

Chapter 2: Neoliberalism and openness

Neoliberalism is a complex and diverse phenomenon – to the extent that it may be more accurate to speak of 'neoliberalisms' – so any definition of it will of necessity be partial and contested. However, the term is often used ambiguously so it is worth clarifying at the outset. The intellectual history of neoliberalism's emergence – from 1930s German ordoliberalism, the pioneering work of Hayek, the second Chicago school of the 1950s–70s, and onwards towards 'applied' neoliberalism from the Thatcher and Reagan administrations to the 2007–09 financial crisis and beyond – has been explored by many scholars (e.g. Davies 2014, Harvey 2005, Mirowski and Plehwe 2009, Peck 2010, Stedman Jones 2012). This chapter will comprise a discussion of this history with a particular focus on a theoretical understanding of how *openness* is conceived within neoliberalism. I will come to define neoliberalism as the expansion of *markets*¹ and *market-derived forms of measurement and evaluation* into previously non-economic realms.² I will then move on to an analysis of how neoliberalism impacts contemporary higher education and academic publishing.³

Karl Popper wrote *The Open Society and its Enemies* (2003 [1945], 2003a [1945a]) as a defence of democracy against the totalitarian regimes of fascism and communism which Popper saw as restricting freedom.⁴ Friedrich Hayek's work *The Road to Serfdom* (2001 [1944]) placed free markets at the centre of liberal strategies for achieving democratic freedom. Free markets, as conceived by Hayek, are meant to guarantee freedom for individuals – liberalism necessarily leads to freedom and any other form of political organisation leads inexorably to totalitarianism⁵ and thus a closed society⁶ (Hayek 2001 [1944], 2006 [1960]; Popper 2003 [1945], 2003a [1945a]; Foucault 2008: 110–11). This early

1 A *market* is a system (or social relation) for facilitating the exchange of goods, services, or information [citation needed].

2 [If in a capitalist society the logic of capital already structures/saturates all of social life (Winn 2015), then is the difference of neoliberalism just the prioritising of *market* logic over other aspects? Is there a difference between the logic of markets and the logic of capital?]

3 [This HE/publishing section may move to the following chapter.]

4 The words *freedom* and *liberty* are used interchangeably by writers such as Hayek and Popper and the same applies to this chapter. [The relationship between *freedom* and *openness* will also be discussed.]

5 Hayek's *The Road to Serfdom* (2001 [1944]) contains a somewhat muddled blend of decrying others' acceptance of inevitability (Hayek 2001 [1944]: 3) while also proclaiming the 'inevitable' nature of socialism's evolution into fascism and totalitarianism (Hayek 2001 [1944]: 1–5). Hayek appears to state that nothing should be accepted as inevitable, but at the same time *if the path to socialism is pursued* it will inevitably lead to totalitarianism. (Totalitarianism can be defined as a political system that 'aim[s] toward a total negation of the individual' (Stedman Jones 2012: 68).) Alves and Meadowcroft (2014) try to address this contradiction by highlighting the nuances in Hayek's views on the 'inevitability' of planning's descent into totalitarianism and reminding us that Hayek did allow some role for a minimal social safety net, but this still leaves us without a clear answer to Keynes' objection to *The Road to Serfdom* – that Hayek admits that some level of state intervention in the economy is necessary but does not provide a way to determine where the level is set (Stedman Jones 2012: 66–68) and therefore the boundaries of intervention remain subject to change and the supposed danger of sliding into totalitarianism is still present.

6 The term *closed society* is defined below in the discussion of Popper's *The Open Society and Its Enemies*.

neoliberal theory does not appear to have born out in reality as neoliberalism in its contemporary manifestation no longer upholds liberal ideals of freedom and some scholars such as Wendy Brown and William Davies claim that it threatens the very existence of democracy. Brown (2015) argues that neoliberalism's economization of all spheres of life results in a *closure* of political and social freedom, so all that remains is freedom restricted to the economic realm. If this argument is correct, then Hayek and Popper's belief that free markets will inevitably lead to a free democratic society is proven false. The uncoupling of neoliberalism and openness would also have strong implications for the open access movement and the policies it pursues.

The birth of neoliberal theory & the neoliberal conception of freedom

The emergence of neoliberalism was a continuation and adaptation of liberalism under new political conditions. One genealogy of neoliberalism that depicts the ways in which it was a continuation of liberalism can be found in Foucault's analysis given in the 1978–79 lectures at the Collège de France, published as *The Birth of Biopolitics* (2008), which focused on understanding liberalism as a form of political rationality. For Foucault, the key rationale of liberal political rationality was to set internal limits on the reach of government and find an optimal balance between state governance and individual freedom⁷. Foucault places the historical emergence of liberalism as occurring in the mid-eighteenth century⁸ with the coupling of 'a regime of truth and a new governmental reason', or the market becoming 'a site of veridiction for governmental practice' (Foucault 2008: 33). Liberal political rationality refrained from interfering in markets in order to allow 'truth' ('true' or 'natural' prices) to emerge from the market.⁹ Under this 'regime of truth' dominated by economics,¹⁰ the market is truth and therefore unquestionable.¹¹ A version of this liberal political rationality was later pursued in post-war Germany by the ordoliberals in opposition to what they saw as the overreach of government under Communism, Fascism, and Keynesian economic policy, and by the Chicago school¹² in opposition to US state planning of the Roosevelt era (Foucault 2008: 322). However, the theoretical origins underpinning this resurgence of liberal rationality can be traced back even earlier.

The seeds of neoliberalism can be found in the work of economists in 1920s Vienna, in

7 [What does 'freedom' mean for Foucault? All individual actions are constrained by socio-historical circumstances.]

8 [The history of liberal democracy is also a history of free market capitalism. Liberal assumptions about what constitutes an 'open' way to organise society are imbued with notions of what constitutes economic freedom.]

9 [M.E.: 'What you might want to think is how certain sectors of the OA community also equate their open practices with truth. "If it isn't open, it isn't science" etc. in an era where science is the dominant paradigm of truth production.']

10 [a specific dominant "regime of truth" which masks others?]

11 [expand on the logic behind this]

12 The 'Chicago school' is used as a shorthand to refer to economists who worked or trained at the University of Chicago. See the section 'The Chicago School and the birth of neoliberal hegemony' below for details.

particular Ludwig von Mises and Friedrich August Hayek (Plehwe 2009: 11) who were constructing their ideas of a free market to counter the socialist economics and planning that had become popular across much of Europe (2009: 11). As neoliberalism developed during the 1930s a strong critique of classical liberal economics was added to the mix, and as a result it could be promoted as an alternative to the perceived failures of both liberalism and socialism (Denord 2009: 46). Multiple strands of neoliberal theory were already emerging at this early stage with differences between the Austrian economists, German ordoliberalists, and more libertarian perspectives. The rest of this section will explore the key ideas of these different strands especially with regards to liberty.

The term *neoliberalism* was not widely used in the 1930s. In Germany the phrase 'new liberalism' was used to describe ideas of economists such as Walter Eucken, Alexander Rüstow, and Wilhelm Röpke (Plehwe 2009: 12), who after WWII would become the lead architects of the new German social market economy. It was at the Colloque Walter Lippmann in Paris, 1938 – the first international meeting of the new free market adherents, bringing together economists from Austria, Germany, France, and the US (Plehwe 2009: 12–13; Stedman Jones 2012: 31) – that a definition of neoliberalism was first proposed:

- the priority of the price mechanism,
- the free enterprise,
- the system of competition, and
- a strong and impartial state. (Plehwe 2009: 14)

Already by this time there was a division between the German ordoliberalism of Rüstow and Röpke, with its more interventionist bent and desire to leave behind much of classical laissez-faire orthodoxy, and the 'old liberalism' of Hayek and Mises whose views at this time were closer to a renewal of liberal ideas rather than a move beyond them to something altogether new (Denord 2009: 49)¹³ – the Austrian economists focused on 'the power of the price mechanism to allow the spontaneous organization of the economic life of autonomous individuals' (Stedman Jones 2012: 49). Despite these differences there was a great deal of agreement at the Colloque Walter Lippmann, especially on the fundamental idea that 'the state creates the framework within which competition is free', thus a neoliberal state is 'a regulator that punishes deviations from the "correct" legal framework' (Denord 2009: 50).¹⁴ Many of the individuals present at the meeting would later become founding members of the Mont Pelerin Society, which first met in April 1947 (Plehwe 2009: 12–15; Stedman Jones 2012: 31). Plehwe argues that the Mont Pelerin Society was vital to the foundation of a coherent ideology that transcended any one particular domain of knowledge (Plehwe 2009: 5) and that

13 Rüstow referred to Mises as a 'paleo-liberal' – an unreconstructed 19th-century laissez-faire liberal – 'because of his seemingly unerring faith in the capacity of the market to self-regulate itself' (Bonefeld 2012: 9, note 11).

14 This idea of neoliberal state as regulator of freedom echoes Foucault's notion of a political rationality that determines where truth can be found. [I'm kind of equating *truth* and *freedom* here, which makes sense to me in this context but I'm not sure exactly why.]

close personal ties between Society members were important to maintain cohesion and momentum over time (2009: 21).

Ordoliberalism was a school of thought which emerged in Germany from the early 1930s to the 1950s (Ptak 2009: 125). (The term *ordoliberalism* itself was not used until 1950 (Ptak 2009: 108).) It was developed by economists including Alexander Rüstow, Wilhelm Röpke, and the Freiburg School led by Walter Eucken and Franz Böhm (Bonefeld 2012; Ptak 2009: 101). There may have been more similarities than differences between ordoliberalism and Austrian neoliberalism, but ordoliberalism was more concerned with maintaining social order and placed greater emphasis on the role of a strong state to intervene in the conditions which facilitate a free market, such as competition legislation (Ptak 2009: 101–02).

In the 1930s prominent ordoliberals such as Rüstow and Alfred Müller-Armack explicitly stated their belief that political freedom should be restricted in the service of the market economy (Ptak 2009: 110–11).¹⁵ Ordoliberalism became a coherent and significant school of thought during the Nazi era (1933–45) and some ordoliberals were directly involved in the Nazi regime (Ptak 2009: 112–19).¹⁶ The authoritarian streak present in their writings is by no means unique to this particular strand of neoliberalism, as discussed below [re: the Pinochet regime in Chile]. However, many of the leading neoliberal intellectuals were forced to emigrate during the war, lending credence to the claim that 'neoliberalism was a political philosophy developed by uprooted intellectuals in exile following the rise of Nazism' (Plehwe 2009: 14).¹⁷ The disruption of the Second World War and its aftermath put a stop to neoliberal developments in France (Denord 2009: 51) as the emphasis on *planning* in political discourse left little room for neoliberal ideas. In contrast, Germany in the immediate post-War period

15 The extent to which neoliberals of all schools believed that political freedom *arose out of* economic freedom is discussed below. [I need to make this more explicit.]
[ordoliberal conception of freedom (see also note 33):

'Economic freedom is not unlimited. It is based on order, and exists only by means of order, and freedom is effective only as ordered freedom. Indeed, laissez-faire is 'a highly ambiguous and misleading description of the principles on which a liberal policy is based' (Hayek 1944: 84). For the ordoliberals, the sanctity of individual freedom depends on the state as the coercive force of that freedom. The free economy and political authority are thus two sides of the same coin. There is an innate connection between the economic sphere and the political sphere, a connection defined by Eucken (2004) as interdependence. Each sphere is interdependent with all other spheres, so that dysfunction in one disrupts all other spheres - all spheres need to be treated together interdependently and have to operate interdependently for each other to maintain the system as a whole. There is thus need for coordinating the economic, social, moral and political, to achieve and maintain systemic cohesion. The organisational centre is the state; it is the power of interdependence and is thus fundamental as the premise of market freedom. That is, the economic has no independent existence. Economic constitution is a political matter (Eucken 2004).' (Bonefeld 2012: 8).]

16 Hayek himself commented that 'the way in which, in the end, with few exceptions, [Germany's] scholars and scientists put themselves readily at the service of the new rulers is one of the depressing and shameful spectacles in the whole history of the rise of National-Socialism' (Hayek 2001 [1944]: 196). The acquiescence to Nazi rule by some economists was likely opportunistic rather than due to support for Nazi racial policy, for example Müller-Armack saw National Socialism as a useful means of social cohesion to support the strong state which he believed was necessary for economic freedom (Bonefeld 2012: 12).

17 The three key books which introduced so many to neoliberal ideas – Hayek's *The Road to Serfdom*, Mises' *Bureaucracy*, and Popper's *The Open Society and Its Enemies* – were all written in exile from the Nazi regime.

saw the construction of what could be claimed as the first neoliberal state – the Federal Republic of Germany. Here, the social market economy – which in part was designed by neoliberal economists – was presented as a 'third way' between capitalism and socialism (Bonefeld 2012; Ptak 2009: 120) with a strong moral grounding to protect citizens from market forces (a hallmark of ordoliberalism). Ptak claims that the social market economy should really be understood as a strategy by ordoliberal economists to implement their ideas (Ptak 2009: 122–125).

Foucault argued that ordoliberalism must be seen as more than simply a restating of 18th-century liberal ideas. The ordoliberal formulation of statehood was 'a state under supervision of the market' (Foucault 2008: 116) wherein the essence of the market was competition. They understood that there is nothing 'natural' about market competition so the formal conditions for it must be created and maintained.¹⁸ Under this logic the role of the state is to move ever closer towards pure competitive markets – an idea which contains the seeds of the expansion of economising logic to previously non-economic domains. Ordoliberals were wary of what they saw as the inflationary nature of the state (Foucault 2008: 187–89). They claimed that the state's 'natural' tendency is towards continuous concentration of power, culminating in totalitarianism; so free markets – free from state interference – must be created in order to keep this power in check. The importance of free markets as a site of resistance to totalitarianism was also a cornerstone of the most influential economist on the early development of American neoliberal theory – Friedrich August Hayek.

Hayek's most explicitly political work can be found in *The Road to Serfdom* (2001 [1944]) and *The Constitution of Liberty* (2006 [1960]). In *The Road to Serfdom*, Hayek argued that fascism was the logical outcome of German socialism, and thus by extension if similar 'socialist' policies are pursued elsewhere the inevitable outcome is fascism. This argument relies on a historical analysis of German social and economic policy during the interwar years and an assumption that under similar enough conditions the same outcome is inevitable (Hayek 2001 [1944]: 24–32).¹⁹ Since such an analysis relies on an argument by analogy, it can be countered on both factual and logical grounds by the presence of empirical evidence to the contrary. We now know that the actual path²⁰ taken by Western liberal democracies²¹ after 1945 was one of mixed economies; a blend of liberalism and socialism, freedom and planning. Following the economic crisis of the 1930s and the devastation of the Second World War, politicians in the UK and US turned to Keynesian economic policies, with an emphasis on social security and full employment (Stedman Jones 2012: 22–24). In the UK the word *consensus* is generally used to describe the political attitude towards the reforms inspired by the 1942 Beveridge Report and Keynes' macroeconomic ideas²² because the general direction

18 For more on the relationship between ordoliberal thought and the maintenance of social order via the rule of law and state security apparatuses, see Bonefeld (2012).

19 Not all neoliberals agreed with this analysis; see Denord (2009: 58–59).

20 [add something on historical relativism]

21 Hayek only focused in any detail on Germany, France, the UK, and the US (with the Soviet Union providing a contrasting foil), so a refutation of his arguments can be similarly restricted.

22 Incidentally, Beveridge and Keynes were both members of the Liberal Party. The welfare state had begun to

of policy was supported by all major political parties from 1945 to the 1970s (Toye 2013). However, the private market economy was still central to economic activity. Nations which tended more towards the socialist end of the social democracy spectrum during the same period, such as Sweden, did not become totalitarian or even authoritarian regimes, while the explicitly neoliberal regime of Pinochet in Chile did.²³ So we can see that history does not correlate with Hayek's argument. Alves and Meadowcroft (2014) argue that the empirical evidence shows that mixed economies have in fact proven to be the most stable form of macroeconomic organisation. The analogy in Hayek's argument is also weakened by questioning whether he was correct to assert that fascism was the logical outcome of German socialism. Although it could be argued that the Nazi party co-opted collective means of production for their own ends because they saw the value of doing so, this does not mean there is an inherent link between collectivist means and totalitarian ends.²⁴ Hayek's argument from analogy would thus not pass Popper's own falsifiability criteria (i.e. that scientific or rational theories may be disproved by a single counter-example).

Hayek saw liberalism and socialism as the two major strands of political thought at the time he was writing and set them in opposition.²⁵ Hayek argued that socialists and liberals both desired similar ends, but disagreed about the means of achieving them – liberals prioritise the market whereas socialists advocate collectivism. (Hayek used *collectivism* as 'an all-encompassing term that included Nazi and Soviet totalitarianism, New Deal liberalism, and British social democracy' (Stedman Jones 2012: 4, 32).) Hayek opposed collectivism because it is the same means used by authoritarian regimes (Hayek 2001 [1944]: 33–35), claiming that it is not only economic freedom that collectivism stifles, but also freedom of thought (Hayek 2001 [1944]: 157–70).²⁶ Hayek's argument assumes that there are only two ways of organising economic activity within society and names these two absolutes as central planning and market freedom (Hayek 2001 [1944]: 36–37). Planning and competition are the two opposite poles and there is no room in his theory for coexistence or a mixture of the two – let alone alternative modes of organisation. Since all actually existing liberal democracies *are* a mixture of the two, Hayek's theory does not map neatly onto existing political experiences (Alves and Meadowcroft 2014). Interestingly, Hayek advocates the purposeful construction of frameworks to support competition with a market (Hayek 2001 [1944]: 37) and accepts that they are some areas in which competition cannot be usefully applied (Hayek 2001 [1944]: 40). However, Hayek sees competitive systems as the only means of decentralising power

be constructed, albeit on a much smaller scale, by the New Liberal governments of Herbert Henry Asquith (1908–16) and David Lloyd George (1916–22) (Stedman Jones 2012: 26–27).

23 Augusto Pinochet ruled Chile from 1973–90 after taking power in a military coup. This will be discussed further below in the section 'The Chicago School and the birth of neoliberal hegemony'.

24 [The presence of the word *socialism* in National Socialism does not necessarily indicate an affinity with left-wing ideas...]

25 In the later (less polemical) work *The Constitution of Liberty* Hayek qualified this dichotomy and proposed that conservatism, socialism, and liberalism can be more accurately imagined as three points on a triangle (Hayek 2006 [1960]: 343–45).

26 The fear of collectivism present in Hayek's writing was heavily influenced by the European experience of the 1930s and the Second World War, and this will be discussed further below with regards to the idea of utopia.

(Hayek 2001 [1944]: 149). He assumes that if power is organised it must be organised hierarchically. Analyses of decentralised, non-hierarchical modes of collective organisation can counter this view and will be discussed further in Chapter 4.²⁷

Hayek argues that sufficiently complex systems, such as modern economies, cannot be adequately organised by central planning. Hayek claims that decentralisation is necessary to organise such complex systems²⁸ and only competition can effectively manage decentralised systems (Hayek 2001 [1944]: 51). This claim can be challenged by drawing on contemporary network theory such as that of legal scholar Yochai Benkler, who has written extensively about organisation within decentralised networks and how *cooperation* can co-ordinate action more effectively than competition in at least some circumstances (Benkler 2002; 2006). [If an economy is open, then as an open network it may be more effective to co-ordinate competition through cooperation than competition – especially in areas of resource abundance e.g. information.] Hayek claimed that the price system under competition is the *only* system which can accomplish this organisation (Hayek 2001 [1944]: 50–51) and much of his work hinges on this assertion so it is worth exploring contemporary alternatives to the claim. A third alternative to either competition or central planning (authority-based decision making [organisations, firms]) is decentralised cooperation.²⁹ In the argument against planning as a form of co-ordinating the variety of specialist interests found in a society Hayek says: 'The economist is the last to claim that he has the knowledge which the co-ordinator would need. His plea is for a method which effects such co-ordination without the need for an omniscient dictator' (Hayek 2001 [1944]: 58). The method Hayek seeks, as a formal structure of co-ordination, may perhaps be found not in market competition but in commons-based peer production. Commons-based peer production, as a way of structuring/organising activity, could be an alternative structure to theoretically replace competition in order to achieve an open society. We will return to these ideas in Chapter 4 with a discussion of Ostrom and commons-based knowledge production.

In the later work *The Constitution of Liberty* (2006 [1960]), Hayek writes at length on the problem of liberty and how best to sustain it. The first chapter is spent clarifying the meaning of freedom/liberty³⁰ and uses the negative sense – in Isaiah Berlin's terms (Berlin 2002 [1958]) – of *freedom from coercion* (Hayek 2006 [1960]: 11–13), i.e. 'independence of the arbitrary will of another' (Hayek 2006 [1960]: 12). One apparent contradiction immediately arises within Hayek's logic which demonstrates the profoundly political nature of choosing

27 [This will include a history of anarchism and syndicalism] [Railway gauges as counter-argument?]

28 The original draft Statement of Aims of the Mont Pelerin Society stated that 'Only the decentralization of control through private property in the means of production can prevent those concentrations of power which threaten individual freedom' (Hartwell 1995: 49).

29 This may be a key point of the thesis: if Hayek and Popper are wrong that free markets lead to openness, then perhaps *decentralised cooperation* (commons-based peer production) is the logical mode of coordinating action in complex open systems. Hayek may be right about the limitations of planning, but wrong about liberal markets (price mechanism) as the answer. [Also: note the network effect as consolidation of power.]

30 As noted above, Hayek uses the words *freedom* and *liberty* interchangeably (see Hayek 2006 [1960]: 11, n.1).

this particular definition of freedom. This contradiction is that in Hayek's view, the number of choices available to an individual has no bearing on their freedom. If an individual has a very constrained set of possibilities to action – even if only *one* possibility – Hayek still considers them to be free if they are not being made to act against their will (Hayek 2006 [1960]: 12–13). There is no place in this logic for structural constraints (e.g. class, wealth, gender etc.) to be considered as acting against freedom, and therefore no place for action to be taken by society to address them at the level of government policy. In retrospect it is clear that the logic of this argument for freedom, which Hayek claims to be the 'original' meaning of liberty, was created in a specific cultural context.^{31 32} It is about individual power relations only – a profoundly conservative view that means accepting the world as it is and seeking freedom from direct coercion of other individuals within existing constraints. It says nothing about changing the boundaries within which freedom exists – the very point of collective action. The tension between this conservative viewpoint and the possibility of change embodied by liberty is something which Hayek elides, simply claiming that 'the result of the experimentation of many generations may embody more experience than any one man possesses' (Hayek 2006 [1960]: 55).

Hayek contrasts his definition of freedom with three others: 'inner freedom', 'freedom to do what I want', and 'political freedom'. It is the explicit differentiation of his version of freedom from *political freedom* (Hayek 2006 [1960]: 13) that is most relevant to this thesis. Hayek sees individual freedom and collective freedom – 'national' freedom, or 'absence of coercion of a people as whole' (Hayek 2006 [1960]: 14) – as related but distinct concepts. Defining out political freedom from his analysis means ignoring a means by which people can collectively alter the conditions which structure their available options. In *The Road to Serfdom*, Hayek had claimed that political freedom cannot exist without economic freedom (Hayek 2001 [1944]: ?[13]?; Stedman Jones 2012: 68–71). When this argument is combined with the focus on a purely individualist definition of freedom, rather than collective freedom, Hayek essentially dismisses collectivist approaches to economic questions because collective political organisation is irrelevant to what is apparently his core concern – individual liberty. If liberty depends on individual economic freedom then government policy should be directed towards maximising that freedom.³³ Hayek reinforces the individual nature of freedom by using an individualist perspective in his definition of coercion:

By coercion we mean such control of the environment or circumstances of a person by another that, in order to avoid greater evil, he [*sic*] is forced to act not according to a coherent plan of his own but to serve the ends of another [...] Free action, in which a person pursues his own aims by the means indicated by his own knowledge, must be

31 [structuralist and post-structuralist/post-colonialist critiques?]

32 [Posits an absolute binary between determinism/voluntarism regarding responsibility for actions (Hayek 2006 [1960]: 63–65).]

33 [Did the ordoliberals see a different relationship between economic and political freedom? They 'conceive of economic liberty as a construct of governmental practice. Economic freedom derives from a political decision for the free economy' (Bonfeld 2012: 6).]

based on data which cannot be shaped at will by another

(Hayek 2006 [1960]: 19)

To counter this view, it could be argued that almost everything about the conditions within which an individual acts are determined by others.³⁴ Hayek's definition of coercion 'presupposes a human agent' rather than being 'compelled by circumstances' (Hayek 2006 [1960]: 117), as though human agents do not together construct the circumstances.³⁵ This definition of coercion could in fact be altered to include structural oppression if the term *person* is expanded to include *persons*, and *environment or circumstances* is understood as including indirect power relations. Intriguingly, Hayek does once raise the spectre of oppression, stating that it 'is perhaps as much a true opposite of liberty as coercion, [and] should refer only to a state of continuous acts of coercion' (Hayek 2006 [1960]: 119). Hayek appears to be strongly against what have subsequently become the oppressive contemporary neoliberal methods of control (surveillance etc.). Alves and Meadowcroft have argued that 'Hayek did not foresee that significant government intervention in the economy could be compatible with the preservation of political freedom because he employed a narrow conceptualisation of freedom which led him to misunderstand the nature of and the relationship between economic and political freedom' (Alves and Meadowcroft 2014: 857). Hayek's narrow and incomplete idea of the nature of power in society (Alves and Meadowcroft 2014: 858) [cf. Foucault, Lukes] led him to false analyses about the role of government.

Hayek elucidated a difference between *law* and *commands* – abstract laws applying to all are different from commands issued by an individual (Hayek 2006 [1960]: 130–31). A central argument of *The Constitution of Liberty* is that laws cannot be considered to be restrictions on freedom – as long as they do not name individuals – because of this difference; they are not direct commands (Hayek 2006 [1960]: 134–35). A cursory understanding of the legislative process brings this claim into question; laws are created by individuals for particular ends which always have a political element. To state that legislators undertake their role with no intention to affect particular people once again relies on ignoring any collective element to society. For example, while it is true that legislation which reduces provision for disabled people and thus reduces their ability to access essential services is *not* a restriction on any *named individual's* freedom, because no individual is targeted, it is still very clear that disabled people as a group (and many individuals within this group) will be negatively affected by the legislation. So whether a law is considered to be an abstract entity applying to all, or a command issued in order to affect a particular known group of people, relies on underlying assumptions about the collective nature of society. In this light, Thatcher's assertion that 'there is no such thing as society' can be understood as part of an individualist approach to the nature of law and government.³⁶

34 [Foucault - all individual actions are constrained by socio-historical circumstances.]

35 The individualist conception of liberty ignores race, gender etc., and the systemic oppression of *groups* of people. It refuses to understand power relations as anything other than relations between individuals.

36 A famous anecdote about Thatcher (see Ranelagh 1991) tells that at a meeting in 1975, she slammed a book

Hayek believed that an essential condition of individual freedom is the 'need for protection against unpredictable interference' (Hayek 2006 [1960]: 141), and thus it is vital to maintain the rule of law³⁷ – but the rule of law presupposes that the effect of the law on individuals cannot be foreseen, a point which is highly questionable.

When considering the role of the state there is a direct link between freedom, as defined by Hayek, and free markets. For Hayek, a state's role in a free society is to protect the conditions by which individuals can act freely without coercion (Hayek 2006 [1960]: 20).³⁸ Similarly, the role of the state in a free market society is to protect the conditions by which individual actors[?] can act freely within the market. [Understanding freedom only in terms of individual market transactions.] Mises took the correlation between freedom and free markets even further and argued for the market *as* democracy (Stedman Jones 2012: 56–57).

[The case for freedom is that we are ignorant of most things, so for society to progress we must leave as much room as possible for experimentation. It doesn't seem to take into account people working together to share knowledge and ideas. Hayek sees the opposite of freedom to be one person telling another what to do. What about collaboration between equals? Hayek has nothing to say about this because of using such a narrow definition of freedom (freedom from coercion). He has nothing to say about *collective consensual control*. He *does* talk about co-operation in the name of competition (Hayek 2006 [1960]: 33).]

Hayek writes as if the principles of liberalism are universal principles underpinning freedom in all societies, as opposed to a culturally and historically contingent ideology. 'We must show that liberty is not merely one particular value but that it is the source and condition of most moral values' (Hayek 2006 [1960]: 6). This claim has huge implications when we consider it alongside the narrow definition of freedom which he chooses; if liberty is society's primary source of morality, and liberty only refers to individual economic activity in markets, then *market transactions* are the site of morality. It is clear that when Hayek writes 'we' in *The Constitution of Liberty* he means the 'West' (Western Europe and North America) and from this narrow perspective he is willing to try to justify global inequality (see Hayek 2006 [1960]: 42–43).³⁹ Hayek claims that the theory of liberty was invented in England and France in the eighteenth century (Hayek 2006 [1960]: 49) and *laissez-faire* is a product of the French rationalist tradition and not the empiricist tradition of the classical liberals Hume and Smith whom he prefers (Hayek 2006 [1960]: 54).

down on the table and said 'this is what we believe'. The book was *The Constitution of Liberty*. Thatcher's relationship with neoliberalism will be discussed further below in the section 'The Chicago School and the birth of neoliberal hegemony'.

37 [definition of 'rule of law' needed. Rule of law = limitations on legislation; must conform to higher principles.]

38 [Soft power – Marx/indentured servitude]

39 Hayek believed that the best way to order human activity is not by planning but through uncoordinated individual actions by people acting in order to maximising their own self-interest – the free actions of the wealthy will subsequently benefit the masses (i.e. trickle down economics, the 'rising tide lifts all boats') so inequality is not only acceptable but necessary. Thatcher agreed with this position (McSmith 2011: 21).

The endeavor to achieve certain results by co-operation and organization is as much a part of competition as individual efforts. Successful group relations also prove their effectiveness in competition among groups organized in different ways. The relevant distinction is not between individual and group action but between conditions, on the one hand, in which alternative ways based on different views or practices may be tried and conditions, on the other, in which one agency has exclusive right and the power to prevent others from trying. (Hayek 2006 [1960]: 33)

Hayek's argument here is against monopoly and exclusive control, rather than for or against a particular means of organisation (i.e. co-operation). [Is this the same as ordoliberal arguments?]

[The overall argument of the two books – *The Road to Serfdom* and *The Constitution of Liberty* – is that only a free market can provide liberty for all.]

[mode of governance based on a theory of what the law should be. Re-read Ch.15 on how this supports Hayek's economic policy. Hayek claims that distributive justice is not impersonal, which makes no sense. Can't progressive taxation be compatible with the rule of law?

[only the free market is compatible with the rule of law? Is this true?]

Hayek claims that the rule of law is necessary to have a free economy (Hayek 2006 [1960]: 195).

The state must not have monopoly control of an industry and be able to set all prices (Hayek 2006 [1960]: 196–200). [this only makes sense if a national market is a distinct thing, rather than part of an international market with porous borders – internal *production* may be fully regulated from within but if trade still goes on with external producers... Is globalization a means of destroying the ability to form state monopolies?]

[whole book is about means not ends. *Cannot* state ends.]

[- Uses straw man argument about distributive justice – that it aims to judge how much each individual deserves. This is clearly the exact opposite of socialist ideals of equality which aim to provide everyone with a roughly similar level of material comfort.]

[Rule of law is key to understanding Hayek's claim that liberalism is only way to oppose totalitarianism: if there are no limits to government action by a 'higher' natural law, then there is nothing to stop despotism (Hayek 2006 [1960]: 205–09). This strange logic leaves out the fact that a) 'natural law' is created by people, even if not an individual, and is subject to all the biases that entails; b) a despot who is able to take power can simply destroy the legal basis of 'natural law' anyway. He focuses too much on Germany as if the economic/legal conditions were the *only things* that led to Hitler's taking power and subsequent actions. Despotism is certainly not only present in socialist societies, and authoritarianism frequently occurs within capitalist/free market societies.]

Writing in 1960, Hayek now claims that there is no need to consider socialism as a threat to liberty because it is no longer seen as a viable political project, but the distributive justice via

progressive taxation is still using anti-rule-of-law means to achieve a specific aim so is a threat to the free market (Hayek 2006 [1960]: 222–24).

In the third and final section of the book Hayek turns to economic policy, which is now framed as a means of achieving liberty. [That final paragraph of Chapter 21 (The Monetary Framework)!] Hayek claims that controlling inflation through monetary policy should be the prime objective of any government that wishes to protect liberty from the forces of authoritarian control (itself?) (Hayek 2006 [1960]: 294). The implementation of monetarist policies by the Thatcher government will be discussed in the section 'The Chicago School and the birth of neoliberal hegemony' below.

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- 'Lippmann's work [*The Good Society*] discussed totalitarianism primarily with regard to the absence of private property, rather than the more commonplace reference to lack of democracy or countervailing political power' (Plehwe 2009: 13). [absence of economic rather than political freedom]

[Economic liberty for the few, not the many. If the majority of people are working class then economic liberty for most is increased power to labour (Tribe 2009: 75). 'Economic liberty' that prioritises freedom of markets (capital) rather than workers (labour) is a way of concentrating power in the hands of the economic elite. The social advances in health, education etc. from the mid-nineteenth to mid-twentieth centuries, due in large part to the work of trade unions and introduction of progressive legislation following greater enfranchisement, are notably absent from depictions of a 'decline' during this period claimed by neoliberal economists. The 'small state' of Britain in the early nineteenth century was a product of war and colonialism (Tribe 2009: 73). To pine for a return to the economics of this period (a period in which the bulk of public expenditure was on debt repayment and the military) while ignoring the social context is to distort history through a narrow economic lens.]

- 'Through the twentieth century the transition from political to economic freedom became the signature of a neoliberal agenda' (Tribe 2009: 71). This transition was promoted by the ordoliberals in a shift away from classical liberalism (Tribe 2009: 75; n.20). While Hayek invoked the imagery of classical liberalism, this rhetorical device masked the fact that he was also making the transition to an economics-first perspective in which economic freedom subsumes political freedom.⁴⁰

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The philosopher Karl Popper was a friend and compatriot of Hayek. Popper's work of political philosophy *The Open Society and Its Enemies* (2003 [1945], 2003a [1945a])⁴¹ was written in political exile during 1938–43 and first published in two volumes in 1945.⁴² It

40 [read Smith 1998]

41 [Apparently the term 'open society' was coined by Henri Bergson in *The Two Sources of Morality and Religion* (1932).]

42 Popper had written *The Logic of Scientific Discovery* and *The Poverty of Historicism* in the 1930s but they

'sketches some of the difficulties faced by our⁴³ civilization' in 'the transition from the tribal or "closed society", with its submission to magical forces, to the "open society" which sets free the critical powers of man' (Popper 2003 [1945]: xvii). By making its subject the history of political thought, rather than dealing directly with contemporary economic conditions, *The Open Society* provided intellectual depth to more polemical nature of *The Road to Serfdom*. *The Open Society* is about the dangers of totalitarianism and the importance of resisting it. It is also about the development of *historicism*, i.e. the supposed inevitability of historical events proposed by social theories which claim to have found 'laws of history' (e.g. fascism, Marxism) (Popper 2003 [1945]: 3–5) (see Popper's *The Poverty of Historicism* for the detailed argument against historicism).

For Popper, belief in historical inevitability was not simply wrong, it also raised a practical problem: it eradicated the incentive to behave responsibly. It was easier for people to do nothing. Such a view was anathema to a defender of individual choice and freedom. (Stedman Jones 2012: 44–45)

Volume 1 of *The Open Society* largely consists of repudiating the historicism in Plato's theory of forms and thus the political theory derived from it. Popper uses the term *methodological essentialism* to describe the notion that 'it is the task of pure knowledge or "science" to discover and to describe the true nature of things, i.e. their hidden reality or essence' (Popper 2003 [1945]: 29). Popper focuses on Plato because that is where he identifies the earliest instance of a political philosophy which uses methodological essentialism as a justification for actively creating a particular kind of state. Plato proposed an 'ideal form' of society which has been inexorably decaying; the utopian state described in *The Republic* is a return to an earlier Form.

Popper argues that the distinction between natural law (unchanging scientific laws of the natural world) and normative law (ethical and legal laws created and changeable by humans) is key to understanding Plato's theory.⁴⁴ *Naive monism* – the stage where 'both natural and normative regularities are experienced as expressions of, and as dependent upon, the decisions of man-like gods or demons' (Popper 2003 [1945]: 61) – is characteristic of a closed society. *Critical dualism* – 'a conscious differentiation between the man-enforced normative laws, based on decisions or conventions, and the natural regularities which are beyond his power' (Popper 2003 [1945]: 62) – is characteristic of an open society.

Plato uses history as method; in naturalism, in order to understand the nature of a thing (when 'nature' is equivalent to Form), we must understand where it came from – its origins (Popper 2003 [1945]: 77). So understanding society becomes a process of seeking the original Form rather than trying to understand society as it is now. Plato's utopian vision of the perfect state was reliant on his theory of the *biological* state, i.e. sustained by rigid class distinctions based on genetics and racial privilege – a clear precedent of the Nazi ideology Popper was writing

were not translated until the 1950s. *The Open Society* was his first book published in English.

43 'Western' civilization

44 Plato does allow that some social laws are natural rather than normative (Popper 2003 [1945]: 68).

against (Stedman Jones 2012: 42). According to Popper, Plato's political philosophy is derived from these principles (all change is bad and all stasis is good, back to nature/Form), and as such is totalitarian (Popper 2003 [1945]: 91–94). Plato's totalitarianism is a result of his historicism. In Plato's *Republic* individuals serve the state rather than the state serving individuals. Totalitarianism 'is the morality of the closed society [...] it is collective selfishness' (Popper 2003 [1945]: 114–15).

'Liberalism and state-interference are not opposed to each other' (Popper 2003 [1945]: 117).

Popper's defence of democracy is that it works by creating institutions to limit political power and thus avoid tyranny; it is a non-violent way of changing the institutions that wield power, and failures of democratic institutions are not failures of democracy but failures of the people who did not adequately manage or change them (Popper 2003 [1945]: 132–35). For Popper, a key difference between approaches to political reform is that between *utopian engineering* and *piecemeal engineering* (Popper 2003 [1945]: 166–69). Utopian engineering requires that 'we must determine our ultimate political aim, or the Ideal State, before taking any practical action' (Popper 2003 [1945]: 167). Piecemeal engineering, on the other hand, recognises that it may not be possible to construct an ideal state – or at least, not in a short space of time – so strives to remove sources of harm from the world rather than fight for some ultimate good (Popper 2003 [1945]: 167). Popper's objection to utopianism is that it requires 'a strong centralized rule of a few, and which therefore is likely to lead to a dictatorship' (Popper 2003 [1945]: 169).⁴⁵ Popper argues that since there is no rational method of determining what the ideal should be, any divergence of views can only be resolved by resorting to violence (Popper 2003 [1945]: 170–71). [democracy = piecemeal] 'Purity' of an aestheticised politics. [link to 'end of history' – if collectivist planning is seen as necessitating total rapid change towards an explicit ideal goal, this is considered to be a discredited approach. Contrast with recent anti-idealist (but anti-neoliberal) counter/alter-democracy approaches e.g. occupy, Graeber.]⁴⁶

Popper defines closed societies as equivalent to 'magical or tribal or collectivist' societies, and open societies as those 'in which individuals are confronted with personal decisions' rather than relying on magical rituals and taboos (Popper 2003 [1945]: 186). A closed society maintains a rigid social hierarchy – 'the tribe is everything and the individual nothing' (Popper 2003 [1945]: 203). In the open society authority begins to disperse [leading to class struggle]. Individualism and personal responsibility come to the fore (Popper 2003 [1945]: 189), and humanitarianism and reason are virtues. By equating collectivist with 'magical or tribal' societies Popper is making a rhetorical move to claim that the rigid nature of small tribal societies also applies to all collectivist societies.

[one of the most important characteristics of the open society [is] competition for status among its members' (Popper 2003 [1945]: 186).]

An open society may (as in contemporary 'Western' democracies) become an 'abstract society'

45 In a footnote to this statement Popper clarifies that his use of the term *utopian engineering* corresponds to Hayek's depiction of centralised or collectivist planning (Popper 2003 [1945]: Ch.9 note 4, 318).

46 [For a contradictory view of utopia from Hayek, see Stedman Jones (2012: 81–82).]

functioning largely through abstract social relations, such as 'division of labour and exchange of commodities' (Popper 2003 [1945]: 186), rather than concrete personal contact (Popper 2003 [1945]: 186–88). A closed society cannot.

Popper argues that commerce is key to pushing the transition from a closed to an open society (Popper 2003 [1945]: 188–190).

As with Hayek, Popper sees a dichotomy between two political systems, in this case closed (totalitarian/collectivist) and open. Political systems beyond this binary will be discussed in depth in Chapter 4. [However: Popper does use the word 'co-operation' as an example of an kind of [abstract] relationship in an abstract (and thus open) society. Does this mean co-operation and competition can at least co-exist, or that competition does not need to define *all* relations within an open society? Popper's definition of *collectivism* is 'a doctrine which emphasizes the significance of some collective or group, for instance, 'the state' (or a certain state; or a nation; or a class) as against that of the individual' (Popper 2003 [1945]: Ch.1 note 1, 216). Therefore Popper considers only co-operation between individuals with an open society, and not 'collectivist' co-operation between members of a group working for the good of the whole.] Popper was far more sympathetic to socialist ideas than Hayek or Mises – he agreed with the motives, just not the means [utopian planning etc.] (Stedman Jones 2012: 34).

[read Volume 2 of *The Open Society* on Hegel and Marx. Marxism's historicism is economism.]

[Difference between Popper and Hayek: only Hayek's analysis of freedom requires free markets as the only way to sustain it. [check vol.2 of *The Open Society*] To what extent was Hayek using liberalism as a justification for constructing a new political project? Popper disagreed with the rejection of full employment as a fundamental aim of economic policy (Stedman Jones 2012: 40).]

[Summary:]

Hayek, Popper, and other Austrian and ordoliberal economists laid the foundations for neoliberal thought and rationality. Moving from these theoretical and ideological foundations to create a detailed body of policy was the result of sustained effort in the 1950s-70s, much of which occurred in think tanks. In the postwar period 'the neoliberal center of gravity shifted from Europe to the United States, especially the University of Chicago' (Stedman Jones 2012: 4). Next we will look at the Chicago School and how their version of neoliberalism was to become a dominant hegemonic political force.

The Chicago School and the birth of neoliberal hegemony

The 'Chicago school' is a label applied to economists who worked or trained at the University of Chicago and falls into two related but distinct periods. The first Chicago school, led by Frank Knight and Henry Simons during the 1920s and 1930s, propounded similar ideas to

those of Hayek and his colleagues at the London School of Economics (Stedman Jones 2012: 87). They were heavily influenced by the 'marginalist' ideas of Alfred Marshall, Leon Walras, and William Stanley Jevons – the idea that 'consumers would maximize their utility by matching their consumption to the prices of the various goods they wanted according to a rational order of preference' (Stedman Jones 2012: 90). The second Chicago school was founded in 1946 with a political aim of providing a detailed corpus of research supporting free market principles (Van Horn and Mirowski 2009: 140–158). It was initially formed (and bankrolled) at the behest of the Volker Fund and its president Harold Luhnow. Notable figures associated with the school include Milton Friedman, George Stigler, Aaron Director, Gary Becker, and James Buchanan.

According to archival research by Van Horn and Mirowski based on correspondence between the people involved, Luhnow's influence permeated the theoretical orientation of early participants in the Chicago school who had to adapt their liberalism to be more sympathetic to a corporatist agenda and, in contrast to earlier European neoliberals, accept centralised power and corporate monopoly (Van Horn and Mirowski 2009: 157–158; Stedman Jones 2012: 7, 88). The Chicago school was intimately connected with the Mont Pelerin Society, with the same figures – notably Hayek⁴⁷ – instrumental in the founding of both (Van Horn and Mirowski 2009: 158–159). Defining features of Chicago School include the drive to 'reengineer the state in order to guarantee the success of the market', equating freedom with self-interest, and seeing politics as a market process (Van Horn and Mirowski 2009: 161–163). Under this paradigm the tendency towards social regulation, already well-established by ordoliberal economists, was adapted in terms of *economizing* social regulation and pushing free market ideas into new areas, such as law and education (Stedman Jones 2012: 92–93). Chicago school economists thought was characterised by 'more strident advocacy of free markets, deregulation, and the power for incentives of rational expectations' (Stedman Jones 2012: 8). Social and economic inequality was seen as necessary for progress and Chicago economists were less concerned about social safety nets (Stedman Jones 2012: 8–9). Friedman's critique of Keynesian economics, especially demand management⁴⁸, became highly influential and his theories about inflation known as monetarism became a defining aspect of neoliberal economic policy. Monetarism is the idea that control of the money supply should be the central concern of macroeconomic policy, in order to produce stable markets and low inflation.

47 Hayek moved to Chicago in 1950 as a Professor in the Committee of Social Thought rather than in the Economics department (Stedman Jones 2012: 91).

48 The economic theories of Keynes had dominated economic policy in liberal democracies from 1945 until the 1970s. Keynesian economics is defined by concentrating policy towards full employment, and a strong welfare state. 'Demand management' is the idea that in a depressed economy, governments should increase expenditure and investment – using borrowed funds if necessary – to increase consumer demand in order to stimulate a recovery (Stedman Jones 2012: 184). Keynes had also been instrumental in setting up the Bretton Woods system of international finance based on fixed exchanged rates in the wake of the Second World War, leading to the construction of the World Bank and International Monetary Fund. [One of Friedman's distinctive policies was to end fixed exchange rates, which the US did in 1971.] Keynes died in 1946 so 'Keynesian' policies generally refer to later policies inspired by his work. For more on Keynes see Skidelsky (1983, 1992, 2000).

In 1960s the 'rational choice theory' of George Stigler, James Buchanan and Gordon Tullock,⁴⁹ and William Riker was influential in 'extend[ing] the analysis of man as a utility-maximizing individual into the realms of politics, government bureaucracy, and regulation' (Stedman Jones 2012: 126). Rational choice theory was influential in expanding rational choice models from neoclassical economics into new areas (a defining feature of later neoliberalism) (Stedman Jones 2012: 88).

[on Friedman and freedom]

[Friedman's *Capitalism and Freedom* (1962) was about the connection between economic and political freedom. [*Capitalism and Freedom* is a populist book which doesn't actually define freedom (p.26?).] The book was the outcome of the project began over a decade earlier by Luhnnow at the University of Chicago to produce an American *Road to Serfdom* (?Van Horn and Mirowski 2009?). By refusing to see the economic and political as distinct spheres, Friedman moved the policy discourse closer towards bringing economic logic to bear on previously non-economic domains (see the section 'Neoliberalism as closure' below), for example in education, where Friedman advocated a voucher system which he claimed would stimulate freedom of choice and drive standards higher [citation needed].

[p.99 – privatisation of state universities]

'the vision was still very much a utopian one, centered on a fantasy of the perfect free market' (Stedman Jones 2012: 86).]

So far this chapter has primarily been concerned with understanding what neoliberal ideas are and the historical conditions of their emergence. In the late 1970s a transition occurred whereby neoliberal ideas moved from the background of academic theorising and think tanks to becoming the dominant policy position in liberal democracies (Stedman Jones 2012: 1). How did this occur? The political and economic turmoil of the 1970s in the US and UK – the end of the Bretton Woods agreement,⁵⁰ the first oil crisis in 1973,⁵¹ stagflation (i.e. high inflation with high unemployment), significant industrial action in the UK, and Britain applying for a loan from the IMF at the end of 1976 – led to the collapse of the post-war settlement. The Keynesian ideas (demand management, high social spending etc.) that had dominated economic policy from 1945 to the 1970s were jettisoned in favour of free market policies. The 1979 election of Thatcher in the UK, and 1980 election of Reagan in the US, brought neoliberal ideology to the forefront of policy-making. [The link neoliberals made between economic and political freedom helped sell their ideas.]

The birth of neoliberal hegemony at the end of the 1970s could be seen as a triumph of Hayek's long-term strategy of slowly establishing neoliberal ideas throughout academia, law, journalism, and policymaking through a transatlantic network with the Mont Pelerin Society

49 Buchanan and Tullock were trained at the University of Chicago and then founded a research program at the Virginia Polytechnic Institute, commonly referred to as the Virginia school (Stedman Jones 2012: 126–130).

50 The US abandoned a fixed exchange rate in 1971 and the UK followed suit in 1972.

51 The crisis was caused by the Organization of Petroleum Exporting Countries (OPEC) raising oil prices [...]

and the Chicago School of economics at its heart (Stedman Jones 2012: 4). However, the contingent and opportunistic exploitation of specific political events in the 1970s was also crucial (Stedman Jones 2012: 179). It is important to recognise the slow pace of change in government policy, with any new administration maintaining significant continuity with many previous policies. The Labour and Democratic Party administrations directly preceding Thatcher and Reagan had already begun implementing some neoliberal policies (Stedman Jones 2012: 179, 216–17). Free market and monetarist ideas had started to move out of the theoretical arena and find their way into policy as early as the 1960s,⁵² as dissatisfaction with social democratic ideas led to a greater willingness to countenance market-based solutions, symbolised in the UK by the Labour Callaghan government in 1976 shifting focus from full employment to tackling inflation (Stedman Jones 2012: 5, 241–42) – a hallmark of Friedman's monetarist policy].⁵³ [The experimentation with monetarist policy by the Callaghan government was not ideological but rather it was regarded as a practical solution to pressing economic problems.] Friedman had been an economic adviser to all Republican Party presidents and presidential candidates since 1964: Barry Goldwater, Richard Nixon, Gerald Ford, and Ronald Reagan (Stedman Jones 2012: 108–09).

Think tanks played a leading role in spreading neoliberal ideas and converting them into implementable policy (Stedman Jones 2012: 134–35). In Britain this included institutions such as the Institute of Economic Affairs, Centre for Policy Studies,⁵⁴ and the Adam Smith Institute. It was the successful merger of neoliberal economic policy with socially conservative ideas (e.g. anti-immigration, 'family values') within the Conservative Party in the UK and Republican Party in the US that finally brought neoliberal ideas into the mainstream, and by this point it was the Chicago school ideas of Friedman, Stigler, Becker, and their colleagues that were [the leading edge].

Stedman Jones argues that while neoliberal policy was seen as a solution to particular political and economic problems of the 1970s, there was nothing inevitable about the subsequent rise of belief in free markets and deregulation to hegemonic status (Stedman Jones 2012: 5–6).⁵⁵ The initial introduction of neoliberal ideas into policy through technical economic measures to address the economic crises became the entry point for free market ideas as a whole to take centre stage in a wide range of areas of public policy (Stedman Jones 2012: 181). Under different economic or political conditions, the conjoining may not have occurred and the belief in free markets may not have risen to hegemonic status.

52 Conservative MP Enoch Powell had unsuccessfully tried to introduce monetarism as early as 1957 (Stedman Jones 2012: 190–97).

53 [Important point: the embrace of neoliberal policy by New Labour and Clinton's Democrats was *not* completely out of step with their parties' history.]

54 The Centre for Policy Studies demonstrates the closest relationship of all think tanks to a specific political party – it was founded to provide policy ideas for the Conservative Party (Stedman Jones 2012: 161). The majority of other think tanks were 'party-neutral' albeit with a closer affinity to the political right.

55 Even former Conservative Chancellor of the Exchequer Nigel Lawson claimed that 'It is quite possible to be a monetarist and a central planner' (Lawson 1992).

Friedman himself always distinguished between his belief in individual liberty and the market from his scientific work on economic processes. It was the technical insights contained in Friedman's analysis of demand management and its failures that mainly explains his influence among public policymakers in the 1970s.

(Stedman Jones 2012: 201).

This claim demonstrates how the Chicago school's emphasis on developing technical policies ready to be implemented when the opportunity arose proved to be an effective strategic move.

Monetarist ideas seemed to offer an alternative way of running an advanced economy, one based on a return to purer free market economics. However, this hope largely rested on a conflation of monetarism with a theoretically separate set of arguments about the supposed superiority of markets over government intervention in the economy. The importance of freeing markets – through liberalization, lower taxes, deregulation, and privatization – became known as supply-side reform, so called in contradistinction to Keynesian demand management. [...] Market mechanisms were to be an alternative to public provision, benefits, and subsidies. These supply-side policies have been retrospectively allied to the monetarist analysis of the failures of demand management by observers of the programs of the Conservative and Republican administrations of Thatcher and Reagan. In fact, they should be seen as distinct.

(Stedman Jones 2012: 216)

Monetarist economic policy may have been introduced by Callaghan and Carter, but it was the Thatcher and Reagan administrations that began the gradual application of the wider neoliberal philosophy – free markets, financial deregulation, privatisation, tax cuts – to public policy. Despite becoming synonymous with these ideas, Thatcher was a relatively recent convert to monetarism when she took office in May 1979 (McSmith 2011: 17-21).

Privatisation and union reform did not become central to Conservative strategy until the mid-1980s (Stedman Jones 2012: 257–59). The fact that the beginning of the neoliberal trend towards introducing market mechanisms into more and more areas of public policy occurred via Friedman's monetarism, which could be portrayed as technical and 'apolitical' (or at least beyond party politics), rather than Hayek's passionate arguments for liberty, allowed neoliberalism to take hold. The fact that these technical policies could to an extent be separated from the differing social policies of the left and right goes some way to explaining how neoliberalism can be compatible with authoritarian and anti-liberal regimes. [discuss Chile.]

[Chile (and also ordoliberalism) was before Thatcher.]

[The notion that the election of Thatcher and Reagan signalled a definitive introduction of neoliberalism into policy also ignores that fact that in Germany, ordoliberal ideas had been fundamental in founding the new democratic state ('social market democracy') under

Chancellors Konrad Adenauer and Ludwig Erhard, which was in turn an inspiration to Thatcher-era Conservatives (Stedman Jones 2012: 125–26).]

[In 1973 General Augusto Pinochet overthrew the democratically-elected government of Salvador Allende. Pinochet's economic policy was led by Chilean economists who had been trained at the Chicago School of economics.]

The spread of neoliberalism beyond Western Europe and North America was spearheaded by the 'structural adjustment' policies of the World Trade Organisation (WTO), World Bank, and International Monetary Fund (IMF) (Stedman Jones 2012: 8). In return for development loans, developing nations were required to implement policies of privatisation, deregulation, and trade liberalisation – a move perceived by critics in the antiglobalization movement as a form of American 'economic imperialism' [citation needed – Klein?].

[post-89 Eastern Europe]

Clinton, Blair, and Brown

[End with a summary of the neoliberal conception of freedom? Include discussion of how the Anglo- and Euro-centric nature of neoliberal conceptions of freedom is problematic.]

[theorisations of post-crisis neoliberalism (following 30 years of dominance). Post-neoliberalism? 'zombie' neoliberalism?

Belief in the free market as 'utopian economics' (Cassidy, in Stedman Jones 2012: 339).]

Neoliberalism as closure

[discuss neoliberalism's ability to perpetually reinvent itself through strategic forgetting (see Mirowski 2013, Fisher 2009). e.g. its new-found love of bureaucracy (originally attacked by Mises), accommodation of political conservatism. Talk about how although Popper's scientific rationalism may have underpinned Friedman's conception of Rational Economics (Stedman Jones 2012: 37–38), 'truth' and logical consistency do not appear to even be of interest to current neoliberal policy elites.

Stedman Jones argues that the formulation of the neoliberal critique by Hayek, Mises, and Popper was against 'the encroachment of state intervention of every aspect of social and economic life [in which they saw] a creeping totalitarianism' (Stedman Jones 2012: 36). This section will examine what neoliberalism has become in a post-crisis world, and how its co-option of the bureaucratic control of social life is creating a mode of governance that imposes the same anti-liberal logic feared by early neoliberals.

'There is no sphere of human activity that they would not be prepared to subordinate to regimentation by the authorities' [Mises in Stedman Jones 2012: 51–52). By the end of the twentieth century the saturating of all society with a single logic had, instead, occurred in the name of free market capitalism.] [power has always acted in a diffuse way throughout social relations – patriarchy etc. – the logic of capital has become a new locus of this diffuse power]

[more on the 2007–08 financial crisis (causes discussed in Stedman Jones 2012: 338–41, Mirowski [?2013]) and how the political response was to 'double down' and continue and even expand market-centric policies.]

In *The Limits of Neoliberalism: Authority, Sovereignty and the Logic of Competition*, Davies (2014) discusses neoliberal *authority* – which is dependent on economics for legitimacy. With an emphasis on competitive markets and rational self-interest, Davies sees 'an attempt to replace political judgement with economic evaluation' (Davies 2014: 3) as the core political project of neoliberalism. This replacement obscures the fact that the authority of empirical claims cannot be exercised without the existence of shared assumptions about moral principles. Davies posits that the empirical claims of neoclassical economics rely on normative and tacit rules to underpin its authority; if these norms are no longer seen to be coherent then the authority and legitimacy of economic claims – and thus the entire neoliberal project – is challenged. [Here we can see a link with Foucault's analysis of liberalism mentioned above, in which the legitimacy of the liberal governing rationality is coupled with truth production – truth emerges as a product of market activity, and this capacity for truth generation imbues legitimacy on the governing rationality which enables it.]

Davies clarifies the distinguishing feature of *neoliberalism* as being the expansion of 'market-based principles and techniques of evaluation' into all areas of society (Davies 2014: 21–22). If neoliberalism is concerned not purely with the expansion of *markets* but with *market-derived forms of measurement and evaluation*, there are strong implications for understanding changes in higher education policy and management in recent decades. In order to make claims of legitimacy under neoliberal conditions an institution must be understandable in market terms. The 'economisation of everything' described by both Davies (2014) and Brown (2015) builds on the work of Çalışkan and Callon's article *Economization, Part 1: Shifting Attention From the Economy Towards Processes of Economization* (2009) in which they consider the influence of economics as a discipline on the actual economy. [expand]

The 'totalising' effect of neoliberalism in applying market logic to all aspects of the political, economic, and social realms must be reconciled with its adaptability in applying economizing logic to institutions that exist under a variety of conditions. This explains how neoliberalism can be effective in holding sovereign power in very different political situations; hence Harvey's depiction of 'neoliberalism with Chinese characteristics' (Harvey 2005), and the fact that neoliberal doctrine has remained the dominant hegemonic position within contemporary politics despite the 2007–09 financial crisis.

[The rhetoric of individual freedom which is used to sell neoliberal ideas diverges from the authoritarianism of neoliberal regimes such as Chile (Plehwe 2009: 3).]

Davies develops the idea that competition is the central organising principle of neoliberalism. Competition inherently results in an unequal outcome so neoliberal theorists encourage inequality as a hallmark of a well-functioning competitive system such as a market. Herein

lies the 'paradox' of competition: neoliberals recommend active intervention by the state to promote competition, rather than a laissez-faire liberal view of letting competition arise as an emergent property of market relations. Foucault argued that liberalism already inherently fulfilled this function of creating and managing freedom (Foucault 2008: 63–65).

[Neoliberalism is heavily interventionist but at the level of social policy to support the market, rather than intervening in the market itself (Foucault 2008: Ch.6).]⁵⁶ '... the conditions for its success must be *constructed*, and will not come about “naturally” in the absence of concerted effort' (Van Horn and Mirowski 2009: 161).

[Plehwe (2009: 10) argues that the primary concern of MPS neoliberalism was 'the problem of how to secure a free market and to appropriately redefine the functions of the state in order to attain that goal'.]

As neoliberal theory evolved in the decades following Hayek's early work, *competition* – rather than *competitive markets* – began to be seen as the primary organising principle of economic exchange. Davies outlines two theories which illustrate this point: Coase's work on transaction costs, and Schumpeter on entrepreneurship's ability to promote uncertainty in capitalist markets by 'creative disruption'. Both these theorists' work shift the discourse away from pure markets and towards a system where power and hierarchy can wield influence through competitive personalities. In these theories Davies identifies metaphysical assumptions which act as the tacit norms which neoliberal theory relies on for authority – if these assumptions fall short then this authority dissipates. The definition of 'competition' relies on competitors to have some degree of equality at the outset and some shared rules to abide by, and result in inequality. The two norms of justice (equality) and violence (inequality) must both be present and in tension in order for competition to exist.

Davies outlines how the neoliberal ideas of the Chicago School of Law and Economics, which under Director's leadership in the 1960s shifted theory away from 'market fundamentalism' by becoming increasingly sceptical of whether the state should play a prominent role in intervening in the market in the name of efficiency, became normalised within law. In effect this influence sought to replace legal ideas of *justice* with neoliberal economic ideas of *efficiency* – or to put it another way, judges should apply economic reason rather than the rule of law (Plehwe 2009: 31) – a prime example of the expansion of 'market-based principles and techniques of evaluation' into a realm outside of economics. From the late 1970s Chicago School ideas became dominant within competition law in the US and from the 2000s in the EU, leading to a decline in regulatory intervention.⁵⁷

As with the replacement of traditional legal authority with economic judgement, the rise of

56 ME: 'the interesting thing here, I thought, is that theoretically if a free market really works, it's impossible to continue to generate profits off a single idea because the competition erodes the margin down to zero. It might be worth examining how some of the ideologies of right free-market economics actually correlate quite closely to social utopianism etc. (but how it never works in practice).'

57 [ME: 'I suspect that these logics of “justice” vs. “efficiency” will be crucial for your future work and the ways in which the latter might be strategically used in the service of the former (or how it might corrupt it).']

notions of 'national competitiveness' transformed state authority into a form of strategic decision-making imported from business strategy. Competitiveness became the measure of success at all levels of leadership, whether national/supranational or in the individual firm – representation and democratic accountability are no longer the primary sources of legitimating authority. We can see this process at work in the evolution of universities into corporations guided by principles of competitiveness, which according to the theory can only be measured in the quantitative categories determined by the experts and gurus of business strategy. The prioritising of university rankings in league tables over issues such as what is actually taught is perfectly in accord with Davies' depiction of the logic of competitiveness. [Open access finds itself entangled in similar issues.]

If Davies is correct about the role of sovereign power in post-crisis 'contingent' neoliberalism, that has strong implications for the openness of both markets and democracy. [need to clarify this statement!] Wendy Brown's *Undoing the Demos* takes the idea of neoliberalism's closing of democracy further. Brown outlines how neoliberalism, by reshaping all human conduct (of both state and persons) into economic terms, poses a threat to the future of democracy. The governing rationality of neoliberalism is actively turning us into the rational-actors of *homo oeconomicus* and democracy will not necessarily survive this process. Brown argues that an active fight for democracy is needed if we are to retain enlightenment values of equality, freedom, and democratic rule.

Like Davies, Brown sees the economisation of all realms of life, even those which are not explicitly monetised, as a defining feature of neoliberal rationality. It is the application of market-like logic to everything which takes neoliberalism beyond simply a 'market fundamentalism' and into the role of shaping individuals into *homo oeconomicus* as described by Foucault (2008). Brown extrapolates from this point to describe how the conversion of citizens to 'human capital' reconfigures individuals' relations to the state and to each other, with liberal values of freedom, equality, and popular sovereignty disappearing. Brown engages with Foucault's *The Birth of Biopolitics* (2008), in which Foucault depicted neoliberalism as remaking the liberal art of government; 'a normative order of reason that would become a governing rationality' (Brown 2015: 50). This framing takes a very different approach to understanding neoliberalism compared to that of scholars who focus on economic policy and its effects. The specific implementations of neoliberalism as it was expressed through economic policy are a result of introducing this governing rationality to various extant political spaces.

'This subtle shift from exchange to competition as the essence of the market means that all market actors are rendered as little capitals (rather than as owners, workers, and consumers) competing with, rather than exchanging with each other' (Brown 2015: 36). This notion ties in with the apparent disappearance of equality from the neoliberal imaginary – Davies argues that neoclassical economics rests on a competition wherein participants are equal at the beginning and unequal at the end, whereas under neoliberalism, all individuals are included in

the competition but with no protections to guarantee equality.

[Greece/Syriza can be used as an example of how neoliberal policy is leading to social and economic devastation for many.]

[rhetoric of planning is in conflict with rhetorics of security; planning reduces instability]

[examples of political closure in the UK under current neoliberal government, e.g. removing FOI, changes to make Tory majority permanent.

On the other hand: Freedom House rates all Western democracies as very free (see Alves and Meadowcroft 2014) – discuss problems with metrics.]

Tying together the two strands of neoliberal thought outlined above – a conception of freedom based solely on economic freedom, and the economisation of everything – leads to the idea that neoliberalism is bringing about an *economisation of freedom*. Freedom is only understood in market terms.

[End of utopia. 'There is no alternative', 'end of history'.]

'As the economic sociologist Jamie Peck has argued, the ideal of the pure free market has always been unobtainable, as utopian an idea in its own way as the Marxist illusion of a classless society' (Stedman Jones 2012: 20).

Neoliberalism and higher education

[Either the final third of this chapter will concentrate on higher education and scholarly publishing under neoliberalism, or it will split into two chapters.]

[Brown argues that by ignoring the role of capital in organising relations, Foucault's analysis of neoliberalism is limited and needs modifying and updating.

Capital replacing labour – implications for higher education. Academic staff are themselves re-figured as competitive agents, whose job is to inculcate students with the knowledge and tools to become competitive players of the game themselves.

The current state of scholarly publishing is a symptom of the neoliberal university (see Readings 1996, Giroux 2014).]

Brown argues that neoliberalism's incompatibility with the kind of non-instrumental liberal education epitomised by the liberal arts tradition of higher education in the 20th century United States means that the value of a liberal education has eroded with neoliberal thought's ascension. Education which serves purely instrumental ends is not adequate for an understanding of contemporary power relations so it fails to instil the knowledge necessary to undertake informed political judgements. As an example of how this manifests, we can refer to Brown's earlier discussion of how the replacement of *government* with *governance* is a depoliticising move that hides power relations from view (Brown 2015: Ch.4). Without a theoretical understanding of neoliberal power this kind of analysis would not be possible.

Brown relies on a somewhat idealised image of liberal arts higher education, which by Brown's own admission was never fully realised [and in the support of liberal arts education as the *only* way to inculcate an informed citizenry there is an implicit elitist undercurrent, that without formal higher education people cannot become informed]. A more detailed analysis of the role of higher education under liberal democracy is offered by Readings in *The University in Ruins* (1996). Readings argues that the purpose of liberal higher education was to reproduce dominant culture. [Expand on Reading's analysis of the neoliberalisation of higher education. See also Stefan Collini's *What are Universities For?*]

[The university emerged from the enlightenment >then> liberal >then> economic (neoliberal) regimes. Social exclusion – the liberal project was only for certain social subjects. Discuss social placement of the institution (the university) in terms of the changing social imperatives of society.

Neoliberals wanted to claim the enlightenment for their own (Stedman Jones 2012: 100).]

Brown's analysis is focused on the rise of neoliberal thought as a structuring principle of higher education and does not engage with the large body of work on critical pedagogy and resistances to the neoliberal academy [Giroux etc].

'Over the centuries, of course, there have been many accounts of democracy's superiority and advantages over other political forms. However, most of them have little or nothing to do with popular rule and instead attribute features to democracy that are not inherent to it' (Brown 2015: 204). Brown identifies openness as one of the facets that does not 'belong exclusively to democracy defined as the rule of the people ... [and] could be promulgated or secured by nondemocratic regimes' (Brown 2015: 204). Opposing *restrictions* on freedom (nonuniversal rights, restrictions on speech etc.) could be affirmed by the demos. As Foucault attests, democracy is not necessarily liberal and liberalism is not necessarily democratic (Foucault 2008: 321). Liberalism, capitalism, and democracy are all concepts with closely integrated histories but no intrinsic dependency on each other.

Davies describes the role of state authority within neoliberalism shifting from playing a supporting role in maintaining efficient markets to one of acting in a managerial capacity to promote the competitive interests of the nation. Under this paradigm, state investment in research and support of 'excellence' in higher education plays a logical and important role in maintaining a nation's competitive advantage. The UK government's support of gold open access is not only to introduce further elements of market competition into the scholarly communications market – although this is one effect, hence why no cap has yet been set on the price of an APC paid from RCUK funds because the market should decide on an 'appropriate' price – but also to increase levels of competition within industry. If research is open access then theoretically it can lead to higher levels of commercial exploitation by the private sector [reference Willetts]. Although, ironically, this process has not yet been subject to measurement, the idea is consistent with Davies' depiction of how neoliberal theory emphasises the *potential* of future competition (i.e. capacity for wealth generation) as the

primary measure of competitiveness.

[cultural consequences of neoliberalism, especially for education/publication/research
education as an institution

cultural attitudes to open access from academics

liberal humanist definition of university is changing under neoliberalism.

discuss how higher education is defended

secondary education: academies & the encroachment of powerful individuals setting
curriculum.

Luckhurst: About Thatcher-era attack/critique of 'left-wing' institutions.]

Hayek on higher education and research – (2006 [1960]: 330–40).

The university salaries of Aaron Director (Stedman Jones 2012: 92) and Mises (Stedman
Jones 2012: 169) were directly funded by businessmen.

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