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# What Non-Demand Demands

## On the non-take-up of social welfare

Over the past few years there has been substantial evidence that a significant number of people are not taking up their welfare rights. While the phenomenon of non-take-up (NTU) is certainly not new, as more and more measures are being taken in this respect, the full magnitude of the phenomenon is becoming apparent, and the need to respond is growing. With NTU rates ranging from 40% to 60%<sup>1</sup> in European Union countries, technical solutions are being implemented to make access to social welfare and public services easier. Political discourse has however focused on two forms of NTU, non-awareness (welfare clients are not aware of their eligibility for welfare) and non-receipt (welfare clients are aware of their eligibility and have requested welfare, but have not obtained or used it). It has thus overlooked not only non-offer (welfare is not provided despite the eligibility of the applicant, whether or not they are aware of the existence of these benefits) but also non-demand (welfare clients are aware of their eligibility for welfare but have not requested it, or they have been granted a benefit but have not taken it up) and non-orientation (potential recipients are not notified or supported to access a benefit)<sup>2</sup>. Actions to tackle NTU are therefore designed to improve the effectiveness of strategies to inform publics, to support them to access their benefits, to create intentional pathways, to provide unconditional pre-accessibility, etc.

These solutions certainly are useful in their way, but NTU cannot be reduced solely to an issue of accessibility. When individuals do not demand welfare, the question is not just how accessible but also how suitable the public offer is. This applies especially to situations of “intentional non-demand” where, due to a lack of interest, individuals voluntarily abstain from taking-up welfare despite the value—financial or non-financial—of the benefits for which they are eligible.

It is important to take a closer look at this particular form of NTU which, more than other forms, calls into question the legitimacy of policies. Even though it is by no means marginal, it does not fit in with standard policy production based on the definition of social needs by institutional actors, and is therefore largely overlooked.<sup>3</sup> With this form of NTU, it is more the content of the offer than its implementation that needs to be addressed. A different kind of response is therefore needed. Addressing this form of NTU involves hearing recipients’ expectations and taking them into account, in order to best achieve the intended outcome as effectively as possible. Intentional non-demand is specifically the outcome of conflicting standards, and in order to resolve this, organizations must be able to justify the principles and terms of their offer. Recognizing the right to justification is thus the main challenge for any social policy or anti-poverty plan seeking to combat this form of NTU which, more clearly than other forms of NTU, reflects a lack of support from the citizens for social policies, not in and of themselves but as they are formulated.

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<sup>1</sup> Hans Dubois, Anna Ludwinek. *Access to Social Benefits: Reducing Non Take-up*. Luxembourg, Publications Office of the European Union (Eurofound), 2015.

<sup>2</sup> Philippe Warin. “What is the NTU of social rights?”. *La Vie des Idées*, 2010, online.

<sup>3</sup> Philippe Warin. *The NTU of Social Policies*. Grenoble, PUG, 2016.

## Understanding Non-demand

The reasons for non-demand vary. Without claiming to be exhaustive, I have identified six main reasons, each of which offers different explanations. Five of them can be grouped under the category “intentional non-demand”. These are cases of non-demand informed by a cost-benefit analysis, by disagreement with the dominant standard, by a preference for alternatives, or by civic-mindedness; they can also occur when people do not feel concerned. The sixth reason explicitly refers to non-demand that is not intentional but suffered. This is brought about by a lack of capability (knowledge, know-how, trust, support, etc.). These six reasons may have different implications, insofar as they each involve an assessment of the suitability of the offer which does not necessarily relate to the same criteria.

Non-demand that is suffered is set apart in this classification. However, it is neither rare nor, more importantly, less concerning. The situations observed primarily involve individuals who do not or no longer demand welfare because they have grown tired of administrative procedures, or because they are exhausted from dealing with welfare providers who, in their opinion, stigmatize or discriminate against them. The individuals concerned often explain this non-demand as a consequence of institutional contempt. At least that is what they feel, but the many studies on welfare stigma have clearly shown how and why stigma is a deliberate deterrence mechanism, as are sanction regimes, increasingly, especially with the rise of discourses on freeloading and benefit fraud. In Great Britain, for example, increased sanctions have meant that in 2016 fewer than half of the unemployed claimed their benefits<sup>4</sup>.

Whether it is suffered or intentional, non-demand always proceeds from a process of assessment of the offer. This process, which John Dewey called “valuation”,<sup>5</sup> is twofold. First, it involves an “affective” assessment (valuing), that is, the assessment that leads a person to request welfare or, on the contrary, to avoid it, based on the enjoyment (well-being, comfort, etc.) that it can provide them or not. Secondly, it involves an “objective” assessment based on an analysis of the consequences of take-up/NTU in light of common values, or “objective properties” in Dewey’s terminology, such as equal treatment or consideration for the individual. In Dewey’s work, “valuing” means giving more or less importance to something, while an assessment consists in making a comparative judgment. Valuation is the product of a desire that is itself the effect of a lack, of a state of dissatisfaction or of a problem posed by a specific situation. The notion of valuation therefore allows us to consider NTU by non-demand as the reaction resulting from a process of assessment of the offer which, induced by dissatisfaction, expresses an “unwillingness”. With NTU, valuation takes place without the offer being made. It does not encourage recipients—irrespective of the cause—to engage in (or pursue) an application process.

In the case of non-demand that is suffered, the affective assessment of the offer can reveal its high value. However, the workings of welfare service relations are such—or perceived as such by the individual—that, on the objective level of equality of treatment, a negative assessment prevails and leads to non-demand. Intentional non-demand also results from a process of assessment of the offer’s suitability, but from different points of view depending on the reasons for NTU. Let us review these reasons to grasp their different implications.

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<sup>4</sup> National Audit Office, *Benefit Sanctions*. 2016, online.

<sup>5</sup> John Dewey. “Theory of valuation”. *International Encyclopedia of Unified Science*. II (4), 1939: 1-67.

## Cost-benefit Analysis and Disagreement with the Norm

A cost/benefit analysis comes into play, which often includes a calculation of risk (for example, claiming one benefit may make it difficult to maintain another). Unlike non-demand that is suffered, intentional non-demand based on a cost/benefit analysis focuses on an affective assessment of the individual value of the offer. By contrast, non-demand out of disagreement with the dominant norm of the offer essentially results from an objective assessment.

To understand this more fully, we can use the distinction between “use value” and “exchange value” used by Marx and earlier by Adam Smith and Ricardo. Note that this assessment process, which can follow two trajectories (use and exchange), is not unlike the psychological analysis of the cost-benefit model proposed by Stefan Stürmer and Bernd Simon in their study of participation in collective action. In particular, these authors explain that individuals’ participation can be activated in different ways, either utilitarian, of the cost/benefit kind, or identity, associated with shared values.<sup>6</sup> In the case of non-demand stemming from disagreement with the dominant norm, the assessment goes beyond the use value (actual or supposed) of the benefits or welfare services. It primarily focuses on exchange value, measured in terms not of money but of a type of social relationship established as a general norm, or perceived as such by the individuals concerned. Let us consider three examples.

The evaluation of the *RSA activité* has shown that for the many individuals concerned by NTU, while the administrative procedures seemed too costly by comparison with the financial benefit that was perceived as too modest (low use value), they could also be at odds with the framework itself. Over a third of these individuals refused the *RSA activité* on the grounds of their disagreement with the introduction of a permanent incentive scheme instituting precarious work as a social norm. Above all, what they expected from the public authorities was a wage policy that would allow them to earn a dignified living from their work, instead of being dependent on public assistance that both supports them and constantly forces them to work. They preferred to forego the money from the *RSA activité* rather than bend to the principle of a framework that institutionalizes the category of poor workers and precariousness as a socially acceptable condition as long as it gives rise to financial compensation mechanisms.<sup>7</sup>

On an entirely different level—since it is a local welfare benefit—, the “solidarity hamper” offered by some municipalities is met with the same type of NTU. This benefit is part of a series of measures aimed at the most vulnerable households, from emergency financial assistance to food banks, solidarity grocery and clothes stores, etc. On sites that we studied, the rate of NTU was around 80%. The explanation provided by the respondents left no room for doubt. This other massive case of intentional non-demand is explained by disagreement with the condition of access, which makes the allocation of solidarity hampers conditional on their preparation with other inhabitants and professionals. In this case, individuals who refuse take-up, most of the time women, do not want to expose themselves in public (hamper preparation typically makes for a situation of public exposure that creates stigma). They do not subscribe to the principle that increasingly pervades emergency measures, which—for “the poor”—provides welfare while working on socialization. Despite the high use value of these solidarity hampers for the target population, a negative objective assessment clearly prevails. The refusal of the

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<sup>6</sup> Bernd Simon, Stefan Stürmer. “Collective action: towards a dual-pathway model”. *European Review of Social Psychology*, 2004/15: 59-99.

<sup>7</sup> Evelyn Serverin, “Causes and effects of NTU of RSA-ACTIVITY”, *Revue de Droit Sanitaire et Social*, 2012, n° 4, p. 637-645.

standard of participation imposed on the most vulnerable takes precedence over the material value of this food aid for families nevertheless in great difficulty.

Other examples reveal the breadth of situations of non-demand out of disagreement. Consider Martinique, where an 80% NTU rate has also been measured for the leisure benefits (*aides aux vacances*) offered by the *Caisse d'Allocations Familiales* (family welfare fund).<sup>8</sup> The reason this social welfare measure does not reach its target is primarily because of the preference for alternative solutions within families, which also helps avoid having to pay out-of-pocket costs. Even when the welfare benefits may be of particular interest to teenagers or families, those who do not take them up ascribe their choice to the fact that, despite such benefits, they will in any case remain confined to “standard” or “low-end” leisure activities compared to those offered to the waves of tourists streaming onto their island. They too would like to go kitesurfing or have access to the most fun activities, and many are dying to travel to the United States, which is not that far away. This massive non-demand is due to disagreement with the limited choices offered, seen as fostering differential treatment and relegation.

These three examples show that non-demand out of disagreement with the dominant norm of the framework in question relates to a common value of equal treatment—a value that individuals who do not take up a welfare service consider to be violated. Like suffered non-demand, intentional non-demand results from the objective assessment of an injustice. However, this assessment concerns the dominant norms of the proposed frameworks and not primarily their functioning, as is the case with non-demand that is suffered. Notwithstanding this difference, in either case, both non-demand that is suffered and intentional non-demand out of disagreement challenge unequal treatment, be it in service relations or in the general standards conveyed by the offer (precariousness, imposed participation, limited choices, etc.).

### Preferred Alternatives to Lowering Standards

The preference for alternatives often applies more to welfare clients who want to avoid taking up an offer that they consider insufficient or of poor quality. The low use value is then directly the cause. Education, health and leisure are among the areas where this type of NTU is most noticeable. Those who can seek alternatives that not only meet their needs but also protect their self-image. The public offer is not suitable because it is seen to lower standards. Its adequacy is assessed both on an affective level and an objective level, particularly from the perspective of forms of social belonging that must be preserved. The valuation process relates to the low utility of an offer that is assumed to be of poorer quality. But, as with non-demand stemming from disagreement, it also expresses the rejection of a norm, that of public service—open to the whole population—, seen as no longer able to uphold individual well-being as a common value: local public schools no longer educate and drag good pupils down, public hospitals provide poor treatment, subsidized leisure activities no longer meet the expectations of children or youngsters and no longer meet the objective of social mixing, and so on. Apart from dissatisfaction with use value, the exchange value of the offer is an issue and constitutes the “tipping point” beyond which institutions appear counterproductive (US political scientist Morton M. Grodzins’ “tipping point” or Austrian philosopher Ivan Illich’s “critical threshold”).

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<sup>8</sup> Myriam Thirot. “The NTU of holiday allowances in Martinique. Why can’t a social action policy reach its target?”. *SociologieS*, 2016, online.

This non-demand out of preference for alternatives is the reverse of non-demand motivated by civic engagement, where some people prefer to restrict themselves or manage otherwise so that others have priority. These individuals articulate discourses on the scarcity of public resources and often share a vision of reasoned or non-consumerist recourse to welfare benefits. To them, these are rare goods. They must be protected through moderate use, in order to preserve their social adequacy. This type of situation can be found, for example, in access to health care, requests for social benefits, use of childcare facilities, etc. Rather than being contested, the exchange value of benefits and welfare is on the contrary defended here through intentional non-demand behaviour to defend a common value of solidarity towards those most disadvantaged.

### Not Feeling Concerned and Voluntary Self-exclusion

Not feeling concerned, the sixth reason for intentional non-demand, is a prevalent factor identified in sociology of youth studies. As Benjamin Vial clearly shows in his PhD research on young people who are neither employed, nor studying, nor training (in 2015, there were 1.7 million “NEEF”<sup>9</sup> in France and 14 million in Europe), non-demand by this population stems primarily from “actively not feeling concerned”. This leads them to withdraw not only from training and integration frameworks, but also from social benefits, and to place greater value on their ability to manage on their own.<sup>10</sup> This active feeling of not being concerned is the result of an objective assessment of frameworks and benefits which, experienced or perceived as excluding them, cannot ensure the social inclusion of all young people. The dominant norm, common to these frameworks and benefits, is that of individual responsibility. It is strongly at odds with the attitudes of young people who feel that they are not the only ones responsible for their “struggle” and, even more importantly, that they are not irresponsible, and their life as NEEFs is not full of “nothing” as they are so often told. By withdrawing for a period of time, they are in their own way challenging a general norm that often disregards and excludes them in the way it is applied.

### Hearing the Need for a “Right to Justification”

Whether it is suffered or intentional, and irrespective of the motivations underlying it, NTU by non-demand therefore exists because common values are not upheld (equality of treatment, universality, individual well-being, solidarity towards the most deprived, consideration for the individual, etc.). The multiple situations to which this applies causes a large number of people to refuse the benefits or welfare services offered, despite the immediate value they may derive from them. NTU by non-demand highlights not so much the individuals’ difficulties in overcoming obstacles to access welfare benefits, as their refusal of the offer, its content, the conditions attached and, ultimately, its social implications.

The main actor in this NTU is not the lost addressee but the determined citizen. Determined not to accept just anything, despite their needs, if what is offered makes no sense to them. Determined not to take up a welfare offer when they consider that the offer as it is designed and proposed fails to recognize them, that is, does not allow them to position themselves in society, as they see fit, as an individual connected to others through shared representations of “fairness

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<sup>9</sup> NEEF: “*ni en emploi, ni en études, ni en formation*”—neither employed, nor studying, nor training.

<sup>10</sup> Benjamin Vial. “Not feeling concerned about your rights”. *Agora Débats/Jeunesse*, 2016, n°74, p. 77-88. *The NTU of public assistance by young adults. Literature review*. INJEP, Notes & Reports, April 2018.

for all” that (sometimes) prevail over what is “good for oneself”. Non-demand out of disagreement may be underpinned by a norm of “fairness” for what individuals concerned by NTU identify with, and in this case may be the consequence of a conflict of norms. But it may also be based on consideration of what is “good” for one-self, and appear more as a consequence of personal choices.

This has profound implications. The distinction between what is fair and what is good directly relates to the distinction made by Paul Ricoeur, between morality and ethics.<sup>11</sup> If this distinction is a valid one, it makes it possible to point out that the process of adhering to the public offer can be informed—in our society at least—by a rather normative (and moral) assessment of the offer against the general rules it entrenches and/or which inspire it, or by a rather positive (and ethical) assessment which considers the offer without primary consideration for its exchange value. On a political level, the distinction between what is fair (for all) and what is good (for oneself) is decisive in defining the type of social contract that a collective sets itself to acquire the necessary and sufficient sovereignty to ensure the protection of individual rights. For example, in the Rawlsian social contract, individuals agree on principles of justice without committing to any common general criteria of what is good (or fair). Compared to societies steeped in political liberalism where comprehensive views of good prevail, mentalities in France have until now probably been marked more by normative views of good, as major international social surveys tend to show.<sup>12</sup> This is what non-demand signals when it is explained by disagreement with a public offer that does not seem to meet some of the addressees’ expectations of fairness for all. It is all the more important to stress this conflict of norms, as the notions of investment and accountability informing policy makers in France (and at EU level) draw their justification from a more ethical than moral conception of social justice. This is probably what makes non-demand out of disagreement even more difficult to recognize in actions to combat NTU.

Preventing non-demand therefore means acknowledging the refusals it implies for what they are: the expression of a desire, a claim by people who expect to be considered as citizens with a say and who demand a justification for the public offer. This raises the question of policy makers’ and providers’ ability to legitimize the terms of the offer and their consequences. But have the people targeted by the offer ever been told why welfare benefits or services are the way they are? Has the public ever been considered other than as a mass of debtors or taxpayers? Have barriers to access to benefits ever really been taken into account when they, or part of them, can no longer be a blind spot for policy makers, especially when they take the issue of NTU into account?

Playing on the silence of the malcontents, the production of public policies has been largely exempted from any effort to explain it to citizens, let alone to seek their approval. Yet the lack of support for the public offer stems partly from the fact that it imposes terms and norms without justifying or explaining them, and implements types of functioning that can also lead to suffered non-demand. Thus, the lack of justification raises the question of participation. But above all, the question of participation feeds into fundamental reflection on the core need for a “right to justification”, defended in particular by Rainer Forst in his work on contexts of justice,

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<sup>11</sup> Paul Ricoeur. *Be Yourself Like Any Other*. Paris, Le Seuil, 1990.

<sup>12</sup> Frédéric Gonthier. *The Welfare State in The Face of Public Opinion*. Grenoble, PUG, 2017.

considering that social conditions are fair only if adequate justifications can be provided.<sup>13</sup> While this disciple of John Rawls and Jürgen Habermas links the fundamental requirement of a right to justification to social movements and political struggles denouncing the arbitrariness imposed by the political powers-that-be, NTU may be linked to other social situations that could also lead to the expectation of such a right.

As the recipients of the policies are not organized as a collective actor and NTU occurs at a micro-social level, the need to justify the offer, which can be seen in the infinite number of exchanges with the public, is largely ignored. Under these conditions, it is easy to remain deaf to recipients' need to identify with the common values underlying each of these frameworks, especially since ignoring the malcontents leads them to apathy. US sociologist Nina Eliasoph has shown that this apathy leads to a "culture of political silence" among those who are "too hopeless even to voice feelings of outrage, too powerless even to formulate their own interests even to themselves".<sup>14</sup> This culture of silence constitutes "the third dimension of power", alongside the ability to coerce others and the possibility of setting the public agenda.

The demand for a right to justification can nevertheless be seen in the myriads of relations constantly feeding citizens' relationship with social policies and rights. Intentional non-demand, in particular, shows that action against NTU calls for a "citizen's policy" when, beyond the proposed welfare's lack of appeal, there is a massive lack of adhesion by recipients. Such a policy, which would establish a right to justification, would recognize the possibility of refusing the public offer, and such refusal would impact the design of public policies and be meaningful for democracy.

In his examination of the institutions of recognition, German philosopher and sociologist Axel Honneth advocates for collective values or norms—especially that of fairness—to be informed by social institutions and normative conflicts at the very level where they develop.<sup>15</sup> But the fact remains that welfare organizations are still far from coming to grips with the normative conflicts triggered by the reactions of individuals who choose NTU, or users attached to exchange values that they see as compromised or even ignored by the public offer. Yet this is probably the main condition for a right to justification to exist. To achieve it, there will certainly be a need to avoid framing the question in a way that best suits institutions, which could then take advantage of the prevailing "operationalism".

### Avoiding the Trap of Operationalism

The first thing to understand is therefore that NTU can in no way be reduced to the behaviour of a user struggling with administrative processes leading them nowhere, nor to that of a consumer driven by preferences linked to the comparative value of several offers. It is essential to stress this, so as to avoid the trap of prevailing "operationalism" that could totally overshadow the need for a right to justification.

The notion of NTU prevailed because its presentation corresponded to the new status that is now granted to the concept, in liberal societies, that something only has value if it is

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<sup>13</sup> Rainer Forst. *The Right to Justification. Elements of a Constructivist Theory of Justice*. New York, Columbia University Press, 2014.

<sup>14</sup> Nina Eliasoph. *Avoidance of politics. How Americans Produce Apathy in Everyday Life*. Paris, Economica, 2010, p. 277.

<sup>15</sup> Axel Honneth. *The Right of Freedom. Sketch of a Democratic Ethicity*. Paris, Gallimard, 2015.



operational.<sup>16</sup> In particular, the political and scientific discourses that have won the issue of NTU institutional recognition as a public problem have presented its stakes mainly in terms of the effectiveness of social policies (mass NTU is the obvious sign that policies are not reaching their audiences), but also in terms of calculation of risk (NTU has direct and indirect social costs for society). The consequence is that the reduction of NTU has become an argument to justify welfare system reforms,<sup>17</sup> but without taking into account all the implications of the phenomenon. Yet intentional non-demand carries a particular significance that distinguishes it from other forms of NTU, in the sense that responding to it involves justifying principles and norms.

The stakes are high. While the question of reducing NTU is becoming an argument to justify the effectiveness of reforms to the social welfare model, the analysis of intentional NTU shows the need to justify the very content of these reforms and of the welfare systems they will produce. Without this, there will most certainly once again be intentional NTU, even if the changes made successfully remove all obstacles to accessing social welfare.

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<sup>16</sup> Antoine Garapon. "A left 'outdated' by globalization". *Esprit*, 2016, n° 427, p. 33-43.

<sup>17</sup> With the creation of the *Prime d'activité* (employment bonus) in 2015; and with the justification of the introduction of a single standard trunk of coverage, replacing all existing minimum benefits, which was the preferred scenario in the 2016 Sirugue report "Rethinking welfare benefits".