall wellbeing and promote universal happiness, it must be evidence-based, rather than politically or commercially motivated. And in order to prove its validity, policy makers must first fully understand and share information about the problems that hinder improvements. A crucial part of understanding and sharing information is to utilize standard definitions. Confusion arises when different areas of public policy utilize similar words without necessarily agreeing on their exact definitions. Moreover, within broad policy topics there exist specialized areas of study that also use particular definitions whose meanings are not always uniform.
- 2 Public Health, for example, is a broad policy topic with specialized areas. Some health-related terms seem to be similar, but without objective definitions their subjective interpretations can lead to misinterpretation. Two similar concepts within health that are often used loosely and interchangeably are *wellness* and *wellbeing*. Although the two terms are neither officially nor colloquially differentiated, I shall take my first part to explain their divide and the definitions I used to make my assumptions.
- 3 I will then attempt to show current trends in the United States towards health, wellness and wellbeing using health care promotion campaigns and policies. These entities reveal some of the changing concepts of health and how it has become more diverse in the US. In particular, I look at the health promotion campaign *Healthy People* and the *Patient Protection and Affordable Care Act* (ACA), which, although they emerge at the federal level, arrive to more local levels through monitoring, grants and regulations.
- 4 The happy state of wellbeing is important to one's health and longevity, as Diener and Chan (2011) and Diener *et al.* (2017) find. Yet, wellbeing is not fundamental to traditional health and wellness. In the United States health system, the foundation of basic care necessitates more immediate attention. In 2016, more than 28 million people in the

United States, or 9 percent of the country, went without any health insurance (Kaiser, 2018). With so many people uninsured there is still a large gap in the US's health care system. A policy priority that cannot be ignored, therefore, is to get people into the health insurance they need, treat their illnesses and get them well, all which underpin wellness.

- 5 Nevertheless, while the US policy agenda evolves to fix low rates of health insurance coverage, more careful attention is given to alternatives promoting more than living without illness. Indeed, the health program *Healthy People* and the ACA legislation draw attention to health care as more than an absence of sickness, emphasizing the social determinants of health and wellness. The US's contemporary health policies are evolving in new directions of wellness that in turn extend towards wellbeing and happiness. After all, living well is a happier state of being than getting sick.

2. Differentiating *Wellness* and *Wellbeing*

- 6 Before examining these two concepts, it is worth noting that even the accepted definitions of *health* go beyond referring to personal physical attributes. The constitution of the World Health Organization (WHO), makes the point that “health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity” (WHO, 2018). Good health is not simply the absence of the malady, as it was traditionally regarded. As with the WHO's definition of health, the term *wellness* refers to more than just the absence of bad health, and *wellbeing* takes the notion several steps further.
- 7 Similar to the WHO, *The Oxford dictionary* defines wellness as “the state of being in good health” and not just the absence of sickness (Oxford University Press, 2018); the definition also insists that wellness can be a concrete and measurable goal. Wellbeing, on the other hand, is defined more extensively than wellness. *The Oxford dictionary* defines it as “the state of being comfortable, healthy, or happy” (Oxford University Press, 2018). The dictionary highlights that both wellness and wellbeing include some value of health, but wellbeing also encompasses comfort and happiness. In addition, synonyms for wellbeing include feelings such as happiness, comfort, prosperousness and welfare (Oxford University Press, 2018). Research, too, expands the scope of wellness and wellbeing to embrace non-traditional health, happiness and other beneficial attributes.
- 8 An introduction to wellness by Professor Anna Kirkland of the University of Michigan explores more deeply the concept. Her article establishes, similar to the Oxford definitions, that wellness is not the management of a current condition, but that wellness is a set of comprehensive, and individual-level choices made well before the occurrence of any such health condition (Kirkland, 2014). Clearly stated: someone who is satisfying wellness is living well and is working towards the prevention of their own disease and disability. The term departs from traditional health because it does not focus on curing anything, but on living well.
- 9 To extend beyond wellness, Professor Ed Diener, considers wellbeing as a more self-actualizing trend. The American psychologist defines wellbeing synonymously with happiness. In his 1984 paper Diener contends that the literature on subjective experiences of wellbeing “is concerned with how and why people experience their lives in positive ways” (Diener, 1984). Diener also suggests that the positive experiences of

happiness, including life satisfaction, are defined by the self. More tangible concepts of health such as comfort and wealth may enhance wellbeing, but are not essential to someone's view of their own life, and therefore wellbeing, according to Diener (1984). Happiness in relation to wellbeing appears again in a paper about ageing and health from Steptoe *et al.* (2015). They discern three different approaches to subjective wellbeing and its measurement: life evaluation (subjective appraisals), hedonic (personal feelings) and eudemonic (judgments about the purpose of life). Within the second form, hedonic wellbeing, we find emotions such as happiness, sadness and anger (Steptoe *et al.*, 2015) that relate to Diener and Oxford dictionary's definitions.

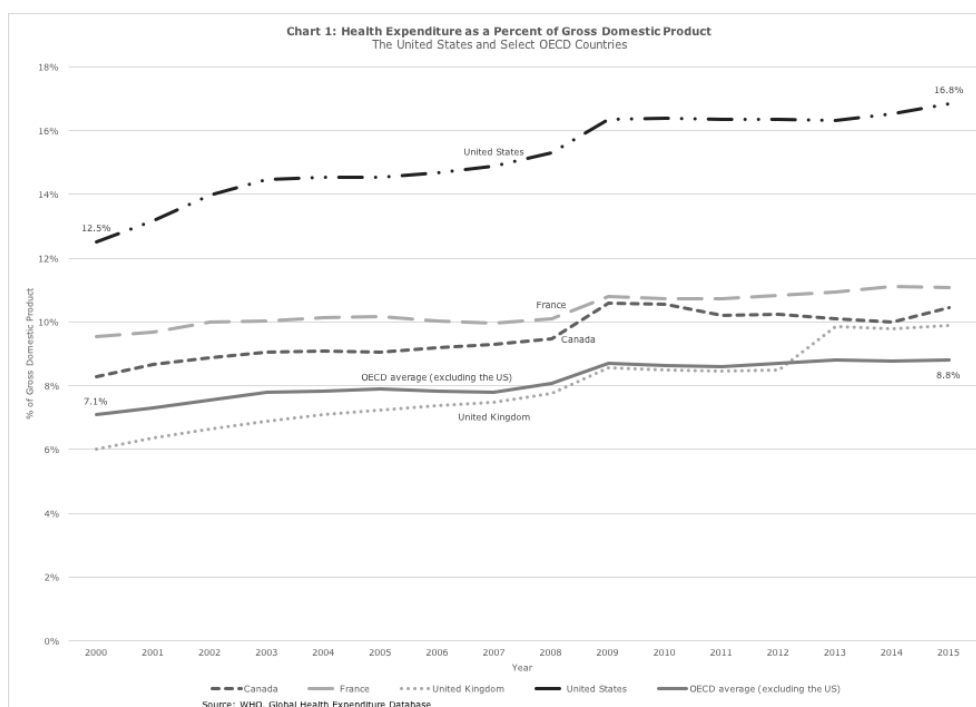
- 10 In examining how wellbeing is used in the literature, a 2014 paper entitled "The Metrics of Social Happiness" refers to subjective wellbeing (SWB) as a concept related to happiness. Subjective wellbeing, according to Tay *et al.* (2014), is how people regard their own lives. Of course, such a measure is 'subjective' because how one person feels about his or her own life is unique. Any measure of wellbeing on a national level would therefore need to consider commonalities in how that nation's citizens judge and think about their lives. Despite its anomalous nature, however, wellbeing can be studied and its results utilized to influence social policy formation. A study by Diener and Chan, for example, measures wellbeing and its effect on health and lifespan (2011). They separate subjective wellbeing (SWB) into high subjective wellbeing and low subjective wellbeing. To have high subjective wellbeing means to have high levels of "life satisfaction, absence of negative emotions, optimism, and positive emotions" (Diener and Chan, 2011). Their study does find qualitative positive effects of a high SWB. A more recent study by Diener *et al.* (2017) reviewed similar evidence in reference to the effect of SWB on health. Their conclusion was similar to the 2011 study in that they find that subjective wellbeing affects health but because of the absence of research to determine a causal link between SWB and health and longevity, a quantitative relationship cannot be made (Diener *et al.*, 2017).
- 11 The definitions and observations offered by the literature and research assert a clear distinction between wellness and wellbeing. Making use of these sources, I consider that both concepts come under the umbrella term of health. Wellness is the freedom from illness and contains a lifestyle of prevention. Wellbeing is also wellness, but also includes happiness, which is not explicitly referenced in wellness. Simply put: traditionally, health just meant managing sickness. Wellness has come to mean living well, and wellbeing means living well and enjoying happiness. In essence, concise clear definitions of health, wellness and wellbeing respectively are to get well, live well and be happy.
- 12 An important additional term for understanding the growing attention towards the health of wellness and wellbeing in US health discourse and policy is the Social Determinants of Health (SDOH). The SDOH point out that our medical care is just one of the factors that influences our health. Artiga and Hinton (2018), with the Kaiser Family Foundation (Kaiser), a US health policy analysis and health journalism organization, define the SDOH. The Kaiser article contends that the determinants of our health include the Health Care System as only one of the five determinants of health outcomes (Artiga and Hinton, 2018). The Health Care System is useful to consider but only as the traditional 'get well' view of health. Simply getting patients out of sickness had been the sole source of information and main focus of policy until the social determinants were taken into consideration. According to Artiga and Hinton, in addition to health care, the four determinants of health are: Economic Stability, Neighborhood and Physical Environment, Education, Food and Community and Social Context. Together the five form the SDOH,

which help evaluate whether or not people can live healthy lives, that is, wellness. Similar terminology and emphasis also show up internationally. The Organisation for Economic Cooperation and Development (OECD) also focuses on socioeconomic factors such as education and living conditions and how they affect health (Organisation for Economic Cooperation and Development (OECD), 2017).

- 13 Finally, it is helpful to think of health, wellness and wellbeing as similar to the basic needs ranked in Maslow's pyramid (1943). Maslow devised a hierarchy of needs; basic needs, such as food and shelter, form the foundation. If these needs are satisfied, we can build up to personal development. With successful personal development, at the top of the hierarchy we find happiness and self-actualization. The loosely equivalent foundation is the traditional medical system and its emphasis on staying out of sickness: this is the basic need of a nation's health system. It is a foundation that is critical for what rests on it. Wellness is built on this base because it extends traditional health concepts to include a state of being in good physical, mental and social health--living well. This involves more than just the absence of sickness and acknowledges the social determinants that also affect health. Wellbeing is on top of the hierarchy and could be compared to the self-actualization, insofar as it depends on medical health, living well, but also on enjoying happiness and self-fulfillment.

3. Health Policies: Costs and Efficiency

- 14 No matter what sound evidence and beneficial aspirations that policies might develop, their outcomes are going to be heavily dependent on effective resource allocation. A distinguishable feature of the US's health care system is its high financial cost. Below in Chart 1, I use statistics on health expenditure as a percent of gross domestic product (GDP). This compares the amount of health dollars spent on health systems across nations. The chart shows health expenditure as a percent of gross domestic product from 2000 to 2015 for the US and other select OECD countries. In 2015, the US spent 16.8 percent of their GDP on health, shown by the highest dotted line. In terms of GDP, the US spent nearly double the average of other OECD countries (8.8 percent shown by the solid line) and a higher amount than any other OECD country alone (WHO, 2018).



- 15 The high financial expenditure of the United States does not, however, translate to a strong health system. According to The Commonwealth Fund, the US ranked last out of 11 countries in terms of their 2013 overall country ranking (Davis *et al.*, 2014). The report also shows health expenditures per capita in 2011. Overall, there seems to be little direct relation between high or low spending and the ranking of health systems; for example, the UK ranked number one with its health system, but had the second-lowest expenditure per capita. France and Canada both spent approximately half the equivalent of the US's expenditure per capita, but both were ranked poorly (France received 9 out of 11, and Canada 10) (Davis *et al.*, 2014). As shown by The Commonwealth Fund, spending on resources does not equate to good health and a good health system; therefore, factors like on what and how the money is spent must be responsible.
- 16 In the United States, clinical care takes a high proportion of health care spending (National Center for Health Statistics, 2017: 316). Yet a model of health outcomes published in 2010 by the University of Wisconsin Population Health Institute shows that clinical care is not the most important component to health. In fact, they write that clinical care is responsible for 20 percent of our health outcomes. The same model contends that health is influenced 40 percent by social and economic factors such as education and employment (Knickman and Kovner, 2015: 91). These non-clinical factors included in the 40 percent relate directly to the social determinants of health and thus to wellness.
- 17 In American academia, studied factors that contribute to good health are no longer limited to medical-related issues. The factors that are outside the traditional medical perspectives are widely acknowledged in US health policy literature and health discourse. A study in 2011 published in the *American Journal of Public Health* calculates the impact of how non-medical determinants contribute to early mortality in the United States. Through a meta-analysis, the paper estimates the risk of social factors in mortality rates; they estimated that in 2000, 245,000 deaths were linked to low education, 176,000 linked to racial segregation, 162,000 to low social support, 133,000 to individual-level poverty,

119,000 to income inequality, and 39,000 to community-level poverty (Galea *et al.*, 2011). These causes of early death can be summarized as social factors that are not directly related to the medical system, but are the consequences of economic and social inequities.

- 18 If the factors that contribute to early mortality were addressed, the result would logically bring greater national wellness. A study published by *PLoS ONE* reviews literature on policies to address societal problems similar to those identified by Galea *et al.*, such as income support and community outreach; the study finds evidence that the policies have significant impacts on health outcomes including mortality (Taylor *et al.*, 2016). Although Galea *et al.*'s study does not directly address wellbeing, Taylor *et al.* show that policies that address societal inequalities reduce mortality; and those who live well for longer would likely be happier. Evidence-based studies, such as these on mortality, will hopefully help to bring the message of the importance of wellness to US health policy and communication.

4. Wellness and Wellbeing in National Health Promotion Campaigns and Legislation

- 19 At a national level the health promotion campaign *Healthy People* communicates an emphasis on wellness and how it contributes to health. *Healthy People* is a federal initiative run by the Office of Disease Prevention and Health Promotion (ODPHP) that was started in 1979 to design broad goals and objectives for the country's health (ODPHP, 2018a). *Healthy People* is drafted every ten years through a collaborative effort between the US Department of Health and Human Services, sixteen lead federal agencies, such as the Centers for Disease Control and Prevention (CDC), the Food and Drug Administration, the Department of Education (ODPHP, 2018b), public health experts, and the public (US Department of Health and Human Services [HHS], 2010). The structure of the plan is designed to provide measurable outcomes that all stakeholders in health should focus on in the decade forward. The collaborative effort of *Healthy People* shows a recognition that factors related to good health are complex and that it takes dedication from a diverse range of organizations to influence policy.
- 20 The most recent edition, *Healthy People 2020*, includes more than one thousand objectives divided into 42 topic areas. A new topic area is the Social Determinants of Health, which was only introduced to this 2020 edition of *Healthy People* (US HHS, 2010). Its inclusion shows that health is recognized as being made up of many individuals and community factors. The accountable objectives of the Social Determinants of Health measure factors such as children growing up with employed parents, poverty levels, housing cost burdens, high school graduation rates, children growing up with parents that have served in jail or prison, and voting turnout rates (ODPHP, 2018c). Apart from these factors, the social determinants of health share indicators with many other topic areas, such as adolescent health, access to health services, disability and health, environmental health, early and middle childhood, health communication and health information technology, injury and violence prevention, and nutrition and weight status.
- 21 The objectives included in the social determinants of health also make reference to outcomes that would probably enhance wellbeing; for example, one objective is to provide adolescents with increased access to adults with whom they can discuss serious

problems (ODPHP, 2018c). Wellbeing and happiness are not directly mentioned as objectives, but such support for adolescents might reasonably be expected to improve their self-fulfillment. *Healthy People 2020*'s inclusion of such objectives demonstrates that living well and being happy and self-fulfilled are increasingly recognized as important for health. *Healthy People 2020* communicates nationally how to build a society with high levels of health, wellness and wellbeing.

- 22 Data on the *Healthy People 2020* indicators is collected and available on the *Healthy People* website (healthypeople.gov). A March 2014 progress update on the status of *Healthy People 2020*, for example, presents data on 26 Leading Health Indicators. These indicators were chosen from within twelve of the *Healthy People 2020* objectives. At the time of that report the percentage of students to receive a high school diploma within four years of starting high school had increased from 74.9 percent in 2007-2008 to 78.2 percent in 2009-2010 (ODPHP, 2014). Using high school graduation statistics in a health-analysis framework demonstrates how education is accepted as an important to health. Overall, the *Healthy People* initiative, with its interagency cooperation and its inclusion of the Social Determinants of Health, considers health as living well. This consideration represents that stakeholders at the federal level want to project a new framework for health issues.
- 23 Movement towards a nationwide recognition of wellness has also occurred through health policy legislation. Former President Barack Obama, in 2010, signed into law the *Patient Protection and Affordable Care Act* (ACA), a comprehensive legislation to reform the US health and health care systems. Its passing was the largest milestone in American health policy since the 1960s that brought the foundation of Medicare and Medicaid. Within the titles of the ACA were policies designed to accomplish three main goals: expand access to health coverage, contain costs, and improve health system quality and performance (Kaiser, 2013).
- 24 Most importantly, the ACA expanded eligibility of Medicaid, the government health insurance assistance program for low-income people, prohibited the denial of coverage to those with pre-existing conditions, required employers of a certain size to offer health insurance to their employees, and required individuals to carry health insurance or face a financial penalty (Kaiser, 2013). These changes describe the first three titles of the ACA in which the focus was on the health care of getting well.
- 25 The legislation additionally reformed other parts of the health system, including prevention and wellness programs that move the country towards living well. The term wellness appears much more frequently than wellbeing in the ACA; 'wellness' appears 93 times in the 906-page document whereas 'well-being' only appears five times (Office of the Legislative Counsel, 2010). The big difference could show that the term wellbeing is not well appreciated nor understood; but the frequency of wellness asserts the ACA's objective to increase health care coverage and to living well.
- 26 Referring back to the model from the University of Wisconsin Population Health Institute, we know that clinical care only has a 20 percent influence on our health outcomes. The ACA, although it focuses mostly on clinical care and access, also includes policies to develop public health. Within the fourth title, the ACA expands the US's policy agenda on health to include wellness. The title supports wellness by allocating money and resources to fund, assist and incentive workplace wellness programs. Firstly, a grant fund for small employers allocated \$200 million up to 2015 for grants to eligible employers with fewer than 100 employees that did not offer a wellness program prior to the ACA (Office of the Legislative Counsel, 2010; Public Health Law Center, 2011). To be considered a

comprehensive wellness program eligible for funds the program had to include health awareness activities, efforts to maximize engagement among employees, initiatives to alter health harming behavior and efforts to create a supportive working environment (Office of the Legislative Counsel, 2010).

- 27 The second part of the ACA's wellness provisions includes assistance for employers to monitor their wellness programs. Standardized measures of those programs include quantifiable measures such as worker absenteeism, medical costs and productivity. And lastly, the third clause allows employers to offer their employees incentives for participating in the work-based program and meeting certain health standards (Office of the Legislative Counsel, 2010; O.C.A. Benefit Services, 2012).
- 28 In 2013, two years following the enactment of the ACA, the RAND Corporation, sponsored by the US Department of Labor and the US Department of Health and Human Services, issued a report on the wellness programs resulting from the ACA (Mattke *et al.*, 2013). The publication used evidence collected in the RAND Employer Survey conducted nationally of employers with over 50 employees. The report provides follow up on the ability of the ACA to increase wellness through the United States' employer-based health care system. RAND finds that when employees participate in a work wellness program there was an effect on lowering health care utilization and costs of medical care. In fact, across surveyed employers they report an annual yearly average savings of \$157 over non-wellness program participation (Mattke *et al.*, 2013). In terms of other effects of the wellness programs, RAND finds greater changes in terms of absenteeism and worker productivity. Of all employers with wellness programs that were surveyed, 78 percent reported decreased worker absence and 80 percent reported greater productivity (Mattke *et al.*, 2013).
- 29 RAND also reports on their review of the provisions for allowable incentives in wellness programs set out by the ACA. They found that incentives, when used by employers, were found to encourage employees targets for their health. Incentives over \$5 were effective in increasing worker participation in wellness programs (Mattke *et al.*, 2013). Finally, the report did find that those incentives for participation had a small effect on individual outcomes of weight, smoking and exercise (Mattke *et al.*, 2013). The RAND report asserts the important step towards wellness that the ACA made. Wellness programs in the workplace can benefit workers and their employers in terms of measurable standards of living well.
- 30 Apart from supporting wellness in the workplace, the ACA established a nationwide strategy of prevention and wellness. The National Prevention, Health Promotion, and Public Health Council (also known as the National Prevention Council) was established along with a Prevention and Public Health Fund and task force to develop, fund and disseminate evidence-based findings on clinical and community-based strategies of prevention (Kaiser, 2013; Office of the Legislative Counsel, 2010). The National Prevention Council is comprised of representation from twenty US governmental departments and is chaired by the Surgeon General. The departments that form the Council come from inside and outside of the traditional medical view of health, such as the Department of Health and Human Services, alongside the Department of Education and the Department of Housing and Human Development (US HHS, n.d.).
- 31 The Action Plan of the National Prevention Council was published in June 2012 to outline the implementation of its National Prevention Strategy. The Action Plan centers around four strategic directions including Healthy and Safe Community Environments, Clinical

and Community Preventive Services, Empowered People, and Elimination of Health Disparities. The plan also includes seven priorities to meet the goal to “increase the number of Americans who are healthy at every stage of life” (HHS, n.d.). In the 2014 annual report of the National Prevention Council, their latest report, accountable progress and programs are reported on from each of the 17 Council Departments in fulfilling their shared prevention strategy. For example, the Department of Transportation reports progress on their Safe Routes to School program, which funds initiatives to create walkable neighborhoods for kids to arrive and leave from school safely (National Prevention Council, 2014: 23). The Department of Housing and Urban Development reports on their planning committees in many communities that work with partners to incorporate active living and fresh food access into development plans (National Prevention Council, 2014: 39). The Department of Veteran Affairs reports on its initiative to teach veterans healthy cooking through hands-on demonstrations to help intervene in chronic conditions of diabetes and obesity (National Prevention Council, 2014: 39). These three federal departments encourage wellness through activity programs. For example, veterans engaged in healthy cooking demonstrations consciously seek to use their activities to help them cope with their chronic conditions to get well and live well; their activities might also bring them satisfaction and happiness. Overall, collaboration of the National Prevention Council and its members reiterates that the work towards longer living, healthier people involves many stakeholders. This arm of the ACA shows that US policy is considering a more advanced view of health, in terms of prevention, the social determinants and policies for wellness that can also improve wellbeing.

5. Change at State Levels

- 32 In the United States there are many levels at which policies can be enacted and implemented. Due to this separation of powers, federal laws like the ACA can trickle down through policy and political forces to the states in positive and negative ways. A perfect example of this trend can be seen in the Medicaid expansion portion of the ACA. The Act supplied states with money to expand their Medicaid programs to cover individuals with incomes up to 133 percent of the federal poverty line; however, because Medicaid is supported by states, the expansion was challenged on its legality, and the Supreme Court ruled that states had the choice to expand the coverage of their Medicaid programs¹. Even in 2018, only 36 states and the District of Columbia have expanded to adhere to the ACA’s provision, while 14 states have elected not expand their programs (Kaiser Family Foundation, 2019). This example highlights that states have some discretion on policies, and sometimes this can interfere with national goals of public health.
- 33 In other instances, the role of states can support innovation towards a better health system. Within the title of the ACA that focuses on quality, a new institution called the Center for Medicare and Medicaid Innovation (CMMI) was established to encourage innovative approaches to health systems. CMMI administers an initiative called the State Innovations Model (SIM), which provides states with grants to design, implement, and test ways to transform their health system. SIM grants require states to develop plans that address population health in their own state (Hughes *et al.*, 2015). At the time of writing, 38 states, territories and districts have been awarded with SIM grants and all are working to advance their health care delivery and payment systems in ways that are

particular to their areas (Centers for Medicare & Medicaid Services [CMS], 2018a). This innovation can lead to evidence and results that can inform future policies of states and of the nation.

- 34 An example of a state that has received SIM money and has developed and implemented a strategy is the State of Delaware. In February 2013 Delaware was awarded a design grant from CMMI followed by a full grant in December 2014 to test and evaluate their Delaware health care model. One of the Delaware specific objectives of the grant is to support community-based population health programs of ten different organizations (CMS, 2018b). The goal is known as Healthy Communities, and is included as part of the Healthy Neighborhoods committee of the Delaware SIM. The Healthy Neighborhoods committee's 2017 program overview highlights the importance of improving health outcomes by working outside of clinical care. The Delaware SIM, with its five committees, has the goal to put Delaware into the top-five healthiest states in the US (Delaware Center for Health Innovation, 2017). The initiative recognizes that this high goal cannot come without focus on neighborhood determinants of health, as represented through their Healthy Neighborhoods committee. The Delaware SIM initiative is currently ongoing and evaluation of the program is continual. Although the State of Delaware is small, its example shows the power of states to produce pilots of innovation that can benefit public health and wellness. In the future, it will be important to track state level progress of wellness initiatives and committees to understand the changing goals and their effects. The federalist structure of the US allows different interpretations of public policy and in many cases this can help the country move towards an acceptance of the comprehensive nature of health; alternatively, in some cases, that very structure can pose a threat, as it did with the Medicaid expansion.

6. Conclusion

- 35 Non-health care factors and their influence on health are well documented in the American public health literature. The grey literature of US agencies and departments shows that programs of health promotion communicate the importance of the social determinants of health. Legislation shows a certain recognition that 'get well' medical care alone is not sufficient to ensure a healthy population that lives well. The status quo of American health policy, however, still has a preeminent concentration on medical health care and also on the insurance market. American payment systems and insurance markets typically do not promote wellness. Traditionally, doctors and service providers are paid by the quantity of services they provide, rather than the quality of wellness that their patients enjoy. Doctors also might favor excessive testing as it provides a safety net against their own liability or malpractice (Health Affairs, 2012). The SIM grants, with their focus on payment reform and uniting all determinants of health, show a shift from a medical emphasis to wellness emphasis at the state levels. In all, the federal grants given to states like Delaware highlights that national policy makers now understand that medical get-well care is not enough to improve our country's medical health, and that focus on living well is essential.
- 36 There have been many pushes to change how we view health in the United States. Health promotion campaigns communicate what good health is and how to achieve it. Academic research has confirmed the importance of the social determinants of health, and other wellness factors. Legislation has incorporated academic research findings into policy. An

emphasis on health promotion and a change of incentives could move a system from its narrow focus on traditional medical health care. The shift in policy is to promote health with a focus on wellness, which may also promote wellbeing. Wellbeing is equated to life satisfaction and happiness and although studies show its importance, they are unable to directly quantify its relationship to good health and longevity. The lack of quantitative evidence of wellbeing may be a reason why US health policy has stayed away from the topic. However, the new attention to wellness is likely to have positive effects on the wellbeing of those that receive benefits. Many barriers also still exist to prevent wellness and wellbeing policies from becoming law. A major problem in the United States is still the inability of a lot of people to get affordable access to even the most basic medical care they need. Even with recent improvements we have nowhere near the universal health coverage that many other countries enjoy. The resistance to the expansion of Medicaid in many US states shows the political barriers preventing more universal coverage access around the country. In addition, policy proposals are subject to the complications of the political processes that review, revise, adapt and amend all potential legislative efforts. For example, in 2012 Congress severely cut the Prevention and Public Fund, by \$6.25 billion over nine years, and the fund was later cut even more in 2016, ultimately reducing the reach of supported health programs (American Public Health Association (APHA), n.d.; Yeager, 2018). If politics regains the health care and wellness agenda of the ACA, legislation can be worked to increasingly provide health care to support more Americans. And only after adequately addressing the problem of universal health care access to Americans, can and should policy focus on not only getting well, but on living well and more fully enjoying health all the way up to happiness.

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NOTES

1. Additional information on the Supreme Court decision on the Medicaid Expansion available from the Center on Budget and Policy Priorities (CBPP, 2013)

ABSTRACTS

A population's health is contributed to by many factors outside of the clinical setting. American literature and research are asserting the Social Determinants of Health, while terms like wellness and wellbeing are also important. The discourse between wellness and wellbeing show they are both components of health, but wellbeing relates to subjective happiness. The United States health care system spends a lot of money, compared to other countries, showing a skewed allocation of resources. As the United States recognizes a broader definition of health to include wellness and wellbeing, national health promotion and legislation represent this. Policies concerning wellness and health prevention are of particular importance in legislation of the *Patient Protection and Affordable Care Act of 2010*, for example. The focus of American health policy cannot, however, turn away from the more fundamental problem that there are many Americans without health insurance who are unable to get or pay for the clinical care they need. In moving policy forward, more quantitative information and political dedication would help wellness and wellbeing along with health care come onto the health policy agenda.

La santé d'une population est influencée par de nombreux facteurs extérieurs au milieu clinique. La littérature ainsi que la recherche américaine mettent en avant les déterminants sociaux de la santé, tandis que des termes comme « Wellness » et Bien-être sont également importants. Le discours entre « Wellness » et Bien-être montre que tous les deux sont des composants de la santé, mais que le Bien-être est lié au bonheur subjectif. Le système de santé des États-Unis est très coûteux, par rapport à ceux d'autres pays, ce qui se traduit par une allocation asymétrique des ressources. Les États-Unis définissent de manière plus large la santé pour inclure « Wellness » et Bien-être et cela se reflète dans la promotion de la santé et la législation nationale. Par exemple, les politiques concernant « Wellness » et la prévention de la santé sont importantes pour la législation de la loi *Patient Protection and Affordable Care Act of 2010*. La politique de santé américaine ne peut cependant pas faire l'économie de se pencher sur le problème le plus fondamental, à savoir, le grand nombre d'Américains sans assurance maladie, incapables d'obtenir ou de payer les soins cliniques dont ils ont besoin. En faisant avancer les politiques, plus d'informations quantitatives et de dévouement politique pourraient contribuer à améliorer

« Wellness » et Bien-être de même que les soins de santé qui viennent d'être inscrits au programme de la politique de santé.

INDEX

Mots-clés: promotion de la santé, politique américaine de la santé, déterminants sociaux de la santé, facteurs non cliniques, facteurs communautaires, wellness, bien-être

Keywords: health promotion, American health policy, the Social Determinants of Health, non-clinical factors, community factors, wellness, wellbeing

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Politiques publiques et bien-être en Nouvelle-Zélande

Public Policy and Wellbeing in New Zealand

Adrien Rodd

- 1 Évolution de la politique du bien-être en fonction de l'alternance des partis politiques au pouvoir (Parti travailliste, Parti national) et du contexte international.

1. Politiques publiques et bien-être en Nouvelle-Zélande : approche historique

- 2 Pionnière en matière de législation sociale, la Nouvelle-Zélande est le premier État au monde à instituer une pension de vieillesse publique, en 1898, puis le premier pays du monde anglophone à mettre en place un État-providence, dans la seconde moitié des années 1930. Durant la majeure partie du XX^e siècle, elle s'enorgueillit d'être le « laboratoire social du monde » et un « paradis des travailleurs » (Ballantyne, 2014 : 59) avant le tournant néolibéral abrupt des années 1980 et 1990, qui s'accompagne d'un changement radical de discours et de priorités politiques. À l'instar d'autres nations anglophones, le pays connaît alors un tournant vers la promotion d'une conception individuelle et subjective du bien-être, au détriment de l'acception collective et matérielle faisant consensus auparavant.
- 3 L'expression « État-providence » n'étant employée qu'à partir de la fin des années 1940, le gouvernement travailliste (1935-1949) invoque le principe de « bien-être de la population » (*the people's wellbeing*) comme objectif primordial de sa politique. À l'inverse pourtant, à partir des années 1980, la rhétorique politique néolibérale mobilise ce même concept de *wellbeing* pour le distinguer d'un État-providence présenté comme caduc. Le gouvernement conservateur des années 1990 se revendique ainsi d'une transition de l'État-providence pourvoyeur de bien-être collectif vers un « État favorisant le bien-être » qui relève du choix et de l'implication de chaque individu.

- 4 Nous nous intéresserons ici aux conceptions du bien-être (collectif ou individuel) maniées et définies par les pouvoirs publics en Nouvelle-Zélande pour appuyer leurs politiques en matière sociale, ainsi que leur contexte d'application et leurs résultats concrets. Nous nous concentrerons sur les périodes de grandes réformes (les années 1930/1940, et les années 1980/1990), et sur les idéaux promus pour les faciliter.

2. La 'promesse coloniale' de bien-être

- 5 Peuplée de Polynésiens depuis le XIII^e siècle, la Nouvelle-Zélande est annexée à l'Empire britannique par un traité avec des chefs maoris en 1840. Le Royaume-Uni a initialement peu d'intérêt pour ce territoire, excentré par rapport aux grandes routes maritimes commerciales. À l'inverse de l'Australie, il ne devient d'ailleurs jamais un bagne pour délinquants exilés. C'est donc à l'initiative des autorités coloniales en place, autonomes dès les années 1850, que la Nouvelle-Zélande devient de son propre chef une colonie de peuplement. Les tribus maories sont contraintes de vendre la majeure partie de leurs terres, voire de les céder sans compensation ; dans les années 1870, le premier ministre néo-zélandais Julius Vogel lance un grand plan de développement de la colonie, à travers des emprunts massifs et par l'incitation à une immigration tout aussi massive en provenance du Royaume-Uni. La population blanche de la colonie s'accroît, passant de 256 000 habitants en 1871 à 490 000 habitants en 1881 et 622 000 habitants en 1891. (Stats NZ)
- 6 Durant la seconde moitié du XIX^e siècle et jusqu'au milieu du XX^e, la Nouvelle-Zélande s'efforce d'attirer de nouveaux colons britanniques. La propagande distribuée au Royaume-Uni est explicite : « Il n'y a pas d'avenir en Angleterre pour la majeure partie de la génération actuelle. [...] [D]u berceau jusqu'à la tombe, le travailleur survit, échappant tout juste à la famine, et n'a rien à espérer, tandis qu'en Nouvelle-Zélande un grand avenir l'attend » (Thomson, 1859 : 313). Face à la concurrence du Canada, des États-Unis et de l'Australie, terres prisées par les migrants britanniques en quête d'une nouvelle vie, la Nouvelle-Zélande met l'accent sur la qualité de vie qu'elle offre aux nouveaux venus. Dès les années 1870, elle peut mettre en avant la promesse du plein emploi, et donc de salaires décents. Pour ceux qui fuient la misère d'une Grande-Bretagne victorienne urbanisée, industrielle et polluée, elle insiste surtout sur son air frais, le climat sain et ensoleillé de ses campagnes. Le gouvernement de Julius Vogel fait distribuer en Grande-Bretagne des lettres de colons décrivant des conditions de vie fort attrayantes : plein emploi ; salaires élevés ; coût de la vie très abordable ; climat idyllique, excellent pour la santé ; statut des travailleurs valorisé en raison des besoins de la colonie ; et, pour les jeunes femmes célibataires, une facilitée à trouver un mari, conséquence du déséquilibre des sexes (Graham, 1981 : 115). Le bien-être tel que conçu ici s'entend donc au sens d'une amélioration de la qualité de vie, sur le plan du confort et de la sécurité matériels. La Nouvelle-Zélande promet un avenir meilleur aux enfants des colons, non seulement en matière de santé (élément primordial), mais aussi de travail et de promotion sociale. Elle se veut une terre d'opportunité, où les migrants pourront accéder sans entrave, par leur travail et leurs efforts, à un niveau de vie meilleur. Un ouvrage des années 1860, destiné ouvertement à encourager tout Britannique « travailleur et endurant » à migrer vers la Nouvelle-Zélande, présente ainsi celle-ci comme un pays d'« abondance joyeuse », actualisation d'une envie britannique de « vie rurale qui semble être l'un des désirs naturels les plus courants et les plus sains » (Hursthouse, 1861 : 390). Faire de cette

promesse une réalité est une condition *sine qua non* au succès d'une colonie de peuplement en développement.

- 7 La jeune société coloniale dans ses premières décennies connaît une offre souvent supérieure à la demande en termes d'emploi, conférant aux travailleurs non seulement la possibilité de choisir leur emploi et de négocier un salaire avantageux, plus élevé qu'en Angleterre, mais également de se percevoir comme indispensables, et donc occupant une place primordiale et valorisée dans la construction du pays. Dans l'ensemble, les aspects annoncés par avance comme définitoires de la colonie paraissent alors avoir été réalisés. En est témoin le récit d'une Néo-Zélandaise de classe aisée (Barker, 1871 : 22) :

« Christchurch est bien plus animée et vivante que bon nombre de villes rurales d'Angleterre, et je suis frappée par l'apparente bonne santé des gens. Il n'y a aucun pauvre en vue ; tous paraissent bien nourris et bien habillés [...]. Personne ne se trouve dans le besoin. Les salaires en tous genres sont élevés, et tous sont certains de trouver un emploi. [...] J'aime à voir les colons se tenir fiers et droits, bien nourris et en bonne santé, habillés décentement (même si personne n'ôte son chapeau pour vous saluer), au lieu de ces personnes déprimées et à demi-mortes de faim, et trop souvent excessivement serviles, qui constituent la masse de notre population anglaise ».

- 8 Écrit en 1870, c'eût pu être un pamphlet de propagande incitant à l'immigration. Les notions d'indépendance et de fierté du travailleur y sont rattachées à l'amélioration des conditions de vie de celui-ci, ce qui correspond tout à fait au projet colonial.
- 9 Dans le domaine de la santé et des politiques sociales toutefois, l'approche néo-zélandaise est d'abord contrastée. Les autorités « décid[ent] de ne pas adopter de 'lois pour les pauvres' [Poor Laws], car elles estim[ent] que de telles mesures ne devraient pas être nécessaires dans un Nouveau Monde, par définition meilleur que l'ancien » (Mein Smith, 2005 : 90). Les colons avaient souvent fui une société britannique où la misère sociale avait rendu nécessaires les *Poor Laws* ; transposer de telles lois à la colonie serait un signe d'échec du projet colonial. La pauvreté – certes rare avant les années 1880 – est donc ignorée. Les autorités privilégient le concept victorien d'autonomie individuelle – le *self-help*. De la même manière, elles sont réticentes à admettre que les pauvres puissent souffrir de réels problèmes de santé.
- 10 Ce mythe d'une population saine par essence se fissure à partir de la décennie 1880, lorsque la Nouvelle-Zélande est frappée pour la première fois par une dépression économique. Une commission réunie en 1890 examine la dureté du travail des femmes et des enfants pauvres en usine – une aberration pour une société qui avait voulu garantir aux hommes un salaire suffisant pour toute une famille (Mein Smith, 2005 : 93). Des études révèlent également que le taux de mortalité dû aux mauvaises conditions sanitaires à Auckland égale celui de Manchester, alors que la publicité coloniale avait promis une échappatoire aux cités insalubres de Grande-Bretagne (King, 2003 : 273). Les organisations syndicales se développent, exigeant la réalisation de la promesse coloniale de conditions de travail et de salaires décents. Le refus du gouvernement de légiférer pour améliorer les conditions de travail des ouvriers suscite des grèves et une importante grogne sociale, qui profite à l'opposition (R. Dalziel, 1981 : 111)¹. Les ouvriers à cette date ont le droit de vote : le suffrage universel masculin, donc sans conditions de ressources, a été institué en 1879 – trente-neuf ans avant qu'il ne le soit au Royaume-Uni. En 1890 est ainsi élu un gouvernement dirigé par les Libéraux², qui demeure au pouvoir jusqu'en

1912. Pendant la majeure partie de cette période, Richard Seddon est premier ministre (1893-1906). Ces années constituent un tournant dans l'histoire néo-zélandaise, et notamment dans l'image que la société élabore à son propre égard. Le gouvernement « s'effor[ce] de créer une Nouvelle-Zélande qui soit un laboratoire social démocratique³ » (Mein Smith, 2005 : 95), notamment sous l'impulsion de William Pember Reeves, ministre du Travail de 1892 à 1896.

- 11 Le gouvernement Seddon / Reeves est convaincu de la nécessité d'un État fort et interventionniste dans le domaine économique et social. Il s'agit, selon un terme employé à l'époque, d'une forme de « socialisme sans doctrine » (Métin, 1901 : 1), même si Reeves est le seul libéral de premier plan à se revendiquer explicitement d'idées socialistes (fabiennes). Les piliers des politiques des Libéraux néo-zélandais sont l'instauration de pensions de retraite (1898) et d'autres mesures de protection sociale⁴ ; l'arbitrage obligatoire en cas de conflit social ; l'instauration du droit de vote pour les femmes, y compris maories (1893) ; et la facilitation de l'accès à la terre pour les colons, dans une volonté de promotion de leur indépendance économique.
- 12 Ces mesures sont sans précédent à travers le monde, même si elles sont rapidement copiées par l'Australie⁵. L'obligation pour les employeurs et les employés de se référer à un tribunal arbitral en cas de conflit social, instituée en 1894 par la loi *Conciliation and Arbitration Act*, a un objectif double. D'une part, elle vise explicitement à protéger les niveaux des salaires et les conditions de travail des employés, que le système d'arbitrage a donc tendance à favoriser face à leurs employeurs. D'autre part, elle doit décourager les grèves et les conflits sociaux avant même leur apparition. L'une des décisions les plus cruciales prises rapidement par les tribunaux d'arbitrage est la définition d'un 'salaire de vie' (*living wage*) masculin, salaire minimum qui doit accorder à tout travailleur un revenu suffisant aux besoins d'une famille consistant en un couple et trois enfants. La notion de *living wage* souligne la notion de droit au confort plutôt que de droit à la survie, et demeure longtemps un aspect fondamental des politiques sociales. Elle deviendra par ailleurs à terme (Mein Smith, 2005 : 106) un élément déterminant d'une promesse de *fair go*, que l'on pourrait traduire par « une chance équitable » et que l'on retrouve également en Australie. Ce concept, au XX^e siècle, met en avant la nécessité que la société, ou l'État, permette à chacun d'atteindre par ses propres efforts un niveau de vie confortable, et l'épanouissement qui en résulte.
- 13 Le système d'arbitrage orchestré par l'État devient ainsi l'une des pierres angulaires d'un modèle de société qui se vante d'avoir créé un 'paradis des travailleurs' (*working man's paradise*) et un 'pays sans grèves'. À l'aube du XX^e siècle, la Nouvelle-Zélande est ainsi « cité[e] dans le monde entier [...] comme exemple pour sa législation sociale » (Toullélan & Gille, 1999 : 279). Le futur député radical français Albert Métin la décrit en 1901 comme un modèle de législation du travail, pouvant inspirer le monde occidental (Métin, 1901 : 163). L'exemple social néo-zélandais et son pendant australien sont débattus aux États-Unis, au Royaume-Uni et en Europe. Pour autant, les conservateurs au pouvoir en Nouvelle-Zélande au début des années 1930 réduisent le salaire minimum et les pensions de vieillesse et de veuvage, et abolissent l'obligation de recourir systématiquement aux tribunaux arbitraux. Ces mesures, prises en pleine crise économique, et alors que le taux de chômage atteint 20 %, provoquent une colère populaire. Des émeutes de chômeurs éclatent en janvier et en avril 1932. L'existence de malnutrition liée à la pauvreté fait scandale. Le 'paradis du travailleur' est, à nouveau, gravement menacé. C'est ce contexte qui va mener à l'alternance politique de 1935, tournant historique.

3. Le débat sur le bien-être et l'État-providence

- 14 Comme nous l'avons vu, la Nouvelle-Zélande au XIX^e siècle est dépendante d'une immigration britannique à large échelle pour son développement ; la promesse d'un niveau de vie décent est donc impérative pour le succès et l'existence même de cette société. Durant la période victorienne, la réalisation de cette promesse est initialement perçue comme découlant 'naturellement' des spécificités propres au territoire et de sa situation coloniale (climat, ruralité). Outre qu'il est d'emprunter pour de grands travaux de développement, le rôle de l'État, longtemps imprégné de valeurs libérales au sens britannique et victorien du terme, se borne à 'informer' les citoyens du Royaume-Uni des caractéristiques de la Nouvelle-Zélande, présentées comme avantageuses pour leur bien-être. Ce bien-être, que l'on peut résumer à un mode de vie sain et la quasi-certitude d'un emploi rémunéré décent, proviendrait ainsi de deux phénomènes interconnectés : l'absence en Nouvelle-Zélande des pires aspects de la société du Royaume-Uni (urbanisation et industrialisation excessives, croissance démographique forte dans un pays déjà très peuplé, pauvreté et misère endémiques d'une sous-classe poussée à la criminalité...); et donc la possibilité pour des travailleurs honnêtes et vertueux d'améliorer sans entrave leur niveau de vie, par leur propre travail. Dans cette perspective, l'État n'a pas de rôle actif à jouer : le bien-être de chaque migrant découlerait de la possibilité pour lui d'actualiser son potentiel par ses propres efforts, sans être bridé par la maladie, par une société de classe trop rigide, par un manque d'emplois à pourvoir ou par des salaires de misère. L'échec, à terme, de cette approche passive (le 'laissez-faire') mobilise une population ouvrière syndiquée et politiquement active de longue date. Le rôle de l'État est ainsi repensé une première fois dans les années 1890, puis de manière beaucoup plus radicale à l'occasion de la Grande Dépression des années 1930.
- 15 Le taux de participation aux élections législatives de 1935 est de 91 %. Le Parti travailliste est porté au pouvoir pour la première fois, avec 53 sièges sur 80, et demeure au pouvoir jusqu'en 1949. Il s'inspire explicitement du modèle libéral des années 1890/1900. Il s'agit d'un gouvernement issu des classes ouvrières, qui se revendique comme tel. Parmi les ministres se trouvent quatre mineurs, un tondeur de moutons et plusieurs autres ouvriers. Le premier ministre Michael Savage lui-même a été laveur de barils, mineur, et ouvrier dans l'industrie du textile (Olssen, 1981 : 273). Il promet à ses concitoyens la sécurité sociale « du berceau jusqu'à la tombe » (*from the cradle to the grave*), formule reprise quelques années plus tard par les travaillistes au Royaume-Uni (King, 2003 : 358).
- 16 Lors de la première session parlementaire après l'élection, le gouverneur-général prononce à la Chambre des représentants le discours du trône rédigé par le nouveau gouvernement. Ses ministres ont la conviction, dit-il, que « les mesures qu'ils vous soumettront aboutiront rapidement à une amélioration matérielle du bien-être de tous, et particulièrement de ceux qui ont été frappés avec la plus grande sévérité par les effets de la dépression ». (Hansard, 1936 : 5) Pour répondre à l'urgence du chômage, le gouvernement Savage propose une politique de travaux publics et d'aide à l'embauche par les entreprises, mais aussi un accroissement des salaires et une réduction des heures de travail. Les milieux ruraux ne sont pas oubliés. Les ministres mettent en avant leur « plan coordonné pour restaurer le niveau de vie des fermiers et des travailleurs agricoles », notamment en fixant les prix des denrées agricoles pour que leur travail soit récompensé par la garantie d'un revenu décent (Hansard, 1936 : 5).

- 17 Les débats qui s'en suivent à la Chambre des représentants mettent en lumière le constat que fait le gouvernement de l'état de mal-être de nombreux Néo-Zélandais, et les mesures qu'il entend prendre pour y répondre. Ainsi le médecin et député travailliste d'arrière-ban Gervan McMillan argumente-t-il en août 1936 (Hansard, 1937 : 614) :

« En Nouvelle-Zélande aujourd'hui des milliers de personnes ne reçoivent quasiment aucun soin médical. [...] De nombreuses centaines de personnes ont un besoin urgent d'être prises en charge par un hôpital, mais ne peuvent pas l'être. [...] Malgré une surabondance de lait en Nouvelle-Zélande, des milliers et des milliers de personnes souffrent de malnutrition. [...] [B]ien que nous ayons eu la possibilité de produire une surabondance de vêtements et de bottes, de nombreuses personnes ont été mal chaussées et insuffisamment habillées. Malgré une surabondance de bois, de charbon et d'électricité, nombreux sont ceux qui grelottent pour tenter de se réchauffer. [...] Le problème auquel ce pays fait face aujourd'hui n'est pas très difficile. Il s'agit du bien-être matériel et physique d'un demi-million de personnes. Nous avons tous les atouts matériels nécessaires pour répondre à tous les besoins envisageables. [...] Tout ce que cela requiert est un programme d'action collective audacieux et progressiste ».

- 18 Le diagnostic posé par la nouvelle majorité parlementaire se veut ainsi celui d'une évidence : le mal-être des habitants est identifiable, quantifiable, descriptible : malnutrition, froid et autres problèmes 'matériels' de santé affectant les personnes dont les moyens financiers individuels sont insuffisants pour en acquérir les remèdes. Le docteur McMillan présente également ce mal-être comme une absurdité pouvant être résolue par un changement radical de politique économique (Hansard, 1937 : 615) :

« La barrière qui se dresse entre les médecins, les dentistes et les infirmières, prêts et disposés à aider, et les patients qui ont grand besoin de leur attention, est d'ordre économique. Notre tâche, en premier lieu, est de retirer cette barrière, puis d'organiser et de coordonner ce service pour qu'il opère aussi efficacement que possible [...]. Cela ne peut être fait que par l'action collective – en faisant passer la pratique de la médecine sous le contrôle de la communauté. [...] [L]a socialisation serait le moyen le plus efficace et le plus pratique de fournir des soins médicaux adéquats à tous ».

- 19 La mise en application de cette socialisation signifie la nationalisation des hôpitaux. Elle est présentée avant tout comme une mesure d'efficacité et de bon sens ; le docteur McMillan décrit ainsi la médecine privée comme agissant en ordre dispersé – « une forme de guérilla inefficace contre la maladie », qui nécessite l'intégration des soins de santé dans « un ordre économique et social planifié » (Hansard, 1937 : 617). L'État doit prendre en charge un rôle de coordination et de direction, fixant le cap et les méthodes (dont des mesures de prévention), en tant qu'émanation politique de la volonté et des intérêts de 'la communauté'. L'objectif à moyen terme, toutefois, n'est pas de soigner des personnes condamnées à la pauvreté, mais de faire reculer la pauvreté, et de garantir à chacun que les accidents de la vie n'aient plus pour conséquence des coûts personnels ruineux. Comme l'explique le ministre des Terres Frank Langstone (Hansard, 1937 : 846) :

« L'une des choses les plus bénéfiques que nous puissions octroyer aux personnes / au peuple [*to the people*] serait de leur donner une sécurité absolue. [...] Certains nous parlent du coût. Certains nous parlent de la lourdeur de l'impôt. L'impôt ne réduit en rien le volume d'argent. Il redistribue l'argent qui existe, et en redistribuant l'argent de cette manière

l'État peut prendre chez ceux qui ont trop et le donner à ceux qui n'ont pas assez, faisant ainsi entrer dans les foyers du peuple ce dont ils ont besoin pour leur bien-être ».

- 20 Bien que s'inspirant des idées libérales et fabiennes de la fin du XIX^e siècle, c'est là une conception inédite du rôle de l'État de la part d'un gouvernement majoritaire dans un pays du Commonwealth, de par sa conception redistributive fondée sur un idéal égalitariste. Le bien-être individuel et collectif passe par une réorchestration publique (gouvernementale) de la société et de ses ressources, avec pour objectif la levée des entraves aux conditions préalables du bien-être. Deux ans plus tard, lors du débat législatif sur l'introduction d'un service de santé public, le député travailliste David Barnes exprime un point de vue similaire (Hansard, 1938 : 369) :

« Nous devons reconnaître que nous avons un devoir envers les moins fortunés. La sécurité est essentielle pour la préservation de la civilisation, mais elle ne peut être atteinte qu'à travers une planification consciente. Nous ne pouvons pas simplement nous asseoir et laisser les choses dériver [...]. La sécurité est essentielle pour le bien-être de l'individu, de la communauté et de la nation. Elle est essentielle aussi pour des raisons humaines, et pour le bien-être général ».

- 21 Le bien-être individuel se conçoit ici à travers le cadre collectif, devenu le champ d'action de l'État. Le laissez-faire social et économique est présenté comme une forme de passivité nocive et irresponsable (« nous asseoir et laisser les choses dériver »), à laquelle le seul substitut est la planification.

4. Les politiques publiques pourvoyeuses de bien-être collectif

- 22 Sous le gouvernement Savage, la Cour arbitrale est chargée, à nouveau, de déterminer un salaire masculin minimum suffisant pour assurer un certain confort à un travailleur, à sa femme et à leurs enfants⁶. Les réductions de salaires et de pensions sociales imposées par les conservateurs sont annulées ; la pension de retraite est même augmentée. Les congés payés sont introduits. Une aide financière est versée aux fermiers endettés, afin qu'ils puissent conserver leur terre. Avec la loi *Social Security Act* de 1938, l'État introduit des allocations de chômage –pour les hommes, et pour les femmes célibataires–, ainsi que la gratuité des hôpitaux et des soins de maternité, et une assistance financière substantielle pour les autres dépenses de santé. Cette loi constitue le cœur de l'État-providence.

- 23 Le titre complet de la loi de 1938 précise qu'elle se donne pour objectifs

« de prémunir le peuple de Nouvelle-Zélande contre les handicaps émanant de l'âge, de la maladie, du veuvage, de l'orphelinat, du chômage ou d'autres situations exceptionnelles ; d'offrir un système permettant que les soins médicaux et hospitaliers soient rendus accessibles aux personnes qui en ont besoin ; et, par ailleurs, d'offrir tout autre bénéfice qui puisse être nécessaire pour maintenir et promouvoir la santé et le bien-être général de la communauté ».

- 24 La loi établit un ministère de la Sécurité sociale (art. 3), et garantit une pension de vieillesse à toute personne âgée de 65 ans ou plus, sans condition de ressources (art. 11), ainsi que pour toute personne âgée de 60 ans ou plus, sous condition cette fois de

ressources et sous condition que le ou la bénéficiaire n'ait pas « déserté » son épouse ou son époux et leurs enfants mineurs en les laissant dans le besoin (art. 14 et 15). Elle garantit une pension pour les veuves âgées de 50 ans ou plus ou bien ayant des enfants mineurs (art. 22) et pour les enfants de moins de seize ans dont les deux parents sont décédés (art. 26) ; des allocations familiales pour les couples, à partir du troisième enfant (art. 30)⁷ ; des pensions d'invalidité pour toute personne aveugle ou empêchée de travailler en raison de tout autre handicap physique (accident, maladie ou handicap congénital) (art. 33) ; des pensions spécifiques pour les travailleurs des mines atteints de maladies pulmonaires (art. 39) ; et une allocation pour les travailleurs en état d'incapacité temporaire en raison d'une maladie ou d'un accident (art. 45). Enfin, la loi de 1938 met en place des allocations de chômage, le postulant devant démontrer qu'il entreprend des démarches « raisonnables » pour retrouver un emploi. Ces allocations sont ouvertes aux hommes, aux femmes célibataires, et aux femmes mariées dont l'époux ne dispose pas de revenus suffisants pour assurer les besoins du couple (art. 51). Ces diverses pensions et allocations étant, pour la plupart, modulables selon les éventuels revenus des bénéficiaires, et conditionnées en principe à ce que ces derniers soient « de bon caractère moral et d'habitudes sobres », précision qui relève implicitement de la notion victorienne du 'pauvre méritoire' (*deserving poor*). Dans la pratique, aucune procédure spécifique n'est toutefois prévue pour évaluer le 'bon caractère moral' des demandeurs (Stephens, 2013 : 400). Les pensions d'invalidité sont calculées de manière à subvenir également aux besoins des éventuels épouses et enfants du bénéficiaire.

- 25 La seconde partie de la loi établit des aides médicales qui, elles, sont universelles et sans condition de revenus : « toute personne âgée d'au moins seize ans et résidant ordinairement en Nouvelle-Zélande aura le droit de percevoir, pour lui-même et pour tout membre de sa famille âgé de moins de seize ans, les diverses allocations établies par cette partie de cette loi » (art. 80). Sont ainsi couverts le droit aux soins médicaux (art. 85 et 88), dont ceux aux soins hospitaliers et aux soins liés à la maternité. Pour financer ces soins, qui sont pris en charge par l'État et non plus directement par les patients, un fonds public de sécurité sociale est mis en place (art. 103), alimenté notamment par une taxe prélevée sur les salaires et les revenus. La santé des enfants, en particulier, devient l'une des grandes causes nationales, notamment après la Seconde Guerre mondiale. Le gouvernement introduit des examens médicaux et dentaires pour tous les enfants à l'école, et un accès aux soins nécessaires résultants de ces examens. Ce système de sécurité sociale universelle est alors sans équivalent dans le monde anglophone. Plus que la loi de sécurité sociale de 1935 aux États-Unis, dont les effets sont limités, c'est la loi néo-zélandaise de 1938 qui contribue grandement, dans le reste du monde anglophone et notamment au Royaume-Uni, à la conceptualisation de ce que peut signifier la sécurité sociale (George, 2002 : 2). Le rapport Beveridge de 1942 au Royaume-Uni⁸ s'inspire d'ailleurs partiellement de l'exemple concret bâti par la Nouvelle-Zélande (« [L]e Plan pour la Sécurité sociale au Royaume-Uni suit le précédent de la Nouvelle-Zélande » : Beveridge, 1942 : 8), puis inspire à son tour le développement ultérieur de l'État-providence néo-zélandais (Carpinter, 2012 : 4). L'ambition de cette loi n'est rien de moins que de garantir un niveau de vie minimal décent à toute personne (méritoire), et de faire disparaître la pauvreté dans ses aspects les plus choquants. Dans la pratique, la résistance des médecins empêche la nationalisation complète des services de santé ; des services de santé privés subsistent en parallèle, permettant aux patients les plus fortunés d'avoir un accès plus rapide aux soins. La loi de 1938 n'en est pas moins un succès, d'autant que la

forte croissance économique du pays après la Seconde Guerre mondiale diminue les craintes quant à la viabilité de son financement.

- 26 Dans le même temps, le budget de l'éducation est augmenté de manière significative, et des mesures sont prises pour faciliter la scolarisation des enfants blancs et maoris dans les régions reculées – construction de nouvelles écoles, mise en place de bus scolaires. La proportion d'enfants maoris scolarisés en lycée passe de 8,4 % en 1935 à 30 % en 1951 – toujours bien en deçà de la moyenne nationale de 1935 (60 %), mais un progrès néanmoins (King, 2003 : 360). L'État fait également construire de nouvelles maisons, et verse aux classes ouvrières des aides à l'achat d'un domicile. Si les diverses aides versées aux Maoris sont d'abord inférieures de 25 % à celles octroyées aux blancs, au motif que les autochtones conservent d'importants réseaux d'entraide familiaux et tribaux, cette différenciation est abrogée en 1945, à l'issue de la Seconde Guerre mondiale dans laquelle les Maoris se sont fortement engagés. Par ailleurs, la notion d'indépendance et de dignité du travailleur est renforcée, l'objectif étant que les Néo-Zélandais puissent vivre décemment de leur propre labeur. Les importations pouvant faire concurrence à l'emploi local sont restreintes, tandis que la réglementation fixant les salaires est davantage centralisée (Carpinter, 2012 : 3). Les bénéficiaires de ces politiques ne sont pas conçus comme étant passifs, puisque la promesse d'un niveau de vie décent vise à permettre la participation constructive de chacun à la vie de la communauté (De Bruin, 1997 : 59). Le niveau de vie de chacun est ainsi protégé et garanti par l'État, tout en consolidant l'autonomie des travailleurs. La Nouvelle-Zélande peut revendiquer à nouveau le titre de 'laboratoire social du monde'. Dans le domaine social, elle est particulièrement en avance sur les autres pays anglophones, notamment en ce qui concerne l'attention portée aux populations autochtones. Son gouvernement est perçu « par bon nombre de ses contemporains comme le plus radical en dehors de l'Union soviétique » (Belich, 2001 : 244). Michael Savage, pour sa part, préfère décrire ses propres politiques comme une forme de « christianisme appliqué » (Silloway Smith, 2010 : 2), insistant ainsi sur la notion d'un devoir individuel et collectif d'entre-aide – organisée et rationalisée par l'État, par souci d'efficacité.
- 27 En 1938, le Parti national (conservateur) fait campagne sur un thème anti-socialiste : « [N]ous sommes convaincus qu'aucun peuple de souche britannique n'est prêt à rejeter la démocratie, son droit de naissance [*birthright*], au profit du carcan rigide d'un État socialiste » (cit. in Chapman, 1981 : 347). Les travaillistes, de leur côté, distribuent des tracts de campagne illustrant visuellement ce que serait selon eux la vie des malades sous les nationaux (où l'on voit une femme souffrante dans une pièce à la fenêtre brisée et aux meubles et étagères vides, éclairée à la bougie) par opposition à ce qu'elle serait sous les travaillistes (la patiente se repose sereinement dans une belle chambre confortable et bien ensoleillée). Le tract rappelle que les conservateurs ne proposent rien pour aider les malades, si ce n'est la dépendance envers les associations caritatives privées, et précise les dépenses engagées par le gouvernement Savage pour aider les familles dans le besoin (NZ Labour Party, 1938). Le Parti travailliste remporte l'élection avec 55,8 % des voix et 53 sièges, puis remporte également les élections de 1943 (45 sièges) et de 1946 (42 sièges). Le Parti national a présenté le socialisme travailliste comme incompatible avec une société d'essence britannique, mais le 'laboratoire social' demeure la préférence des Néo-Zélandais. Les nationaux ne peuvent remporter enfin les élections en 1949 qu'après avoir modifié en profondeur leur doctrine. Ils promettent le maintien de la sécurité sociale et des principaux acquis de la période travailliste... associés à une baisse d'impôts (Chapman,

1981 : 353). Entre temps, le Parti travailliste a remporté l'élection de 1945 au Royaume-Uni, promettant, comme les travaillistes néo-zélandais avant lui, la sécurité sociale, le plein emploi, des maisons à bas prix pour tous et la création d'un État-providence ; le *National Health Service* est mis en place en 1948. Il est devenu difficile pour le Parti national néo-zélandais d'arguer que le travaillisme est contraire au modèle britannique. Pour autant, le travaillisme néo-zélandais, tout comme son pendant australien dont il est l'inspirateur, est un 'socialisme' aux particularités antipodéennes, délaissant rapidement la volonté d'adhérer à une idéologie stricte, et puisant dans les valeurs perçues comme typiquement australo-néo-zélandaises – le droit au travail et le *mateship*, cette notion de solidarité virile des pionniers du siècle passé, perçus comme les fondateurs de la nation. Ces notions de camaraderie et d'entraide étant associées dans les esprits aux racines mêmes de la nation et aux sources de ses valeurs spécifiques, les travaillistes peuvent inscrire leurs politiques dans un semblant de continuité, comme une mise en œuvre efficace et rationalisée d'un esprit national préexistant. Le bien-être serait une affaire d'entre-aide, et d'une société soudée. Et le Parti national, qui demeurerait attaché à l'esprit d'entre-aide volontaire, individuel et à petite échelle qui caractérisait supposément les débuts de la société coloniale, ne peut que se ranger à la volonté commune de mieux organiser cette solidarité à travers l'action structurée de l'État.

- 28 Dans la période de l'après-guerre, les Néo-Zélandais bénéficient d'un niveau de vie élevé, et de salaires moyens qui le sont tout autant. Le taux de chômage est d'à peine 1 % dans les années 1950, le plein emploi étant l'une des priorités des gouvernements successifs des deux bords. La loi *Employment Act* de 1945 a en effet mis en place un service national de l'emploi dont l'objectif explicite est de « promouvoir et de maintenir le plein emploi en tout temps » (art. 5). Rares, d'ailleurs, sont les chômeurs qui font valoir leur droit à l'allocation de chômage ; retrouver un emploi reste aisé (Carpinter, 2012 : 4). Surtout, le plein emploi est couplé au maintien du droit à un salaire suffisant pour assurer un confort décent au travailleur et à sa famille. Les Néo-Zélandais sont fiers de leur modèle social qui permet à tout père de famille de travailler, et de pourvoir ainsi amplement aux besoins de ses enfants (De Bruin, 1997 : 76), dont la santé et l'éducation sont en outre garanties par l'État. Le pays jouit une nouvelle fois de son image d'excellent endroit où élever des enfants en bonne santé, et attire des migrants britanniques en quête d'une vie meilleure.

5. La fin du 'laboratoire social' : du *welfare state* à l'*enabling state*

- 29 À partir des années 1960, la soutenabilité du niveau des dépenses sociales (36 % du budget en 1960, le taux le plus élevé du monde), et de l'endettement accru qui sert à le financer, est peu à peu remise en question (Silloway Smith, 2010 : 4). Cette décennie est marquée par le désengagement progressif du Royaume-Uni vis-à-vis des États du Commonwealth, dont il soutenait jusque-là l'économie en leur garantissant un accès privilégié au marché britannique. La Nouvelle-Zélande a longtemps choisi de conserver un fort niveau de dépendance, notamment commerciale, envers l'ancienne métropole coloniale que beaucoup perçoivent encore à cette date comme la « mère-patrie ». L'entrée du Royaume-Uni dans la Communauté économique européenne en 1973 constitue ainsi pour les Néo-Zélandais un choc autant émotif qu'économique. À cette date, le pays est en récession depuis déjà plusieurs années, et il n'échappe pas aux crises économiques internationales des années 1970. La coïncidence chronologique de cet 'abandon' par les Britanniques et

du premier choc pétrolier entraîne un impact défavorable sur la balance commerciale du pays, sur son taux d'inflation et sur le chômage, qui en 1977 dépasse les 1 % pour la première fois de l'après-guerre, malgré tous les efforts des autorités publiques. Le gouvernement du premier ministre conservateur Robert Muldoon (1975-1984), qui est aussi son propre ministre des Finances, demeure attaché au modèle de l'État-providence ; nombreux sont les Néo-Zélandais qui considèrent ce dernier comme l'une des caractéristiques définitives de leur pays. Muldoon place la notion de *fair go* au cœur ses campagnes électorales (Fischer, 2012 : 5) : l'État doit être garant d'une égalité des chances et d'un niveau de vie décent. L'État-providence reste perçu comme essentiel au bien-être collectif. Pour autant, Robert Muldoon applique des réductions aux allocations sociales, ainsi qu'aux taux de salaires et de prix fixés par l'État. En 1984, le chômage atteint 4 %, tandis que la dette publique a été multipliée par six en dix ans (De Bruin, 1997 : 80).

- 30 L'année 1984 marque un tournant. Les élections anticipées, à l'issue d'une campagne électorale courte, portent au pouvoir l'opposition travailliste. Le premier ministre David Lange confie à son ministre des Finances Roger Douglas le soin de définir et d'appliquer l'essentiel de la politique économique du gouvernement, tentant simplement de le tempérer par moments. Roger Douglas agit vite, prenant de court ses adversaires, mais aussi les électeurs traditionnels de son propre parti. Sa politique, bientôt qualifiée de *Rogernomics* (en référence aux *Reaganomics* de Ronald Reagan aux États-Unis) est tout aussi radicale que celle du gouvernement Savage un demi-siècle plus tôt, mais dans une direction presque diamétralement opposée. L'économie est dérèglementée, de nombreuses entreprises publiques sont privatisées, les prix ne sont plus régulés par l'État, et les aides aux entreprises en difficulté (notamment agricoles) sont abolies. Le pays renonce au protectionnisme, dont la finalité était de protéger les emplois face à la concurrence de producteurs étrangers ; il s'ouvre aux marchés internationaux, et à la finance internationale. Les impôts sont réduits de plus d'un quart en moyenne, et de moitié pour les plus riches. Les politiques de sécurité sociale, toutefois, ne sont pas fondamentalement réformées à ce stade.
- 31 L'objectif sur le plan pratique est de restaurer la croissance en rendant l'économie néo-zélandaise plus compétitive sur le marché international. L'objectif sur le plan idéologique s'inspire des doctrines du néo-libéralisme : « l'accomplissement du bien-être individuel à travers des concepts [...] de liberté individuelle » (Sudden, 2016 : 13). La dérégulation permettrait l'épanouissement de l'individu en élargissant le champ potentiel de ses choix, tant en qualité de travailleur ou d'entrepreneur qu'en tant que consommateur, dans le cadre d'une économie de marché. En cela, l'idéologie mise en œuvre en Nouvelle-Zélande s'accorde avec la pensée néolibérale adoptée ailleurs dans le monde anglophone, et qui accorde la priorité à un bien-être subjectif. Libéré, l'individu se consacrerait à la poursuite de sa propre perception du bien-être, l'État n'ayant pas à la présupposer. La libéralisation du marché permettrait par ailleurs un enrichissement de la moyenne des individus, propice à leur émancipation et à leur quête de leur propre bien-être subjectif.
- 32 Au cours des années 1980 toutefois, la population s'appauvrit de manière générale, et les inégalités se creusent. À la fin de la décennie, les 10 % de Néo-Zélandais les plus pauvres ont des revenus inférieurs de 20 % à ce qu'ils étaient en 1981, tandis que les 10 % les plus aisés n'ont perdu en moyenne 'que' 5 % de leurs revenus (De Bruin, 1997 : 93). Le taux de chômage atteint 11 % au début des années 1990, et 25 % parmi les Maoris, qui travaillaient souvent dans les secteurs industriels ou dans des entreprises publiques dorénavant privatisées. Le pays entre en récession de 1986 à 1994. Le taux de croissance fluctue

autour de -1 %, tombant en dessous de -2 % en 1991. Le PIB du pays décline de 5 %. Alors que « l'économie du monde [est] florissante », la récession néo-zélandaise « semble avoir été un ralentissement généré par des causes internes au pays. Une explication courante est que la libéralisation économique a été mal gérée » (Easton, 2010). Derrière ces statistiques, les réalités humaines incluent « la perte de milliers d'emplois industriels » en raison de l'importation de produits étrangers plus compétitifs sur le marché intérieur nouvellement dérèglementé, et la faillite de fermiers qui, ne recevant plus de subsides publiques, cessent aussi d'être compétitifs (Min. de la Culture, 2017).

- 33 Le Parti travailliste, au pouvoir, se déchire sur les conséquences de ces politiques. David Lange tente de limoger son ministre des Finances, mais la majorité des députés du parti s'y oppose, et c'est le premier ministre lui-même qui démissionne en 1989. Lors de la campagne pour les élections de 1990, le Parti national (de droite) promet un retour à une société plus humaine et moins brutale. Les travaillistes sont largement battus. Comme en 1949, le Parti national, en retrouvant le pouvoir, s'inscrit toutefois dans la lignée économique initiée par les travaillistes. Les promesses de campagne sont oubliées avec le budget de 1991, qui entreprend de démanteler l'État-providence. Aux yeux des opposants au gouvernement, c'est la période dite de la *Ruthanasia* – une politique d'« euthanasie » de la société, pilotée par la nouvelle ministre des Finances Ruth Richardson. Les allocations familiales sont abrogées. Elles sont remplacées par un crédit d'impôt appliqué pour chaque enfant d'un couple ayant des emplois salariés et des revenus modestes. Les chômeurs ne bénéficient plus d'aides familiales. Les allocations de chômage sont conditionnées à l'exercice d'un travail d'utilité générale, et sont désormais qualifiées de 'salaire communautaire'. Les aides versées aux personnes inactives (de manière temporaire ou permanente) pour raisons médicales sont réduites, à l'instar de toutes les autres formes d'aide sociale. Par ailleurs, en application de la loi *Employment Contracts Act* de 1991, l'appartenance d'un salarié à un syndicat n'est plus obligatoire, et les contrats de travail ne sont plus négociés de manière collective. Ce qui a pour conséquence « la perte de la garantie générale de conditions de travail sécurisées et uniformes » (De Bruin, 1997 : 87). Le droit à un salaire suffisant pour un certain niveau de confort (*living wage*), uniforme par secteur d'activité, disparaît. Les effets sur le niveau de vie de nombreux Néo-Zélandais sont quasi-immédiats. Le taux de pauvreté s'accroît de 40 % entre 1990 et 1992 (De Bruin, 1997 : 93).
- 34 L'un des fondements idéologiques des réformes introduites par Ruth Richardson, et soutenues initialement par le gouvernement dont elle est membre, est la dissociation des notions de *welfare* (cœur de l'État-providence : le bien-être tel que garanti par l'État) et de *wellbeing* (le bien-être de manière générale). S'exprimant au nom du premier ministre Jim Bolger, Peter Gresham, ministre de la Protection sociale, explique ainsi les objectifs tracés par ce gouvernement pour une transition « du *welfare* vers le *wellbeing* » : que les familles « s'attèlent à leurs responsabilités » et pourvoient aux besoins de leurs enfants ; « que les personnes âgées [soient] encouragées et soutenues pour qu'elles demeurent autonomes [*self-reliant*], et qu'elles continuent à participer et à contribuer à leur propre bien-être, à celui de leur famille et à l'ensemble de la communauté néo-zélandaise ». Plus généralement, il s'agit de donner les moyens aux citoyens, en garantissant leurs aides sociales à minima et uniquement en cas de besoin, de « contribuer de manière positive à la société et de devenir, à terme, autonomes » (Gresham, 1996). Cette mise en avant de l'autonomie individuelle met l'accent non seulement sur le concept de responsabilité de l'individu (partagé par les tenants du néo-libéralisme à travers le monde anglophone),

mais aussi sur la liberté de chacun de chercher à atteindre sa propre conception subjective du bien-être. Certes, même dans les années 1930 et 1940 les travaillistes justifiaient l'étatisme de leurs politiques sociales par la nécessité morale de garantir le bien-être de chacun et de tous, au sens de la satisfaction de leurs besoins et de l'atteinte d'un certain confort matériel, plutôt que de garantir leur bonheur – concept plus large, plus nébuleux et plus ambitieux qui n'a jamais explicitement été l'objectif d'un socialisme néo-zélandais concret et terre-à-terre. Mais la rhétorique ou l'idéologie du gouvernement Bolger / Richardson, considérant implicitement le bonheur comme une affaire éminemment personnelle dont l'État n'a pas à se mêler, renvoie même le bien-être au champ du subjectif, et au domaine de la responsabilité individuelle.

- 35 En matière de politique concrète, la différenciation avec la période de *welfare* n'est pas de coupler les contributions de chacun et les aides reçues par chacun de la part de l'État ; elles l'étaient déjà dans la philosophie pratique et dans l'éthique prônée par Michael Savage. La différence vient, d'une part, de conditionner plus strictement la réception d'aides au devoir légal et moral qu'aurait l'individu de contribuer en retour et, d'autre part, de présenter ces aides comme étant *intégralement* transitoires : un soutien momentané avant que l'objectif de pleine autonomie individuelle ne soit atteint puisqu'il n'y a plus aucune allocation universelle. Là où les travaillistes des années 1930 et 1940 présentaient l'intervention de l'État dans la lutte contre la pauvreté comme nécessaire pour permettre à chaque travailleur de contribuer au bien-être collectif au mieux de ses forces, cette perspective se retrouve d'une certaine manière inversée : le rôle de l'État est de fournir une aide sociale minimale à ceux qui contribuent du mieux qu'ils peuvent, et qui seraient provisoirement dans le besoin. L'usage répété du terme *self-reliance* (autonomie individuelle) n'est évidemment pas anodin. Il renvoie à la notion libérale (au sens originel et victorien du terme) de liberté et de responsabilité individuelles, l'État ne devant pas y constituer une entrave. En cela, la philosophie politique revendiquée par les réformistes néo-zélandais de la fin du XX^e siècle s'inscrit dans le courant de la 'Nouvelle Droite' (*New Right*) néolibérale incarnée par Margaret Thatcher au Royaume-Uni, Ronald Reagan aux États-Unis ou John Howard en Australie – ce dernier s'appuyant lui aussi sur des réformes économiques libérales préalables initiées par les travaillistes australiens dans les années 1980.
- 36 L'État, dans ce cadre, ne se reconnaît plus pour responsabilité d'être le garant du bien-être humain, au sens matériel d'un niveau de vie décent et confortable. Le bien-être de chacun découlerait de sa propre motivation et de ses efforts, ainsi que de ceux consentis par ses proches. En 'encourageant' chacun à devenir seul responsable de son propre bien-être, l'État ne se présente en aucun cas comme allant à l'encontre d'un bien-être précédemment établi, mais bien comme rendant possible l'accomplissement d'un bien-être pérenne, 'authentique', individuel et modulé selon les efforts et les capacités de chacun. Là où Michael Savage et ses ministres érigeaient comme priorité « le bien-être du peuple », une visée collective à atteindre par l'action collective, la pensée néolibérale dont s'inspire Ruth Richardson met en avant l'individu, au nom de la 'liberté négative' (*negative liberty*) – le droit inhérent qu'aurait chaque personne de s'accomplir dans la seule limite (ou presque) de ses propres capacités, sans entraves externes 'excessives' émanant des autorités publiques. Cette vision s'oppose au concept de 'droits positifs' – reconnus, octroyés et garantis par l'État au-delà des capacités inhérentes à l'individu – qui a guidé la politique des deux partis des années 1940 jusqu'au début des années 1980⁹.

- 37 Dans cette perspective, la Nouvelle-Zélande des années 1990 n'est plus un État-providence, mais se présenterait comme « un État rendant possible le bien-être » (*a wellbeing enabling state*¹⁰). Un tel État aurait pour objectif, suggère Anne Marguerite de Bruin, de « fournir les mécanismes et les infrastructures par lesquels les foyers peuvent pourvoir à leur propre bien-être, sur la base d'un emploi dans un marché libre de toute intervention par l'État » (De Bruin, 1997 : 91). La réduction drastique de l'intervention de l'État serait la condition requise pour l'épanouissement d'un bien-être individualisé, renversant ainsi radicalement l'éthique des années Savage. Pour Paul Dalziel et Caroline Saunders (P. Dalziel & Saunders, 2014 : 62),

« la différence fondamentale entre un État-providence [*welfare state*] et un État-bien-être [*wellbeing state*] est la manière de penser la source première des initiatives. Dans un État-providence, il est acquis que l'agent premier est le gouvernement central et le service public. Ainsi le gouvernement Savage [n'empêchait pas] les initiatives personnelles et l'innovation entrepreneuriale, mais il était généralement acquis que le gouvernement central et ses conseillers avaient la responsabilité première pour ce qui était d'agir sur les grandes questions dans les domaines tels que la santé, l'éducation, le logement, le développement industriel et la stratégie économique. Dans un État-bien-être, l'initiative est conçue comme relevant en premier lieu des citoyens du pays. Les citoyens décident chaque jour de l'usage de leur temps, d'une manière dont ils jugent qu'il contribuera au genre de vie [qu'ils souhaitent mener] ».

- 38 L'État et le service public auraient alors pour rôle de faciliter et d'accompagner les choix des citoyens. Il s'agit, là aussi, d'une conception focalisée sur la liberté et la responsabilité de la personne individuelle, dans une quête de bien-être très personnelle.
- 39 Malgré la présentation par le gouvernement des fondements philosophiques de ses politiques tendant vers le libéralisme, les conséquences concrètes de la *Ruthanasia*, la baisse du niveau de vie de très nombreux Néo-Zélandais, suscitent de forts mécontentements. Comme le suggère par ailleurs Luke Malpass, « l'approche ouvertement idéologique et doctrinaire » de ces réformes a été une « anomalie » pour cette nation dont les politiques antérieures à 1984 avaient été essentiellement « pragmatiques » (Malpass, 2010). Le socialisme de William Pember Reeves dans les années 1890 ou de Michael Savage dans les années 1930 se voulait un moyen vers une visée concrète (le bien-être matériel de la population), sans rigidité idéologique, tandis que le zèle libéral de Ruth Richardson apparaît comme dogmatique, et déplaît. Le premier ministre Jim Bolger, tout comme David Lange avant lui, se désolidarise finalement des politiques de sa ministre des Finances au regard de leur impopularité auprès de l'électorat du parti – sans toutefois revenir dessus. Il limoge Ruth Richardson en 1993, mais maintient les mesures qu'elle a mises en place. Au cours des années qui suivent, les deux grands partis convergent autour d'une ligne politique qui accepte les réformes libérales majeures des années 1984-1993, mais ne les accentue pas, et en atténue les conséquences humaines les plus dramatiques au moyen d'aides sociales partiellement restaurées. Malgré des différences de façade, un nouveau consensus prédomine aujourd'hui. Ainsi pour les élections législatives de 2017, l'opposition travailliste (victorieuse) propose de revitaliser le « rêve kiwi », mais le définit comme l'aspiration à la propriété privée¹¹, et la possibilité pour chacun d'avoir la « sécurité et la liberté » nécessaires pour « réussir » dans l'accomplissement de ses choix personnels. Le parti promet à cet égard (sans grande précision) de favoriser une économie forte et créatrice

d'emplois (NZ Labour Party, 2017). C'est cette vision du rôle de l'État comme facilitateur à minima de la réalisation d'aspirations personnelles qui constitue la seule offre des deux principaux partis en ce début de siècle¹².

- 40 S'étant toutefois marginalisés au sein de leurs partis respectifs d'origine, Roger Douglas et Ruth Richardson se retrouvent au sein d'un même nouveau parti politique de la droite libertarienne, fondé en 1994 : l'Association des consommateurs et des contribuables (*Association of Consumers and Taxpayers* : ACT). Celui-ci souhaite un État aux prérogatives minimales, au nom de la liberté individuelle, et la promotion de la compassion (donc de la charité volontaire) plutôt qu'un État interventionniste en matière de bien-être. Atteignant initialement 6 ou 7 % des voix, le parti n'en obtient que 1,1 % aux élections législatives de 2011, puis 0,7 % en 2014 et en 2017. Mais malgré la non-adhésion des citoyens à ses idéaux, les politiques initiées par le principal fondateur de l'ACT, Roger Douglas, ont profondément transformé la Nouvelle-Zélande, et façonné sa société du début du XXI^e siècle.

6. Conclusion

- 41 L'idée de bien-être a donc historiquement été au cœur de la conception que se sont faite les Néo-Zélandais, et leurs gouvernements successifs, de l'identité de leur pays, de ses particularismes définitoires, et de l'image qu'elle souhaitait projeter au-delà de ses frontières. La condition *sine qua non* du succès d'une société coloniale en développement était de pouvoir attirer de nouveaux colons en leur promettant un niveau de vie meilleur. Au XIX^e siècle et au début du XX^e, la Nouvelle-Zélande a choisi consciemment de formuler cette conception du bien-être autour de la promesse d'une meilleure santé (d'essence rurale), notamment pour les enfants, ainsi que d'un plein emploi permettant aux parents de subvenir sans entrave à leurs besoins. L'échec partiel de cette promesse au travers des crises économiques des années 1880 et 1930, associé au développement très tôt de la démocratie qui a permis aux hommes et aux femmes de milieux modestes de peser sur la vie politique en amont de celles et ceux d'autres pays, a abouti à une reconceptualisation en profondeur du rôle de l'État, faisant de la Nouvelle-Zélande une pionnière en matière de politiques sociales.
- 42 L'État se donne alors pour double rôle de permettre à chaque personne d'accomplir son potentiel, en ôtant de son chemin les obstacles dus notamment à la maladie ou à un manque d'éducation, et de garantir à tous un revenu décent et un certain confort matériel. Le « bien-être de la population » (ou du peuple) est érigé en priorité nationale, et l'action régulatrice de l'État justifié au nom d'une plus grande efficacité. Ces politiques, largement approuvées par les citoyens au travers d'élections tous les trois ans, restaurent l'attractivité de la Nouvelle-Zélande comme destination pour les migrants en quête de vie meilleure. À partir des années 1960 et 1970, les circonstances internationales, défavorables à l'économie néo-zélandaise, entraînent un accroissement de la dépense et de la dette publiques, et remettent en cause la viabilité du modèle régulateur, protectionniste et social ayant jusque-là fait consensus. Le pays adopte des politiques de dérégulation économique et d'abrogation des aides sociales universelles similaires à celles mises en œuvre parallèlement (à des degrés divers) dans le reste du monde anglophone dans les années 1980 et 1990 (Royaume-Uni, États-Unis, Australie, Canada, Afrique du Sud, Inde...). Si ces mesures s'accompagnent d'une baisse du niveau de vie pour de nombreux Néo-Zélandais, le gouvernement de Jim Bolger dans les années 1990 prend soin de les

présenter comme favorisant le bien-être – redéfini comme une quête individuelle et personnalisée qui doit aboutir par le travail. Une approche au bien-être matériel tel que conçu et garanti par l'État cède le terrain à la conceptualisation d'un bien-être subjectif, personnel, dont l'État ne serait un facilitateur que par son désengagement. Et si les citoyens n'ont jamais accueilli ces réformes avec enthousiasme, leur legs constitue aujourd'hui un statu quo. Ni l'un ni l'autre des deux principaux partis ne propose de nouvelle 'révolution' dans les politiques du bien-être.

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NOTES

1. Le gouvernement au pouvoir dans les années 1880 n'appartient à aucune mouvance politique clairement définie.
2. La Nouvelle-Zélande ne possède pas encore de partis politiques clairement structurés, mais les députés qui forment la majorité gouvernementale sont étiquetés 'libéraux'. Ils s'organisent en un parti politique plus 'formel', le Parti libéral, pendant la période qui les voit gouverner le pays.
3. Le terme est d'usage en Nouvelle-Zélande à l'époque.
4. Réglementation des heures de travail, des conditions de travail dans les usines, du travail des enfants...
5. Droit de vote pour les femmes au niveau fédéral en 1902, arbitrage obligatoire des conflits sociaux en 1904, pensions de vieillesse en 1908 sont autant d'emprunts australiens à la législation néo-zélandaise. Le tripartisme de la première décennie du XX^e siècle permet au tout jeune Parti travailliste australien, issu du mouvement syndical, de peser sur le processus législatif. La principale innovation australienne est le droit à un salaire minimum suffisant pour subvenir aux besoins de sa famille et lui assurer un certain confort matériel conféré à tout travailleur de sexe masculin en 1907. C'est le principe du *living wage* (littéralement, 'salaire de vie'), repris en Nouvelle-Zélande (sous le nom initialement de *fair wage*) en 1908.
6. *Industrial Conciliation and Arbitration Amendment Act*, 1936.
7. L'article 30 spécifie par ailleurs que le couple (ou plus exactement, la mère de famille) continuera à recevoir ces allocations au-delà du seizième anniversaire d'un enfant, et sans limite de durée, si cet enfant est atteint d'un handicap mental ou physique ne lui permettant pas de travailler. À partir de 1946, des allocations familiales sont versées à partir du premier enfant, et à toutes les familles, sans condition de ressources.

8. Remis par l'économiste William Beveridge au gouvernement britannique, ce rapport dresse un constat des besoins en matière de services sociaux pour la société britannique, et propose d'importantes réformes, par lesquelles l'État s'engagerait dans la lutte contre la pauvreté, la maladie et l'ignorance. Il constitue le fondement sur lequel le gouvernement travailliste d'après-guerre bâtit l'État-providence britannique.

9. Ce débat fondamental autour de l'application concrète de notions philosophiques de droits, de libertés et de bien-être n'est évidemment pas spécifique à la Nouvelle-Zélande. L'idée selon laquelle un 'droit positif' à obtenir une aide de la part de l'État (et donc de la part de concitoyens) serait une violation de la 'liberté négative' est aujourd'hui au cœur notamment de la pensée libertarienne, aux États-Unis et ailleurs dans le monde anglophone. Ainsi par exemple le philosophe libertarien américain Tibor Machan définit les 'droits négatifs' comme étant « la liberté préservée de toute intervention non-sollicitée de la part d'autrui ». Il ajoute : « Respecter les droits négatifs requiert simplement que nous nous abstenions de nous chahuter les uns les autres. Les droits positifs, à l'inverse, requièrent que nous soyons fournis des biens ou des services aux dépens d'autrui, ce qui ne peut se faire que par une coercition systématique » (Machan, 2001). À l'inverse, d'autres philosophes rejettent la vision souvent simpliste de la 'liberté négative' que défendent les libertariens, et admettent qu'elle doit légitimement être circonscrite par la reconnaissance au moins de droits positifs fondamentaux. C'est le cas d'Isaiah Berlin pour qui : « [O]ffrir [...] des garanties contre l'intervention de l'État à des hommes à-demi nus, illettrés, mal nourris et malades n'est que se moquer de leur condition : Ils ont besoin d'aide médicale ou d'éducation avant de pouvoir comprendre, ou d'utiliser, un renforcement de leur liberté. Qu'est-ce que la liberté pour ceux qui ne peuvent pas s'en servir » en raison de leur pauvreté et de leur dénuement ? (Berlin, 1969 : 121). Si ce point de vue est communément admis, le débat contemporain porte sur le degré d'intervention légitime de l'État pour assurer le bien-être matériel des personnes relevant de son autorité, et donc pour leur reconnaître des droits positifs qui, par l'impôt et par la réglementation des activités économiques, enfreindraient dans une certaine mesure la liberté négative de leurs concitoyens.

10. Cette notion d'*enabling state* se retrouve également au Royaume-Uni et en Australie (Sullivan, 2012) ainsi qu'aux États-Unis (Gilbert, 1989).

11. Ce concept de « rêve kiwi », fruit de la période de prospérité des années 1950, est en effet traditionnellement associé à l'accès à la propriété privée (McRae, 2016). Mais il évoque aussi un mode de vie confortable, où un bon équilibre entre travail et loisir permet à chacun de s'épanouir : la prospérité matérielle et la détente, sans épuisement au travail (Stuff.co.nz, 2017).

12. Il est à noter à ce sujet que les gouvernements des deux bords accordent une place particulière à l'accroissement du niveau de vie moyen des communautés maories. Nous n'aborderons pas ici en détail l'articulation entre les politiques de bien-être et la notion de biculturalisme, qui pourrait faire l'objet d'une étude approfondie en soi. Précisons simplement que, depuis le gouvernement de David Lange dans les années 1980, la nation est définie officiellement comme biculturelle, fondée sur un partenariat entre Maoris et Pakeha (c'est à dire les Néo-Zélandais non-maoris et notamment d'ascendance européenne), dans le cadre des droits reconnus aux Maoris par le traité de Waitangi de 1840. Ce concept de biculturalisme est entendu comme la nécessité de permettre aux Maoris d'être les acteurs des décisions qui les concernent, avec l'appui de l'État. Une illustration particulière en est l'initiative *Whānau Ora*, fruit de l'accord de coalition entre le Parti national et le Parti maori en 2008. Conservée par le nouveau gouvernement travailliste depuis 2017, elle s'ancre dans un soutien par l'État aux projets communautaires maoris en matière de santé et se présente comme ayant pour but d'« accroître le bien-être des personnes dans le contexte de leur *whānau* » (ministère du Développement maori, 2018), c'est à dire de la communauté locale maorie définie par ses liens de parenté.

RÉSUMÉS

La Nouvelle-Zélande fait figure de pays aux politiques radicales en matière sociale et économique. Si elle a été la première nation du monde anglophone à adopter d'importantes mesures publiques pour améliorer la qualité de vie de la classe ouvrière, suivie dans les années 1930 d'un État-providence alors sans équivalent, elle s'est avérée tout aussi radicale dans le démantèlement de ces politiques un demi-siècle plus tard. Nous examinerons ici les principes et les objectifs, les conceptions politiques du bien-être qui ont sous-tendu ces mesures.

New Zealand's social and economic policies have stood out as being quite radical. It was the first country in the English-speaking world to introduce significant public measures to improve working-class living standards, before setting up an unprecedented welfare state in the 1930s. But its dismantling of those policies half a century later was no less radical. This paper will examine the aims and principles that formed the bedrock of such policies - the political conceptualisation of wellbeing.

INDEX

Mots-clés : Nouvelle-Zélande, bien-être, État-providence, socialisme, libéralisme, libertarianisme, Rogernomics, Ruthanasia, enabling state

Keywords : New Zealand, wellbeing, welfare state, socialism, liberalism, libertarianism, Rogernomics, Ruthanasia, enabling state

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Life, Liberty, and a House in the Suburbs. The Political Construction of the Homeownership Model of Happiness in the United States

Vie, liberté et pavillon : la recherche du bonheur par la propriété immobilière, une construction politique américaine

Bradley Smith

1. Introduction

- 1 The American Dream is one of the most prominent elements of contemporary political discourse in the United States. As a synonym for the pursuit of happiness, the expression was first popularized during the Great Depression by James Truslow Adams (2017 [1931]), who spoke of the “American dream of a better, richer, happier life for all our citizens of every rank” (p. xx). While this dream “has been present from the start,” he wrote, “each generation has seen an uprising of Americans to save that dream from the forces which appeared to be overwhelming and dispelling it,” and “to hold fast to those rights to ‘life, liberty, and the pursuit of happiness’” (p. xx). The most recent manifestation of such a struggle would be the subprime mortgage crisis of 2007-2009, which turned many Americans’ dreams of homeownership into a nightmare.
- 2 Indeed, homeownership has become such a centerpiece of the American Dream that the relation between the two can seem almost timeless. At a ceremony proclaiming National Homeownership Day, President Bill Clinton (1995) declared, “Throughout the more than two hundred years since our Nation was founded, Americans have embraced the dream of homeownership.” Political discourse like this dissimulates, however, the fact that for most of the nation’s history, homeownership has been a material manifestation of white male privilege. It is only in recent decades that political action has been taken to break down the racial, gender, and class barriers to the expansion of homeownership. The

discourse that accompanies these initiatives does not only draw upon cultural myths though; it also frames homeownership in terms of wellbeing by highlighting the happy and prosperous way of life that homeownership allegedly enables.

- 3 A growing body of research attempts to explain the complex relations between material wealth and subjective wellbeing or happiness. One debate involves the extent to which GDP growth has a positive impact on citizens' wellbeing (Easterlin 1974; Deaton 2008), while another involves policymakers' use of research on wellbeing to develop a politics of happiness (Layard 2011 [2005]; Bok 2010). Assuming that health, education, public services, and other factors besides GDP all play into wellbeing, research has been conducted on each of these dimensions, including homeownership. Some studies provide compelling evidence for the positive impact of homeownership on education, crime, civic participation, health, property maintenance, labour force participation, autonomy, and reported happiness (Bloze & Skak 2010; Yun & Evangelou 2016). Other studies have nuanced the social benefits of homeownership, especially given the hardships inflicted upon homeowners during the subprime mortgage crisis and on minorities in particular (Stern 2011; Salsich 2012; Rohe & Lindblad 2013).
- 4 What has received less attention, however, is the history of the links made in American political discourse and public policymaking between social wellbeing and homeownership, particularly in its suburban, single-family detached house form. The pivotal role of federal housing policies in the rise of suburban homeownership has been well documented, along with the impact of these policies on race, gender, and class relations (Jackson 1985; Gordon 2005), but the institutional role of happiness discourse in these policies requires further analysis. Carole Graham (2017) has greatly nuanced the supposed universality of the American Dream by showing how poverty tends to deepen the unequal distribution of hopes and dreams in the U.S., but political discourse and homeownership are not the primary focus of her study.
- 5 The aim of this paper is to provide a brief but long-term history of how U.S. policymakers have consistently used and adapted "pursuit of happiness" discourse to justify shifting housing policies designed to promote homeownership, generally in reaction to changing social and economic realities. In addition to providing an insight into the dynamics of happiness politics in the United States, this case study can also contribute to the theoretical understanding of the relation between political discourse and policymaking, which has been analyzed, for example, in John W. Kingdon's (1984) theory of agenda-setting, in Mark Blyth (2002) or Vivien Schmidt's (2008; 2017) theory of discursive institutionalism, or in Philippe Zittoun's (2013) theory of government action as a discursive activity.
- 6 The first part of this paper will explore the theoretical framework of American political institutions with regard to the right to the pursuit of happiness. The meaning of this right and the extent to which it is an equivalent of the right to property will be explored to determine its future repercussions on the rhetoric used to promote homeownership. The second part will then show how federal policy and discourse during the 20th century modernized the Jeffersonian ideal of an agricultural nation of small landowners by replacing it with the ideal suburban homeownership as the new American Dream and American Way of Life. Finally, the third part will explore how policymakers since the 1960s have historically framed the overcoming of obstacles to the expansion of homeownership in terms of preserving the American Dream and the homeownership model of happiness.

2. The Institutional Framework of the Right to the Pursuit of Happiness: Between Property and Virtue

2.1 Happiness as a Virtuous Way of Life: The Jeffersonian Ideal

- 7 The Declaration of Independence (July 4, 1776) proclaims that “Life, Liberty and the Pursuit of Happiness” are “unalienable Rights,” and that “Governments are instituted among Men” in order “to secure these Rights.” Accordingly, the American government should have a direct responsibility for guaranteeing its citizens’ pursuit of happiness. The precise meaning of this phrase, however, has been subject to much debate.
- 8 It is tempting to interpret the pursuit of happiness as a synonym for the right to property. Indeed, the author of the Declaration Thomas Jefferson mirrored an expression used by John Locke, who in *The Second Treatise of Government* defends man’s natural right to “preserve his Property, that is, his Life, Liberty, and Estate” (Locke 1988 [1690], p. 324). Men institute governments to secure this natural right according to Locke (pp. 350-351)—the same claim made in the Declaration. Given John Locke’s influence on Thomas Jefferson and early American political thought in general (Sigmund 2005, pp. xi & xxiv), it is not unreasonable to assume that the Founding Fathers considered happiness as resulting from the right to preserve one’s property.
- 9 Yet, why replace “estate” or “property” with a vaguer “pursuit of happiness” if the meanings were virtually the same? William B. Scott (1977) has argued that Thomas Jefferson’s moral discomfort with certain forms of property—namely slavery—can explain the substitution (pp. 41-43). Carl Becker (1922) described the pursuit of happiness as little more than a “glittering generality” (pp. 201-202), an effective rhetorical device with no substantial meaning. As Carli N. Conklin (2015) has recently shown, however,

a close investigation of the pursuit of happiness in historical context suggests that, instead of being a mere substitution for Locke’s property or a glittering generality, the pursuit of happiness in the Declaration has a clear and distinct meaning, and it is the same meaning as outlined by Blackstone when he included a discussion and definition of the phrase in his *Commentaries on the Laws of England* (p. 201).

- 10 Blackstone embodied the Enlightenment belief that the world is governed by natural laws that humans can know, discover, and live with in harmony. The pursuit of happiness is the name for the method by which one can “discover [...] what the law of nature directs in every circumstance of life” (Blackstone 1979 [1765-1769], p. 41). Happiness is to result from a way of life “in harmony with the law of nature as it pertains to man” (Conklin 2015, p. 200). “Happiness in this sense,” Carli Conklin explains, “is synonymous with the Greek concept of *eudaimonia*; it evokes a sense of well-being or a state of flourishing that is the result of living a fit or virtuous life” (p. 200).
- 11 Interpreted this way, the pursuit of happiness in the Declaration of Independence is therefore not perfectly synonymous with the pursuit of property, but rather with the pursuit of a virtuous way of life. Happiness and wellbeing, in turn, can both be considered synonyms for *eudaimonia* and correlative of virtue. Such an interpretation is otherwise consistent with Jefferson’s belief that “without virtue, happiness cannot be” (Jefferson 2018 [1816]).

- 12 Nevertheless, the Founding Fathers clearly considered happiness and property to be closely related. George Mason's "Virginia Declaration of Rights," which would inspire Jefferson's text, reads: "All men are created equally free and independent, and have certain inherent natural rights [...] among which are the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety." As Robert Darton (1995) writes, "Mason's wording runs exactly parallel to the famous phrase that Jefferson wrote into the Declaration of Independence a month later. It suggests that happiness is not opposed to property but is an extension of it" (p. 48).
- 13 Indeed, the presiding consensus among the Founding Fathers was that property ownership, although not a guarantee of virtue and happiness, was an essential component of a virtuous life (Hofstadter 1948, p. 37 sq.). Men like John Adams, Alexander Hamilton, Thomas Jefferson and James Madison did not disagree on the virtues of property ownership itself; rather, as Richard Hofstadter (1948) famously argued, "the line of division was essentially between two types of property [mercantile and financial property vs. landed property], not two kinds of philosophy" (p. 42). Jefferson thought cities and propertylessness pandered to vice and corruption, whereas an agrarian lifestyle provided a broad basis for civic virtue: "It is not too soon to provide by every possible means that as few as possible shall be without a little portion of land. The small landholders are the most precious part of a state" (Jefferson 1987 [1785]). Directing public policy so as to expand access to property ownership was at the heart of what might be called the Jeffersonian politics of happiness. The Louisiana Purchase during Thomas Jefferson's presidency doubled the amount of land made available to expand small property ownership.
- 14 Thus, in so far as the possession of private property was considered part of a virtuous way of life, it can be argued that the government's role in securing the right to the pursuit of happiness indirectly implied a government-secured right to property. Of course, the proclaimed universality of the rights enshrined in the nation's founding documents were contradicted by the privileged status of white males and the exclusion of females and racial minorities from having equal property rights. Yet, it is perhaps this very contradiction that made the pursuit of happiness such a powerful rhetorical device, for all Americans could *dream* of achieving a happy way of life through property ownership one day, regardless of how difficult or seemingly impossible the pursuit of it was for certain Americans at the time. After the Declaration of Independence, the importance of property ownership in this pursuit became more explicit in the Constitution of the United States.

2.2 The U.S. Constitution: Property over the Pursuit of Happiness?

- 15 Although the Declaration of Independence announced the birth of the United States as a nation, it is a statement of principles and not a legally binding contract like the U.S. Constitution. Significantly, the Constitution does not explicitly mention the pursuit of happiness. Instead, it includes the promotion of "general welfare" as one of the government's official objectives. Furthermore, the Fifth Amendment, adopted as part of the Bill of Rights in 1791, literally replaces the expression "Life, Liberty, and the Pursuit of Happiness" with "life, liberty, or property"—a phrase that would be used once again in

the Fourteenth Amendment adopted in 1868 to secure the rights of the recently freed slaves.

- 16 Despite the changing semantics, it should be noted that happiness and welfare were closely related in eighteenth-century political discourse. In *The Federalist Papers* No. 41-44, James Madison speaks alternatively of government powers “to advance the public happiness,” “necessary to the public good,” or “necessary for [...] general welfare” (Hamilton, Madison & Jay 2004 [1787-1788], pp. 288 & 296). Samuel Johnson’s 1755 *Dictionary of the English Language*, which was the “seminal authority of language” for late eighteenth-century Americans (Hitchings 2005, p. 224), explicitly defines welfare as “happiness; success; prosperity” (Johnson 1755, p. 2259). Happiness and welfare appeared therefore to go hand in hand with economic fortune. Promoting *general* welfare, in this sense, could mean using the federal government’s powers to promote national wealth, the idea being that the wealthier the nation, the happier it will be, including the lowest members of society.

- 17 Such an idea can appear consistent with the theories of Adam Smith, whose major work *The Wealth of Nations* (1776) was published the same year as the Declaration of Independence. Smith famously declared in the introduction to his work that in

civilized and thriving nations [...] the produce of the whole labour of the society is so great, that all are often abundantly supplied, and a workman, even of the lowest and poorest order, if he is frugal and industrious, may enjoy a greater share of the necessities and conveniences of life than it is possible for any savage to acquire (Smith 1976 [1776], p. 2).

- 18 Smith seems to announce the modern idea that growth and GDP per capita are the primary basis for general wellbeing. Yet, there is no evidence that the Founding Fathers assumed that an unlimited accumulation of material wealth and property would lead to happiness and virtue. On the contrary, the division of power and the system of checks and balances built into the U.S. Constitution are based on the idea that great wealth and power often lead to moral corruption.

- 19 Discussing Adam Smith’s reception among the Founding Fathers, Samuel Fleischacker (2002) has shown that it is not so much Smith’s views on economic growth and free trade that inspired the framers of the American government, but rather his views on the relationship between politics and virtue. Indeed, Jefferson, Madison, and others agreed with Smith’s “arguments about the link between economic occupation and character” (Fleischacker 2002, p. 921). They “praised agrarian life for the independence it offered” and “worried about the ill-effects on character of manufacturing work” (pp. 920-921). In other words, they viewed “one’s social and economic environment” as responsible for developing character. (p. 921). “[G]overnments need not teach virtue directly” (p. 922); instead, “careful, indirect government intervention” can foster the social and economic conditions necessary for individuals to develop moral virtues. Founders like Jefferson were more concerned with “the mode and tempo of acquiring wealth” than the accumulation of wealth itself. They could therefore join Smith in his argument that “for people in the lower and middle stations of life, ‘the road to virtue and the road to fortune [...] [are] nearly the same’” (pp. 920-921) if the nature of their work and lifestyle build moral character.

- 20 However, the rhetoric of property and virtue should not blind us to the political and economic interests that the Founding Fathers had in associating the pursuit of happiness

with property ownership. In *The Federalist No. 10*, James Madison famously argued in favor of expanding the orbit of the Republic so that the diversification of interests and the sheer distance between people of common interest would undermine the formation of a majority faction united against a minority. Charles Beard (1986 [1913]) demonstrated that only the minority economic interests of large property owners were represented at the Constitutional Convention, while “[n]ot one member represented in his immediate personal economic interests the small farming or mechanic classes” (p. 151)—not to speak of women, slaves, indentured servants, and Native Americans. By strengthening the link between the pursuit of happiness and certain policy fields such as landownership and homeownership, the Founding Fathers could therefore both justify their policy orientations and earn the political support of small white male landowners, who made up the majority of the voting population at the time. Expanding small landownership opportunities, as Jefferson recommended, would then further spread out the population across a vast territory and theoretically increase happiness, making a revolt against property ownership itself even less likely to gain popular traction. In other words, encouraging broad access to small property ownership was not just about the pursuit of happiness; it also served specific political and economic class interests.

- 21 Thus, taken together, early American political discourse and the nation’s founding documents appear to have institutionalized a strong connection between the pursuit of happiness, general welfare, property rights, and a virtuous way of life—though not a direct equivalency. The institutionalized politics of happiness in the United States includes but cannot be reduced to the expansion of property ownership. Happiness or wellbeing is assumed to result from a virtuous way of life, which the ownership of property, especially landed property, is supposed to make possible. The role of government is to provide a framework to expand access to an ownership lifestyle. This role initially served the interests of white male property owners, but the discourse of universal rights in the founding documents provides an institutionalized discursive model to accompany any political action aimed at reducing the gap between dream and reality for excluded populations. During and after the American Revolution, the agrarian lifestyle served as a privileged model of happiness. How then did the suburban single-family home become one of the primary forms of property that the federal government sought to promote as a universal standard for happiness?

3. Institutionalizing the Suburban Homeownership Model of Happiness to Address Changing Socio-Economic Realities

3.1 The Crisis of Ownership Opportunities in the Early 20th Century

- 22 The policy shift toward a suburban model of homeownership, with a corresponding adaptation of the discourse appealing to “the pursuit of happiness” and the “American Dream,” must be situated in the context of rapid urbanization and diminishing land and homeownership opportunities by the turn of the 20th century. Between the early days of the Republic and the Great Depression, the percentage of the U.S. population working on farms and/or living in rural areas steadily declined. By the beginning of the 1930s only a fifth of the labour force worked in agriculture, compared to two thirds of it a century

earlier. More than half of the population henceforth lived in towns and cities with a population of more than 2,500 (see Table 1).

Table 1. Percentage Distribution of U.S. Labour Force and Population, 1800-1940

	Percent of Labour Force (1)		Percent of Total Population (2)	
	Farm	Non-farm	Rural	Urban
1800	73.7	26.3	93.9	6.1
1810	80.9	19.1	92.7	7.3
1820	78.8	21.2	92.8	7.2
1830	68.8	31.2	91.2	8.8
1840	63.1	36.9	89.2	10.8
1850	54.8	45.2	84.6	15.4
1860	52.9	47.1	80.2	19.8
1870	52.5	47.5	74.3	25.7
1880	51.3	48.7	71.8	28.2
1890	42.7	57.3	64.6	35.1
1900	40.2	59.8	60.4	39.6
1910	31.4	68.6	54.4	45.6
1920	25.9	74.1	48.8	51.2
1930	21.6	78.4	43.9	56.1
1940	17.0	83.0	43.5	56.5

Source: National Bureau of Economic Research (1); U.S. Census Bureau (2)

- 23 According to census data, homeownership was also on the decline during the late 19th and early 20th centuries (see Table 2). Less than half of American households owned their home by the turn of the century. Although more black households became homeowners after the Civil War, they still lagged significantly behind white homeowners. Thus, despite the abolition of slavery and the adoption of the Reconstruction Amendments that should have theoretically ensured the equal protection of property rights, homeownership was still a symbol of white privilege (Collins & Margo 2011).

Table 2. Homeownership Rates, 1870-1940

	All households (1)	Rates by Race (2)		
		White	Black	Racial Gap
1870		56.5	7.7	48.8
1880		56.7	13.7	39.3
1890		51.2	19.3	31.9
1900	46.5	47.9	22.0	25.9
1910	45.9	47.0	23.5	23.5
1920	45.6	47.0	22.9	24.1
1930	47.8	48.3	24.2	24.1
1940	43.6	43.2	22.1	22.1

Source: U.S. Census Bureau (1); Collins & Margo (2011) (2)

- 24 With a rapidly growing urban population and declining ownership rates, the social and economic environment of the majority of Americans was drifting away from the

Jeffersonian ideal of a nation of small landowners with an agrarian way of life. An ownership crisis was at hand. Although communism never gained as much traction in the United States as it had in Europe, American political and economic elites of the early 20th century had an interest in staving off the rise of a potentially revolutionary urban proletariat by renewing the pursuit of happiness through new forms of property ownership.

3.2 Herbert Hoover and the Politics of Happiness through Suburban Homeownership

25 The Great Depression brought about an unparalleled housing crisis, with more than half of all mortgages going into default between 1929 and 1933 (Jackson 1985, p. 193). President Herbert Hoover made homeownership a national cause by organizing the White House Conference on Home Building and Home Ownership in December 1931, the first national conference of its kind. Delegates' professional activities concerned virtually every dimension of housing, including the sociological, psychological, educational and health aspects of homeownership. As such, it was an important event in the development of a politics of wellbeing and happiness using research on the virtues of homeownership.

26 Addressing the conference, Hoover declared:

[E]very one of you here is impelled by the high ideal and aspiration that each family may pass their days in the home which they own; that they may nurture it as theirs; that it may be their castle in all that exquisite sentiment which it surrounds with the sweetness of family life. This aspiration penetrates the heart of our national well-being. It makes for happier married life, it makes for better children, it makes for confidence and security, it makes for courage to meet the battle of life, it makes for better citizenship (Hoover 1931).

27 Hoover thus applied to homeownership every dimension of the theory of the pursuit of happiness discussed above: homeownership provides for social stability and a virtuous way of life thanks to one's social and economic surroundings.

28 One outcome of the conference was the creation of the Federal Home Loan Bank system, whose purpose then and now is to provide and secure the capital needed to stimulate housing construction and homeownership. Perhaps more importantly, President Hoover's framing of the conference prefigured the normalization of a *suburban* homeownership model of wellbeing and economic development. Indeed, the conference focused primarily on detached housing units as opposed to city apartment buildings. Hoover was confident that the reduced homeownership opportunities caused by rapid urbanization could be overcome by building single-family homes in areas adjacent to the cities made accessible by car (Hoover 1930). Moreover, he saw the improvement of housing and the building of the suburbs as a means to create employment and overcome the Depression (Hoover 1931). Facing the perceived threat of communism, homeownership could also serve a conservative political interest: "There can be no fear for a democracy or self-government or for liberty or freedom from homeowners no matter how humble they may be" (Hoover 1931).

29 Herbert Hoover's political activism in promoting homeownership allows us to nuance his reputation of having a laissez-faire approach to the Great Depression. To be sure, he

affirmed that his purpose was not “to set up the federal government in the building of homes” (Hoover 1930, 1931). Nevertheless, it is Hoover who set the national precedent for creating new government-sponsored enterprises, regulations, tax policies, and ideological discourse all aimed at making the ownership of a single-family home in the suburbs the new standard of wellbeing. This approach was carried further by the Franklin D. Roosevelt administration.

3.3 A New Deal for American Homeowners

- 30 Before the New Deal, homeownership was not a guaranteed route to happiness and stability. Banks required high down payments and short repayment periods for only partially amortized loans (Gordon 2005, p. 191). This meant that most people could only become homeowners later in life after having accumulated enough savings to make a down payment; until then, they were subject to the insecurity of renting. Moreover, if a borrower was unable to qualify for a new loan every few years until the full value of the home was paid off, he and his family would be forced to leave the house. This made homeownership a potential source of stress and instability in times of high unemployment, especially during the Great Depression.
- 31 New Deal era federal housing policies made homeownership more financially accessible and a greater source of family stability. The Federal Housing Administration (FHA), created in 1934, established new standards that encouraged banks and lenders to lower down-payment requirements and to extend repayment periods. In exchange, the FHA provided insurance for the loans that met federal guidelines, meaning the federal government bore the financial risks of expanded access to homeownership. Between the 1930s and 1960s, the required down payment went from 20% to 10% and then to just 3%; maximum repayment periods were first extended to 20 years, then to 25 years, and finally to 30 years; and once the mortgage was repaid, the borrower owned the house (Gordon 2005, p. 193). With lenders now summoned to make longer-term housing loans, the Federal Home Mortgage Association (Fannie Mae) was created in 1938 to provide liquidities to home mortgage lenders by buying up their loans and holding them as mortgage-backed securities. In this way, lenders did not need to wait 20-30 years before being able to issue new loans and could continue to expand homeownership.
- 32 To shield the federal government itself from risk, the Banking Act of 1933 limited the risks taken on by the financial actors themselves. In particular, the FHA established guidelines that, like Hoover, encouraged the single-family home in the suburbs to become the model for postwar housing development. Two criteria that counted for 60% of the points when evaluating qualification for a federally insured loan were “relative economic stability” and “protection from adverse influences” (Jackson 1985, p. 207). Racial segregation still being in effect at the time, FHA officials thought that if black families moved into white neighborhoods, this would increase the risk of racial tensions, decrease neighborhood wellbeing, and cause housing values to fall. Thus, the FHA systematically favored the construction of single-family homes in all-white suburban subdivisions, instead of multi-family units, mixed neighborhoods, or inner-city renovation. Suburban sprawl was further encouraged by the Federal Aid Highway Act of 1956, which devoted \$25 billion in federal aid to the construction of an interstate highway system that would encourage the use of private automobiles for commutes instead of public transit. In the 1940s and 1950s, the number of federal-insured single-family housing construction

projects in the suburbs was four to seven times higher than the number of inner city, multi-family construction projects (Jackson 1985, pp. 211-213).

- 33 Suburban homeownership thus became the new standard of wellbeing in postwar America as a result of new forms of federal intervention put in place by both Republican and Democratic administrations between the 1930s and 1950s. In the context of the Cold War, this suburban ownership model was heavily promoted as the American way of life and the road to take in the pursuit of happiness, for it allegedly generated more individual wellbeing than the collectivist model promoted in the Soviet Union. The “crabgrass frontier” (Jackson 1985) thus became the twentieth-century version of the Jeffersonian ideal.

4. The Crisis of the Suburban Homeownership Model?

4.1 Reducing Exclusion from Homeownership in the 1960s

- 34 During the postwar era, the homeownership rate rose for all populations, but racial inequalities persisted due to the discriminatory criteria of federal housing agencies. While the white homeownership rate increased from 45.6% to 64.3% between 1940 and 1960, the black homeownership rate increased from 22.8% to 38.1% (Herbert 2005, p. 85). Moreover, as middle-class families moved to pursue happiness in the suburbs, city governments’ tax bases eroded, leaving them with fewer resources to address inner-city poverty (Sugrue 1996). Meanwhile, feminists such as Betty Friedan (1963) brought suburban wellbeing itself into question by shedding light on the unhappiness of many suburban housewives. The dynamics of inclusion and exclusion therefore became a central political issue in the 1960s, for greater wellbeing in the “Affluent Society” (Galbraith 1958) could mean relatively less wellbeing in the “Other America” (Harrington 1963).
- 35 Despite the negative impact of suburbanization on inner cities, policymakers did not question the value of suburban homeownership itself, neither in discourse nor in practice. Instead, 1960s liberals sought to integrate excluded populations into the homeownership model of happiness. John F. Kennedy, for example, signed Executive Order 11063 forbidding all federal departments and agencies from practicing housing and home mortgage insurance discrimination based on “race, color, creed, or national origin” (Kennedy 1962). Expanding housing opportunities for low-income and minority families then became an integral part of Lyndon B. Johnson’s “Great Society.” Although the Johnson Administration favored the expansion of public housing projects, President Johnson’s social justice discourse still mobilized homeownership as the centerpiece of happiness and the American Dream: “I have a dream and [...] want to see the day come [...] when every home can house a happy family [...]. I want a nation of homeowners instead of home renters” (Johnson 1964). The Department of Housing and Urban Development was created in 1965 to develop policy initiatives that would help to bring this dream closer to reality, and in 1968 the Fair Housing Act (Title VIII of the Civil Rights Act of 1968) outlawed all forms of housing discrimination based on race, color, creed, or national origin, with “sex” being added in 1974. The year 1968 also saw the creation of the Government National Mortgage Association (Ginnie Mae), which would work with the FHA, Fannie Mae, and later the Federal Home Loan Mortgage Corporation (Freddie Mac,

created in 1970) to eliminate housing discrimination and to expand available funds for home mortgages.

- 36 While the federal government under the Kennedy and Johnson administrations continued to adhere to pro-growth strategies and homeownership, senator and presidential candidate Robert F. Kennedy appeared to offer a different take on the relation between GDP and wellbeing. Speaking on the campaign trail in 1968, he proclaimed:

Too much and for too long, we seemed to have surrendered personal excellence and community values in the mere accumulation of material things. Our Gross National Product, now, is over \$800 billion dollars a year [...]. Yet the gross national product does not allow for the health of our children, the quality of their education or the joy of their play. [...] It measures neither our wit nor our courage, neither our wisdom nor our learning, neither our compassion nor our devotion to our country. It measures everything, in short, except that which makes life worthwhile. (Kennedy 1968).

- 37 Assassinated three months later, Robert F. Kennedy never had the chance to implement a new measurement of happiness or wellbeing as an alternative to GDP. It is likely, however, that homeownership would have still played an important role, for his 1967 proposed housing bill entailed tax incentives to encourage the private sector to invest in housing initiatives, and “tenant associations to manage and ultimately own their own housing” (California Students for Kennedy 1968, p. 7). Homeownership, in this sense, was related to personal empowerment, conceived as an important element of wellbeing.
- 38 Thus, 1960s liberals did not break with the tradition of associating homeownership with happiness and the American Dream. Rather, they adapted homeownership discourse to the demands for civil rights and integration, while adopting policies aimed at reducing the long-standing contradiction between the universal rights and dreams conveyed in the nation’s founding documents and social reality. This general approach, which echoes Stimpson, Mackuen, and Erikson’s (1995) theory of dynamic representation, would be pursued throughout the following decades; however, the economic policies used to achieve these objectives would greatly change in the wake of the economic crises of the 1970s.

4.2 Homeownership and Financial Deregulation: The New Formula for the American Dream

- 39 While discriminatory barriers to federally insured mortgage loans were removed in the 1960s, a new barrier to homeownership appeared in the 1970s: rising interest rates due to inflation and a credit crunch. The 30-year fixed rate mortgage average reached 10% in 1974 and ballooned to 16-19% in 1980-1981. This set the stage for a shift to financial deregulation as a new strategy to stimulate mortgage lending, accompanied by political discourse calling for a patriotic revival of the American Dream of homeownership.

Table 3. Major Federal Policy Initiatives Affecting Suburban Homeownership in the United States, 1930-2010

1931	White House Conference on Home Building and Home Ownership
1932	Creation of the Federal Home Loan Bank
1933	Banking Act (Glass-Steagall Act)
1934	Creation of the Federal Housing Administration
1938	Creation of the Federal Home Mortgage Association (Fannie Mae)
1944	Servicemen's Readjustment Act (G.I. Bill)
1956	Federal Aid Highway Act
1962	President John F. Kennedy signs Executive Order 11063
1965	Creation of the United States Department of Housing and Urban Development
1968	Fair Housing Act (Title VIII of the Civil Rights Act of 1968)
1968	Creation of the Government National Mortgage Association (Ginnie Mae)
1970	Creation of the Federal Home Loan Mortgage Corporation (Freddie Mac)
1974	Amendment to the Fair Housing Act to outlaw housing discrimination based on sex
1980	Depository Institutions Deregulation and Monetary Control Act
1982	Garn-St Germain Depository Institutions Act
1986	Housing Act
1995	President Bill Clinton launches National Homeownership Strategy
1999	Gramm-Leach-Bliley Act (repeal of Glass-Steagall Act)
2000	Commodity Futures Modernization Act
2002	President George W. Bush launches Ownership Society programs
2010	Dodd-Frank Wall Street Reform and Consumer Protection Act

40 Since the Banking Act of 1933, Regulation Q had submitted banks to interest rate ceilings on deposit accounts. One of the goals was to prevent banks from engaging in ever riskier financial operations to attract investors through higher returns on savings deposits. However, as inflation rates surpassed the ceiling rates in the late 1970s, investors pulled their funds out of regulated accounts and invested in unregulated money market mutual funds, leaving mortgage lenders with less available capital (Gilbert 1986). The Depository Institutions Deregulation and Monetary Control Act of 1980 phased out Regulation Q entirely between 1980 and 1986 in order to make banks and thrifts (savings and loan associations specialized in mortgage lending) more competitive. The Garn-St Germain Depository Institutions Act of 1982 continued in this direction notably by allowing banks and thrifts to offer adjustable-rate mortgages.

41 President Ronald Reagan set the rhetorical tone for this new deregulatory strategy by combining small-government discourse with a frankly patriotic attachment to homeownership as a centerpiece of the American pursuit of happiness:

Americans by a wide margin feel that homeownership is a cherished tradition that binds families, builds financial security, and strengthens communities and economic growth. The long years of government borrowing and spending beyond its means had overwhelmed us by the late seventies, and that dream of homeownership became a cruel hoax [...]. [W]e reaffirm today one of the most treasured rights that was won by the Founding Fathers—the right to own and hold property. [...] [H]omeownership is not just a symbol, it represents the American way of life (Reagan 1982).

42 Thus, like Herbert Hoover half a century earlier, Reagan identified the right to homeownership as a near equivalent to the right to the pursuit of happiness and as an essential component of a virtuous American way of life. Subsequent major homeownership initiatives undertaken during the Bill Clinton and George W. Bush

presidencies would use the same rhetoric to justify their deregulatory approach to housing policy.

- 43 This was notably the case for the Clinton administration's National Homeownership Strategy launched in 1995. Not only was homeownership presented as patriotic, but the justification for the strategy was based on research showing the positive impact of homeownership on wellbeing: "Homeownership is a commitment to personal financial security," to "strengthening families and good citizenship," to the "community," and to "economic growth" (U.S. Dept. of HUD 1995, pp. 1–2). As during the early 1980s, the strategy called for the elimination of regulatory and financing barriers to homeownership. By the year 2000, the Gramm-Leach-Bliley Act (1999) and the Commodity Futures Modernization Act (2000) conjointly repealed the New Deal era Glass-Steagall Act and exempted from regulation most over-the-counter derivative contracts, notably those that would play a central role in the subprime mortgage crisis (Sherman 2009).
- 44 With most New Deal regulations now a thing of the past, President George W. Bush continued in the same direction as his predecessors by calling for an "ownership society" (Bush 2002). His administration made it a priority to increase minority homeownership because of the persistently lower homeownership rates of minority households.

I set an ambitious goal [...] that by the end of this decade, we'll increase the number of minority homeowners by at least 5 ½ million families. [...] All of us here in America should believe [...] that we should be [...] a nation of owners. Owning something is freedom [...]. It's part of a free society, and ownership of a home helps bring stability to neighborhoods. [...] It brings pride to people. It helps people build up their own individual portfolio [...]. It's [...] an important part of America. Homeownership is also an important part of our economic vitality. (Bush 2002).

- 45 Once again, the policy initiative to increase homeownership was framed in terms of what it meant to be American and what benefits homeownership would bring to economic growth and wellbeing. It is therefore ironic that at the end of the Bush presidency, the worst economic crisis since the Great Depression was sparked by the housing and home mortgage sectors.

4.3 The American Dream of Homeownership in Question?

- 46 An analysis of the mechanisms that led to the subprime mortgage crisis surpasses the scope of this paper (for further reading, see, for example, Aalbers 2008; Ivanova 2011; Langley 2006; Raquel 2013). The question that interests us here concerns the impact of the crisis on the potential effectiveness of political discourse that upholds the traditional link made between homeownership and the American Dream and pursuit of happiness. Has the subprime mortgage crisis changed American's perceptions of the benefits of homeownership for their happiness and wellbeing?
- 47 Scholars initially debated to what extent homeownership was still a relevant model for the American Dream. For example, Thomas Sugrue (2009) suggested, "It's time to accept that home ownership is not a realistic goal for many people and to curtail the enormous government programs fueling this ambition." Flexible and affordable renting, he argued, could become the "New American Dream" at a time when homeownership had given a false sense of stability to millions of Americans. Similarly, Richard Florida (2010) declared

that homeownership was “overrated” and that renting was more adapted to an economy requiring a more mobile workforce. “Cities and regions with the lowest levels of homeownership—in the range of 55% to 60% like L.A., N.Y, San Francisco [...]—[have] healthier economies and [...] higher levels of happiness and well-being.” Conversely, “cities with high levels of homeownership—in the range of 75% like Detroit, St. Louis and Pittsburgh—[...] [have] much lower wages and incomes” and “too many people [...] [who] are trapped in homes they can’t sell, unable to move on to new centers of opportunity.” Instead of subsidizing homeownership, he argued that the government should “encourage the transition to more and better rental housing” and thus “updat[e] our definition of the American Dream.”

- 48 Such calls for a reappraisal of housing values remained marginal, however. Preeti Vissa (2010) argued that “it was not homeownership that ‘let us down,’” but rather the “dishonest lending practices that made homeownership a casino game.” Citing the benefits of homeownership for family and community wellbeing, she feared that if the government abandoned its commitment to homeownership, notably for minority families, it could result in a “permanent underclass.” This reveals the continued importance of the “keeping up with the Joneses” effect when it comes to housing and subjective wellbeing (Guvin & Sørensen 2012). Preeti Vissa was otherwise in tune with most Americans’ attitudes on homeownership. A Gallup poll conducted in 2013 showed that, despite a brief period of pessimism during the crisis, “while 62% of the American population currently owns a home, a considerably larger 81% own a home and express a desire to continue to do so, or don’t own a home but express a desire to buy one within the next 10 years” (Newport 2013). Among 18-29-year-olds, only 7% of non-homeowners had no plans to buy a home in the foreseeable future. The American Dream of homeownership is thus still very alive and well in public opinion, despite the subprime mortgage crisis.
- 49 Political discourse since the crisis has reflected public opinion. Defending his efforts to restore the economy and protect homeowners, President Barack Obama (2010) assured, “I’m not going to rest [...] until all of America is working again, until the dream of homeownership is secure once again [...].” His administration notably supported the creation of a \$1.5 billion fund to help distressed homeowners avoid foreclosure and renegotiate their mortgages, along with the Dodd-Frank Wall Street Reform and Consumer Protection Act that introduced new financial regulations aimed at preventing the predatory lending tactics that had led to the crisis. Although Congress approved and President Donald Trump proudly signed a partial rollback of the Dodd-Frank regulations in 2018, this merely signaled a sustained commitment to the pro-growth, anti-regulatory strategy to expand homeownership. Trump was in the strict rhetorical continuity of his predecessors when he declared:

During National Homeownership Month, we recognize the many benefits of homeownership to our families, our communities, and our Nation. For generations of Americans, owning a home has been an essential element in achieving the American Dream. Homeownership is often the foundation of security and prosperity for families and communities and an enduring symbol of American freedom. This month, we recommit to ensuring that hard-working Americans enjoy a fair chance at becoming homeowners (Trump 2017).

- 50 Finally, even if Americans were to seriously question the single-family homeownership model of the American Dream, they would be confronted with the titanic task of undoing nearly a century of suburbanization. Indeed, since the early 20th century, not only has the rural population been reduced to about 20% (U.S. Census Bureau 2016), but according to one study the population share of Americans living in metropolitan areas has become 86% suburban (Cox 2014). When a model of happiness corresponds to the majority of Americans' factual way of life, it can be assumed that this model has many days ahead of it.

5. Conclusion

- 51 Historical analysis reveals that American policymakers have consistently used happiness discourse and a specific notion of virtue to promote an ownership model of wellbeing. The eighteenth-century use of the term "happiness"—namely, a stable feeling of fulfillment and wellbeing that results from a virtuous way of life—was pivotal in forging a lasting rhetorical link between the pursuit of happiness and the lifestyle induced by property ownership. As if they were reading from James Truslow Adams' playbook, subsequent generations of Americans appear to have unwaveringly stood up to save the American Dream of homeownership from any opposing forces (Adams 2017 [1931]). As the frontier reached the Pacific and small farmland became scarce, suburban crabgrass (Jackson 1985) became the next frontier to conquer for Americans in search of homeownership. As suburbanization fueled an urban crisis for many poor minorities, the Civil Rights Movement sparked political change in the 1960s that would attempt to give equal homeownership opportunities to all Americans regardless of skin color, sex, or origin. Then as unfavorable economic conditions made housing credit scarce, financial deregulation was used to keep the American Dream of homeownership alive. Even the subprime mortgage crisis, in which deregulation played a strong role, has barely put a dent in Americans' attachment to the homeownership way of life.
- 52 From a theoretical standpoint, the long-term resistance and flexibility of this model, both in discourse and in practice, must be traced back to the fundamental contradiction between the universality of the principles enshrined in the nation's founding documents, in which the link between the pursuit of happiness and ownership is institutionalized, and the reality of the racial, gender and class inequalities in the United States regarding property ownership. This is what makes the homeownership society a permanent horizon, a utopian dream for all Americans to strive for by overcoming whatever political, social, or economic obstacles they come across; and it's the *pursuit* of this dream, not necessarily the achievement of it, that is presented as the gateway to happiness and virtue. As such, politicians can constantly reactivate this discourse to bolster support for either conservative or progressive policies that alternate between saving an ownership model in danger and expanding it toward new frontiers. By channeling political resistance toward the improvement or greater accessibility of a homeownership model, the validity of the model itself remains unquestioned. Happiness politics based on this model thus constructs and reconstructs loyalty to the American capitalist regime of private property by presenting obstacles to homeownership as an opportunity to defend the American way of life, while alternatives to the dream of homeownership are considered an un-American road to vice and unhappiness.

- 53 Of course, what is claimed in political discourse about homeownership and happiness should not be taken at face value, even if polls and the concrete living situation of the majority of Americans attest to a strong relationship between the two. While there is still more comparative research to be conducted on the strengths and weaknesses of renting and homeownership on various dimensions of wellbeing, this brief historical analysis may open up a new dimension somewhat specific to the United States. When homeownership has been culturally presented as the only virtuous and truly American gateway to happiness, can this lead to a feeling of being un-American, or a failed American, if one is either unable or unwilling to conform? To what extent is it important to have the same housing lifestyle as one's fellow citizens to feel part of the national community? In other words, the effect of associating patriotic attitudes with specific ways of life—such as owning a house in the suburbs—on subjective wellbeing could be a new avenue to explore in happiness research.
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ABSTRACTS

This paper presents a brief history of the use of happiness and wellbeing rhetoric to bolster political support for the expansion of homeownership in the United States. Recent research has studied the impact of homeownership on various dimensions of wellbeing, such as crime, education, health, and civic participation. However, less attention has been given to the way in which policymakers have historically defined the pursuit of happiness as a gateway to a virtuous way of life thanks to homeownership. After exploring the relations between the right to pursue happiness and the right to own property in the American founding documents, the paper studies the happiness discourse that accompanied the rise of the suburban model of homeownership in the 20th century, followed by that which accompanied the policy shifts implemented in the late 20th century to conserve this model.

Cet article propose une brève histoire de l'usage des thèmes du bonheur et du bien-être dans des discours politiques qui visent à développer la propriété immobilière aux États-Unis. Des études récentes ont étudié les conséquences de la propriété immobilière sur diverses dimensions du bien-être, telles que la criminalité, l'éducation, la santé et l'implication citoyenne. Cependant, la manière dont les hommes politiques ont historiquement associé poursuite du bonheur, mode de vie vertueux et accès à la propriété immobilière a fait l'objet de moins de recherches. Après avoir étudié les relations entre le droit à la poursuite du bonheur et le droit à la propriété dans les documents fondateurs des États-Unis, cet article souligne le discours qui accompagne l'essor du modèle périurbain de la propriété immobilière au XX^e siècle, ainsi que celui qui accompagne les tournants politiques mis en œuvre à la fin du XX^e siècle pour conserver ce modèle.

INDEX

Mots-clés: propriété immobilière, bonheur, bien-être, étalement urbain, discours politique

Keywords: homeownership, happiness, wellbeing, suburbanization, political discourse

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Note de recherche

Research Note

Health, Education and Wellbeing in Hong Kong: British Legacy and New Challenges since the Handover to China

Santé, éducation et bien-être à Hong Kong : héritage britannique et nouveaux défis depuis la rétrocession à la Chine

Iside Costantini

1. Introduction

- 1 Hong Kong lies on the eastern side of the Pearl River estuary in the Guangdong Province of Southern China. The territory is one of the most densely populated in the world, with a population of nearly 7.5 million living in an area of 1,104 per square kilometre (426 sq. mi.), in other words, the density of 6,300 people per square kilometre (World Population Review, 2019). According to the 2016 by-census, 93.6% of the population are ethnically Chinese and there are three official languages spoken (Cantonese, Mandarin and English).
- 2 As a British colony from 1842 to 1997, Hong Kong was set apart from neighbouring China and ruled by a Governor who headed an executive-led government with advisory and consultative bodies. The system aimed at business efficiency through laissez-faire policies, administrative legality and social order. As specified in the 1984 Sino-British Joint Declaration and the Basic Law which is the meaningful constitution post 1997 establishing the structure and responsibility of the local government, Hong Kong is now a Special Administrative Region (SAR) of the People's Republic of China. The territory has a high degree of autonomy with full power over internal affairs. The purpose of these Sino-British constitutional arrangements was that the Hong Kong legal, economic and social systems would remain intact and distinct from those of Mainland China, under the "one country, two systems" principle which guarantees the territory's capitalist economic system and autonomous government for 50 years after the transfer of sovereignty.

- 3 While wellbeing has only been put forward as important for citizens over the last decades, it is worth recalling that growth and wellbeing are not necessarily in opposition to each other. Richard Easterlin in a series of influential papers published between 1973 and 2005 “found no statistically significant evidence of a link between a country’s GDP and the subjective well-being of its citizens” (Sacks *et al.*, 2010: 1). However, later studies argue that absolute income still has a role in shaping wellbeing (Sacks *et al.*, 2010: 3). Sacks, Stevenson and Wolfers from The Wharton School hold that within a given country, wealthier citizens have higher levels of life satisfaction and as a result, economic growth which brings wealth and happiness improves both individual and overall life satisfaction (Sacks *et al.*, 2010: 1). Even if GDP¹ is still considered to be an indicator of a society’s standard of living, it is only a rough indicator because it does not directly account for leisure, environmental quality, levels of health and education, activities conducted outside the market, increases in technology, or the value that society may place on certain types of output (Khan Academy, 2016).
- 4 Wellbeing started being considered *per se* only recently in Hong Kong, through the concept of “quality of life”. This concept became a topic of discussion for academics worldwide and developed as a major concern for the public and the government in the 1960s. Indicators of quality of life have been used as “measures of social wellbeing, its achieved level and changes over time” (Chan *et al.*, 2005: 260). Quality of life usually differs from standards of living which rely more on material satisfaction. In addition to life opportunities and satisfaction in basic needs, quality of life also includes “satisfaction in emotional needs, such as being satisfied with freedom, justice, and opportunities for the complete development of individual capabilities” (Chan *et al.*, 2005: 260). Quality of life research deals with topics as varied as health, wellbeing, satisfaction, family, work, housing, social networks, political life amongst others (Chan *et al.*, 2005).
- 5 Researchers from the Hong Kong Institute of Asia-Pacific studies at the Chinese University of Hong Kong have been studying quality of life in projects every two years since 1988, to help contribute to the enhancement of people’s wellbeing. But it was only in 2000 that the Hong Kong Council of Social Service developed a Social Development (SDI) index to measure social development in Hong Kong. Released once every two years, the Index aims “to record and keep track of the progress of social development of Hong Kong and assess the social and economic needs of the entire society” (Social Indicators of Hong Kong, 2018), which shows an interest in both material and subjective wellbeing². In 2007, a territory-wide survey led by Xiaogang Wu’s team at the Centre for Applied Social and Economic Research from University of Science and Technology studied subjective wellbeing specifically. It revealed a lower level of subjective wellbeing of the post-1980’s generation with implications for the social and political environments (Wu, 2010).³
- 6 This article will focus on policy inputs especially in health and education, in the context of the historical transfer from a British colony to a Special Administrative region of China and attempt to link them to the assessment of wellbeing in Hong Kong. These fields are major areas of concern for families due to pressures from changes in the labour market, upward mobility, integration with the mainland and an ageing population in the face of what some referred to as a “silver tsunami” where almost one in three Hong Kong residents will be aged 65 or above by 2041 (The 2015 Policy Address, Hong Kong). Wellbeing obviously does not limit itself to those two policy fields. Nevertheless, according to statistics from Measuring What Matters, a survey report which was part of a reflection on a debate on National Wellbeing (ONS, 2011), health is one of the top things

people say matter for them. The World Health Organisation (WHO), for its part, states that “wellbeing exists in two dimensions, subjective and objective. It comprises an individual’s experience of their life as well as a comparison of life circumstances with social norms and values.” The British Department of Health ranks health and education at the top of its list of examples of life circumstances (HM Department of Health, 2014). From a Hong Kong point of view, the fields of health and education also seem worth studying as they were among the most impacted by the evolution from a colony to a Special Administrative Region of China. Hong Kong has had to compress nearly a century of healthcare and educational development in the West into the last three decades (The Harvard Team, 1999). This situation has been further exacerbated by the fact that colonial powers commonly ruled through a local elite, originating mainly from the business sector and decided on policies and programs; the general public therefore depended on the good intentions of this elite for provision of such services (Goodstadt, 2007).

- 7 This article will first examine the areas of health and education in turn, insisting on the contexts in Hong Kong with reference to the colonial legacy and Chinese cultural environment and exploring more recent developments in both areas since the Handover. It will then assess how specific factors (geography, history, politics such as an authoritative form of local government and a special status in China) may have influenced policy. And finally, it will conclude on challenges which lay ahead to measure wellbeing with reference to those sectors in Hong Kong.

2. Health context during the colonial period

- 8 Wellbeing is a term which was adopted in the second half of the 20th century. Yet it is not easy to define (Dodge *et al.*, 2012: 222) and welfare⁴ seems more relevant to evoke the earlier individual or state efforts concerning caring for citizens. Welfare in Hong Kong finds its origins through 19th-century charities set up by successful Chinese and western missionary bodies, which delivered many support and educational programs for communities in need. Although we cannot really equate one term for the other, welfare has been more narrowly construed in economic terms to encompass the idea that wealthier individuals generally enjoy a better overall condition. Welfare economics concentrates on the income of individuals and their assumed preferences whereas wellbeing contains more variables. As a consequence, wellbeing is gradually replacing welfare as a central political goal for social and public policy. Academics in the field of social policy have encouraged a focus on wellbeing so as to allow for a “fully rounded humanity” instead of welfare which is more concerned with the economic utility (Taylor, 2011: 778-779). International research findings from Layard⁵ to Heinz and Deeming (2015) clearly show that welfare policies and wellbeing outcomes remain inextricably linked (Taylor, 2011: 785). Research continues to offer a broad justification for the principles of social welfare as a means for promoting wellbeing and happiness in the population (Heins *et al.*, 2015).
- 9 Until the late 1970s, the colonial government was little interested in regulating matters concerning the Chinese population’s health as long as no diseases threatened the social and economic order of Hong Kong (Tse, 2008). It was only concerned about promoting sanitary conditions and preventing the spread of infectious diseases in a congested area (Department of Health, Hong Kong SAR), thus maintaining basic order to guarantee economic stability. In the 19th century, segregation measures barring Chinese access to

some areas⁶ and use of troops to dislodge families and bring patients by force to charitable hospitals during epidemics were frequent. For instance, the government intervened during the 1894 plague to maintain a healthy workforce, thereby ensuring peace in the colony and avoiding being put into quarantine as an “infected port” (Yip *et al.*, 2016: 5-6). Attempts were then made to regulate the local population by promulgating anti-spitting laws to prevent the spread of tuberculosis, and mandatory vaccination of infants was ordained to combat smallpox (Yip *et al.*, 2016: 6). Environmental and sanitary improvement was gradual but there was no comprehensive infrastructure or long-term planning from the start of the colony (Yip *et al.*, 2016: 5; Tse, 2008). It was only in the 1950s that the government ‘involved itself in the provision of welfare without developing a formal welfare policy’ and established a basic universal health system (Tsang, 1995: 8). Achievements in the field of health intensified in the 1970s as Hong Kong was undergoing rapid economic growth and enjoyed increasing levels of prosperity which enabled such developments (Tsang, 1995: 9).

- 10 On the Chinese side, some local magnates set up the Tung Wah Hospital in 1869 which provided free medical care and charitable services for the Chinese population of Hong Kong (Sinn, 1989). It is thus wealthy Chinese who were instrumental in addressing some of the early health issues of the Chinese population. In the 1930s, the Tung Wah group of hospitals had developed into the largest charity organization in Hong Kong, running hospitals and schools.
- 11 The Tung Wah Group, the city’s oldest and largest charity organization, originated from the Kwung Fook Temple founded by local Chinese in 1851 (Tung Wah Group of Hospitals website). To help those in need, a hospital using Chinese medicine which had always been widespread among the ethnically Chinese population of Hong Kong was founded on the same spot. However, the popularity of traditional medicine was severely affected by the introduction of antibiotics in the 1940s. It remained without any official recognition in the colonial system (Yip *et al.*, 2016) since there were no laws governing practitioners and its knowledge continued to be acquired through apprenticeships (Zanzanaini, 2016).
- 12 It was not until the return of Hong Kong to mainland China in 1997 that the role of traditional Chinese medicine was acknowledged and incorporated as part of the Hong Kong healthcare system (Chung *et al.*, 2007). The Basic Law required the Hong Kong government to regulate Traditional Chinese Medicine and the Chinese Medicine Council of Hong Kong was established in 1999.
- 13 On the British side, several medical facilities were implemented throughout the duration of the colonial period with one of the earliest being the Royal Naval Hospital founded in 1841 and the British Military Hospital built in 1907 for the use of garrisons and their dependents. Civil hospitals were also established in 1849 for troops, convicts, civil servants but only wealthy Chinese were able to pay for established practitioners in Western medicine (Yip *et al.*, 2016: 17; Hutcheon, 1999). Among major hospitals founded during the colonial era, the Queen Elizabeth (1963) once stood out as the largest district general hospital in the Commonwealth.
- 14 Following the end of the Second World War, while in the UK the NHS was established in 1948 on the principle of free healthcare “from cradle to grave”, Hong Kong developed public hospital services for the community to compensate for the low economic capacity of the public to pay for private healthcare services and to curb the recurrence of communicable diseases such as cholera and tuberculosis (Yip *et al.*, 2016). Most public hospitals were thus built in the second half of the 20th century either with the help of

charity or government funds to cater to the needs of a population which had more than tripled in the fifteen years which followed the end of the Second World War (Tang, 1998; Census and Statistics Department Website, 2015).

- 15 During the Post-war period, the government became more proactive in disease reduction and control measures as the population grew and the economic situation improved. To maintain a sustained rate of economic growth, the success of disease control became a priority in the mid-1960s. The post-colonial government had in fact inherited the system of the past known for its disease prevention measures. However, throughout the colonial rule, the government continued to place the economy first and rejected the idea of welfare in health policy formulation while maintaining a basic public health service to guarantee social peace and stability by covering all residents' health needs and thereby ensuring acceptable levels of physical and mental wellbeing.
- 16 Before and after the Second World War, in the absence of state welfare services, charities and voluntary agencies became in fact the major providers of social needs in a society that was still poor. In this context, the introduction of legislation under public assistance in 1971⁷ was a big turning point. A first public assistance scheme modelled on the British National Assistance Act was introduced as the foundation of Hong Kong's social security system. This suddenly revealed the willingness of the government to take care of the basic needs of vulnerable members of society (Wong, 2008). The scheme allowed voluntary agencies, later called NGOs, "to transform their mission from dispensing relief to running professional social work services" (Wong, 2008: 5). Over 70% of their funding came from the government, augmented by fee charges and donations (Wong, 2008: 6). The subvention policy in effect incorporated NGOs in a kind of "statist-corporatist framework, turning them into agents of the state to deliver needed programs under service contracts" (Lee, 2005: 9-10). The responsibility for building and running hospitals came to be shared between government and charities, including religious orders (Tse, 2008). Since the 1970s, the government's role in welfare matters has thus become more important regarding health policy formulation and review with the introduction of the first public assistance scheme (Chan *et al.*, 2004).
- 17 In Hong Kong, social protection relies more on direct service support like free access to public hospitals than safety net provisions for the poor. Throughout the 1980s, the total spending on social welfare was between 4.5% and 6.5% of Hong Kong's government's budget (Tang, 1998: 76). At the same time, public social expenditure was over 15% of GDP on average across the OECD ⁸ (OECD, stats).
- 18 In order to foster self-reliance among citizens and deter long-term dependency, the government has deliberately set assistance scales at a very low level and thus limited the number of recipients. As a consequence, welfare recipients struggle with social stigma as it is perceived as a last resource and sign of inadequacy to conform to society's expectations⁹. Hong Kong citizens value hard work, self-reliance, family duty, and thrift in individual and public spending which is at the core of Confucian ethics (Wong, 2008: 3). These elements all have positive aspects for economic and societal development as is shown by Hong Kong's economic success. Tu Wei-ming, professor of Chinese History and Philosophy at Harvard, underlines "the paradox of criticising Confucian ethics with its emphasis on traditional communities rather than innovative individuals as the main reason for East Asian backwardness" (Tu Wei-ming, 1989: 87) whilst stating that the very same values (faith in the perfectibility of human condition, the importance of education, the centrality of the family in social harmony, the importance of hard work and

discipline, the necessity for a strong government) are today deemed conducive to economic development. Tu Wei-ming reminds us that Confucian values which may foster a certain climate have nevertheless evolved through the encounter with the West and been adapted by those in power to meet the new challenges of the time (Tu Wei-ming, 1989: 91).

- 19 Welfare, which creates some of the conditions for economic, physical and social wellbeing, is gradually improved through self-effort which is better accepted in a traditional Confucian setting without creating the sort of dependency culture that has emerged in some industrial societies (Wong, 2008: 2). Hong Kong's adherence to a low taxation system (ceiling of 15% for salary tax and 16.5% for profit tax) means that only one third of residents pay salary tax and this might appear as a compensation for lower scales of assistance (Wong, 2008: 5). Coupled with a high savings rate (about 35%)¹⁰, a stress on family obligation, and the ethic of self-reliance, private efforts have become the key to personal wellbeing and success just like in the liberal Anglo-Saxon model (Wong, 2008: 5).

3. Health policy since the Handover

- 20 The government undertook democratic reforms in Hong Kong from the mid-1980s to the late 1990s as the sovereignty of Hong Kong was going to be returned to China marking the end of British administration in Hong Kong. The implementation and effects of these reforms mostly dealt with the post-Handover period so as to preserve the nature of the Hong Kong government (Tsang, 1995: 10). Great Britain had not really been interested in extending democracy to Hong Kong until the return to China approached (*The Guardian*, 2017). The British and Chinese government signed a Joint Declaration in 1984 setting up a "one country, two systems" framework allowing a high degree of autonomy for the region for fifty years after the Handover.¹¹
- 21 The different compartments in the health sector were finally integrated in 1990 under the Hospital Authority and Health Department (Goodstadt, 2007). The establishment of the Hospital Authority (HA) which took place before Hong Kong was returned to China¹² has brought steady improvement to specific aspects of quality and efficiency. As early as 1997, a study revealed that from the patients' perspective, everyone had access to essential healthcare regardless of their financial means. Furthermore, the services were readily available in all communities so most residents did not need to travel more than thirty minutes to reach a provider. (The Harvard Team, 1999)
- 22 The following declaration from the introduction of the Yearbook 2006 of Hong Kong Government outlines the mission of the healthcare system. "The Government aims to ensure no one in Hong Kong is deprived of medical care because of lack of means. It provides a wide range of public services and facilities to meet the healthcare needs of the community. It also works endlessly to safeguard public health – combating infectious diseases and promoting health education." This definition of a universal public healthcare system is akin to that of the National Health Service NHS in the UK which claims that services should be comprehensive, universal and free at the point of delivery (Grosios *et al.*, 2010) although officially there is a higher emphasis on fighting infectious diseases in Hong Kong.

- 23 But a patient-centered approach is slow to be adopted. It started well when in November 1997, the Health and Welfare Bureau of the Government of Hong Kong SAR commissioned a team of economists, physicians, epidemiologists, and public health specialists from Harvard University to conduct a study on Hong Kong's healthcare system based on a patient-centered approach. The first patient-centered healthcare survey was held in Hong Kong only in 2012 and by a non-governmental organization, the Alliance for Patients' Mutual Help Organization (APMHO)¹³. The APMHO, which became a member of the International Alliance of Patients' Organization (IAPO) in 2005, focuses on policy advocacy and closer networking with patients' organization, and has been actively advocating for patient-centered health (PCH)¹⁴ since 2008. The report¹⁵ concludes that although there has been a growing awareness among patients and patient organizations, in reality little progress has been made in this field. Despite the scale of this exploratory survey, it has not yet had the expected outcome on policy-makers nor have patients' perspectives been seriously taken into account other than in a fragmented way and on a very small number of issues.
- 24 According to the 1997 Harvard report, "hospitals are the dominant institutions providing healthcare in Hong Kong and priority is given to hospital-based services", which constitutes the majority of the healthcare system. There are more than fifty public hospitals and twelve private ones (Lewis, 2008). Healthcare is therefore available for all at nominal charge in government hospitals and clinics (HK\$100 (about US\$13) for hospital treatment, HK\$68 (about US\$9) for outpatient treatment Hong Kong's welfare system) (Wong, 2008: 6). Considering those minimal registration costs, it is clear that the Hong Kong government has basically achieved the goal that every resident can receive lifelong healthcare, and no one will be denied adequate medical treatment due to lack of means (Kong *et al.*, 2015).
- 25 But, in Hong Kong, a continued lack of coordination in the health sector with an excessive reliance on public hospitals which have reached overcapacity adversely affects patients' health and healthcare and unnecessarily increases the expenditures for health services as family and community medicine is underdeveloped and traditional Chinese medicine, which many chronically ill patients find beneficial, is excluded from the organized medical system. Most traditional Chinese practitioners are in private clinics and some operate in their own clinic. Over 40% of Hong Kong residents rely on Chinese medicine as an alternative option when they have a health problem, whilst 22% of medical consultations are provided by traditional Chinese practitioners (Who/ Department of Health, 2012) who are believed to offer a more holistic approach. Western-style pharmacy chain Watsons has introduced Chinese medicine services in some of its stores to bring traditions within a more modern setting (*South China Morning Post*, 2014), whilst offering elderly patients a 10% discount on the regular price of treatments. This is how private practice and initiative compensate for the public sector's inability to fully take into account the patient's cultural need.
- 26 In the mainstream health field, the public sector is taking care of 90 per cent of the city's patients, while employing only 40 per cent of the doctors; whereas the lucrative private sector is taking care of only 10 per cent of patients while employing 60 per cent of doctors (*South China Morning Post*, 2016). The private system, on the other hand, takes on about 70% of all fee-for-service outpatient services compared to public outpatient clinics (Schoebe, 2016: 54).

- 27 Public hospitals, according to the Hospital Authority, currently operate with a shortage of 700 nurses and 250 doctors. New recruits in the profession are routinely lost to the more lucrative and relaxed private sector. It is projected that public hospitals will require an additional 6,200 medical doctor by 2041 in order to maintain the same level of service as today. Among measures to address the current staffing crisis in public hospitals, the Hong Kong government is increasing the number of medical graduates each year: from 250 to 320 last year, and to 420 in 2018 (Schoebe, 2016: 56). Meanwhile, the quality gap between treatments in a private clinic and public ones which have been struggling with large numbers and limited resources has increased over the years (*South China Morning Post*, 2016). As the superior medical service and treatment mode, private medical institutions are often particularly attractive for patients who have sufficient economic capability (Kong, 2014). The private sector medical care system which was gradually regulated in the 1990s parallels the laissez-faire development of the rest of the economy (Hay, 1995). And the local doctors' union maintains that "the real issue is the inequitable resource allocation between the private and public sectors, and among different public hospitals" (*South China Morning Post*, 2016).
- 28 There is therefore some concern that the fragmentation between private and public health systems will accelerate and that only wealthy residents will be able to obtain quality treatment without delay (Schoebe, 2016: 54; Wong, 2008: 10). When needs are not catered for as well as in the past, one might experience stress and frustration, so an alteration of their wellbeing. The Willis Towers Watson 2017-18 Global Benefits Attitudes Survey (the third largest insurance broker in the world health surveys) reported that managing their health is a top priority for two thirds of employees (67%) in Asia and that over half (56%) say that they suffer from elevated levels of stress. As good health is correlated with higher life satisfaction (Department of Health, 2014), one's health might in turn be altered, confirming that health and wellbeing are clearly interrelated (health influences wellbeing and vice versa). The provision of medical care for the whole population, welfare programs and some labour regulations are policies which make citizens happier. Mental wellbeing can guide people's behaviour in terms of consumption and investments and at the same time, it improves their life spans (Li *et al.*, 2008: 15).
- 29 Despite the persistent lack of coordination in the health sector, Hong Kong's healthcare system has often been praised for achieving a better health outcome and being less costly in resources compared to European countries (The Harvard Team, 1999). The health outcome is good, no doubt. In Hong Kong, the ratio of healthcare professionals to the population has increased steadily in the past decade. Every 552 population was served by 1 doctor in 2012, a decrease by 12% compared to 2002 which is in fact an improvement of the situation (Wang, 2013: 1008). According to Healthy Hong Kong, Department of Health, compared with a few decades ago, Hong Kong people nowadays suffer less from infectious diseases (HK Department of Health, 2017). Hong Kong's 7 million inhabitants are one of the healthiest populations in the world. Life expectancy is 84 for women and 78 for men, the second-highest worldwide (Lewis, 2008). Hong Kong's Human Development Index (2003) ranked 22nd in the world, respectable among industrial economies, just behind Japan in Asia and on par with Singapore (Wong, 2008: 5).
- 30 Hong Kong's health system was established within the framework of a perfect market-oriented economic matrix, where there are wide ranging social security and medical service systems (Kong *et al.*, 2014). This system of government-operated hospitals, open to all citizens, costs the Hong Kong government about 3% of GDP (6% including private

hospitals) which is *less than half* of the 7.5% of GDP that is *already being spent* by US governments on healthcare (Lewis, 2008). Within the next two decades, public healthcare expenditure is due to increase up to 23% of the total government budget, a significant increase from its current 14%. Given the Basic Law, which states that, over time, the increase in total government expenditure should be kept in line with growth in GDP, funding for other public programs, such as education, housing and infrastructure, will have to be reduced when public health expenditure takes a larger share of the total budget (The Harvard Team, 1999). This seems to be preparing for an era in which not all aspects of public policy pertaining to individual and societal wellbeing will be covered, especially as demand for healthcare increases. Per capita expenditure on health grew from US\$1,289 in 1999-00 to US\$1,641 in 2009-10, an increase of 27.4%. The ratio of total expenditure on health to Gross Domestic Product stood at 5.2% in 2009-10 (Wang, 2009: 2).

- 31 Some believe that healthcare must be rationed to patients. The policy of rationing healthcare in Hong Kong amounts to examining which existing medical interventions provided by public hospitals should be subsidised and leaving out those that are not as effective (Yuen *et al.*, 2006). Economists, since Adam Smith, have argued that “the invisible hand of free market prices is a superior rationing system [...] to the iron fist of government”, or in other words, that “competitive markets provide the greatest good to the greatest number of people” (Hay, 1992: 65). Colonial authorities have always defended the free market and ultra-liberal system as a model for Hong Kong (Chan, 1996: 14). However economic freedom and legal rights have not always been protected and *laissez-faire* might have instead been an excuse for the government of Hong Kong to avoid any responsibility towards its people. It was only after the 1967 riots that the Hong Kong government began to adopt a more responsive social policy through social legislation and provision of social services such as labour law, welfare programs, and mass education entitlement (Chan, 1996:15). Besides Hong Kong is far from a free market as official patronage and special preferences have always dominated in key personnel appointments and major decision-making process, concerning public works contracts, real estate, monetary and financial measures (BBC News, Hong Kong, 2012).
- 32 During the mainland immigration flows of the 1930s, the need for public housing was already acknowledged by the government. Since 2006, private ownership has been going up slowly from 49% whereas public rental and subsidised sectors have gone down from 48.8%. As of the 2016 Population By-census, 45% of the population lived in public rental housing or subsidised home ownership housing compared to 53% in the private permanent housing. This shows that authorities have not just relied on market allocation but have instead controlled some key institutions which are essential to people’s wellbeing.
- 33 Healthcare like housing appears crucial to survival and to maintaining decent standards of quality of life. But it is less easy to obtain through a free capitalist market than thorough public administration. As healthcare is vital for one to remain in good physical and mental condition, some economists understandably argue otherwise that its quality and availability must be guaranteed by the government (Hay, 1995).

4. Challenges ahead for the wellbeing of an ageing population

- 34 According to the Asian Urban Wellbeing Indicators Comparative Report, Hong Kong has assigned a high level of priority to medical care (Civic Exchange, 2016). Hong Kong has to face up to the ageing of its population but unlike developed countries, its population is confined to a very small territory. Crowded urban lodging increases the sanitary risk as the elderly form a vulnerable part of the population. Due to its unique geopolitical location, Hong Kong remains constantly on the lookout for new emerging diseases. Besides, wealthy families are still able to rely on paid labour to care for their seniors but that is not the case for the majority of the population.
- 35 It is predicted that the elderly population (aged 65 and above) will double to over 2 million by 2029. The elderly tend to visit medical facilities more often (in fact, 4.7 times more often) than younger patients, and they make up 42% of all inpatients in public hospitals (Localizz, 2017).
- 36 Satisfaction with medical care in Hong Kong is currently high: among those selecting this domain, 56% were satisfied with how fast and easy it is to see a doctor; 64% were satisfied with the availability of affordable care; and 74% were satisfied with the quality of care they received. But inevitably as the population ages, medical care will rise as a priority for Hong Kong residents, and the government will find it more difficult to maintain current levels of satisfaction (Civic Exchange, 2016).
- 37 As a result, healthcare for elderly people and their conditions such as dementia in primary care or in a community setting has become important priorities like in most developed countries. In 2014, Professor Lord Darzi, who led a delegation of UK companies to the Hospital Authority Convention in Hong Kong, concluded that they shared many similar healthcare challenges particularly that of a larger and ageing population and the increasing importance of improving primary care to reduce reliance on hospital care. According to him, the redesign of buildings and services to tackle this is simultaneously happening in Hong Kong and the UK and both could cooperate in sharing experience as they adjust to meet the challenges which lay ahead (Foreign and Commonwealth Office, 2014). On 15 October 2015, the UK and Hong Kong signed a Memorandum of Understanding (MOU) for a period of five years on health co-operation, including healthcare policy and protection, technology and redevelopment of existing hospital facilities (Foreign and Commonwealth Office, 2015).
- 38 Some pilot schemes like cross-residential boundary care projects have been backed by charitable organizations in Hong Kong. Care homes on the Chinese mainland border where space is more readily accessible, the environment of better quality and costs of living generally lower once appeared as the solution for ordinary people. But this no longer seems to be a desirable option since the yuan appreciated against the Hong Kong dollar thereby rising living expenses and the new generation of elderly born in Hong Kong are less keen to move up north to the mainland where they have no connections (*China Daily*, 2017).
- 39 Handling healthcare challenges and assessing levels of satisfaction in the field remain as relevant as it is for education which will be developed in the next part.

5. Educational context during the colonial period

- 40 There were initially twenty Chinese village schools in the 1860s but wealthy Chinese preferred to send their children to Canton for private education (Tang, 2006: 8). In 1862, the first government school, Queen's College (then Government Central School) was set up and based itself upon voluntary and philanthropic work. Educational initiatives tended to have a unique Chinese and British influence because of the region's proximity to China and its position as a British colony, although a western education style including Christian beliefs remained key features.
- 41 By the turn of the 20th century, Hong Kong families had started to value the British education system as trade levels increased in the colony and the number of wealthy Chinese grew with more opportunities and influential networks outside. Besides, as a cosmopolitan city, it attracted diverse nationalities and remained a window to the outside world. British-style education proved to better prepare students for higher education, professional training, or further study abroad, all prerequisites to form part of the new westernized and modern elite. English was thus regarded as part of elite culture and gave access to a good career in government, education, academia and law and this is still true today (Cheng, 2014).
- 42 In addition, government funding was only offered to British and Chinese schools being administered through western models and not to the traditional Chinese institutions with a curriculum often based on teaching ancient texts of little relevance to the modern world. Hong Kong's first university was founded in 1912 as an English-medium tertiary institution. The university supported the community by enabling those involved in education studies to combine their coursework with teaching experiences in the local communities, thereby raising educational standards for those previously devoid of such an opportunity and as a consequence, increase the attractiveness of the residential area in the vicinity (Martinez, 2013).
- 43 In the 1960s, government spending on schools was not seen as a priority. Government officials became increasingly committed to education in general, and as an investment in the workforce of the future and its productivity, most noticeably in the 1970s due to demographic changes in the population (Government Secretariat, Hong Kong, 1981). With a young and rapidly increasing population, it became clear that a massive school building program was needed and that the main priority was the development of primary education and teacher training. Nine years of free and compulsory schooling was thus adopted for all pupils in 1978 (extended to 12 years of subsidized education in 2008-2009) (Wong, 2008: 6). Another policy was the establishment of engineering, science, and business evening classes for students as well as evening training for teachers.
- 44 By contrast, two decades later, Hong Kong had developed from a manufacturing country in the 1970s and 1980s and evolved into a regional hub of business and service in the 1990s, thus witnessing a decline in employment opportunities in the secondary sector and a growth in the tertiary. Education then expanded as part of a government effort to develop Hong Kong into a knowledge-based economy and enrolments in higher education tripled from 1989 (Wu, 2010: 5-6). According to Wu, the young post-80s generation is the major beneficiary of the education expansion in the 1990s, and they have enjoyed more educational opportunities than those of the same age groups in earlier years. However

young people remain frustrated in terms of opportunities and hopes for the future as the pro-democracy “Umbrella” protests showed in 2014 (Wu, 2010: i-ii).

6. Education policy after the Handover

- 45 Since the post-colonial period, changing the medium of instruction in secondary schools has been one of the most controversial policies in Hong Kong’s education. Prior to the 1970s, English was still the only official language and it remains highly regarded today as an international language (Tang, 2006: 2). Most local schools used English for teaching different subjects although some classes were taught in Cantonese. Mandarin which is considered as standard Chinese started being introduced in schools as early as the 1980s but it was not until 1998 that it became an essential part of the local curriculum (Liu, 2017). Indeed, in April 1997, three months before the Handover, the new government published a document regarding compulsory Chinese medium instruction policy. It suggested that enhanced fluency in Mandarin would help students whose mother tongue is Cantonese and who use full-form characters instead of the simplified version widespread on Mainland China understand content better. However, in September 2007, the government retreated to give more freedom to schools to be exempt from this policy. As a result, only 25% of the secondary schools were approved to continue EMI (English as a Medium of Instruction) education, whereas the rest of the secondary schools must use CMI (Chinese as a Medium of Instruction) in teaching most subjects (Cheng, 2014). Furthermore, the new language policy required teachers to enhance their language proficiency. Thus, there was the emergence of Language Proficiency Assessment for Teachers in 2008 to mainly assess the Mandarin and English skills both of which are not mother tongues in Hong Kong, a Cantonese stronghold (Cheng, 2014).
- 46 In 2012, another drastic reform was the application of the Chinese educational system, which follows the American model of “three-three-four” (middle school/ high school/ tertiary education) thereby extending university education from three to four years. This has affected all levels of local students and educators. Students end up having only one public examination, the Hong Kong Diploma of Secondary Education (DSE). Another particularly controversial area was the introduction of civic education in 2012, perceived as a political step which caused a series of radical protests initiated by political parties and youth. Changing language policy in education was only the first wave of reforms that the Hong Kong government has recently initiated to gradually decrease British influence. The reactions of parents, students and teachers were very strong, reflecting not only how attached they are to English as a medium of instruction, but also how entrenched British educational values adopted during the colonial period remain today (Cheng, 2014).
- 47 According to the OECD (OECD, 2014), between 2003 and 2011, Hong Kong implemented top innovations in pedagogic and organisational practices¹⁶. One of these top innovations in primary and secondary schools was the increased use of teachers’ peer review. Hong Kong also scored the highest in text interpretation and progress has been made in relating school lessons to everyday life. In 2009, Liberal Studies was a new curriculum introduced at senior secondary level to encourage Hong Kong students to develop skills in critical thinking.
- 48 More resources have been allocated to education. The total government expenditure on education amounted to US\$10,031 million in 2012-13, an increase of 40.7% compared to US\$7,128 million in 2002-03 (Wang, 2013: 1008). For 2017-18, the total government

expenditure on education is estimated at US\$11 million. The recurrent education spending is about 21.3% of the overall government spending (Lee, 2017). In 2015-16, about 3.3% of GDP was spent on education. This is, however, lower than other high-income economies and well beneath the OECD average of 5.9% a year (OECD, 2014). Furthermore, education in Hong Kong was largely modelled on that of the United Kingdom and is overseen by the Education Bureau and the Social Welfare Department which outlines the administration policies of government and aided schools. University education is subsidized for some 20% of relevant age cohorts (Wong, 2008: 6).

- 49 Education remains one of the most important public policy areas for the new leader of Hong Kong, Carrie Lam, whose five-year term of Chief Executive began on 1 July 2017. She had promised in her election manifesto to increase financial resources to the education sector (Lee, 2017). In early July 2017, she announced in her first question-and-answer session in the Legislative Council that the government would be spending an extra HK\$3.6 billion (US\$450 million) for local undergraduate programs, to increase the ratio of classes to teachers in public primary and secondary schools with the creation of 3,200 permanent teacher posts within a year (2017-2018). Lam's education policy direction is largely agreed to by different stakeholders in the education sector (Lee, 2017) and is part of a policy to transform Hong Kong into a regional education hub for higher education (Lee, 2014).
- 50 The outcome of these post-Handover education policies is that among population aged 15 and above, the proportion of those having attained secondary and post-secondary levels increased from 71.1% in 2001 to 77.3% in 2011. There has been a continued improvement in the quality of education in terms of pupil-teacher ratios. For primary level, it improved considerably from 19.8 in the 2002-03 school year to 13.9 in the 2012-13 school year; while that for secondary level also improved from 17.6 to 13.7 over the same period (Wang, 2013: 1008). Though pupils over 15 in Hong Kong perform very well in terms of mathematics and reading, student wellbeing (life satisfaction and sense of belonging at school) remains well beneath OECD average whereas schoolwork-related anxiety is higher than average (OECD a), 2017). Policies aimed at encouraging higher education should not only target the young, but also enhance positive valuation of education throughout one's life. Awareness campaigns promoting the benefits of education, including practical or vocational skills, can help better promote the intrinsic value of education at all levels (ESRC, 2014).
- 51 Higher levels of education are associated with a wide range of positive outcomes - including better health and wellbeing, higher social trust, greater political interest, lower political cynicism, and less hostile attitudes towards immigrants (ESRC, 2014). Yet the emphasis on education today affects people with lower levels of education who may suffer from low self-esteem and as a consequence enjoy less personal wellbeing (ESRC, 2014).
- 52 Hong Kong has been the heir to the social welfare and educational traditions from her colonial past (missionary and charity works) as well as Confucian values of self-reliance and family duty. The integration of the two legacies produced a special mix of welfare values and educational practices from east and west. The legacy of a highly centralized and executive-led governance regime continues in Hong Kong today where there is little public input over education. In terms of education, the Chinese population in Hong Kong has always adopted a practical attitude in order to guarantee the success of its youth. Faith schools which enabled the best schooling in English were favoured over others because they either helped achieve a professional career in Hong Kong or enabled them

to pursue higher education abroad in English-speaking countries. Parents continue to view schools as a path to upward social mobility (Postiglione *et al.*, 1998: preface) especially since under the British colonial framework and up until the signing of the Sino-British declaration in 1984, the schools of Hong Kong have catered to the elite (Postiglione, 1992: introduction).

7. Wellbeing, health and education in Hong Kong

- 53 Education has become one of the clearest indicators of life outcomes such as employment, income and social status, and is a strong predictor of attitudes and wellbeing. Education is often used by people to shape their ‘social identity’, sketching out their understanding of themselves and their relationships with other people. A positive, affirming social identity is associated with a range of positive outcomes in life, such as increased wellbeing, health, social trust and political engagement (ESRC, 2014).
- 54 Since the delivery of both education and healthcare are closely related to the public and has an influence on citizens’ wellbeing, the government should provide an opportunity for them to express their opinion and let them have constructive discussion (Tse, 2008). The importance of public debate and effective mobilisation and communication of research has been developed by Christine Loh, (LSE Cities, 2011) who suggested that political and business elites in Hong Kong were uncomfortable about opening up a dialogue around the sharing of wealth and resources, worrying that it might lead to conflict. As Deputy-Minister for the Environment (2012-2017), Loh was interested in exploring how productive conversations might be initiated and sustained between citizens and city leaders and especially how new technologies could be used to improve the wellbeing of the citizens. According to the first Asian Urban Wellbeing Indicators Comparative Report (2016)¹⁷ which took into account people’s subjective attitudes and experiences rather than only policy inputs (educational spending) and outputs (graduation rates), 70% of people in Hong Kong felt their city had become worse or much worse to live in than when they first moved in. Whilst housing was by far the top priority of government action, quality of government came in second with education. Loh also worried about growing public discontent towards the government and how negative perceptions could affect the overall wellbeing of citizens (*Le Monde*, 2017).
- 55 Throughout the 20th century, Hong Kong was prone to a colonial culture which believed that it had little to benefit from a western welfare system, where the level of wellbeing is often deemed to be higher and its distribution more equitable (Veenhoven, 2000)¹⁸. In a discussion on wellbeing and the welfare state, Veenhoven concedes that individual and collective meanings tend to become confused. “Social welfare” contains both the notion that a strong welfare state is good for society (it strengthens “social cohesion”) and the idea that people who live in a welfare state “fare well”. It is thus commonly assumed that what is good for society will also be good for individuals who belong to it.
- 56 Hong Kong has developed a unique social and economic model which has contributed to its economic success and is highly regarded in the world. Its position has been confirmed over time by one of the highest HDI among developed countries (Hong Kong ranked 7th in the 2018 UN Human Development Indicator, before the US and Great Britain). The efficiency of its administration, an extremely well-developed transport and communication network, sound education, health and public housing infrastructure, all

contribute to this ranking. Besides English as a business and education language, together with Cantonese and Mandarin as official languages are assets on the world stage.

- 57 During the colonial period, while the British preferred to let the Chinese community solve their own problems without interfering in social policy (Goodstadt, 2007: 23), neither the colonial authorities nor the business sector, which supported them, had understood that economic growth would not be sufficient to solve Hong Kong's social, political and environmental problems. Until very recently, the contrast between a thriving society and institutions, which were incompletely developed, remained stark. For instance, healthcare was fragmented until the creation of a Hospital Authority in 1990 with Chinese clinics being the most widespread offer for the local population until the 1960s (Goodstadt, 2007: 24). Health had been left at the mercy of citizens but with an ageing population (about 27% will reach the age of 65 by 2030), families who mostly lack time, space and finances to provide adequate care for their elder relatives have seen their burden increase. Another illustration of Hong Kong's lagging behind other developed countries is that the workforce was not entitled to a statutory retirement pension scheme until December 2000 (Information Services Department, Hong Kong, 2015).
- 58 Since 2003, the Centre for the Quality of Life at the Chinese University of Hong Kong (CUHK) has conducted surveys and published comprehensive indices on wellbeing (Chan *et al.*, 2004: 265). The Hong Kong Quality of Life Index measures 21 indicators¹⁹ across Social, Economic and Environmental sub-indices (Chan *et al.*, 2004: 266-267; Social and Economic Mobility, 2015). It also asks participants to self-report stress levels and life satisfaction. It came out that Hong Kong people considered good health, peace of mind and money as key to happiness and desired a better living environment, placing education as a key to success (Chan *et al.*, 2004).
- 59 Professor Angus Deaton²⁰ claims that it is also important to monitor more subjective social factors, such as "physical and psychological wellbeing, education, and the ability to participate in civil society" in order to address the wellbeing of all nations (Deaton, 2013). These last two concerns are especially relevant for the citizens of Hong Kong who expected gradual implementation of the political reforms promised in the Basic Law.
- 60 In 2012, the Centre for the Quality of Life began to survey youth quality of life in Hong Kong; its July 2015 report concluded that the youth quality of life had declined over the past 12 months. In particular, the physical health, psychological wellbeing, and political engagement of youth were found to have diminished. Of the 28 indicators²¹, "government performance evaluation" was the most noticeable factor in decline, followed by "satisfaction with youth policy" and "perceived impact on policy" (Social and Economic Mobility, 2015).
- 61 These findings seem to confirm the feeling that there is a growing disappointment from a Cantonese-speaking youth which has lost hope in a political and social system which no longer matches expectations. They feel stranded in between their family's local expectations and social pressure for them to play a greater role in the People's Republic of China's society (Ford, 1996: 80).
- 62 The conflict between the desire to have government ensured healthcare and education for all and the recognition that private markets provide goods and services more effectively than the government is nothing new (Hay, 1995). Veenhoven believes that the amount and extent of welfare are negotiable but he insists that it should not be written off altogether. Whilst they do not necessarily help much in producing more or less

wellbeing, welfare systems nevertheless provide a neutral framework in which to develop wellbeing (Veenhoven, 2000).

- 63 The Happiness Index used for the Youth Quality of Life Report also demonstrates that many young people are unhappy with their lives as compared to previous years. But it does not help the government clearly identify the actual causes behind fluctuations in wellbeing which would also enable it to adopt more suitable policies. This report assesses a state without enquiring about the aspects of government performance that are creating dissatisfaction and trying to establish a connection between the deteriorating wellbeing of Hong Kong people to tensions with Mainland China and the Occupy Movement (Social and Economic Mobility, 2015).
- 64 These indices are insufficient in themselves to have any impact on government policy because they fail to fully take into consideration subjective social indicators like satisfaction, worries or trust usually determined through self-ratings (Rammstedt, 2009: 2). More research needs to be undertaken for the government to be able to enact the right policy if it is to rely on specific index relevant to the Hong Kong context. A diversified set of indicators may enable them to measure improvements resulting from social and economic policies but without an official incentive, it would be difficult to adopt local statistical indicators enabling them to evaluate progress. Due to current uncertainty about the extent to which the Quality of Life Index may be used to make concrete policy proposals, the OECD's Framework for Measuring Wellbeing and Progress²² has so far remained widespread in political discourse.
- 65 In 2011, the OECD launched the Better Life Initiative, which aimed to measure wellbeing by looking at material conditions and quality of life through eleven dimensions ranging from income and health to work-life balance, civic engagement, and subjective wellbeing. The initiative was itself inspired by the Stiglitz 2009 Report following the Commission on the Measurement of Economic Performance and Social Progress, which was created to identify the limits of GDP as an indicator of economic performance and social progress. It is likely that Hong Kong will follow the UK and Canada's lead and find inspiration in the Better Life Initiative to formulate wellbeing indices (Social and Economic Mobility, 2015).

8. Conclusion

- 66 After over a century of colonial rule and twenty years under a special status within China, Hong Kong has reached a state of economic development which makes it one of the most advanced places in terms of health and education. However, the population has mostly benefited from its newly-found wealth through the top down directives to improve overall wellbeing without any direct public consultation on citizens' life expectations. Moreover, Hong Kong's short-term future could be greatly affected by two main challenges: the Chinese government's growing tendency to interpret and rely on the Basic Law to reaffirm full control over the most Southern part of its territory inhabited by a Cantonese-speaking population which has partly lost trust in their local political institutions and an ageing population with limited land resources. This demographic evolution is common to all Western and Asian economically advanced nations but Hong Kong will be particularly affected by old age and dependency due to its tight manoeuvring space, and it could thus develop as a platform to experiment with new ideas and concepts regarding forms of social organisations like cross-border care on the mainland.

- 67 Recently Hong Kong has adopted international criteria to assess wellbeing. Yet some questions remain as to how to use the wellbeing assessments, which overall reflect favourably on the government as Hong Kong's GDP per capita ranks seventh based on purchasing power parity rates (Social and Economic Mobility, 2015). The Hong Kong Quality of Life Index asks participants to report stress levels and life satisfaction but it does not necessarily establish a causal connection. The Happiness Index used for the Youth Quality of Life Report also fails to guide policy makers on how to improve the lives of citizens as it does provide in-depth insight but only speculates over some of the possible causes affecting levels of wellbeing (Social and Economic Mobility, 2015).
- 68 Surveying institutions "should ask more in-depth questions when assessing subjective social indicators" in order to uncover not only how but also "why respondents feel more content or less content with their lives as compared to previous years" (Social and Economic Mobility, 2015). The Hong Kong government is currently proposing to implement a family impact assessment in any policy formulation. This latest improvement in the wellbeing index could be used to measure the government's performance in some domains (Elliot *et al.*, 2016).
- 69 In measuring the wellbeing fluctuations of a population, political aspects should also be explored on top of economic and social components and included in any assessment of health and education. The study case of Hong Kong with its unique geopolitical setting and top down approach to policy-making may be as interesting for China as it is for economically advanced nations.

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NOTES

1. The GDP has been used as a measure of economic wellbeing since the 1940s: it measures the total economic output by individuals, businesses, and the government and is a tangible way to quantify the state of the economy.
2. The Stiglitz Commission (2009) describes the different aspects of Subjective Wellbeing (SWB) as "cognitive evaluations of one's life, happiness, satisfaction, positive emotions such as joy and pride, and negative emotions such as pain and worry" and insists that "each of them should be measured separately to derive a more comprehensive appreciation of people's lives ... [and that SWB] should be included in larger scale surveys undertaken by official statistical offices."
3. According to the ONS paper on Measuring Subjective Wellbeing for Public Policy (February 2011), there is increasing interest in the measurement and use of subjective wellbeing (SWB) for policy purposes.
4. According to the Cambridge dictionary, welfare is either defined as the provision of financial support for citizens without the means to provide for their basic needs or as the physical and mental health and happiness, especially of a person.

5. Layard argued in *Happiness: Lessons from a New Science* (London: Penguin Books, 2005) that funding by the Department of Health to develop psychological therapies in the treatment of depression and anxiety, would positively impact on the number of people who are fit to work and thus help reduce the number of Incapacity Benefit recipients.
6. Poor Chinese quarters were established in Taipingshan and the peak with a slightly better climate was strictly reserved for European settlers to protect themselves from disease and spare them the unhealthy and unsanitary living quarters of the Chinese.
7. The Social Welfare Department had come into existence in 1958 but its function had remained limited while the government stressed the role of the family in social welfare. Long-term plans for social welfare were only introduced in the 1970s with double in social spending per capita between 1971 and 1974 (Wong, 2008: 6). Two thirds of the welfare budget was attributed to social security which includes Public Assistance Scheme and Old Age and Disability allowances (Hong Kong government, 1991).
8. In 2018, public social expenditure is 20% of GDP on average across the OCDE with 8% of GDP on average being spent on pensions. Over the last decade, such spending has increased by 1% a year (OECD, 2019).
9. The Social Allowance Scheme (known as Social Security Allowance Scheme since 1993) introduced in 1973 is one of the major components of Hong Kong's social security system which is noteworthy for its low benefit level and generates social stigma.
10. In the UK, household savings rate averaged 8% between 2008 and 2010 whilst in France the rate was higher at about 15% (ONS, Trading Economics).
11. The foreign ministry in Beijing recently described the Joint Declaration as “a historical document which no longer has any practical significance” (*The Guardian*, 2017), leaving a lot of uncertainty floating as to the long-term future of Hong Kong.
12. The 1997 Handover of Hong Kong from the United Kingdom to the People's Republic of China represents one of the major political transformations of the twentieth century.
13. The APMHO was established in 1992 with the support of key organizations (such as the Hong Kong Medical Association and the Hong Kong Council of Social Services) and 16 patients mutual help organizations serving patients with diabetes, renal failure, cancer, rheumatoid arthritis, lupus, asthma, etc. By 2012, it had become a network of 44 patients-led organizations with approximately 40,000 patients in Hong Kong, representing more than 20 disease areas of which most can be classified as chronic illness or currently named under the UN and WHO as Non Communicable Diseases (NCDs). There are currently more representations of APMHO participating on healthcare issues and related committees and working groups in Hong Kong SAR Government and Hospital Authority. (APMHO, CRN HKSR, 2012: 12)
14. It is believed that by promoting great patient responsibility and optimal usage, PCH leads to improved health outcomes, quality of life, and optimal value of healthcare investment. In 2006, all IAPO members signed a Declaration on PCH which supports the following principles: Respect, Choice and empowerment, Patient involvement in healthcare policy, Access and support, Information. (APMHO, CRN HKSR, 2012: 11-12)
15. The APMHO instigated three rounds of data collection with individual questionnaires to patients and caregivers (862 respondents), followed by telephone interviews with 20 Self help Organization's (SHO), Executive Committee representatives and finally, two focus group meetings with 18 SHO's representatives from the second round.
16. “The ability to measure innovation is essential to an improvement strategy in education. Knowing whether, and how much, practices are changing within classrooms and educational organizations, how teachers develop and use their pedagogical resources, and to what extent, change can be linked to improvements would provide a substantial increase in the international education knowledge base”. (OECD, 2014)

17. In 2012, Civic Exchange launched the project that would become the Asian Urban-Wellbeing Indicators. The Asian Urban-Wellbeing Indicators is a public opinion survey designed to measure public attitudes towards urban life. It measures how much people care about and are satisfied with 10 different policy domains—housing, medical care, education, work and business opportunities, transportation and utilities, environmental protection, community and belonging, public safety and crime control, recreation and personal time, and quality of government.

18. Veenhoven shows that this widely shared belief is not necessarily true as there may be no link between the size of the welfare state and the level of wellbeing within it. In countries with generous social security schemes people are not healthier or better off than in countries where the state is less generous. There also appears to be no connection between the size of state welfare and equality in wellbeing between its citizens. In countries with high levels of social security expenditure, the dispersion of health and happiness is as remarkable as in countries with less public sector spending (2000).

19. The largest sub-group, the sociocultural sub-index (10 indicators) encompasses health statistics, press freedom statistics, political statistics, and crime statistics. The economic sub-index (seven indicators) covers statistics on employment, wages, the property market, public attitudes towards economic conditions, and education (Chan *et al.*, 2004: 266).

20. Professor at Princeton who was awarded the 2015 Nobel Memorial Prize in Economic Sciences for his analysis of consumption, poverty and welfare. In *The Great Escape* (2013), Angus Deaton describes how economic growth has eradicated the vicious circle of poverty and disease mainly thanks to improvements in health and living standards.

21. They are grouped into eight domains: Physical Health, Psychological Wellbeing, Society, Economics, Education, Politics, Living Environment, and Overall Wellbeing.

22. It is based on the recommendations made in 2009 by the Commission on the Measurement of Economic Performance and Social Progress – also known as the Stiglitz-Sen-Fitoussi Commission – to which the OECD contributed significantly. This framework is built around three distinct domains: material conditions, quality of life and sustainability.

ABSTRACTS

For over half a century of British rule (1842-1997), Hong Kong was run by a colonial and business elite who focused on economic development and political stability through a laissez-faire policy, except during the Second World War Japanese occupation and the last years of colonial rule when democracy was being gradually introduced. After the Handover which took place on the 1st of July 1997, the government of Hong Kong had to adapt to an unprecedented geopolitical context which combined an economic, legal and social structure inherited from its colonial past and a Chinese institutional framework, known as “one country, two systems” within which the liberal economy and political autonomy of Hong Kong would coexist with the interventionism of the communist regime in Beijing. This article will focus on policy inputs especially in health and education, in the context of the historical transfer of the territory of Hong Kong from a British colony to a Special Administrative Region of the Chinese People’s Republic and will integrate the analysis of these inputs into the wider framework of the assessment of wellbeing issues in Hong Kong. These are indeed two key sectors concerning the wellbeing of the population. Besides they are major sources of concern for families in Hong Kong due to pressures from demography and structural changes in the labour market, integration with the mainland (pushing for adaptation

of programs and use of standard Chinese) as well as cultural factors. The Chinese have always valued good health and perceived education as particularly important for upward social mobility and economic success. This article will first examine the areas of health and education in turn in the context of British colonial rule, and move on to explore the most recent developments in those areas since the Handover. It will then assess how specific factors (geography, history, politics) may have influenced policy and finally, it will conclude on the main challenges in terms of public policies which lay ahead to measure wellbeing in these fields.

Hong Kong a été durant les quelque cent cinquante années de souveraineté britannique (1842 à 1997) un territoire gouverné par une élite coloniale et d'hommes d'affaires menant une politique de laissez-faire axée principalement sur le développement économique et la stabilité sociale, à l'exception de la période d'occupation japonaise durant la Deuxième Guerre mondiale et des dernières années où la représentation démocratique des institutions a été introduite. Après son retour à la Chine, le 1^{er} juillet 1997, le gouvernement local a dû s'adapter à un nouveau contexte géopolitique combinant une structure économique, juridique et sociale héritée de son passé colonial britannique et un cadre institutionnel chinois sans précédent, celui « d'un pays, deux systèmes », dans lequel le système libéral et autonome de Hong Kong coexiste avec le système interventionniste du régime communiste de Pékin. L'objet de cet article est d'examiner les apports politiques en matière de santé et d'éducation, dans le contexte de l'évolution historique du territoire de Hong Kong passé de colonie britannique à « Région Administrative Spéciale » de la République populaire de Chine et en intégrant l'analyse de ces apports dans la problématique plus large de l'appréciation du bien-être de la population. Ce sont en effet deux secteurs clés du bien-être d'une population. En outre, ils sont au cœur des préoccupations des familles de Hong Kong du fait notamment de facteurs liés aux changements structurels de la démographie et du marché de l'emploi, du retour du territoire dans le giron chinois, ainsi que de facteurs culturels : la tradition chinoise accorde une grande valeur à la préservation de la santé et à l'éducation, pour la longévité et la réussite qu'elles procurent aux plans économique et social. Cet article examine d'abord la santé, l'éducation et le bien-être à Hong Kong dans le contexte colonial des années de souveraineté britannique, puis les évolutions marquantes sur ces questions depuis la rétrocession du territoire à la Chine. Il s'efforce ensuite de cerner les facteurs pouvant expliquer ces évolutions, ainsi que les principaux défis des politiques publiques du gouvernement local dans ces domaines.

INDEX

Mots-clés: éducation, santé, bien-être, Hong Kong, héritage britannique

Keywords: education, health, wellbeing, Hong Kong, British legacy

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Hors thème

Varia

Transition écologique et action syndicale : le rôle des syndicats québécois

Green Transition and Unionism: the Role of Quebec Trade Unions

Laurence Cazabon-Sansfaçon, Diane-Gabrielle Tremblay et Carolyn Hatch

Nous tenons à remercier le programme de Partenariat du CRSH, et l'équipe de l'université York autour du projet Advancing Canadian Workplaces, projet sur le changement climatique, le travail et l'emploi, dans le cadre duquel cette recherche a été réalisée.

1. Introduction

- 1 Les préoccupations quant à l'accélération des changements climatiques sont grandissantes, et, pourtant, les actions visant à entamer une véritable transition écologique se font attendre. L'imbrication de la crise écologique et du système de production industrielle crée des obstacles tant politiques qu'économiques et sociaux à cette transition. Parmi ces obstacles, mentionnons notamment les effets du changement climatique sur le travail et l'emploi. En effet, comment les changements et les mesures associées à la transition transformeront-ils le contenu du travail, et quel(s) effet(s) aura-t-elle sur l'emploi ?
- 2 Ces questions sont de plus en plus au cœur des préoccupations syndicales. Les syndicats ont en effet un rôle à jouer pour s'assurer que les craintes des travailleuses et travailleurs soient entendues, et qu'on y apporte des réponses satisfaisantes. Nous avons donc voulu répondre à la question suivante : *comment les syndicats voient-ils la transition écologique et ses effets sur le monde du travail, et quelles actions entreprennent-ils pour soutenir leurs positions ?* Nous nous intéressons à la façon dont les grandes centrales syndicales québécoises conçoivent leur rôle, les défis auxquels elles font face et les actions qu'elles entreprennent dans le contexte de la transition écologique et nous posons l'hypothèse qu'elles pourraient y être réfractaires, et ce, d'autant plus que leurs membres sont dans

des secteurs qui seront touchés par les changements (secteurs primaires et de transformation primaire ou manufacturière). C'est cette thèse que nous tentons de valider par notre analyse des documents syndicaux et des entrevues réalisées dans le cadre de cette recherche. En réponse à la complexité de l'enjeu écologique et climatique, les rôles et les actions des organisations syndicales sont multidimensionnels, et font écho au triple rôle économique, politique et social de l'action syndicale. Les syndicats développent leurs positions dans le cadre de ce rôle multidimensionnel de l'action syndicale, mais aussi en fonction de l'importance du risque de perte d'emploi parmi leurs membres.

2. Contexte

- 3 Au Québec, il n'existe actuellement pas de politique claire intégrant les questions d'emploi et d'environnement, et les projections quant aux effets de la transition écologique sur le monde du travail demeurent fragmentaires. Le Québec s'est pourtant fixé comme objectif de réduire de 37,5 % ses émissions de gaz à effet de serre (GES) par rapport aux niveaux de 1990 d'ici 2030 (MDDELCC, 2018) ; d'importantes transformations sont donc à prévoir dans plusieurs secteurs économiques. Le *Groupe de travail sur la main-d'œuvre* a publié en janvier 2018 un document de travail intitulé « La transition énergétique et la main-d'œuvre québécoise : Promouvoir des transformations durables sur le plan écologique et social dans les secteurs du transport, du bâtiment et de l'énergie ». Ce groupe de travail regroupe des acteurs en provenance des syndicats, du patronat, de groupes écologistes, du monde de la recherche ainsi que du milieu de l'économie sociale¹. Il s'est penché sur les répercussions de la transition énergétique sur trois secteurs clés de l'économie québécoise, les transports, le bâtiment et l'énergie, qui représentent environ 700 000 emplois (Groupe de travail sur la main-d'œuvre, 2018 :5) et sont responsables de la majorité des émissions de gaz à effet de serre de la province¹. Ce sont donc les secteurs les plus préoccupants pour les syndicats, mais d'autres secteurs sont aussi touchés, notamment dans les services, qui doivent apprendre à mieux gérer leurs déchets et réutiliser ou recycler les matières recyclables notamment.
- 4 Le groupe de travail évalue que les impacts les plus directs en termes de pertes d'emplois seront dans « les sous-secteurs du raffinage et de la distribution des produits pétroliers », mais que ceux-ci « devraient bénéficier d'une transformation graduelle alors que les emplois existants pourraient migrer vers des créneaux apparentés, et plus « verts », comme la chimie verte, le bioraffinage et la distribution d'une palette de carburants alternatifs (Groupe de travail sur la main-d'œuvre, 2018 :7). » Inversement, le groupe de travail anticipe la création d'emplois dans « la filière de l'électrification des transports et, de façon encore plus prononcée, celles de la construction et de la rénovation des bâtiments, tout comme certains créneaux d'énergies alternatives tels la géothermie et la biomasse (IDEM). »
- 5 Le groupe de travail note qu'« un rapport du ministère des Finances du Québec estimait que le système de plafonnement et d'échange de droits d'émissions de gaz à effet de serre (SPEDE) actuellement mis en œuvre pourrait mener à la perte de 5936 emplois (soit une diminution de 0,14 %) (Groupe de travail sur la main-d'œuvre, 2018 :15). »
- 6 Par ailleurs, le groupe de travail ne chiffre pas les pertes d'emploi anticipées dans les trois secteurs examinés (bâtiment, transport, énergie). Globalement, le groupe de travail conclut que les gains compenseront les pertes, à condition que des mesures soient mises

en place pour former les travailleurs et les travailleuses et compenser ceux et celles qui devront changer de secteurs et possiblement devoir être relocalisés géographiquement.

- 7 Le principal défi soulevé par le rapport pour tous les secteurs à l'étude est celui de la formation de la main-d'œuvre. Le Groupe de travail croit que certains emplois seront perdus, mais que la plupart seront plutôt transformés ; les travailleurs et travailleuses devront donc acquérir de nouvelles compétences pour s'adapter à de nouvelles tâches ou à de nouveaux emplois. L'offre de formation correspondant à ces transformations constitue un enjeu majeur de la transition. Le Groupe de travail conclut que la transition énergétique sera positive si des mesures sont prises pour soutenir la requalification des travailleurs et travailleuses, la création de nouveaux emplois et la compétitivité des secteurs verts. Par contre, pour que ce scénario se réalise, il faut que les travailleurs et travailleuses soient en mesure d'obtenir de la formation ou d'être relocalisés vers ces nouveaux secteurs ; autrement dit, il faut qu'ils détiennent déjà les connaissances nécessaires pour faire face à ces changements, et qu'ils acceptent de se déplacer géographiquement, ce qui ne semble pas assuré.
- 8 Notons enfin que le Groupe de travail sur la main-d'œuvre s'est concentré sur les secteurs économiques émettant le plus de gaz à effet de serre, mais tous les domaines économiques pourront être touchés : « *Each stage in the production of goods, services and ideas, including the inputs, outputs, distribution, physical environment in which the work takes place and the eventual disposal of physical products, is a producer of greenhouse gases* (Lipsig-Mummé et al., 2010 :20). » Les organisations syndicales que nous avons étudiées représentent ce type de secteurs d'activité économique, à la fois des secteurs qui émettent des gaz à effets de serre (davantage primaire et manufacturier, incluant transports et bâtiment en particulier), mais aussi des secteurs émergents qui pourraient offrir de nouveaux emplois, bien que ces secteurs (comme les technologies de l'information) ne soient pas toujours syndiqués. Voyons maintenant quelques éléments sur le cadre théorique avant de passer à la recherche comme telle.

2.1 La transition écologique et le monde du travail

- 9 La notion de *transition* est de plus en plus utilisée dans les discussions entourant la lutte contre les changements climatiques. Des expressions telles que *transition vers une économie faible en carbone*, *croissance verte* ou *transition vers une économie verte*, mobilisées par plusieurs acteurs institutionnels (OCDE, 2015 ; ONU, non daté ; OIT, 2015), évoquent une image positive de l'économie post-transition. L'expression *transition juste* se définit par le fait que la transition est composée de dynamiques politiques et économiques complexes, mais que celles-ci peuvent être « justes » à l'égard des groupes touchés. Les organisations syndicales considèrent que même si elle est nécessaire, la transition écologique , soit l'ensemble des mesures et transformations, tant technologiques que sociales, économiques et politiques, nécessaires pour redéfinir un rapport soutenable entre les êtres humains et la planète, aura des effets humains considérables ; c'est pourquoi elles revendiquent que cette transition ne repose pas uniquement sur les épaules des travailleurs et travailleuses dont les emplois seront touchés (Felli et Stevis, 2014 ; Lipsig-Mummé, Lafleur et Bickerton, 2013 ; Mertins-Kirkwood, 2018 ; Rosenberg, 2010 :141). Le concept de transition juste traduit le souci de conjuguer la protection de l'environnement avec la protection des emplois : « *il s'agit de rendre la transition écologique socialement acceptable, voire d'en faire un enjeu de mobilisation et de propositions syndicales* (Felli et Stevis,

2014 :113). » En tenant compte à la fois des impératifs environnementaux et humains, la transition juste incarne un compromis acceptable pour le monde syndical.

- 10 La transition a longtemps été dépeinte comme un processus irréconciliable avec le plein emploi, voire même le maintien de l'emploi. Même si plusieurs études ont montré que les mesures environnementales ne sont pas nécessairement négatives pour l'emploi (Bezdek, Wendling et DiPerna, 2008 ; Morgenstern, Pizer et Shih, 2001), ce débat a créé un certain climat de méfiance face à des mesures environnementales perçues comme nuisibles à la croissance économique et l'emploi. Certaines alliances se sont toutefois forgées entre des groupes environnementalistes et des syndicats. En Amérique du Nord, l'une des plus importantes est la BlueGreen Alliance, née de la volonté de la United Steelworkers' (USW), le plus important syndicat manufacturier du secteur privé aux États-Unis, d'intégrer davantage les enjeux environnementaux à ses luttes. Pour ce faire, elle s'est alliée au Sierra Club pour faire avancer certaines transformations socio-environnementales en faisant front commun (Foster, 2010 :234). Au Canada, le Congrès du travail du Canada s'est inspiré de la BlueGreen Alliance états-unienne pour initier un dialogue entre des organisations syndicales, des groupes environnementalistes et des organismes de justice sociale. Cette rencontre a mené à la création du Green Economy Network. Ce groupe est toutefois très peu actif depuis 2017 (The Green Economy Network, 2019). Aussi, le Bureau international du Travail (BIT) de l'Organisation internationale du travail (OIT) a publié en 2015 des « Principes directeurs pour une transition juste vers des économies et des sociétés écologiquement durables pour tous ». Ce document propose « un cadre d'action pour une transition juste (OIT, 2015 :3) » sur lequel s'appuient de nombreuses organisations syndicales, notamment les centrales québécoises, pour définir et orienter leur approche de la transition juste. La vision de la transition juste du BIT s'appuie sur les quatre dimensions du travail décent, soit « dialogue social, protection sociale, droits au travail et emploi (OIT, 2015 :4) », et sur les trois dimensions du développement durable (sociale, économique et environnementale) qu'il considère comme étant indissociables et d'égale importance. À cet égard, le BIT considère la transition vers une économie verte comme étant porteuse d'un grand potentiel de croissance économique et de création d'emplois, à condition qu'elle soit bien gérée. Ces débats mettent toutefois en lumière les dimensions économiques, sociales et politiques de la lutte contre les changements climatiques ; l'emploi étant, en Occident, le principal moyen de subsistance dont disposent les individus, toute transformation du monde du travail a des effets sociaux et économiques significatifs (Dupressoir, 2007 ; Felli et Stevis, 2014 ; Scoones, Newell et Leach, 2015 ; Newell et Mulvaney, 2013). Même si plusieurs emplois seront créés par les secteurs verts, plusieurs emplois traditionnels seront éliminés, ou transformés par de nouvelles méthodes de production ou de nouvelles technologies. De plus, ces transformations mettent en jeu une multitude d'acteurs, créant ainsi des dynamiques de pouvoir et d'inégalité d'accès aux sphères de décisions (Scoones, Newell et Leach, 2015 ; Scrase et Smith, 2009 ; Giddens, 2009 ; Meadowcroft, 2007 ; Meadowcroft, 2011 ; Newell et Mulvaney, 2013). En effet, les choix liés aux transformations nécessaires pour effectuer la transition, particulièrement si l'on souhaite que celle-ci soit juste, soulèvent des questions profondément politiques : « *Transformations are inevitably multiple and contested, as pathways interconnect and compete. Politics and power are important to how pathways are shaped, which pathways win out and why, and who benefits from them* (Scoones, Newell et Leach, 2015:3). » La méfiance du mouvement syndical face à

ces transformations est ainsi justifiée par la crainte que la voix des travailleurs et des travailleuses soit écrasée par celles d'intérêts plus puissants.

- 11 Puisque nous traitons des acteurs syndicaux, il convient de traiter des dimensions théoriques, en particulier de la sociologie du syndicalisme.

2.2 Sociologie du syndicalisme

- 12 Le syndicalisme constitue un objet sociologique complexe. Il agit dans les sphères économique, politique et sociale, en utilisant un grand répertoire d'actions de mobilisations, de négociations, de régulations, etc. (Gagnon, 1991 ; Camfield, 2014). Le syndicalisme est à la fois un agent de régulation économique, ce qui inclut sa fonction institutionnalisée de négociateur, un acteur social, voire un mouvement social, et un acteur politique (Gagnon, 1991 ; Bellemare *et al.*, 2005).
- 13 Le syndicalisme s'est d'abord développé comme intermédiaire entre la classe ouvrière et les patrons, avec une forte composante d'agent de contestation et de critique du capitalisme (Camfield, 2014 ; Pottie, 1998). Depuis l'ère néolibérale, l'action syndicale s'est transformée suite à d'importantes mutations du paysage économique et du monde du travail : mondialisation, effritement de la social-démocratie, *flexibilisation* du travail (Lévesque et Murray, 2010 ; Dufour et Hege, 2010 ; Gagnon, 1998 ; Grozelier, 2006 ; Fairbrother et Williams, 2007 ; Bellemare *et al.*, 2005). Au Québec, ces changements ont ébranlé les assises traditionnelles du syndicalisme, favorisant notamment la concertation au détriment de la confrontation. Pendant la période post-fordiste, le mouvement syndical s'est fortement institutionnalisé, ce qui a eu pour conséquence de recentrer l'action syndicale autour des activités de négociation collective (Camfield, 2014) et de limiter la capacité du mouvement syndical à agir comme mouvement social.
- 14 Le syndicalisme est l'un des derniers acteurs dont la fonction est de s'opposer à certains mécanismes capitalistes aux conséquences néfastes (Camfield, 2014). Même si son influence s'est transformée depuis les années 1980, le syndicalisme demeure un acteur central des sociétés contemporaines, tant sur les plans économique que politique et social (Gagnon, 2003 :27). Malgré les mutations qu'il a connues depuis une trentaine d'années, le syndicalisme demeure un interlocuteur incontournable du changement social. En ce qui a trait aux enjeux environnementaux, l'intervention syndicale a souvent été initiée par le lien entre ces enjeux et les enjeux de santé et sécurité au travail. La naissance de la BlueGreen Alliance états-unienne, par exemple, est issue d'un accident industriel en Pennsylvanie qui, dans les années 1940, avait causé la mort de 20 résidents de la communauté entourant une fonderie de la US Steel, dont des travailleurs de la fonderie (Foster, 2010). Dans de tels contextes, les syndicats ont pu arrimer certaines revendications environnementales à des revendications plus conventionnelles du mouvement syndical.

2. 3 Les organisations syndicales québécoises

- 15 Le taux de présence syndicale du Québec est l'un des plus élevés au Canada (37 % ; cf. Galarneau et Sohn, 2012) et les syndicats sont demeurés des acteurs importants du paysage sociopolitique de la province. Comme le Québec compte quatre grandes centrales syndicales, on ne peut pas analyser l'action syndicale en matière de transition écologique comme s'il s'agissait d'un bloc monolithique, notamment puisque chaque centrale

représente différents secteurs économiques qui ne seront pas touchés de la même façon par la transition. De plus, ces centrales syndicales se distinguent également par des différences idéologiques qui jouent inévitablement un rôle dans la façon dont chacune aborde les enjeux de la transition. Ces différences idéologiques se manifestent notamment à l'égard de la conception de l'État portée par chaque centrale, la tradition de concertation avec l'État étant plus forte du côté de la FTQ que des deux autres centrales (Gagnon, 1991a). Les centrales syndicales québécoises ont toutefois en commun une tradition sociale-démocrate faisant en sorte qu'elles accordent de l'importance à la question écologique, car elles font une place importante aux enjeux débordant de leur fonction économique (Paquet, Tremblay et Gosselin, 2004) et font régulièrement entendre leurs voix sur des enjeux touchant non seulement le monde du travail, mais aussi des enjeux sociopolitiques plus vastes depuis environ deux ou trois décennies, et de plus en plus fortement au fil des ans.

- 16 Leur positionnement face à la transition écologique pourrait avoir un impact significatif sur la façon dont la relation entre transition et emploi se dessinera au Québec dans les années à venir ; bien que l'on se situe actuellement dans un contexte de pénurie de main-d'œuvre, des pertes d'emploi dans des secteurs traditionnels polluants auraient un effet sur la main-d'œuvre syndiquée et le sort de ces salariés ne pourrait laisser les syndicats indifférents. En effet, la transition vers un nouvel emploi, dans un nouveau secteur, n'est jamais facile et doit être accompagnée par des mesures de formation ou autres, vraisemblablement financées par l'État. La Fédération des travailleurs et travailleuses du Québec (FTQ), la plus grande centrale syndicale du Québec (environ 600 000 membres), est une fédération de syndicats indépendants, constituée d'une trentaine de syndicats affiliés. Elle est composée majoritairement de membres du secteur privé (environ 60 %), et est donc la plus liée aux secteurs industriels, notamment les industries forestière, pétrolière (raffineries), manufacturière et minière, le secteur de la construction, ainsi que les transports, autant de secteurs qui sont au cœur des débats sur la transition écologique. La Confédération des syndicats nationaux (CSN), qui représente environ 300 000 membres, est quant à elle une confédération rassemblant huit fédérations représentant en grande partie le secteur public, mais également une partie des secteurs manufacturiers et de la construction. La Centrale des syndicats du Québec (CSQ), enfin, représente 200 000 membres du milieu de l'éducation, de la santé et des services sociaux. Les emplois couverts par ces deux dernières peuvent peut-être sembler un peu moins directement concernés par la transition, mais elles s'intéressent tout de même à la question, car certains de leurs membres seront touchés.
- 17 Ajoutons enfin que nous avons assisté à titre d'observateurs au Sommet pour une transition énergétique juste organisé au mois de mai 2018 par la CSN, la FTQ, Fondation, la Fondation David Suzuki, le Fonds de solidarité FTQ et Greenpeace Canada, en collaboration avec l'Institut du Nouveau Monde. Ce sommet de deux jours a permis à des acteurs des milieux syndicaux, environnementaux, patronaux et d'économie sociale de discuter des enjeux d'une transition énergétique juste et d'explorer différentes pistes de solution. Toutefois, ce sommet a laissé beaucoup plus de place aux acteurs économiques et environnementalistes qu'aux syndicats et aux travailleurs et travailleuses. La volonté de faire une transition « juste » est donc bien présente dans l'esprit de tous ces acteurs, mais la façon de le faire demeure un défi.

3. Méthodologie

- 18 Notre recherche a porté sur le rôle des organisations syndicales dans le contexte de la transition écologique, et leur vision des effets de cette transition sur le monde du travail. Afin de définir ce rôle et cette vision, nous avons étudié les positions des trois grandes centrales syndicales du Québec en nous basant sur une analyse de la documentation produite par ces syndicats. Puis, nous avons mené des entretiens semi-dirigés, en 2016 et 2017, auprès de représentants des trois centrales et de syndicats affiliés, ainsi que de représentants de la grappe industrielle Écotech Québec. Cette grappe industrielle, qui regroupe les acteurs des technologies propres, inclut des entreprises d'innovation, des centres de recherche et de développement, des acteurs des milieux financiers, des associations industrielles et des regroupements en technologies propres et c'est pour cette raison que cet acteur a été inclus, aux fins de comparaison et aussi parce qu'on y trouve des représentants syndicaux (et patronaux). Ce regroupement a pour mission de soutenir le développement d'une économie québécoise plus verte, notamment en faisant la promotion de l'utilisation de technologies propres (Écotech Québec, 2017). Nous avons interrogé ces acteurs sur leur perception du rôle des organisations syndicales dans la transition écologique. Notons que ces secteurs économiques en développement sont actuellement très peu syndiqués (8 %, selon nos entretiens).
- 19 Nous avons mené 30 entretiens, en français et en anglais, d'une durée de 30 à 90 minutes. Pour fins d'analyse, nous avons analysé les réponses des acteurs de la grappe industrielle verte comme un seul groupe. Nous avons également subdivisé les organisations syndicales en fonction de leur exposition aux risques qu'elles peuvent subir sur le plan des pertes d'emploi en raison de la transition écologique : risque élevé (syndicat 1), risque moyen (syndicat 2) et risque faible (syndicat 3) (voir tableau 1). Cette échelle s'appuie sur la prédominance des secteurs industriels parmi les membres de chaque organisation.
- 20 Le guide d'entretien a été conçu pour faire ressortir les positions, mobilisations et actions des acteurs interrogés. Les questions portaient sur leurs positions à l'égard des changements climatiques, du marché du carbone et de la transition verte, ainsi que sur le type d'actions et de mobilisations (notamment avec d'autres acteurs sociaux) entreprises par les acteurs dans le cadre de la transition écologique. Les entretiens ont été retranscrits, codés et analysés par thèmes. Les thèmes mobilisés sont : les positions des acteurs sur la transition verte et la lutte contre les changements climatiques ; leurs interprétations des effets économiques des changements climatiques et de la transition verte sur le monde du travail ; les actions et mobilisations entreprises par les acteurs ; leur connaissance des enjeux ; leur perception de leur propre rôle dans la transition écologique. La documentation syndicale que nous avons analysée inclut des communiqués de presse, des publications et des mémoires et ceux-ci ont servi pour construire la grille d'entretien, mais aussi pour mieux mener les entretiens. Nous avons sélectionné les documents portant directement sur des questions environnementales, telles que leurs positions sur les oléoducs ou l'exploitation des gaz de schiste, les mobilisations entreprises et leur positionnement plus large sur la lutte contre les changements climatiques. Enfin, rappelons que nous avons assisté au Sommet pour une transition énergétique juste évoqué plus haut. La section qui suit contient l'analyse des résultats des entretiens et de la recherche documentaire, ainsi que les réponses à nos questions de recherche quant au rôle, à la vision et à l'action des syndicats québécois.

Tableau 1. Liste des participants aux entretiens

Type d'organisation	Code
Centrale syndicale majoritairement industrielle – risque élevé	Syndicat 1a
Centrale syndicale majoritairement industrielle – risque élevé	Syndicat 1b
Centrale syndicale majoritairement industrielle – risque élevé	Syndicat 1c
Syndicat industriel – risque élevé	Syndicat 1.1a
Syndicat industriel – risque élevé	Syndicat 1.1b
Syndicat de la construction – risque élevé	Syndicat 1.2
Syndicat industriel – risque élevé	Syndicat 1.3
Centrale syndicale mixte, secteurs public et industriel – risque moyen	Syndicat 2a
Centrale syndicale mixte, secteurs public et industriel – risque moyen	Syndicat 2b
Centrale syndicale mixte, secteurs public et industriel – risque moyen	Syndicat 2c
Centrale syndicale de services publics – risque faible	Syndicat 3a
Centrale syndicale de services publics – risque faible	Syndicat 3b
Entreprise de technologie propre	Industrie 1
Entreprise de technologie propre	Industrie 2
Entreprise de technologie propre	Industrie 3
Entreprise de technologie propre	Industrie 4
Entreprise de technologie propre	Industrie 5
Entreprise de technologie propre	Industrie 6
Entreprise de technologie propre	Industrie 7
Entreprise de technologie propre	Industrie 8
Entreprise de technologie propre	Industrie 9
Entreprise de technologie propre	Industrie 10
Comité sectoriel	Intermédiaire 1
Grappe industrielle	Intermédiaire 2
Recherche et développement	Intermédiaire 3
Institution financière	Intermédiaire 4
Coalition pour une économie verte	Intermédiaire 5
Capital de risque et finance	Intermédiaire 6
Organisation de développement régional	Intermédiaire 7
Fonds d'investissement	Intermédiaire 8

4. Analyse des résultats

- 21 Les trois organisations syndicales étudiées sont très conscientes de l'importance de la lutte contre les changements climatiques, et du croisement de ce phénomène avec le monde du travail. Selon ces organisations, la lutte contre les changements climatiques n'est pas seulement de nature environnementale, c'est un enjeu économique, politique, et de justice sociale.

4.1 Quelles sont les positions des centrales syndicales québécoises en matière de transition écologique ?

- 22 Étant donné que les syndicats 1 et 2 ont tous deux des liens importants avec les secteurs industriels, bien qu'à différentes échelles, nous avons remarqué que les positions de ces syndicats se rejoignent en plusieurs points ; nous avons donc combiné leurs perspectives dans l'analyse qui suit. Les positions du syndicat 3, exposé à un risque plus faible, se distinguent des deux autres.
- 23 Les syndicats 1 et 2 semblent considérer la transition écologique comme une fatalité ; ils ont le choix entre la subir ou y participer. Le tiraillement entre leur volonté de participer à cette lutte progressiste, et leur devoir d'assumer leur fonction de défense de l'emploi est très manifeste : « on croit qu'il est nécessaire d'effectuer cette transition-là. C'est pratiquement une question qui ne se pose pas. [...], mais on n'est pas un groupe écologique. Donc nous, ce qui nous préoccupe, c'est la transition pour les travailleuses et les travailleurs (Syndicat 2c). » Cette tension se reflète dans les craintes des membres, dont certains croient devoir choisir entre la subsistance à long terme de l'humanité, et leur propre subsistance à court terme :

Évidemment, les travailleurs, pis on les comprend, lorsqu'on vise ou qu'ils travaillent dans une industrie qui est visée par ça, [...] sont très craintifs. Et ils sont ambivalents, dans le sens que, leur enfant, leur famille, ils veulent avoir ce qui est de mieux pour eux autres. Donc une planète propre, ça rentre dans ce qu'il y a de mieux pour eux autres. Maintenant, une planète propre, mais pas de bouffe sur la table, c'est ça qui est mieux pour eux autres ? (Syndicat 1.1b)

- 24 En raison de cette ambivalence, la question environnementale a pris un certain temps à se forger une place légitime dans les préoccupations des organisations syndicales les plus exposées aux risques de la transition : « *Syndicalement parlant, on a été pendant très longtemps assez disons fermés par principe, parce que c'était protégé l'emploi à tout prix. On a évolué dans cette mentalité-là vers dire ben OK oui faut protéger l'emploi évidemment là, mais en même temps on veut ce qui est mieux pour tout le monde, pis pour nos enfants, pis pour l'avenir (Syndicat 1.1b).* » Certains syndicats affiliés résistent toujours à la transition des secteurs d'activité dont plusieurs de leurs membres dépendent : « *Ils nous ont demandé de prendre position beaucoup pour le projet Énergie Est. On a comme deux volets à ces questionnements-là. Oui on a le volet qu'on est contre la production en masse de gaz à effet de serre, mais on a aussi quand même la réponse qu'on a 20 % de nos membres qui dépendraient de ce projet-là (Syndicat 1.2).* » Ce syndicat avait fait cavalier seul en 2016 en se prononçant en faveur de la construction d'un oléoduc au Québec.
- 25 Cette position syndicale ambivalente a conduit les centrales québécoises à adopter la revendication d'une transition juste : « *On s'inscrit évidemment dans la transition juste, c'est-à-dire qu'on comprend, on accepte, on est d'accord avec le fait qu'il faut sortir notamment des énergies combustibles. Toutefois on estime que l'État et l'entreprise doivent assurer le financement d'une transition juste et équitable pour les travailleurs. Parce qu'il faut pas non plus détruire ou fortement affecter le tissu économique canadien en faisant cette transition-là (Syndicat 1.1b).* » Cette revendication, prépondérante dans la documentation des syndicats 1 et 2, demeure pourtant très abstraite, comme l'ont confirmé nos entretiens :

Parce que ça [la transition juste] se parle de plus en plus, c'est tant mieux, mais c'est pas du tout évident comment ça va se décliner dans la réalité, puis je pense qu'il n'y a pas grand groupe qui a les idées claires là-dessus. [...] c'est des questions qu'on veut creuser, sur c'est quoi la transition verte, c'est quoi la transition juste, comment ça va se faire au Québec, justement parce qu'on considère qu'on en parle beaucoup, mais comment ça va se matérialiser concrètement, ça, je pense que personne a une idée totalement claire de ça (Syndicat 2c).

- 26 Ce manque de clarté est souvent attribué au manque de planification de la transition écologique que l'on reproche surtout à l'État. Les syndicats 1 et 2 déplorent en effet que le gouvernement ne prenne pas les mesures nécessaires pour identifier les emplois qui seront amenés à disparaître, lesquels seront transformés et comment, quels nouveaux secteurs prendront une place dominante, et quelle formation devra être offerte pour former ces nouveaux bassins de main-d'œuvre, etc.
- 27 La principale préoccupation des syndicats 1 et 2 est d'obtenir les informations nécessaires pour préparer les travailleurs et travailleuses qui seront touchés par les transformations des modes de production et de l'organisation du travail qui prendront place pour permettre à l'économie québécoise d'effectuer la transition écologique. Ils revendiquent donc que l'on étudie les effets anticipés de cette transition sur le monde du travail

(transformation d'emplois existants, création d'emplois dans les secteurs verts), ainsi que les besoins de formation pour requalifier les travailleurs et travailleuses lorsque nécessaire. Ils demandent aussi que des mesures compensatoires soient mises en place (retraites, subventions à l'apprentissage, élargissement de l'assurance-emploi, etc.) afin de protéger les travailleurs et travailleuses qui seront touchés par ces transformations pour tenter de leur permettre une transition vers un autre emploi, et éviter de longues périodes de chômage. ? Enfin, ces organisations s'accordent pour affirmer que plus les travailleurs et travailleuses seront impliqués directement dans les transformations de leurs emplois, moins il y aura de résistance de leur part :

[...] en Allemagne où ils ont changé toute l'industrie du ciment, ils l'ont fait avec les travailleurs et les communautés. Tandis qu'il y a un autre exemple qui est quand même fascinant en Belgique, où il y avait une usine de pétrochimie, le nom m'échappe, ils ont fait l'inverse. [...] Et cette industrie-là s'est ramassée avec la première grève de son histoire, qui a été extrêmement longue. Parce que les gens, le choc était trop brutal, parce qu'ils étaient pas impliqués dans l'équation (Syndicat 1c).

- 28 De son côté, le syndicat 3, exposé à un risque beaucoup plus faible dans le contexte de la transition écologique, a quant à lui une position plus pédagogique à l'égard des enjeux environnementaux. Son engagement premier est d'éduquer ses membres, la population en général, mais surtout les jeunes, sur les conséquences des changements climatiques, et les actions pouvant être entreprises pour lutter contre ce phénomène, ainsi que sur les moyens qui permettraient de créer de nouveaux emplois, bien que ce syndicat sera moins touché par les pertes d'emploi associées à la transition écologique.

[...] on travaille beaucoup sur les questions d'engagement, ce qui fait que les personnes vont s'engager, c'est beaucoup la façon dont ils justifient le système tel qu'il est, ou la mesure où ils voient des problèmes dans le monde tel qu'il est. À l'heure actuelle ben il y a beaucoup de monde qui justifie le problème et qui dit que finalement, on n'est pas touchés, pas autant touchés que ça, ou chacun de mes petits gestes ont peu d'importance dans la balance, c'est là que l'éducation est extrêmement importante (Syndicat 3a).

- 29 Bien que conscient d'être exposé à un moindre risque face à la transition écologique, le syndicat 3 considère avoir un rôle à jouer pour soutenir les actions de lutte contre les changements climatiques, éduquer les prochaines générations et plus généralement intégrer les questions environnementales dans l'action syndicale.
- 30 Les organisations syndicales étudiées considèrent toutes trois que l'État doit jouer un rôle de leader dans la transition écologique, et que les mesures reposant sur les forces du marché sont insuffisantes sans intervention étatique. La bourse du carbone constitue un bon exemple de cette position : « *[La bourse du carbone] ce n'est pas une fin en soi pour nous et ça c'est quelque chose qu'on décrie. [...] c'est comme si on utilisait les forces du marché pour régler quelque chose que les forces du marché ont dérégulé* (Syndicat 1c). » Une seule organisation (syndicat 2, entretiens) a pris une position officielle en faveur de cette bourse, mais comme les deux autres organisations, considère que cette mesure seule est insuffisante. De son côté, le répondant du syndicat 3 aurait été plutôt favorable à l'imposition d'une taxe sur le carbone (entretiens), bien que ce ne soit pas là la position officielle du syndicat. Plusieurs économistes considèrent effectivement qu'une taxe sur le carbone aurait un effet plus direct sur les choix des consommateurs et des entreprises, mais ce n'est pas la position de tous.

4.2 Quel est le rôle des organisations syndicales ? Quelles actions et mobilisations ont été entreprises ?

- 31 La position ambivalente des organisations syndicales exposée plus haut reflète la complexité de la transition écologique, qui est un enjeu non seulement environnemental, mais économique, social et politique. En réponse à la complexité de cet enjeu, les rôles et les actions des organisations syndicales sont eux aussi multidimensionnels, et font à leur tour écho au triple rôle économique, politique et social de l'action syndicale. Nous avons donc catégorisé leurs actions en fonction de ces trois dimensions de l'action syndicale.
- 32 D'abord, les syndicats espèrent intégrer les enjeux environnementaux à leur fonction d'agent de régulation économique, par le biais de la négociation collective. Cette voie est pour le moment très peu utilisée, mais pourrait se révéler un outil très efficace pour protéger à la fois l'environnement et les emplois. Les trois centrales syndicales proposent de s'inspirer des luttes en matière de santé et sécurité, voire d'arrimer les questions environnementales aux réglementations en matière de santé et sécurité :

Sur les questions de santé et sécurité, on est arrivés à convaincre les législateurs, les États, qu'il fallait que les travailleuses et les travailleurs aient prise sur la santé et la sécurité parce que c'est eux qui connaissent leur milieu de travail, qui sont capables d'identifier les dangers [...] Donc nous ce qu'on réclame, c'est qu'on devrait un peu calquer ce qui est fait en santé et sécurité. Donc en environnement il devrait y avoir des représentants en prévention, on devrait faire de la sensibilisation, de la formation des travailleuses et des travailleurs comme on a fait traditionnellement en santé et sécurité (Syndicat 2c).

- 33 Dans le même ordre d'idée, le syndicat 1 (Entretiens) suggère d'étendre le droit de refuser un travail dangereux au droit de refuser un travail polluant. Les conventions collectives pourraient également inclure des mesures simples comme un incitatif au transport actif ou collectif. Dans certains cas, ces négociations peuvent donner des résultats non négligeables : *« on a négocié avec les pétrolières le développement d'un fond de transition, pour que les pétrolières mettent de l'argent dans le fonds, et qu'on commence à identifier des initiatives de transformation de l'industrie pétrolière (Syndicat 1.1b). »* Toutefois, les gains sont difficiles à obtenir :

[...] dans une négociation de convention collective, c'est pas là-dessus que les gens vont sortir en conflit de travail. Et la négociation d'une convention collective en fait, les deux parties souvent partent avec un cahier de propositions, de demandes, autant les employeurs que les syndicats, et on dépose nos demandes l'un envers l'autre et on négocie. Donc c'est comme une longue liste qui finalement raccourcit tout le temps, et donc on arrive à l'essentiel qu'on veut vraiment. Donc c'est malheureusement les enjeux qui sont portés à disparaître rapidement (Syndicat 1c).

- 34 Enfin, pour les syndicats 1 et 2, les négociations collectives pourraient servir à inciter les entreprises à investir dans les installations désuètes, ce qui a généralement pour effet de les rendre moins polluantes. L'une des fédérations du syndicat 2 a d'ailleurs pris une position en congrès pour inclure des promesses d'investissements aux conventions collectives à longue durée (quatre ans et plus) : *« Dernièrement on a plusieurs places qui ont*

signé avec une promesse d'investissement. Habituellement là, quand on fait de l'investissement, veut, veut pas, ça améliore l'environnement (Syndicat 1a). »

- 35 Sur le plan économique, les organisations syndicales peuvent également agir par le biais des fonds d'investissement des retraites des travailleurs et travailleuses (Fonds de solidarité – FTQ et Fondation – CSN). Ces investissements peuvent créer des ponts avec le secteur industriel vert. Lorsqu'interrogés sur le rôle des organisations syndicales, les acteurs de la grappe industrielle verte ont en effet mentionné l'importance de tels investissements pour des secteurs émergents :

If I look at Fonds de solidarité, FTQ and Fondation, they both have a venture capital fund. They both have invested in clean tech. I think they could have invested earlier. What we've seen in the clean-tech industry, to build those companies, it takes a long time. [...] So, we need patient capital to do so. And those funds which are the union funds have patient capital. But they've been in the past investing in less risky projects because they invest people's pension money so they're very careful from what I understand (Intermédiaire 4).

- 36 Ces fonds d'investissement peuvent donc contribuer à la croissance des secteurs industriels verts ; mais les syndicats résistent à ces secteurs, puisque, pour eux, les innovations technologiques permettant d'automatiser les emplois, ou de produire avec beaucoup moins de main-d'œuvre, ne constituent pas nécessairement des gains. : Ils critiquent aussi la qualité de certains emplois dans ces secteurs verts, qui n'offrent pas toujours des conditions de travail et des salaires attrayants (Entretiens). Pour les acteurs des industries vertes, cette attitude syndicale est réactionnaire :

I am thinking, for example, of the coal industry. [...] What we should do is say what we should invest in, and coal workers should encourage them to go to work in solar panels, work in bioethanol, things like that. And the unions should be the first to encourage their employees and the industry to finance that transition. But they do not. So, as I often say, we could also continue mining with spoons. It creates more jobs (Industrie 3)

- 37 Cette importante divergence de perspectives sur la question des emplois verts contribue à expliquer les liens ténus existant entre les organisations syndicales et les nouveaux secteurs industriels verts. Les organisations syndicales ne sont pourtant pas fermées à la transformation des méthodes de production dans une perspective verte ; mais plusieurs exemples de telles innovations impliquent d'éliminer des dizaines d'emplois : « *Another example, we're using drones for forest entry. In the past you had foresters walking through the forest. Obviously you needed tens and tens of foresters to walk through the forest. The drone needs only one pilot (Industrie 5).* » De telles innovations sont difficiles à accepter du point de vue syndical, et les organisations syndicales ont une approche semblable en ce qui concerne la transition écologique.
- 38 Sur le plan social, les organisations syndicales ont d'abord pour rôle de sensibiliser leurs membres aux réalités des changements climatiques et des effets de la transition écologique sur le monde du travail. Elles ont constaté que leurs membres ne sont pas toujours au fait de ces réalités, et que la peur des pertes d'emplois est encore très présente. Pour défaire ce lien entre environnement et pertes d'emplois, les syndicats 1 et 2 notent que démontrer qu'il existe des exemples positifs de transformation des milieux de travail pour des raisons écologiques est un moyen efficace : « *il commence à y avoir des*

‘success stories’, des compagnies qui commencent à être performantes avec des emplois qui sont de qualité, et ça, ça aide de voir que c’est possible de faire cette transition-là (Syndicat 1.1b). »

- 39 Ce lien entre environnement et pertes d’emplois demeure malgré tout tenace. Il crée une sorte de dissociation chez les individus entre leurs préoccupations en tant que citoyens et citoyennes, et leurs craintes en tant que travailleurs et travailleuses de perdre leur emploi et leur salaire :

On va s’en aller en assemblée, on va poser la question à notre monde : êtes-vous conscients des effets néfastes sur, par exemple la couche d’ozone, ainsi de suite, et ils vont dire oui, oui, oui, on est conscients de ça. Mais la journée que les travaux vont débiter par exemple pour un projet qui va justement générer des gaz à effet de serre ou quoi que ce soit, qui peut leur procurer des travaux pendant 6-7 mois, un an, 2 ans, 3 ans, ben dans cette période de temps ils vont l’oublier, parce qu’eux autres s’en vont gagner leur vie encore là (Syndicat 1.2).

- 40 Les syndicats 1 et 2 affirment néanmoins pouvoir parfois utiliser cette dissociation, en faisant appel à ce statut de citoyen, ou de parent, pour sensibiliser les travailleurs et travailleuses au fait que les conséquences de leurs emplois sur l’environnement les suivent hors du travail.

- 41 Du côté du syndicat 3, la sensibilisation est un élément central et très développé. Elle passe surtout par l’éducation et l’implication des jeunes, avec lesquels la très vaste majorité des membres travaille : *« deux à trois fois par année on réunit nos responsables en région, donc entre 80 et 100 personnes, et on les forme, on travaille avec eux autres, on produit du matériel pédagogique, ou on invite des groupes de la société civile à venir travailler avec nous sur des questions qui touchent la lutte aux changements climatiques (Syndicat 3a). »* Ces outils sont ensuite utilisés dans les milieux de travail, et avec les jeunes, pour élargir cette éducation aux enjeux environnementaux, notamment en les intégrant à d’autres moments pédagogiques :

[...] on travaille sur un guide, où on fait "j’épargne ma planète", où on veut sensibiliser les jeunes oui à la question de l’endettement personnel, en établissant un parallèle entre notre propre endettement et la façon dont on surendette la planète, que ce soit au niveau des ressources, si on parle du jour du dépassement, où à chaque année rendu au mois d’août, fin juillet à l’heure actuelle, ben on a dépensé toutes les ressources renouvelables de la planète et au-delà de cette date-là, on commence à exploiter..., à emprunter finalement aux générations futures les ressources nécessaires à notre fonctionnement actuel (Syndicat 3a).

- 42 Le rôle social des organisations syndicales rejoint leur rôle politique par le biais de leur participation à des mobilisations autour d’enjeux environnementaux. Dans ce contexte, elles collaborent avec de nombreux acteurs non syndicaux : groupes environnementaux, groupes citoyens, groupes autochtones, etc. Ces alliances sont surtout ponctuelles ; elles portent sur des enjeux spécifiques ou se tissent à des moments de forte mobilisation, par exemple en amont de la Conférence de Paris en 2015.
- 43 Les syndicats 1 et 2 notent que ce qui a longtemps rendu difficile la collaboration entre les syndicats et les groupes écologistes est que les uns parlent de travail et d’économie, alors que les autres parlent d’environnement :

[...] on mettait en opposition systématiquement emplois et environnement, comme si la question des changements climatiques était une question strictement environnementale, [...] et même ce qu'on entendait, c'est pas vrai que je vais perdre ma job pour sauver des grenouilles. Mais on l'a transformé en enjeu économique, et à ce moment-là, nos membres, nos propres membres nous disent oui, là c'est pas bête, et de le transformer en enjeu économique ben ça signifie aussi peut-être avoir l'occasion, l'opportunité de repenser nos emplois (Syndicat 1c).

- 44 Même si certaines alliances sont très fructueuses, notamment lors de la mobilisation contre l'oléoduc Énergie Est (à l'exception de la FTQ-Construction), certaines frictions continuent d'émerger entre groupes environnementaux et syndicats :

Ce n'est pas toujours simple parce que dans d'autres secteurs d'activité chez nous, Greenpeace a pris des actions contre une entreprise à Alma, Produits résolus, dont les travailleurs et travailleuses sont syndiqué-es chez nous et qui considèrent que ça attaque leur emploi. Donc on essaie quand même de maintenir un espace de dialogue pour qu'on soit capable de s'expliquer (Syndicat 2c).

- 45 Le syndicat 3 a quant à lui établi des alliances plus permanentes avec des groupes environnementaux, avec lesquels il collabore pour faire de l'éducation en matière d'environnement et de changements climatiques :

On est membre d'EauSecours, on est membre du Centr'ERE, on a créé une alliance pour l'engagement jeunesse avec Oxfam, Amnistie, la Fondation Monique Fitzback et les EVB pour cibler et soutenir l'engagement des jeunes dans des causes environnementales ou sociales dans les écoles du Québec. Donc par le volet de l'éducation, par les jeunes, on arrive aussi à sensibiliser notre monde à l'importance d'éduquer et d'agir pour un avenir viable (Syndicat 3a).

- 46 Le rôle politique des organisations syndicales se manifeste également par lorsqu'elles s'expriment dans une variété de tribunes. Elles prennent notamment position lors de consultations publiques sur des enjeux environnementaux : *« on a aussi participé à des débats à plusieurs reprises, soit au gouvernement, à l'ONE notamment sur le sujet des pipelines, et aussi dans l'établissement des politiques forestières ou des politiques énergétiques (Syndicat 1.1b). »* Ce rôle politique se poursuit également en coulisses : *« on suit les grands événements, pis quand on n'est pas dans les sphères officielles on est dans les corridors, pour faire valoir nos points de vue (Syndicat 1a). »* Pour les syndicats 1 et 2, ces contextes servent d'occasion pour promouvoir des mesures de transition qui soient justes pour les travailleurs et travailleuses :

[...] on veut s'attaquer aux commissions des partenaires du marché du travail, l'adéquation formation/emploi, on a déjà fait des représentations auprès du ministère fédéral aussi concernant l'assurance-emploi pour qu'il y ait un fonds dédié à même le fonds de l'assurance emploi pour la formation, où les travailleurs âgés qui perdent leur emploi, pour qu'ils aient un soutien par la suite, ou des incitatifs fiscaux pour les entreprises pour réembaucher des gens de 55 ans et plus (Syndicat 1c).

- 47 Ce rôle est parfois ardu puisque l'adéquation entre politiques en matière d'emploi et politiques en matière d'environnement demeure à faire ; il ne va donc pas de soi que les organisations syndicales soient entendues lorsqu'il est question de mesures de transition :

[...] il n'y a pas d'automatisme au gouvernement du Québec pour consulter les organisations qui représentent les travailleurs sur les questions environnementales. [...] Comme si les organisations syndicales n'avaient pas à voir sur ces questions-là. Donc nous on force, on intervient beaucoup auprès du gouvernement pour dire, on veut être entendus, sur la question de l'environnement, parce qu'on a un mot à dire pis c'est nous qui sommes dans les usines et qui sommes capables d'agir (Syndicat 2c).

- 48 Le syndicat 3 a également participé à des consultations publiques, mais ce rôle est plus ténu. Son rôle d'éducation a toutefois une forte composante politique, dans la mesure où il traduit la capacité des organisations syndicales à contribuer au changement social : « *les organisations syndicales, c'est des organisations qui croient au changement, aux changements sociaux. Ce sont des organisations qui ont été des vecteurs de changements sociaux. Donc c'est sûr que quand tu crois que c'est possible de changer les choses, ben c'est plus facile de s'impliquer et d'impliquer le monde pour aller vers ce changement-là (Syndicat 3b).* »

5. Discussion

- 49 La crise écologique nous place collectivement devant une contradiction entre croissance économique et respect des limites naturelles ; et peu d'acteurs vivent cette contradiction de façon aussi aiguë que les organisations syndicales. L'ambivalence entre la protection des emplois et leur implication active dans la lutte contre les changements climatiques est un thème récurrent dans leurs prises de position, et se répercute également dans leurs actions.
- 50 L'instinct premier des organisations syndicales étant la protection des emplois, cela se traduit par une protection des acquis qui soutient le statu quo, pourtant devenu intenable d'un point de vue écologique. Plutôt que de travailler activement avec des acteurs progressistes de l'économie verte, comme la grappe industrielle verte, les syndicats tentent de conserver les emplois existants, quitte à les transformer pour qu'ils soient moins polluants. À long terme, il est fort possible que cette situation ne soit pas viable ; ils savent eux-mêmes que la transition aura lieu, qu'ils y participent ou la subissent. La vraie question est donc, auront-ils contribué au passage de la main-d'œuvre de secteurs industriels traditionnels vers des secteurs verts, ou auront-ils freiné le plus longtemps possible ce processus ? D'un autre côté, en soutenant le transfert des travailleurs et travailleuses qui perdront leurs emplois dans les secteurs traditionnels, les syndicats risquent-ils de contribuer au transfert d'emplois syndiqués vers des emplois non syndiqués ? Étant donné le faible taux de présence syndicale dans les secteurs industriels verts (8 %, entretiens), il est en effet possible qu'en appuyant cette transition, les organisations syndicales participent à leur propre effritement à long terme.
- 51 Les organisations syndicales accordent une très grande importance au rôle des gouvernements dans l'organisation et la planification de la transition écologique. Une grande partie des étapes nécessaires pour que cette transition soit *juste* tel que le revendiquent les syndicats repose sur diverses interventions étatiques : l'évaluation des risques pour les emplois, la mise en place de programmes de formation et de

reclassement, l'établissement de mesures financières pour soutenir les travailleurs et travailleuses touchés, etc. Or, comme les gouvernements ne semblent pas faire de la transition juste une priorité, les organisations syndicales se trouvent coincées. Leur principale revendication n'étant pas entendue, celle-ci demeure très abstraite, et leur rôle dans la transition écologique plutôt marginal.

- 52 Pourtant, elles ne sont pas seules à espérer que la transition ne sera pas portée seulement par les travailleurs et les travailleuses. Une organisation telle que Switch² qui regroupe plusieurs acteurs de l'économie québécoise en vue de la transition verte, notamment des groupes environnementaux, des entreprises d'innovation verte, des acteurs financiers, ainsi que la CSN, était très consciente de l'importance d'impliquer les travailleurs et travailleuses, ainsi que les syndicats, dans le développement de nouveaux secteurs économiques verts. Plus largement, les travailleurs et les travailleuses représentent des portions importantes de la population pouvant soit contribuer à la mobilisation en faveur d'une économie plus verte, soit y opposer de la résistance, ou ne pas trop se positionner sur la question. La collaboration de tous ces acteurs est donc essentielle au succès de la transition verte, mais est encore très fragmentaire.
- 53 Le monde du travail risque d'être profondément transformé par la transition écologique dans les prochaines décennies. Bien que conscientes de ces transformations, et malgré leur volonté d'être un acteur progressiste de la transition, les organisations syndicales maintiennent des positions largement rhétoriques. Leur mobilisation s'est accélérée dans les cinq dernières années, et plus particulièrement depuis la COP21 à Paris en 2015. Mais il demeure que la dichotomie entre emplois et environnement est encore très présente, et ne semble pas en voie d'être réconciliée. Peut-être faudrait-il regarder du côté d'autres acteurs, notamment les gouvernements, tant provincial que fédéral, ou encore les acteurs industriels, pour trouver des pistes de réconciliation entre ces deux enjeux.

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NOTES

1. Plus spécifiquement, le document de travail a été produit par « la Confédération des syndicats nationaux (CSN), Équiterre, Fondation, la Chaire de gestion du secteur de l'énergie (HEC Montréal), le Conseil du patronat du Québec (CPQ), le Chantier de l'économie sociale, le Comité sectoriel de main-d'œuvre de la chimie, de la pétrochimie, du raffinage et du gaz (Coeffiscience), le Comité sectoriel de main-d'œuvre de l'économie sociale et de l'action communautaire (CSMO-ÉSAC), le Regroupement national des conseils régionaux de l'environnement (RNCREQ), le Centre interdisciplinaire de recherche en opérationnalisation du développement durable (CIRODD), le Centre international de référence sur le cycle de vie des produits, procédés et services (CIRAIG) et la firme COPTICOM - ainsi que de plusieurs autres entreprises et organisations consultées (Groupe de travail sur la main-d'œuvre, 2018 :5). »

2. <https://allianceswitch.ca/> (voir les communiqués dans la section Publications)

RÉSUMÉS

Cet article examine la façon dont les centrales syndicales québécoises conçoivent leur rôle, les défis auxquels elles font face et les actions qu'elles entreprennent dans le contexte de la transition écologique, alors que celle-ci risque d'avoir des effets importants sur l'emploi et le contenu du travail. Nous nous appuyons sur trente entretiens menés auprès des trois plus grandes centrales syndicales du Québec, ainsi que de représentants du milieu des technologies propres de la province. Nous constatons que la volonté des organisations syndicales québécoises de participer activement à la lutte contre les changements climatiques ne suffit pas pour définir clairement leur rôle dans la transition écologique. L'ambivalence de leur position, due à l'imbrication entre la crise écologique, les modes de production industrielle et l'emploi, continue de teinter tant leurs prises de position que leurs actions.

In the context of the green transition, this paper investigates the ways Quebec trade unions perceive their respective roles, the challenges they face and the actions they undertake, which will most likely have a significant impact on jobs and the content of work. Results are based on thirty interviews with the three main trade unions in Quebec, as well as actors of the local cleantech industry. We find that despite the unions' willingness to actively participate in the fight against climate change, their role in the green transition remains unclear. The ambivalence of their positions, due to the close interweaving of the environmental crisis, industrial modes of production, jobs and work, continues to influence both their positions and their actions.

INDEX

Keywords : unionism, green transition, jobs, mobilisation, cleantech industry cluster, environment, environmental crisis

Mots-clés : syndicalisme, transition écologique, emploi, mobilisation, grappe industrielle verte, environnement, crise écologique

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Comptes rendus

Reports

Michèle Rioux et Hugues Brisson,
avec la collaboration de Philippe
Langlois. *Deux économistes à contre-
courant : Sylvia Ostry et Kari Polanyi
Levitt*, Montréal, Presses de
l'Université de Montréal, 2018, 122
p.

David Rolland

- 1 Deux femmes. Deux économistes qui ont marqué l'histoire canadienne. Elles sont doublement à contre-courant, car au sein de la profession, les femmes n'y sont pas en grand nombre. Une seule lauréate, Elinor Ostrom, a décroché le prix Nobel en s'intéressant aux institutions. C'est le cas également de Ostry et Polanyi-Levitt qui, à contre-courant aussi, ont résisté à la vague néo-libérale en essayant à leur façon de poursuivre le programme keynésien où l'emploi est la pierre angulaire de l'économie.
- 2 Leur premier cheval de bataille à toutes deux fut la statistique. Ostry après une étude remarquée sur l'entrée des femmes sur le marché du travail, hisse sa carrière à la tête de Statistique Canada en y apportant un réaménagement majeur. Polanyi-Levitt participe quant à elle à l'étude des intrants/entrants des provinces maritimes. Toutes deux ont à cœur le développement économique et l'analyse des facteurs qui y contribuent. Ostry s'engagera au sein des négociations commerciales canadiennes tandis que Polanyi-Levitt est préoccupée par le mal développement de la région des Caraïbes, et s'intéressera aux problèmes de cette région et aux solutions qui pourraient y être apportées. Leur bête noire à toutes deux: les multinationales. Ostry découvre que ce sont elles qui mènent le bal lors des négociations du G7 et du GATT. Polanyi-Levitt avait tôt fait d'identifier ces Béhémoths en publiant le célèbre livre « La capitulation tranquille » où l'influence délétère des multinationales, aussi insaisissables que le plastique dans les océans,

restreint la capacité entrepreneuriale et innovatrice de l'économie. On peut imaginer que Polanyi-Levitt a en quelque sorte posé le germe de l'idée du « Québec inc ».

- 3 Rioux et Brisson proposent un petit livre, où sur fond biographique, les trajectoires de la mondialisation depuis cinquante ans remettent en cause la pensée économique dominante. On appréciera beaucoup dans ce livre les encadrés qui nous resituent vis-à-vis tel auteur ou telle approche théorique. De ce point de vue, le livre intéressera tant les enseignants que les étudiants en économie politique, sociologie économique ou science politique, car il permet de comprendre comment ces femmes se sont développées comme économistes, à partir de leur analyse de problèmes concrets associés au développement économique.

Deblock Christian et Joël Lebullenger (dir.), *Génération TAFTA.* *Les nouveaux partenariats de la mondialisation*, Rennes, Presses universitaires de Rennes, 2018.

Maud Boisdard

- 1 Paru aux Presses universitaires de Rennes (PUR) au printemps 2018, *Génération TAFTA* - appelons-le ainsi - est le fruit d'une collaboration interuniversitaire et interdisciplinaire initiée sous la direction des Professeurs Deblock et Lebullenger, qui codirigent pour la seconde fois un ouvrage collectif¹, dans le cadre d'un volet de recherche consacré à l'étude des accords commerciaux transrégionaux : *les nouveaux partenariats de la mondialisation*. Respectivement, Directeur du département de science politique de l'Université du Québec à Montréal (UQAM) ainsi que Directeur de recherche du Centre d'études sur l'intégration et la mondialisation affilié à la Faculté de science politique et de droit de l'UQAM, et Professeur émérite à la Faculté de droit et de science politique de l'Université de Rennes 1 ainsi que Titulaire d'une Chaire européenne Jean Monnet, ces spécialistes de l'économie politique de la mondialisation proposent ici une lecture éclairée des récents accords commerciaux signés ou négociés, au gré d'analyses croisées menant à une compréhension à la fois raffinée et globale (elle aussi !) des enjeux soulevés et des pistes de réflexion proposées. Réunissant une pluridisciplinarité de chercheurs de part et d'autre de l'Atlantique, les dimensions économique, juridique, politique, sociale et culturelle sont explorées par la loupe de ces « nouveaux partenariats de la mondialisation » qui redéfinissent les règles du jeu du commerce mondial, au rythme des aléas géopolitiques qui traversent ce début de 21^e siècle.
- 2 Dès l'introduction, il est une attention particulière accordée à la portée épistémologique et novatrice de l'usage du mot *partenariat*, récemment introduit dans le contexte des relations économiques mondiales. Tout en exposant les alliances stratégiques qui se jouent actuellement, l'introduction présente également deux concepts explicatifs :

interconnexion des espaces économiques et *interopérabilité* des systèmes réglementaires. Tels des fils conducteurs, ils sont établis d'emblée en filigrane de la question centrale portée par l'ouvrage : l'étude de l'émergence de ces partenariats comme nouveau modèle d'accords commerciaux étant ici posée. Les dynamiques de coopération et de convergence réglementaires sont également explorées de manière transversale, telle une particularité de ce modèle en essor. Par ailleurs, les défis démocratiques que ce nouveau modèle de « troisième génération » augure y font également l'objet d'une attention particulière.

- 3 Divisé en deux parties, *Génération Tafta* présente dans un premier temps les *reconfigurations géopolitiques* qui ont présidé, durant ces deux dernières décennies, à l'avènement de ces méga-accords commerciaux, et ce en marge de l'Organisation mondiale du commerce (OMC), dont la fonction principale est pourtant de régir les règles du commerce entre les pays. La seconde partie de l'ouvrage est quant à elle dédiée aux *interconnexions normatives*, notamment la coopération réglementaire, introduite ici comme une innovation distinctive de ce nouveau type de traités commerciaux, telle une réponse à l'enchevêtrement des multiples défis posés par la mondialisation : changements technologiques galopants, expansion des chaînes de valeur transnationales, harmonisation réglementaire rudimentaire, pour ne citer que ceux-là. Autant d'entraves au commerce international et notamment au commerce électronique, dont la part des échanges commerciaux mondiaux ne cesse de croître sous l'impulsion de la révolution des technologies de l'information et de la communication (TICs), un environnement désormais numérique qui contribue à réinventer autant nos modes de production que nos habitudes de consommation.
- 4 Dès le premier chapitre, Jean-Baptiste Velut propose une nouvelle avenue en introduisant les caractéristiques d'un transrégionalisme en émergence, qui tend à s'affirmer depuis désormais une décennie. Cette nouvelle forme d'intégration économique revêt, selon l'auteur, trois éléments fondamentaux qui viennent définir l'introduction de ce concept dans le cadre des relations commerciales internationales actuelles : 1) l'ampleur des territoires et des marchés couverts par ces méga-accords (part du PIB mondial) ; 2) la diversité des champs couverts par ces traités commerciaux, qu'il s'agisse d'énoncés généraux propres au développement durable ou encore de questions très techniques relevant de la coopération réglementaire ; et enfin 3) l'apparition de *living agreements*, autrement dit des accords commerciaux offrant la possibilité d'une évolution « après coup » des termes négociés lors de la signature ; en effet, l'apparition de mécanismes de coopération et de suivi inédits² offrent ici toute sa substance à l'usage du concept de *partenariat*. Après avoir opéré un retour historique sur les différentes formes préalables de régionalisme, l'auteur souligne les ruptures à partir desquelles ce nouveau transrégionalisme tend à s'affirmer : dynamiques intrarégionales poussives (hormis la région Asie-Pacifique), nouvelle donne géopolitique intimée par l'émergence d'une réalité multipolaire liée au positionnement post-âge d'or de l'hégémonie américaine et basculement d'une logique d'intégration vers une logique d'interconnexion. En attirant l'attention sur « l'effervescence » économique de la région Asie-Pacifique, tout autant source de convoitises que d'inquiétudes, Velut relève l'importance de ne pas verser dans l'amalgame en considérant cette nouvelle forme d'alliances commerciales comme un approfondissement des trajectoires d'intégration économique passées ; il démontre au contraire toute la nécessité de considérer la complexité qui s'illustre aujourd'hui à travers les dynamiques d'interconnexion et d'interopérabilité qui ont cours, dans un contexte où l'accélération des processus liés à la mondialisation numérique contribue à

redéfinir en profondeur les échanges commerciaux et notamment les services, un secteur pour lequel les États-Unis jouissent encore aujourd'hui, d'un avantage compétitif certain. C'est sur cette conclusion que l'auteur aborde la question des impacts sur la gouvernance mondiale, tant politique qu'économique, à travers notamment le renouvellement des débats entre capitalisme et démocratie.

- 5 C'est également dans cet esprit que Mario Telò amorce le deuxième chapitre de *Génération TAFTA*, consacré cette fois aux dynamiques européennes, mises à l'épreuve de ce que l'auteur définit comme un « tournant historique³ », déterminé par l'émergence d'une multipolarité non seulement économique, mais également politique et jumelé à la crise économique et financière globale qui s'est illustrée depuis 2007. C'est dans ce contexte que l'auteur présente cette « nouvelle ère de gouvernance politique mondiale⁴ », où les règles édictées par les États-Unis (unipolarité) s'inscrivent la plupart du temps en concurrence avec la stratégie commerciale (coopération) prônée par l'Union européenne (UE) et ce, à quelques similitudes près : mise en œuvre à travers le monde de négociations bilatérales et de partenariats stratégiques (accords régionaux ou interrégionaux), ambition partagée de relancer la compétitivité suite au blocage du cycle de Doha (opéré sous l'égide de l'OMC) et pour ce faire, le dessein de porter de nouveaux modèles d'accords commerciaux. Dans un contexte multipolaire émergent, où les BRICS et la Chine montent en puissance et où les enjeux de sécurité se sont invités dans les relations économiques internationales sous l'impulsion des États-Unis, l'auteur décrit les ambiguïtés des partenariats transpacifique, transatlantique (TAFTA) et transasiatique (RCEP), dans un contexte où les rapports de force se jouant durant les négociations commerciales sont éminemment politiques et géopolitiques. Telò décrit ici les « mutations de l'interrégionalisme post-libéral⁵ » en avançant l'idée selon laquelle celui-ci, qui tend à devenir de plus en plus complexe et multidimensionnel, s'inscrit désormais selon une logique d'interdépendance commerce/sécurité, somme toute très géopolitique, plutôt que selon la logique de dérégulation libérale jusque-là appliquée. Aussi, l'auteur relève le fait que ces partenariats s'inscrivent tantôt dans la collaboration tantôt sur un mode compétitif, à l'instar des multiples initiatives chinoises dans le domaine des négociations commerciales, pour finalement questionner le rôle potentiel de l'UE sur cet échiquier ainsi que sa capacité à tirer son épingle du jeu, dans le but de renforcer son pouvoir de négociation et de garantir sa présence dans différents domaines de la gouvernance mondiale.
- 6 C'est sur ce terrain de la concurrence entre grandes puissances économiques que les auteurs Yan Cimon, Érick Duchesne et Richard Ouellet nous entraînent à travers la question « Qui mène le bal ? ». En effet, le chapitre 3 est une invitation à observer les acteurs-clés de ces nouvelles négociations commerciales dans un contexte de reconfiguration simultanée des espaces transatlantique et transpacifique. N'en déplaise à la littérature existante, les auteurs annoncent d'emblée la précellence de l'UE pour son rôle d'*agenda setter* et non les États-Unis, qui s'illustrent davantage par leur implication en tant que *rule maker*. Selon eux, la « menace chinoise⁶ » serait un facteur déterminant de la convergence des intérêts transatlantiques, et ce, dans l'objectif de soutenir un climat d'affaires stable et prévisible, propice à l'insertion des entreprises dans les chaînes de valeur mondiales. Si celles-ci se déploient tant dans l'espace transpacifique que transatlantique, les auteurs mettent en exergue la force des partenariats transatlantiques à l'œuvre (AECG et TAFTA), qui tendent vers une intégration plus profonde à travers une institutionnalisation renforcée : aux fins de leur démonstration, ils proposent en premier

lieu de relever la tension qui tend à s'exercer entre deux notions économiques majeures, la libéralisation et l'harmonisation. C'est au détour de ces redéfinitions que les auteurs réaffirmeront ici le fait que ces négociations régionales d'envergure s'inscrivent majoritairement dans un contexte de libéralisation, chère aux vellétés étatsuniennes à l'égard de la mondialisation. Dans un second temps, ils proposent de détailler les besoins et les intérêts des acteurs principalement concernés par ces tractations commerciales, à savoir les entreprises. Enfin, un tour d'horizon des alternatives stratégiques de négociations les amène à développer l'idée selon laquelle les acteurs tournés davantage vers un processus d'institutionnalisation tendent, dans les faits, à imposer leur rythme. Typiquement, l'*agenda setter* (UE) prend le dessus sur le *rule maker* (États-Unis), notamment en naviguant dans les méandres de ces négociations commerciales de façon incrémentale. Finalement, les auteurs concluent sur l'importance d'une vision à la fois commune et partagée de ces deux mastodontes des relations commerciales internationales, s'ils souhaitent débloquer et relancer les négociations du TAFTA.

- 7 C'est en restant du point de vue de l'Europe que nous continuons cette lecture, à travers l'état des lieux proposé par le Professeur Lebullenger quant à la diplomatie européenne, dans le contexte des échanges commerciaux avec l'Asie-Pacifique. Mettant en exergue la nature nouvellement bilatérale des relations commerciales de l'UE avec ses pairs, à savoir les États-Unis, le Japon et le Canada, mais également avec les nations émergentes qui bordent le Pacifique⁷, l'auteur expose les dynamiques qui, depuis une décennie, président au déplacement du centre de gravité de l'économie mondiale vers la zone géographique Asie-Pacifique (crise de leadership à l'OMC et montée en puissance des économies émergentes asiatiques notamment), renforçant par le fait même l'extension d'une société économique internationale décentralisée. C'est dans ce contexte que la « course » aux accords de libre-échange s'inscrit, au cœur d'une région dont l'essor économique et géopolitique fulgurant amène Lebullenger à qualifier de « [...] principal théâtre de confrontation entre les grandes nations commerçantes du globe⁸ ». En partant de cette perspective, l'auteur en appelle à un examen de la politique commerciale de l'UE dans cette région, tant du point de vue géopolitique que géo-juridique : c'est ainsi qu'il expose la nécessité pour l'UE de faire face à un double défi à la fois externe et interdépendant de marginalisation, tant sur le plan économique que normatif. Exposée telle une cartographie des accords commerciaux signés de part et d'autre des marchés de l'Asie-Pacifique, notamment avec les pays de l'ASEAN, la dynamique géoéconomique décrite ici amène l'auteur à nous présenter à la fois les dangers (évincement des agents économiques européens) et les opportunités (retrait des États-Unis du partenariat transpacifique et tractations complexes quant au RCEP), autant de défis auxquels doit répondre la diplomatie commerciale européenne pour espérer avoir une longueur d'avance ou, à tout le moins, ne pas se laisser distancer. En outre, les enjeux liés à l'élaboration des règles juridiques futures représentent ici un second niveau d'action diplomatique de l'UE, si celle-ci souhaite imposer le « modèle » européen dans des domaines tels que le règlement des différends par exemple. En bref, le Professeur Lebullenger décrit l'enjeu fondamental que représente la signature d'un traité transatlantique entre l'UE et les États-Unis en rejoignant ici l'argument d'ores et déjà développé par Velut au chapitre 1, quant à la nécessité de voir les intérêts de ces deux grandes puissances économiques converger, s'ils souhaitent conserver le haut du pavé de ces relations économiques mondiales en transformation.

- 8 C'est d'ailleurs sur cet échiquier des confrontations « normatives » que les chapitres suivants nous invitent à réfléchir, par la lorgnette - cette fois - des velléités chinoises. Tout d'abord, Éric Mottet met en lumière les dynamiques et les enjeux qui se jouent dans la région, en exposant une analyse depuis l'intérieur de l'Asie du Sud-est. La force de la stratégie commerciale chinoise y est observée, sous l'effet des interdépendances qui tendent à s'enraciner. L'auteur revient sur les circonstances des ententes passées pour expliquer comment certains pays d'Asie du Sud-est (Vietnam et Malaisie, en tête) tendent à devenir des partenaires clefs des États-Unis, dans un contexte où la confrontation hégémonique sino-américaine est prégnante. Autrement dit, l'intégration économique régionale de la grande Asie se fera-t-elle à la faveur hégémonique de la Chine ? Des États-Unis ? Il s'agit ici d'une composante fondamentale, tout particulièrement redoutée par l'Inde, comme nous l'expose Serge Granger au chapitre 6. Confrontée à une explosion démographique sans précédent, l'Inde est désormais dans l'urgence d'agir à la faveur d'alliances commerciales stratégiques si elle souhaite éviter l'implosion sociale qui se profile. Si cet extraordinaire marché en devenir fait l'objet de nombreuses convoitises, les négociations en cours semblent favoriser la conclusion du Partenariat économique régional global (RCEP), *a priori* moins contraignant sur le plan normatif, à l'égard d'une nation telle que l'Inde pour qui le maintien d'un certain degré d'autonomie sur la scène internationale importe. Il n'en demeure pas moins que les inquiétudes indiennes à l'égard de la présence chinoise induisent des rapports de force complexes dans ces négociations, la plupart du temps laborieuses. En bref, si la relation indochinoise s'inscrit traditionnellement dans la méfiance, Granger nous expose avec clarté l'importance pour ces deux grandes nations de parvenir à la conclusion d'arrangements économiques capables de soutenir le développement exponentiel de ces deux sociétés : le renforcement de l'intégration économique, et tout particulièrement l'approfondissement des chaînes de valeur, s'inscrit ici comme un enjeu incontournable à une évolution viable de leurs systèmes socio-économiques respectifs.
- 9 L'importance stratégique que revêt l'intégration régionale dans le Sud-est asiatique pousse donc les acteurs majeurs de l'économie mondiale à tenter d'y prendre part, en s'insérant de façon pérenne dans les chaînes de valeur globales qui traversent cette région. C'est dans cette perspective que les reconfigurations géopolitiques qui se jouent actuellement prennent tout leur sens. À cet égard, le professeur Lin propose, dans le chapitre suivant, d'aborder la dimension sécuritaire entourant cette intégration régionale et revient notamment sur les changements stratégiques récents, opérés par la Chine depuis l'arrivée au pouvoir de Xi Jinping. En effet, l'auteur détaille la politique étrangère « d'accomplissement » menée actuellement par le gouvernement chinois, inscrite en forte rupture avec le « profil bas » promu par son prédécesseur⁹ : modernisation de la marine chinoise et stratégie des « nouvelles routes de la soie ». Ce tournant géopolitique a amené les États-Unis à opérer un rééquilibrage militaire en Asie-Pacifique, matérialisé par un clair renforcement du déploiement des forces américaines (navales, aériennes et terrestres) et notamment par le biais d'exercices militaires favorisant la coopération avec plusieurs acteurs stratégiques dans la région. L'accent posé par l'auteur quant à ces considérations invite le lecteur à comprendre tout l'intérêt d'une telle stratégie, qui ne peut que favoriser l'établissement des liens de coopération économique promus par ces *nouveaux partenariats de la mondialisation*. L'auteur aborde finalement la position canadienne à ce niveau et relève toute l'importance de considérer l'ensemble des enjeux sécuritaires, en s'assurant d'une meilleure connaissance de la région avant toute chose.

Pour le Canada, s'inscrire dans le sillage des États-Unis devient ici un jeu à double tranchant.

- 10 En abordant dans les deux derniers chapitres dédiés aux reconfigurations géopolitiques, d'une part les tractations commerciales européennes en territoire sud-américain (chapitre 8) et d'autre part, la mise en œuvre par l'UE de la politique de coopération au développement en terre africaine (chapitre 9), les auteurs procèdent à deux analyses concrètes des dynamiques d'interaction qui ont cours entre les espaces régionaux (interrégionalisme). Le lecteur prend alors toute la mesure des *interconnexions normatives* qui se jouent à l'échelle mondiale.

- 11 Si la dimension juridique des relations économiques internationales est ici explorée sous plusieurs angles, la deuxième partie de l'ouvrage débute par l'introduction du concept de traité-contrat, qui semble renaître à la lumière de ces nouveaux accords, dits de troisième génération ; la proposition élaborée par le Professeur Ouellet démontre tout particulièrement bien la rupture qui s'opère quant à la forme et à l'esprit des règles qui régissent désormais le jeu du commerce international. Ces *nouveaux partenariats de la mondialisation* portent un caractère normatif indéniable, qui se caractérise par une logique d'interconnexions, à l'aune de cette nouvelle ère désormais numérique. L'intensification des échanges à l'échelle globale s'inscrit notamment, et d'ailleurs en tout premier lieu, aux flux internationaux de commerce par le biais du déploiement de chaînes de valeur interconnectées, propres à la dimension globale. En dépoussiérant le concept de traité-contrat, l'auteur rappelle qu'il n'est pas étranger à l'avènement du droit international économique, un fait qu'il illustre en se penchant sur les origines du GATT et de l'ALÉNA. Tout en évoquant les dynamiques propres à la création et au fonctionnement de l'OMC, telle une « parenthèse¹⁰ » juridique, démonstration est faite de la résurgence récente des caractéristiques propres au traité-contrat, dans la foulée des blocages qui tendent à affaiblir le système commercial multilatéral. La mise en œuvre de *partenariats* commerciaux entre nations partageant une vision commune quant à l'ouverture des marchés et, plus généralement, quant à la trajectoire que doit emprunter la mondialisation économique, démontre d'après l'auteur, comment la recherche de normes communes laisse subrepticement place à une compétition normative entre les grandes nations commerçantes, à l'instar des débats juridiques qui ont cours sur la question des modalités liées au règlement des différends investisseurs/États.

- 12 C'est au stade des négociations commerciales que le chapitre suivant nous ramène, en proposant d'étudier le rôle de la Cour de Justice européenne dans les relations économiques internationales. Catherine Flaesch-Mougin présente celle-ci, tel « un acteur de l'ombre¹¹ » apte à inférer les tractations commerciales à l'œuvre. L'auteure remarque notamment une explosion de l'usage des voies juridiques disponibles pour des recours extérieurs. En resituant les prérogatives de l'organe judiciaire de l'UE, dans le contexte des textes juridiques qui régissent le fonctionnement de l'Union, elle met en exergue le pouvoir normatif du droit et démontre toute l'ampleur procédurale qui entoure l'élaboration et la signature des traités commerciaux négociés par l'exécutif européen. En détaillant les enjeux soulevés par la mixité des accords de commerce de l'Union, il est démontré que les avis posés par la Cour tendent actuellement à s'unifier en créant une jurisprudence incontestable qui tranche avec les arrangements "à la pièce" qui s'en dégageaient par le passé. En outre, le degré de participation des acteurs de la société civile aux négociations commerciales menées par l'UE passe également par un aval juridique, dans un contexte où la transparence et la question du droit d'accès aux

documents sont à l'ordre du jour. À cet égard, la participation du public dans les négociations commerciales internationales est abordée dans le chapitre subséquent, où Cécile Rapoport détaille les mécanismes de démocratie participative établis à cet égard au sein de l'UE. À travers l'étude des dynamiques qui ont cours dans le contexte des négociations commerciales transatlantiques, l'auteure relève la prise de conscience manifeste de l'opinion publique, quant aux enjeux fondamentaux qui y sont abordés, et détaille les processus conventionnels qui en découlent (consultations publiques, groupes consultatifs *ad hoc* ou encore pétitions). Tout en alertant sur les dangers d'une participation publique susceptible d'être instrumentalisée sur la base de l'argument démocratique, l'auteure propose également une révision des pratiques de l'UE qui puissent à la fois véritablement permettre au public d'avoir voix au chapitre, sans pour autant remettre en cause la répartition des compétences au sein de l'Union.

- 13 Si à l'issue de ce chapitre, le constat selon lequel la pratique du droit international économique est un objet tout particulièrement pertinent à observer pour mettre en exergue les *interconnexions normatives* qui régissent aujourd'hui les relations économiques internationales, David Pavot en fait également la démonstration au chapitre 13, en observant les dispositions conventionnelles spécifiquement dédiées aux clauses de survie prévues dans l'AECG et le PTP. Le débat portant sur les modalités de règlement des différends investisseurs/États, très largement relayé par les médias, et la multiplication des canaux juridiques à disposition pour défendre tout intérêt lésé en cas de litige, sont deux facteurs clefs ayant contribué ici à "mettre à l'agenda" des négociateurs l'épineuse question des clauses de survie traditionnellement prévues dans certains traités bilatéraux d'investissement. Tel qu'évoqué précédemment, si les champs d'application couverts par les accords commerciaux de troisième génération ont été élargis, comme en témoigne les chapitres dédiés aux domaines extra-économiques, les dispositions portant sur l'investissement font également l'objet d'un chapitre complet. En mettant à l'étude les traités bilatéraux d'investissement signés au préalable entre le Canada et plusieurs Parties à ces deux accords, Pavot établit une typologie des clauses de survie existantes dont l'analyse permet d'observer des tendances similaires, quel que soit le type de traité : existence d'une fragmentation juridictionnelle et risque de *forum shopping* encadré, mais qui demeure prégnant. Ce dernier point est révélateur du caractère « normatif » de ces méga-accords, en dépit du constat dégagé par l'auteur selon lequel la question du chevauchement des accords et des dispositions qu'ils contiennent a été traitée différemment dans le PTP et l'AECG ; si ce dernier prévoit l'opérationnalisation de ces clauses, le premier tend plutôt à les évincer laissant la voie ouverte aux procédures concurrentes.
- 14 Comme évoqué en introduction, les enjeux et les défis liés à l'expansion de la mondialisation numérique sont nombreux et s'inscrivent désormais de façon transversale dans les relations économiques internationales ; les trois chapitres suivants sont consacrés à ces dynamiques, tout d'abord dans le domaine de la culture, où Antonios Vlassis étudie le phénomène de convergence numérique tout en mettant en exergue les disparités normatives qui s'y illustrent ; en effet, les différentes approches adoptées pour le traitement de la culture révèlent des divergences notables d'un accord à l'autre, révélant notamment ce que l'auteur définit comme une régionalisation asymétrique des industries culturelles ainsi que de fortes divergences liées au traitement de l'exception culturelle dans les dispositions touchant aux biens et services culturels, notamment numériques. Gaël Le Roux aborde pour sa part le volet numérique à travers les différentes

approches juridiques adoptées pour établir les dispositions prévues à cet égard dans les partenariats transatlantiques (AECG, PTCI) et transpacifiques (PTP). En confrontant le droit international économique à la réglementation du numérique, l'auteur questionne les effets de convergence et de concurrence qui émergent notamment quant aux enjeux liés à la protection des données, à la responsabilité des intermédiaires techniques ou encore ceux portant sur la neutralité du Net. Enfin, le chapitre 16 aborde la question de la souveraineté numérique prônée par l'Union européenne à travers une analyse présentée par Annie Blandin, qui s'intéresse ici aux enjeux liés à la transition numérique. En dégagant les caractéristiques de la « nouvelle donne numérique externe¹² », l'auteure met de l'avant la tension qui s'exerce entre la volonté d'ouverture des marchés et l'enjeu de souveraineté numérique. Cette analyse révèle notamment les limites induites par les dispositions garantissant cette souveraineté en regard de la libre circulation des données personnelles, tout en révélant les rapports de force qui s'exercent face à la souveraineté "de fait" des grandes entreprises du numérique, à travers leur actuel pouvoir de marché. Ce pouvoir "normatif" est ici passé au crible, dans un champ où la logique d'interconnexion présentée tout au long de cet ouvrage s'inscrit dans l'infrastructure même de l'environnement numérique ici observé.

- 15 Si l'avènement et l'interpénétration de l'espace numérique dans les relations commerciales internationales sont deux éléments majeurs ayant présidé à l'élargissement des champs couverts par ces *nouveaux partenariats de la mondialisation*, les questions de développement durable ne sont pas en reste, notamment la question des clauses sociales. Si celles-ci ont notamment émergé des débats liés à la mondialisation de l'économie "à visage humain" de la fin du siècle dernier, l'évolution des dispositions prévues dans le cadre de ces méga-accords mérite d'être étudiée. Frédérique Michéa propose à cet égard d'identifier les sources normatives (droit international et droits internes) qui président à leur modélisation dans les chapitres dédiés de ces méga-accords, afin d'analyser l'évolution de la relation commerce/travail à la lumière des mécanismes d'exécution prévus, ou non, quant à ces clauses et de révéler les défis liés à leur mise en œuvre effective le cas échéant. Cette analyse essentiellement juridique se voit complétée par le chapitre suivant qui aborde la question des clauses sociales du point de vue nord-américain. Signé par Sylvain Zini, le chapitre 18 propose en effet une typologie des différents modèles de clauses sociales ayant cours, pour s'attarder ensuite à leur déclinaison dans le cadre des négociations commerciales qui ont présidé à la signature de l'AECG et du PTP. Le bilan présenté par l'auteur démontre en outre l'ampleur du défi normatif que représente la recherche d'équilibre entre expansion du commerce international (et des chaînes de valeur globales notamment) et progrès social.
- 16 Si les *interconnexions normatives* tendent à se manifester ostensiblement dans le cadre de ces nouveaux champs d'application désormais intégrés aux traités commerciaux internationaux, une analyse du traitement réservé au commerce des ressources halieutiques, un secteur industriel prépondérant dans le contexte européen, est ici proposée par Danielle Charles-Le Bihan au chapitre 19 ; l'enjeu de la « [...] gestion durable du marché des produits de la mer¹³ » détermine ici le cadre d'analyse auquel nous invite l'auteure pour mettre de l'avant les nombreuses dispositions prévues aux accords dans le cadre du développement inédit des mécanismes de coopération réglementaire qui s'y illustrent. L'analyse des dispositions prévues à l'AECG permet d'observer leur déclinaison dans un secteur industriel déjà très largement encadré par les droits nationaux et prévoit notamment « une reconnaissance mutuelle par les partenaires de l'AECG, des règles

d'étiquetage et des indications géographiques spécifiques¹⁴ ». À la lumière de cette étude de cas et tel qu'énoncé dans l'introduction de l'ouvrage, l'engagement normatif de l'UE dans certains domaines désormais couverts par ces *nouveaux partenariats de la mondialisation* est ici clairement établie et s'illustre singulièrement par un renforcement sans précédent des dispositions propres à la coopération réglementaire.

- 17 Cette seconde partie de *Génération TAFTA* dédiée aux *interconnexions normatives*, se conclut par des considérations juridiques et politiques tout particulièrement intéressantes, qui s'inscrivent ici dans une lecture davantage "macro" de ces relations économiques internationales. En abordant l'expansion du droit de propriété intellectuelle à l'aune de celle du droit de la concurrence, Pierre-Emmanuel Moyse met en lumière les dynamiques liées à l'explosion du marché des immatériels et parvient à la conclusion selon laquelle une concurrence des systèmes est à l'œuvre. En questionnant ici l'avenir du libéralisme économique face au processus d'intégration des marchés à l'échelle globale, les résultats de son analyse l'amène en effet à appréhender les considérations concurrentielles de ces *nouveaux partenariats*, bien au-delà du seul droit de la concurrence.
- 18 Toutefois, les règles qui régissent le droit de la concurrence dans les accords commerciaux de troisième génération présentent des caractéristiques juridiques et politiques singulières d'un texte à l'autre : en proposant un examen attentif et comparé des chapitres dédiés à la concurrence dans le PTP, l'AECG et le PTCI (encore provisoire), François Souty nous dévoile au chapitre 21 les paramètres qui tendent à révéler le potentiel de conflits majeurs entre les différents ordres juridiques mobilisés. À cet égard, l'auteur soutient que seul l'AECG présente des caractéristiques opérationnelles tangibles et susceptibles de limiter de tels effets délétères. Si l'UE tend à faire valoir plus de transparence, les États-Unis quant à eux, restent fermement attachés à la question du *due process* notamment en ce qui a trait au phénomène de concentration économique. En mettant ici en exergue les différences institutionnelles notables qui transparaissent notamment à la lecture du PTCI, Souty relève l'asymétrie qui tend à s'y illustrer tout en soulignant, *a contrario*, la convergence des catégories et des institutions du droit de la concurrence des Parties à l'AECG (Canada et UE) et ouvre ici la porte à une discussion non moins fondamentale quant au champ d'application du droit de la concurrence, ici considéré comme un élément déterminant du potentiel degré d'ouverture de pans entiers de l'économie.
- 19 En dernier lieu, la place réservée aux consommateurs au cœur de cette valse de négociations commerciales récentes demeure toutefois sujette à débat : tout comme l'explique avec grande clarté Thierry Bourgoignie dans l'ultime chapitre de cet ouvrage, la volonté d'élargissement des marchés valide leur convoitise autant qu'elle démontre l'absence de volonté politique et de mécanismes dédiés. L'intégration économique des régions ne peut prendre forme sans leur concours, toutefois les objectifs qui permettraient la mise en œuvre d'une *protection du consommateur* avérée demeurent embryonnaires voire évincés, limitant ici le champ des possibles concernant notamment la promotion de normes fondamentales, acceptées et reconnues à une hauteur à tout le moins équivalente à la protection accordée à d'autres intérêts publics, tels que la santé ou le développement durable¹⁵.
- 20 En conclusion, c'est donc à un tour du monde des relations commerciales désormais interconnectées que nous invitent les Professeurs Deblock et Lebullenger, à la lecture de *Génération TAFTA, les nouveaux partenariats de la mondialisation*. Dans un contexte politique encore très international au sein duquel le « global » tente de s'imposer, une coopération

de plus en plus étroitement tissée se révèle là où l'interconnexion des systèmes de régulation tend également à vouloir s'implanter. Les règles du commerce mondial confèrent un nouvel essor à ces traités commerciaux qui, à la lecture de cet excellent opus, présage de potentialités normative et réglementaire renouvelées et encore jamais égalées. En intégrant ici davantage encore de considérations annexes au commerce en lui-même, les trajectoires actuelles de la mondialisation économique sont et seront à l'avenir d'autant plus pertinentes à observer et à décrypter, dans un environnement mondial en constante évolution. Dans ce monde devenu ô combien complexe et où l'interconnexion intervient comme LE vecteur des relations humaines à l'échelle planétaire, tous (ou presque) s'entendent dans la littérature sur le fait que plusieurs mondialisations sont actuellement à l'œuvre ; s'il est un secret de Polichinelle d'avancer l'idée que la mondialisation économique est à l'avant-garde de ces processus d'envergure, il sonne comme une évidence que la parution d'un ouvrage aussi complet et exhaustif que *Génération TAFTA* pose les jalons d'une réflexion scientifique éprouvée et tout particulièrement éclairante pour qui souhaite prolonger plus avant ses connaissances en la matière et démystifier les arcanes de ce « nouveau » monde numérique qui nous entoure.

NOTES

1. Paru en 2015 et dédié à l'accord commercial signé entre le Canada et l'Union européenne (AECG), le premier opus codirigé par les Professeurs Christian Deblock, Joël Lebullenger et Stéphane Paquin s'intitule *Un nouveau pont sur l'Atlantique. L'Accord économique et commercial global*, Québec, Presses de l'Université du Québec, 2015.
2. Deblock Christian et Joël Lebullenger (dir.), *Génération TAFTA. Les nouveaux partenariats de la mondialisation*, Presses universitaires de Rennes, 2018, p. 25
3. *Ibid.*, p. 37
4. *Ibid.*
5. *Ibid.*
6. *Ibid.*, p. 55
7. Notons ici les développements récents de l'agenda européen, qui a également lancé un processus de négociations commerciales bilatérales depuis septembre 2017, d'une part avec l'Australie et d'autre part avec la Nouvelle-Zélande.
8. *Ibid.*, p. 69
9. *Ibid.*, p. 114
10. *Ibid.*, p. 160
11. *Ibid.*, p. 165
12. *Ibid.*, p. 237
13. *Ibid.*, p. 277
14. *Ibid.*, p. 282
15. *Ibid.*, p. 336

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