



## Conceptualising dignity in the context of social security: bottom-up and top-down perspectives

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## **Conceptualising dignity in the context of social security: bottom-up and top-down perspectives**

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## Abstract

*Dignity and social security have been closely associated since at least the Universal Declaration of Human Rights in 1948, but there is a lack of clarity around what the concept means in this context. This article explores how two key stakeholders – out-of-work benefit recipients and policymakers – understand dignity in the context of social security, drawing on qualitative research with each group. The evidence presented notes a relative absence of direct references to dignity among policymakers, although related issues are nonetheless discussed, while benefit recipients commonly articulate experiences of undignified treatment, and the negative impact this has on their lives. This article's exploration of dignity is of particular relevance to Scotland, where recent framework legislation includes the principle that their security system should be underpinned by 'respect for the dignity of individuals'. The authors propose that a social security system that protects dignity must take account of distributional, relational and intrinsic aspects of dignity – providing sufficient income, treating users with respect and avoiding interventions or discourses that are disrespectful and dehumanizing. Further, the authors question whether it is possible for dignity to enjoy meaningful protection within highly disciplinary conditional welfare regimes.*

## Key words:

Dignity, social security, welfare, conditionality, Scotland

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## **Conceptualising dignity in the context of social security: bottom-up and top-down perspectives**

### **1. INTRODUCTION**

In April 2018, the Scottish Parliament unanimously passed the Social Security (Scotland) Bill. This first major piece of social security legislation since the partial devolution of competences is underpinned by eight principles that set out what is arguably a distinctively Scottish approach. Central to this is the statement that 'respect for the dignity of individuals is to be at the heart of the Scottish social security system' (Social Security (Scotland) Act 2018 s1). A commitment to dignity reflects one of five themes emerging from the 'fairer Scotland' conversations initiated by the Scottish Government in 2015, that all public services should prioritize respect for and the dignity of their users (Scottish Government, 2015; 2016a). These conversations represented an attempt to build on widespread debate about social justice in the run-up to the 2014 referendum on independence (Scottish Government, 2016a; Mooney and Scott, 2015). A rhetorical concern for dignity is also central to an attempt to differentiate the devolved approach from a UK system in which experiences of social security and poverty have often been characterized by disrespect and undignified treatment (Garthwaite, 2016; Lister, 2015; Patrick, 2017). Again, this has its roots in the independence campaign, when the potential for a more compassionate, fairer, simpler and more personal approach to devolved social security (Expert Working Group, 2014) was contrasted with a 'pernicious' set of reforms in recent UK legislation (Sturgeon, 2014: 3). This commitment to dignity is intended to guide the development of policy and the day-to-day operation of the system.

These developments in Scotland provide the impetus for this article, but the desirability of an approach to social security that protects dignity has been recognised elsewhere, including at

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Westminster (Hansard, 2009) and in international human rights law (CESCR, 2008). Indeed, the commitment to dignity was one of several aspects of the Scottish approach to social security to be praised in what was otherwise a rather bleak assessment of the UK's record on poverty following the recent visit of the UN Special Rapporteur (Alston, 2018). The findings on how dignity might be understood in this context are therefore of wider application. Whether in the Scottish or international context, the ambition of devising a social security system that protects dignity is challenging due to the vagueness around what the term actually means in this context. This includes whether it relates primarily to human interactions, guarantees of 'material welfare', individual perceptions of self-worth or something else (see Dore, 1996: 173). In the absence of a single, agreed definition, this article investigates how dignity is understood by two key stakeholder groups: policymakers and out-of-work benefit recipients (hereafter benefit recipients) the social security system. In so doing, it brings together qualitative data from two research projects, the first involving elected representatives and civil servants in Scotland, the second benefit recipients in England (but subject to the same system of working age social security as their counterparts in Scotland and Wales).<sup>1</sup> It first introduces the concept of dignity, previous attempts at definition and the longstanding emphasis on dignity in the poverty literature. The two research projects are then summarised, before a discussion of their respective findings on participants' perspectives on dignity.

Several common themes emerge. First, it is often easier to conceptualise dignity in negative terms – by recognizing undignified living conditions or disrespectful treatment – than positively. Second, dignity has relational, distributional and intrinsic dimensions. While maintaining a dignified standard of living seems to require protection from severe poverty, interactions with the social

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<sup>1</sup> The data are drawn from wider studies of experiences of welfare reform and of policymaker perspectives on social security devolution in the UK – see REMOVED FOR PEER REVIEW,)

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security system and those who run it are equally central to understandings of the concept; both have implications for the individual's sense of *self-respect*. Third, these issues come to a head in the conditionality regime, raising questions about whether disciplinary welfare systems can coexist with dignified and respectful treatment.

## 2. PERSPECTIVES ON DIGNITY AND RESPECT AND WHY THEY MATTER

Justifications for the Scottish Government's focus on dignity and respect can draw upon a rich literature that details the indignity associated with living in poverty (Lister, 2004; 2015) and the necessity of working to create a social security system that 'respects the dignity of claimants' (Lister, 1990: 72). A focus on the relational as well as the distributional dimension of poverty reveals the extent to which poverty is characterized by dis-respect, mis-recognition and mis-representation (Lister, 2015, Fraser, 2009). To be effective, efforts to address poverty must attend to both dimensions through a politics of recognition and redistribution (Fraser, 2009).

While the poverty literature highlights the importance of dignity, it does not necessarily provide a clear roadmap for translating the principle into practice. Perhaps in recognition of this, the Equality and Human Rights Commission commissioned a study to explore theoretical and real-life examples of how dignity and respect can serve as guiding principles in national social security systems (Simpson et al, 2017). This found that it is possible to look at dignity in social security from two main standpoints. A legal perspective foregrounds the role of the term as a key concept in, perhaps the 'very essence' of, human rights law (Pretty [2002]). A social science perspective focuses on how users of social security systems themselves understand dignity. In particular, it is difficult to

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understand the relational dimension of dignity – treatment with respect – other than from the user's perspective.

Articulating the link between dignity and social security is not a Scottish innovation, but can be observed in the Universal Declaration of Human Rights, international law (the International Covenant on Economic, Social and Cultural Rights) and some national constitutions, notably in Belgium. Yet a precise definition of dignity remains elusive (Dupre, 2009) and the term is not widely used in the UK legal context. Further, some question whether the concept has any value at all (O'Mahony, 2012; Rosen, 2013). As a result, discourses around dignity in the UK have largely been the preserve of legal academics rather than practitioners (Friedman, 2016: 391). Gearty (2013: 155) exemplifies this perspective, arguing that there is no place for 'too much dignity-talk in British law'. Other jurisdictions take a different perspective – the German and Belgian constitutional courts have assessed the compatibility of social security provisions with the state's obligation to protect dignity (Cleon [2011]; Winkler and Mahler, 2013). McCrudden's (2008) attempt to establish a 'minimum core' of a right to human dignity is particularly instructive to those seeking to use it as the foundation for a social security system. Four main elements of the right are proposed: the prohibition of inhuman and degrading treatment, a measure of self-fulfilment and autonomy, the protection of group and cultural identity, and the creation of the conditions in which people can satisfy their essential needs. Access to one's essential needs clearly requires an income; so, arguably, do autonomy and cultural participation (Simpson, 2015). Indeed, the European Parliament recognizes that an 'adequate minimum income is... indispensable for those in need to live a life in dignity' (Resolution 2016/2270(INI)).

Dignity is not only a legal concept, but a political, philosophical, theological and subjective one (McCrudden, 2013). How a commitment to dignity might shape a social security system depends

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as much on its interpretation by policymakers, shaped by their political, philosophical, theological, moral and subjective positions, as on legal understandings. It also important to consider how the concept is understood by those in receipt of social security support. Dupré (2013: 116) argues that the role of those whose dignity has been or is at risk of being violated as 'dignity-makers' is perhaps more important than that of judges and the architects of international law, even if this 'has often been unnoticed by legal scholars'.

Given the increased interest in dignity but the lack of clarity regarding its translation into policy and practice, it is instructive to look at how this principle is articulated and understood by policymakers and benefit recipients. This can help us explore what a social security system that safeguards dignity might entail. First, though, we introduce the two studies on which this article is based.

### 3. TWO STUDIES OF WELFARE REFORM: ELITE PERSPECTIVES AND LIVED EXPERIENCES

This article brings together findings from two research studies, which sought to understand perspectives and experiences of welfare reform from very different standpoints. The first, led by AUTHOR ONE (2017), explored attitudes of key members of the policy making community in Scotland and Northern Ireland to social security, social citizenship and the role of devolved policymaking in these domains. Semi-structured interviews with 36 policymakers were conducted in 2014 and 2015, including civil servants (18) and politicians (18) representing both pro-union and



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nationalist parties. Half of the interviewees were in Scotland, and it is on their responses that this article focuses, as the link between social security and dignity has not had the same currency in Northern Ireland. Data analysis drew on grounded methods (Glaser and Strauss, 1967; Charmaz, 2006), with care taken to preserve anonymity by removing any identifying details from the interview transcriptions.

The second study, led by author 2, adopted a qualitative longitudinal methodology in efforts to better understand lived experiences of social security receipt and welfare reform. Repeat interviews with a small sample of young jobseekers, single parents and disabled people in the north of England (all of whom had been affected by changes to their benefits) explored how people anticipated, experienced and reflected upon welfare reform. Since Great Britain had a single system of social security prior to 2018 and will continue to have most income replacement benefits in common even after Scotland's new devolved benefits are in place,<sup>2</sup> it can be assumed that claimants anywhere in England, Scotland and Wales are likely to experience similar issues. Four waves of interviews took place between 2011 and 2016.

Both studies prioritized ethical principles of confidentiality, anonymity and informed consent, and were reviewed by the institutional ethical committees at Ulster University and the University of Leeds respectively.

In bringing the studies together, we are interested in detailing the ways in which dignity was understood and articulated by participants. Although this was not a central focus of either study, the data reveal much about how participants conceptualised dignity in the context of social security

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<sup>2</sup> Scotland's devolved competences chiefly consist of disability and carer benefits, the housing costs element of universal credit and payments that previously formed part of the regulated social fund, although there is also provision to make top-up payments to recipients of reserved benefits (Scotland Act 1998 schedule 5)

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benefits and related themes, such as poverty and claimant activation. This was the case even when the term was not explicitly used. We present data from each study, looking first at the relevant findings from The Lived Experiences of Welfare Study (LEW). The missing piece of the jigsaw is the views of frontline staff on the relationship (actual or ideal) between social security and dignity. This would be a useful focus for a future study, given the scope for street level bureaucrats to influence claimants' experiences of the system (Brodkin and Marston, 2013; Altreiter and Leibetseder, 2015) and possible tension between the Scottish aspiration to a more sympathetic relationship with claimants and the findings of previous studies on staff perceptions of service users (Dunn, 2013).

## 4. LIVING WITH WELFARE REFORM – LIVING WITH INDIGNITY AND DISRESPECT

Research with people directly affected by welfare reform and living in poverty reinforces the extent to which poverty and social security receipt are characterised by experiences that undermine dignity. The hardship associated with receipt of out-of-work benefits is associated with difficult choices (to heat or to eat), going without and – for parents – putting their children's needs (for example, for food) before their own. Disability benefits recipient Cath described how she managed during the last few days before a benefit payment: 'I have tea with sour milk and I do eat bread that's mouldy' (Wave 1 (W1)). She went on to describe the way her experiences of benefits affected how she felt about herself:

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If I stay on benefits for the rest of my life then it's going to affect me for the rest of my life. It's going to keep me down, and a feeling of worthlessness as a human being. Like my life's not worth anything but theirs [the government's] and their families' lives are. (W1)

Participants subject to repeat benefit sanctions – such as Adrian – recounted the extreme hardship that resulted, what Goulden (2018) terms 'destitution by design'. This might mean having to ration emergency charitable food provision to last longer than intended, or resorting to survival crime (for example, shoplifting for food) as part of efforts to 'get by' (Lister, 2004). These experiences demonstrate the extent to which experiences of dignity can be dependent on having sufficient income to escape from at least the most extreme forms of poverty – protecting dignity is then contingent on what Fraser (2009) terms a politics of *redistribution*.

Findings also show the importance of Fraser's politics of *recognition* to experiences of (in)dignity. Participants frequently associate the process of establishing and continuing to demonstrate entitlement to benefits with undignified and disrespectful treatment. This is particularly true of disability and incapacity benefit assessments, where disabled people's own expertise about their conditions is disregarded and where they are instead subject to independent assessment and scrutiny of their capability to work. Sharon – who was subject to repeat assessments of her entitlement to disability benefits – described how unpleasant she found the experience: 'When I went to [assessment centre] I had no idea that he were scoring me...putting points on me and that 'cause I felt that it were a bit degrading' (W1).

The steps that people have to take to demonstrate their entitlement to social security sometimes led participants to question their own deservingness. Disability benefits recipient Isabella explained:

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I was always brought up that...you paid your own way so that's the other thing that I find difficult as well...I should be able to manage. Of course, I can't. So that is also something else that wars with me and again a lot of confidence I think is lost because I feel almost as if I'm saying 'oh, please give me something', instead of saying 'look, I'm entitled to this', so I think that can have a big impact (Wave 2 (W2)).

Isobella believed her benefit receipt should be seen as a rightful entitlement but – despite this – experienced the process of claiming benefits in ways that led her to question her deservingness and feel as if she was seeking charity, rather than availing of a right.

Participants' descriptions of their interactions with frontline advisers could frequently be characterised as the opposite of dignified treatment. Complaints included being treated like a number rather than a person and routinely experiencing disrespectful, even infantilizing interactions with advisers. Sophie (W3) reported that 'basically [job centre advisers] look at us like rubbish', while James (W1) felt 'you're not getting spoken to like a person...[you're] getting told to like a child. Saying "you will do this, otherwise..."'

A feature of recent rounds of welfare reform has been the intensification and extension of welfare conditionality (Dwyer & Wright, 2013; Rowlingson & McKay, 2009). Conditionality – with its implicit assumption that individuals must be supported, cajoled and compelled to comply with state-defined obligations (most often work-related) – frames encounters between people in receipt of benefit and street level advisers in ways that may limit and undermine the possibility for dignified encounters. Some, like Robert, responded particularly negatively to compulsion, in his case being ordered to apply for a set number of jobs. Faced with perceived disrespectful treatment, Robert sought to uphold his own dignity by refusing to comply with instructions, which if phrased differently might have initiated a different response:

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It's how she spoke to me about it. Now if she would have said, 'would you', not 'you have to', that's where they go wrong. If they say 'you have to do it', then no, I won't do it. But if it's 'would you do it', then yeah I would. But I'm not having somebody telling me to do summat. (W3)

Even participants who sought to comply with jobseeking obligations recounted dehumanizing and alienating treatment by front line advisers. Single parent Sophie described how Jobcentre appointments exposed her to treatment that she saw as disrespectful:

[Jobcentre staff] do look down at you...last week, when I went down, she said 'have you applied for any jobs?' I went 'yeah, 23'. And she looked at me as if to say 'right, okay, whatever' ... it's like they put you in a category ... low-lifes or something like that. (W3)

There was recognition among some participants that advisers' attitudes towards them were shaped by the wider context of hostility towards 'welfare dependants', and – in particular – the impact of the endless diet of what some term 'Poverty Porn' (Jensen & Tyler, 2015). As Adrian explained:

Even the Jobcentre advisers, they watch the shows [like Benefits Street], that's how they view us, or that's how they get told to view us... like I'm one of them people on one of them shows. 'So what have you been doing, watching telly?' ...They act like that's what you do. (W4)

Participants also observed that the physical environment of the Job Centre Plus made them feel unwelcome, with simple absences (such as of toilets, or water coolers) indicating that they were entering a punitive space, engaging with a 'punitive welfare state' (Larkin, 2007; Piro, 2008;). This was most clearly manifest in the presence of security guards, a reminder of the power imbalance

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between citizen and state, and of the state's ability to exercise coercive control. Cath and Isobella explained the impact the presence of security had on their encounters at the Job Centre:

When I started to go in the Job Centre again there were guards. Security men, and I'm thinking what a thing...It's wordless, it's a silent... they're symbolizing the fact that they're the big superpower and we are powerless and we've got to do as we're told, when we're told. (Cath, W1)

I assumed...obviously erroneously that [the job centre] was an office that wanted to help you... [but] you're just sort of got burly security guards patrolling up and down, and you just think, what do they think I'm going to do? Pull out a gun? (Isobella, W3)

As well as detailing the many shortcomings with the current social security system, participants suggested ways in which it might be improved, in particular ideas for how their relationships with Job Centre Plus and welfare-to-work staff might be strengthened. This was most notable in a task-based exercise in their second interviews, at which participants were invited to draw an imaginary back-to-work adviser, listing the qualities such an adviser might have, as well as the types of support, help and assistance they might be able to provide. The adviser pictures of young jobseeker, James, and single parent Karen are reproduced below (Figure One). Participants placed great emphasis on how they would like to be treated by advisers, and how this contrasted with their experiences. Participants commonly described their ideal adviser as respectful, polite, 'smiley, not condescending' (Isobella, W2), to listen, be 'less forceful' (James, W2) and say 'would you like to' rather than 'you must' (Karen, W2).

**INSERT FIGURE 1 HERE**

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Participants expressed a desire for a working relationship that was more collaborative and equal, in place of the current emphasis on compulsion and instruction. This could include seemingly basic requests, for example, that advisers make appointments with you rather than for you, and thus acknowledge and respect your other commitments. All these suggestions hint at the importance of the relationship between officials and service users, something repeatedly highlighted in the literature (Haux et al, 2012, Wright, 2015).

For the participants in the LEW study, social security was associated with a loss of dignity and disrespectful, dehumanizing treatment. Individuals were conscious of the negative impact this had on their lives, and the ways in which their poverty encompassed both financial hardship and relational misrecognition and disrespect. These themes recur in the literature on poverty and welfare reform (Garthwaite, 2016; Welcond, 2018), and suggest a lack of concern for dignity in the design and implementation of social security policy at the Westminster level. The Scottish Government is now seeking to incorporate respect for dignity into its approach to social security, and it is to a discussion of policymakers' perspectives on this principle that the next section turns.

## 5. (IN)DIGNITY, (DIS)RESPECT AND (UN)FAIRNESS: DEVOLVED POLICYMAKERS' PERSPECTIVES ON WELFARE REFORM

With hindsight, a noteworthy finding of the research on which this section draws was the near-absence of any explicit reference to dignity, despite its subsequent centrality to the debate around

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devolved social security in Scotland. The Scottish fieldwork was conducted at a critical time for the devolution settlement, commencing the day after publication of HM Government's (2015) proposals to confer substantial social security competences upon the Scottish Parliament. Research participants talked about their aspirations for use of the promised devolved powers, but only two referred to dignity. One politician said: 'To me the purpose of a welfare state is to say that everybody's dignity matters and there is a basic threshold below which nobody should fall, economically.' A second argued:

If we're going to have more and more control over welfare then let's get the principles right from the start and put in... things we can agree on, that we want a system based on dignity and respect and choice and building up resilience in individuals.

The paucity of references to dignity is still more surprising in light of the Welfare Reform Committee's (2014a) report on what would become the Welfare Funds (Scotland) Act 2015, which shows that the concept had been on parliamentarians' minds prior to the fieldwork. This recommended that regulations and guidance for the new discretionary assistance scheme should 'outlin[e] the importance of the principles of dignity and respect for... users'. This principle would ultimately feature in the primary legislation. The Welfare Reform Committee's (2015: 2) report on *The future delivery of social security in Scotland*, published several months after the fieldwork, is peppered with references to dignity. It calls for a 'huge culture shift' in the future devolved system, embodied in a set of foundational principles, including that 'a new Scottish social security system should be based upon preserving the dignity of, and showing respect for, claimants'. The report stresses that this emphasis on dignity flows from first-hand accounts of the *indignity* experienced in the UK system by witnesses appearing before the committee, although references can also be found in evidence from voluntary sector organizations (Welfare Reform Committee, 2014b; CPAGS, 2015).



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The recommendation is reflected in subsequent policy documents (Scottish Government, 2016b; 2016c) and the Social Security (Scotland) Act 2016.

Interviewees more commonly referred to 'fairness', which was central to the thinking of the Expert Working Group on Welfare (2014) in an independent Scotland. This is another contested concept (Alston, 2018), frequently portrayed by the Department for Work and Pensions as a zero-sum game: anything that financially benefits the benefit recipient must be to the detriment of the taxpayer or 'hard working families' (Runswick-Cole et al, 2016). The UK courts have frequently heard – and often accepted – the proposition that fairness in social security demands claimants be subjected to austerity measures in order to reduce the burden on those whose taxes fund the system (SG [2015]). This conception of fairness was not devoid of endorsement. In strikingly similar terms, one politician argued: 'why should somebody on low pay pay taxes for somebody on benefits to get more money than them? It offends most people's sense of fairness'. However, most of those who discussed fairness understood it differently, foreshadowing the way in which 'dignity, fairness and respect' now sit side-by-side, and are even conflated to an extent, in official statements on devolved social security (Somerville, 2019: col 51). Another politician observed that growing support for independence during the referendum campaign was driven by 'general discontent at what was happening at Westminster and the welfare reforms, and a sort of encompassing Scotland could be a fairer country' sentiment that was 'not absolutely defined'. While interviewees' own positions could be equally vague, examples of *un*fairness in UK approaches to social security often focused on aspects of the system or its underlying philosophy that might be portrayed as threats to dignity. As the Welfare Reform Committee (2015: 7) highlights the view of a work programme participant that 'the way they treated you was as a piece of dirt', so interviewees suggested that the UK government had chosen to construct those in receipt of benefits as a 'drag on society' lacking 'individual worth'.

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One politician felt vulnerable people had come to see the social security system as 'the enemy' rather than the route to fulfilment of their rights as citizens.

Consequently, it was suggested that a Scottish social security system would place greater emphasis on protection against poverty, a sentiment now reflected in the Act. Aspects of the system most heavily implicated as contributors to severe poverty (Fitzpatrick et al., 2018; McKeever et al., 2018) were a particular focus for interviewees' ire. One politician stated that 'the use of destitution as a deliberate act of government policy is something that I think appals most people' and the imposition of destitution as a matter of policy through the sanctions regime was among the most frequent complaints (Goulden, 2018). There was widespread acceptance of the principle of activation and some acknowledgement of the argument that a disciplinary or paternalistic approach can be in people's interests (Watts et al., 2018). However, most interviewees were fiercely critical of the recent operation of conditionality, with several civil servants dismissive of DWP's claim that it does not have target sanctioning rates (Couling, 2013). Interviewees highlighted the effect on people's ability to access their essential needs, exemplified by rising food bank use. A civil servant observed that 'benefit changes... are the most significant cause of people using food banks, and within that sanctions plays a big part'. One MSP was struck by a constituent's comment on being sanctioned:

She was from Bangladesh and... she's ended up here, abusive husband, cannae go home...

She came into the office and she was hungry because she'd been feeding the wee one and she said to me, 'I was never hungry in my country.' My god. Bangladesh.

Various politicians criticized the 'dehumanising and patronising' effect of punishment for minor failures resulting from honest mistakes, failure to understand communications or mental health problems and the impact of a sanction on wellbeing: 'It'll just push them deeper into poverty.'

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As well as deeper into desperation.' Even the strongest supporter of conditionality among the Scottish participants was concerned about the suspension of benefit payments *before* a final decision on whether a sanctionable failure had in fact occurred: 'although they then get the money at the end of the period, so not actually losing anything in net terms... they're being seriously affected by the process'. This mirrors one of Adler's (2018) key criticisms of the regime. Consequently, it was largely taken for granted that 'had sanctions... been devolved the inference would be that it would a softer regime in Scotland'.

For some interviewees, the post-2010 'great sanctions drive' (Webster, 2016: 2) was one manifestation of a general attempt to drive down social security expenditure. However, although years of below-inflation uprating have left benefits for single people of working age only just above the Joseph Rowntree Foundation's destitution threshold (Fitzpatrick et al., 2018), there was little evidence of interviewees seeing austerity, and these cuts in support, as a threat to dignity, in contrast with the clearer link they drew here between sanctions, conditionality and undignified treatment. A single Scottish civil servant identified the way the headline rates of benefit have been 'squeezed over time' as a major contributor to poverty. More explicit claims about the inadequacy of benefits were made by a small number of Northern Irish interviewees, one Assembly member observing that "you should be writing books on economics if you can manage" at current rates.

Some of the policy measures that interviewees found objectionable have been justified by DWP on the basis that they are designed to encourage (re-)entry to paid employment and that work is, in almost all circumstances, good for people (DWP, 2010; Waddell and Burton, 2006). This might be interpreted as an implicit appeal to the notion of the dignity of labour – in addition to the material benefits, most societies 'honour those who perform socially useful functions' (Dore, 1996: 188). However, it does not follow that there is dignity in every form of labour (Scott, 2013). Dupré

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(2013: 115) pointedly refers to the need for 'dignity at work' (emphasis added) rather than the inherent dignity of work. Scottish interviewees generally agreed that entry to paid employment should be a priority for social security policy. They were, though, divided as to whether the 2012 reforms were likely to have this effect and many rejected the proposition that any job should be regarded as better than no job. It is not difficult to read into their responses that they regarded work under certain conditions as undermining, rather than supporting, dignity. Better paid, more secure employment with less reliance on in-work benefits – or 'subsidies for employers who treat people badly' (politician) – was a widespread aspiration.

As with benefit recipients, policymakers were conscious of the political, public and media discourse around social security and its impact on service users, with elite rhetoric implicated by researchers in the creation of a 'cultural economy of disgust' towards claimants (Jensen and Tyler, 2015; Wiggan, 2012). Research literature suggests Scottish public attitudes to the welfare state do not differ dramatically from those in the UK as a whole (Curtice and Ormston, 2011; Mitchell, 2014), a perspective shared by some interviewees. However, others painted a picture of a radical Scotland characterized by concern for 'egalitarianism', fairness and the 'commonweal'. Consequently, the 'red tops' (tabloid newspapers) in Scotland were more likely to carry 'stories of people who have been victims' of the system and less likely to demonize people on benefits.

Respect for the dignity of individuals is a commendable starting point for a social security system, but there is always a risk that a commitment based on such a broadly defined concept may end up being 'no more than words' (EHRC, 2016: 3). The qualitative data tell a different story. Even if the words 'dignity', 'respect' and 'human rights' are largely absent, there is evidence that the interviewees were conscious of many of the threats to dignity highlighted above. This suggests that the subsequent rhetoric on dignity and respect is more than a soundbite, but the challenge now is to

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translate a general legislative commitment into practice in the emerging devolved system. The next section considers the implication of these findings for the Scottish case and for wider debates about the place of dignity in social security systems.

## 6. DISCUSSION: TOWARDS A NEW UNDERSTANDING OF DIGNITY IN SOCIAL SECURITY SYSTEMS

The two studies on which this article draws explored benefit recipients' experiences of and devolved policymakers' perspectives on the UK's post-2010 social security system. Neither specifically set out to gather participants' views on dignity in social security; neither produced a large number of explicit references to dignity. Nonetheless, the findings reveal much about what the participants see as the major sources of *indignity* in recent UK approaches and, to a lesser extent, offer insights into the sort of changes to policy and practice that might indicate increased respect for dignity. Scottish policymakers often expressed these sentiments using the language of fairness, although stronger language could also be used. People with direct experiences of the social security system commonly used very negative, often condemnatory, language to describe their experiences of welfare reform and encounters with Job Centre Plus advisers, creating powerful imagery of the extent to which their experiences sat at the opposite end of the spectrum from dignified. The findings hint at core questions to be considered in any effort to reorientate social security towards a focus on dignity, and particular implications for the Scottish Government as it seeks to do so. We now explore these in turn.

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## 6.1 Realising dignity and respect in social security systems

In the studies discussed here, participants more readily and easily defined dignity in negative terms – by identifying instances of undignified and disrespectful policies and practices – than in positive terms – such as suggesting what changes to policy or practice a commitment to dignity. This is in part a result of the studies' foci, but it is notable that the wider literature contains more on what is wrong with the status quo (see, for example, Garthwaite, 2016; Edmiston, 2018) than what might be improved.

The evidence presented here suggests that a positive definition of dignity must attend to several, interlinked dimensions. First, a distributional dimension that requires benefits to provide sufficient income for a minimum standard of living. An important difference between the two sets of participants arises here, with benefit recipients much more likely than policymakers to suggest that the headline rates of benefit are insufficient to support a dignified existence. Given that out-of-work benefits fall some way below the minimum income standard, a consensual baseline for the goods, services, activities and income required for a normal standard of living (Davis et al., 2018), and are little higher than Fitzpatrick et al.'s (2018) destitution threshold, it is unsurprising that some claimants should feel excluded from any semblance of a normal lifestyle. Second, a relational dimension that stresses the importance of a social security system that treats its users with respect in everyday interactions. Benefit recipients' feelings about intrusive questioning about their medical history and personal lives, monitoring of job seeking and treatment with suspicion as well as the physical environment of the Jobcentre, such as the presence of security guards, are highlighted above and reflected in other researchers' findings (McKeever, 2012; Harris, 2014; Wright and

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Stewart, 2016; Edmiston, 2017). Third, an intrinsic dimension (see Dore, 1996) that sees individuals' sense of self-worth detrimentally affected by reliance on familial or charitable assistance (Dwyer et al, 2016; Garthwaite, 2016; Fitzpatrick et al., 2020), media, political or even relatives' and friends' portrayals of benefit receipt (Wiggan, 2012; Jensen and Tyler, 2015; Patrick, 2016) and being pushed into employment deemed unsuitable (Finn and Goodship, 2014). Ultimately, these aspects of dignity can be closely linked: perceptions that recipients or applicants are largely undeserving can influence both interactions and decisions on eligibility (Altreiter and Leibetseder, 2015; Caswell and Høybye-Mortensen, 2015). Conversely, when 'simply providing for yourself' becomes a 'luxury' (Edmiston and Humpage, 2016: 474), the indignity is not merely in the material deprivation experienced, but in the feeling of not being 'entitled to a quality of life' (Edmiston, 2017: 322).

Across both studies, participants identify the conditionality regime for working age benefits as a key area in which threats to dignity may exist, although understandings of the nature of these threats differed. Policymakers tended to focus on the perceived futility of some of the conditions that are set, in the sense that compliance or non-compliance would make little difference to employment prospects, the lack of due process in sanctioning and the harshness of sanctions. Benefit recipients were concerned about these, but in addition objected to the compulsion and loss of autonomy associated with conditionality, and to the undignified experience of being given orders rather than advice or requests. This speaks to the relational dimension of dignity and a wider dislike of the notion that somebody else knows best, whether this concerns the individual's job seeking activities, medical condition or some other aspect of their lives or character. Naturally, the loss of income associated with a sanction is linked with the distributional dimension as the household becomes less able to afford an adequate standard of living. There would seem to be a question about the compatibility of an intensive, far-reaching conditionality regime with a social security

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system that prioritizes dignity. Indeed, we might go so far as to say that intensive, supervisory and disciplinary forms of conditionality are simply *incompatible* with dignified and respectful treatment, given the assumptions which they make about individuals and the forms of treatment (including potential sanctions) that they entail. This reflects much of the evidence from the large-scale qualitative longitudinal panel study on the efficacy and ethicality of welfare conditionality (WelCond, 2018).

There is some overlap between the three-dimensional understanding of dignity emerging from our findings and the four-point legal definition proposed by McCrudden (2008). The distributional dimension – the need to access a minimum standard of living – speaks to McCrudden's view of dignity as comprising a right to access one's essential needs and to some form of social and cultural participation. Aspects of the relational dimension – to the extent that people must submit their lives to the control of the state in order to receive financial support – can be linked with McCrudden's demand for autonomy. Where a gap emerges is around the intrinsic dimension. While some of the participants in receipt of benefits undoubtedly *felt* degraded by experiences of poverty or their interactions with the social security system, it would be a leap to suggest there was clear evidence of what the UK courts have – to date – been prepared to recognise as inhuman or degrading treatment. While Adler's (2018) view that this kind of development is far from unthinkable is noted, if not explicitly endorsed, by the Special Rapporteur (Alston, 2018), case law to date suggests such a conclusion would only be possible following detailed examination of an individual litigant's circumstances (McKeever et al., 2018).

## 6.2 Scotland's new social security system – opportunities and challenges



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The research presented here suggests that while a focus on dignity is welcome, it is not necessarily an easy one to legislate for or to define clearly and consensually. The Scottish Government faces an important challenge as it moves from broad principle-setting to the detail of how the principles of the Social Security Act should be understood through the Social Security Charter (an accessible articulation of what people will be entitled to expect) and the design of the new devolved benefits. Some of the low-hanging fruit has already been picked: the removal of compulsion from devolved employment support schemes, the ending of private sector assessments for disability benefits and the commitment to minimise the use of any face-to-face assessment can be viewed as a response to some of the examples of perceived indignity highlighted above, including the suggested incompatibility between highly conditional regimes and a dignified social security system.

In designing the devolved benefits, policymakers will have to anticipate and design out potential sources of indignity from the outset. The involvement of users of the system in policy design through experience panels (see Scottish Government Social Research, 2018a) and in the development of the charter (see Scottish Government Social Research, 2018b) has potential to help here, but it is likely that some problems will only be identified once the system is up and running. Further, however effective the Scottish administration is at enshrining principles into its legislation the challenge remains of how the Scottish social security system will co-exist and run alongside the Westminster system, and how benefit recipients will experience and make sense of these two parallel systems. The Scottish Government promises that 'your new social security agency [will be] a place where everyone is welcomed' and 'dignity fairness and respect' are the guiding principles (Social Security Scotland, 2018). They do not have the power to extend this promise to interactions in DWP offices, but the reasons for this may not be clear to a Scottish resident who receives both

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devolved and reserved benefits (for example, disability assistance from Social Security Scotland and universal credit from DWP) and has to deal with both agencies.

Given the nature of the devolution settlement, Scotland has limited scope to address the distributional dimension as the main income replacement benefits are reserved to Westminster, although a top-up power is devolved and Holyrood will be able to determine the level of the new devolved disability assistance. There are tensions to work through here, especially around how far relational dignity can be undermined where experiences of social security remain closely aligned with experiences of poverty and deprivation. While the intrinsic element can never be wholly under the control of the state, a more positive political and media discourse around benefits – of which the commitment to dignity and respect and the use of 'social security' rather than 'welfare' form a part – has a contribution to make. In this regard, recent speeches on social security by Scottish Government ministers are notable in the positive language they use to talk about social security, in contrast to the more negative discourse around 'welfare' in England (see, for example, Hansard, 2018).

## 7. CONCLUSION

This paper has brought together findings from studies that engaged with elite policymaker and benefit recipients' experiences and perspectives of social security. In so doing, it details the extent to which the current Westminster social security system is felt to be characterised by undignified treatment, and the ways in which this is problematised from both top-down and bottom-up. While there are differences between the service user and elite perspectives, there is sufficient overlap to

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point to a broadly shared understanding of dignity as encompassing distributional, relational and intrinsic dimensions, with respectful treatment at the heart of the relational dimension.

The focus that the Scottish Government now has on seeking to create a social security system that protects dignity aligns closely with the priorities and experiences of benefit recipients themselves. We anticipate key challenges for the Scottish Government as they seek to convert principles into policy and everyday encounters with social security. At the same time, the progress Scotland makes towards realising its ambitions will hold important lessons for Westminster policymakers, and for other countries. Getting the social security system right is in all of our interests. As some of the participants in Patrick's study put it, we need a 'benefits system that shows empathy and is personalized', a system that recognizes the truth in their statement: 'I'm not a number, I'm a person' (Dole Animators, 2017).

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