

Foucault's Concept of Counter-Conduct and the Politics of Anti-Austerity Protest in Ireland

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Since the announcement of the Irish recession in 2008, there has been much media and popular speculation regarding the apparent failure of the Irish people to collectively resist austerity. The socialisation of private banking debt and successive fiscal 'adjustments', which have seen huge reductions in public spending, disproportionately impacting on the Irish community and voluntary sector (Harvey, 2012), have not generated sustained opposition from civil society. Apocryphal stories of Greek protesters chanting 'we are not like Ireland' or the current Irish Minister for Finance Michael Noonan's threats to print t-shirts with the slogan 'We're not Greece', belie a more complex reality. Evidently, as Laurence Cox (2012) has observed in this journal 'responses from working class communities and social movements' have been 'minimal'¹. In the absence of a widely-shared and enacted anti-austerity politics, there have been regular manifestations of localised or sectoralised opposition to welfare retrenchment, service withdrawal, and the introduction of new levies or charges (Allen, 2012). It is important to note, however, that their achievements to date have been variable.

On the 14th of October, 2008, the then Finance Minister Brian Lenihan, announced that government intended to withdraw automatic entitlement to medical cards for those over 70.² Introduced in 2001 the over-70s medical card was one of a small minority of universal health benefits but it would now become conditional on a means

² According to Ireland's Health Service Executive (2013) Medical Cards entitled holders to 'access Family Doctor or GP services, community health services, dental services, prescription medicine costs, hospital care and a range of other benefits free of charge'. HSE (2013) 'Medical Cards and GP visit Cards', <http://www.hse.ie/medicalcards/>

test. This paper focuses on public reaction to Lenihan's announcement. His budget proposal inspired *the Older People's Uprising*, Ireland's first demonstration of popular resistance to austerity, now remembered as an effective if untypical expression of *people* or *pensioner power*.

This paper presents *the Uprising* as an example of what Foucault (2007) dubs 'counter-conduct', through which subjects resist governmental forms of power. Here government is understood in the Foucauldian sense to mean 'the conduct of conduct'(Death, p238). More generally the governmentality literature seeks to analyse how 'government is thought into being in programmatic form' by diverse 'practitioners of rule', highlighting the 'concepts they invent or deploy to render their subjects governable' (Weir et al, 1997, p502).

The Uprising secured notable concessions on medical card entitlement; contested aspects of ageism; and raised the spectre of a sensitive, politically astute and mobile older people's vote. However, it's important not to overstate either the depth of resistance or its transformative potential. As Carl Death (2010) explains, counter-conduct works with and within the constraints of governmental forms of power: because it is so closely intertwined with that which it opposes, it may reinforce or re-energise established ways of doing things. In this case, the forms that protest took and the framing of older people's demands reflected and reinforced Ireland's political tradition of clientelism. *The Uprising* thus offers us an interesting opportunity to learn from and about the limits of activism in the Irish context.

Governmental rationalities and the medical card.

According to the WHO (2012, P60) 'Ireland is the only EU health system that does not offer universal coverage of primary care'. Instead access to low-cost or 'free' services is largely determined by means tested medical cards. Historically there has been considerable institutional, professional and political resistance to proposed extensions of universal benefits across the health system. Nonetheless, in his December 2000 budget speech Minister for Finance Charlie McCreevy, a member of Fianna Fáil, announced that from 2001 all Irish residents aged over 70 would become

eligible for medical cards, irrespective of their means. The proposal seemed anomalous particularly since McCreevy was widely regarded as a champion of market values and Ireland was at this time pursuing distinctly neo-liberal policies, centred on the expansion of the housing market, improving competitiveness and promoting public sector reform. Indeed, the centrality of such economic rationalities to the Irish model of development, and the consequent ‘subordination’ of social concerns was explicitly noted in McCreevy’s budget speech. He presented the over-70s card as proof of his Government’s commitment to ‘[a] Fairer Society’, while underscoring policy-making’s bottom-line:

to manage our economy to secure our continued prosperity; to improve our quality of life; to promote a fairer society; and to reward work and enterprise through ongoing tax reform. The budgetary targets and goals are based on the over-riding need to keep our economy competitive and on the need to ensure that this is reflected in our approach to how we reward ourselves.

(Dail Eireann 2008)

Reviewing his budget statement we see that some predictable concepts are deployed to activate responsible conduct from Ireland’s interest groups and citizens; references to ‘sensible management’ (Dail Eireann, 2008), ‘disciplined approach’ and ‘attractiveness of work and enterprise’. But neo-liberalism, as expressed through governmental rationalities and policy measures in specific nation states, is often complex and contradictory. As acknowledged by Kitchin *et al* (2012). Ireland’s unique version was shaped by the apparent absence of polarising ideological divisions and our long-standing traditions of clientelism and brokerage politics. Such factors made for a ‘species... which is perhaps best characterised as ideologically concealed, piecemeal, serendipitous, pragmatic, and commonsensical’ (Kitchin *et al* 2012, p1036). Also noting that his ‘Budget supports social partnership’, McCreevy alluded to the particular role of corporatist arrangements in both fashioning and legitimising Ireland’s economic and social development trajectory. In 2000 the social partners included trade union, business, farming and community and voluntary sector representatives, among them organisations advocating on behalf of older people. Thus we cannot dismiss the governmental rationalities of the time as the pure and

unmediated constructions of the Government. They were, to a greater or lesser extent, filtered, shaped, mandated, resisted and administered via social partnership structures and their participants.

Ireland's governmental rationalities are also tainted by politics, particularly politics of the more expedient kind. Mel Cousins' (2007) work on 'budget-cycles' highlights how incumbent governments have tended to expand social security spending at key moments in order to bolster their re-election prospects. And, despite McCreevy's lofty rhetoric, the over-70s card was widely viewed as a Fianna Fáil sweetener for older voters, an attempt to enhance the party's likeability in advance of the 2002 election. Critics accused McCreevy of wilfully misdirecting scarce resources, privileging comparatively well-off pensioners over younger people and families whose medical needs and economic vulnerability were more acute. Interestingly, that same line of argument was seized upon by his own party as it sought to face down *the Uprising* in 2008.

The origins of the 'over-70s' card thus reveal the interplay between economic rationalities, electoral strategy and social policy formation. In 2008 its withdrawal followed confirmation of the recession and the Irish bank bailout. Minister for Finance Brian Lenihan's first crisis budget was constructed as a response to the 'historic task' facing the state: the need to 'to restore order and stability in the public finances, to increase productivity and competitiveness and to protect those who are most vulnerable in our country' (Dáil Éireann, 2008). In Ireland, as in many other contexts, the solutions to neoliberalism's ills are presumed to lie in what Jamie Peck (2010) calls 'Zombie' neoliberalism, i.e. it looks as if it is dead, it should be dead but somehow it is still 'dominant' (Peck, 2010, p106). Remarking that 'the world financial system has been turned upside down', Lenihan framed austerity as inevitable and he thus sought to mobilise popular support for it. In a telling example of governmental discourse that sought to shape the conduct of Irish citizens he identified this budget as an 'opportunity for us all to pull together and play our part according to our means'. Dáil Éireann, 2008).

Aside from its specific policy prescriptions, Lenihan’s budget speech revealed the rationalities that were immanent to the distinctive governmental project of the moment, managing the Economic Crisis, and thus was universalism rendered disposable. When Lenihan (re)affirmed Ireland’s allegiance to the dominant economic orthodoxy: ‘[w]e have a low tax burden by European standards... we have made a choice to reward work and enterprise’, he also appealed to vague concepts of fairness and need.

Government policy is to target resources at those in greatest need.

Universal entitlements irrespective of means do not target those in greatest need... in some cases there is a need to differentiate between those who have and those who have not.

(Dáil Éireann , 2008)

Government spokespeople tried to minimise the likely impact of the policy, claiming that retrenchment was essential for economic survival and for fairness, but that it would only disadvantage a minority of better-off older people. Certainly, as Hogget *et al* (2013) observe, ‘fairness agendas’ are a more comfortable fit with neoliberal economic rationalities than are concepts of universalism, equality or redistribution.³ Furthermore, references to ‘fairness’, and by implication the inverse ‘unfairness’, also help to cultivate resentments. In this there are parallels with other contexts where the resurgence of ‘anti-welfarism’ has re-energised the hackneyed *deserving versus undeserving* binary that has been a long-standing feature of debates about welfare (Hoggett et a, 2013). As the medical card controversy raged Ireland’s Tánaiste Mary Coughlan ridiculed efforts to retain the entitlements of ‘well-off pensioners, ... senior civil servants, High Court Judges, property tycoons, ministers of state and hospital consultants’ (Kerr, 2008). Notably, this cast list of the supposedly undeserving was scripted to include those most associated with the excesses of the Celtic Tiger years.

During *the Uprising*, the Irish government built its defence by targeting the medical cards of supposedly prosperous pensioners, thus signalling its intention to unburden the state of their ‘unfair’ and ‘unsustainable’ dependence. However, in the interests

of political stability governments must also secure a broad consensus around potentially unpopular policies and consequently Lenihan framed his budget as ‘a call to patriotic action’. Such invocations of patriotism are echoed in the discourses of ‘virtuous necessity’ (Clark & Newman 2012) that have gained traction in the UK as the Conservative/Liberal Democratic coalition has set about disassembling the welfare state. Promoting ‘...shared sacrifice and suffering ... a sense of collective obligation’ they too seek to mobilise consent and active collaboration with the governmental project of austerity (Clark & Newman, 2012, p309).

The Uprising and its achievements

The withdrawal of automatic entitlement to the over-70s card had been anticipated by media and activists in the run up to the budget. The advance speculation did not diminish public outrage and may even have helped to expedite the mobilisation of opposition. In popular memory *the Older People’s Uprising* is associated with the Age Action Ireland organised public meeting attended by 1,800 older people that took place in St Andrew’s Church, Dublin on October 21st, and the *March on the Dáil* by 15,000 older people that occurred the following day. These were boisterous assemblies where attendees demonstrated their unanimous opposition to the policy. Government spokespeople who came along to minimise or defend the proposal were silenced by the booing and jeering of the older protestors. In contrast, opposition politicians were warmly welcomed and they made their presence known as they mingled with the crowds. This ensured that the events were politically charged yet curiously non-ideological, even though the principle of universalism was repeatedly invoked by protesters.

It is worth remembering that the Irish Senior Citizens’ Parliament and Age Action Ireland, who called the protests, had social partner status. They also had on-going involvements in adult education, citizenship and active ageing programmes for older people. This public profile along with the parallel development of senior social centres was vital to the rapid mobilisation of protesters from across the country.

From budget-day onwards, national and local day-time talk radio shows became animated platforms for older people and supporters to vent their fury and rally resistance. Contributors thus reclaimed the public sphere, as they testified to the benefits of the universal card and shared their fears about the arbitrariness of means testing. Marches occurred in Cork, Limerick, Tralee, Galway, Drogheda and Clonakilty, and the constituency offices of various ministers were also picketed. Even at the Dublin *March...* protesters proudly demonstrated local affiliations: “The Banner [County i.e. Clare] Fights Back”, “National Widows Association Drogheda Branch”, “Tara Disabled Mineworkers and Pensioners”. Participants thus emphasised the geographical range and legitimacy of their opposition, strategically putting their elected representatives on notice. In Ireland conventional ideological divisions between left and right are obscured by the persistence of a populist and clientelist political culture. This obliges national legislators to be attentive and responsive to local constituents and in its most notorious form it means promising favours in exchange for future votes. Exploiting this tradition, the Irish Senior Citizen’s Parliament urged members to ‘Get out There! Get Working! Get talking to your local politicians and demand that this be withdrawn’. And so, even as they practised their right to protest at the various marches, participants in *the Uprising* self-consciously identified as disgruntled voters – “we voted 4 you now vote 4 us” was a common placard.

This explicit threat of an electoral backlash by older people created a political crisis for government. There were (short-lived) rebellions on the government backbenches and Fianna Fáil’s local councillors petitioned party leaders for an immediate rethink. The protesters forced clumsy and repeated revisions of the new means test criteria so that five alternative versions were published in the week that followed the budget announcement. These revisions were designed to neutralise disquiet and Minister for Health Mary Harney reassured the public that only 20,000 older people, as opposed to the previously estimated 125,000, would lose their cards. Ultimately, the protests succeeded in preserving the entitlements of a large number of existing claimants. The principle of universalism was, however, lost. The policy has been continued by the Fine Gael/Labour coalition that was elected in 2011, despite both parties’ ostentatious

condemnation of it at the time. As I write, consideration is being given to a new scheme to provide universal GP access to those aged over 70.

The Uprising as counter-conduct

Foucault's work is rightly recognised for its nuanced and sophisticated contribution to our understanding of power; how it is relational, dynamic, exercised from multiple standpoints simultaneously; how it doesn't only repress conduct but also vitalises it or calls it into being.

Power is not something that is acquired, seized or shared, something that one holds on to or allows to slip away; power is exercised from innumerable points, in the interplay of nonegalitarian and mobile relations. (Foucault, 1978, p99)

Although he recognised that resistance necessarily and inevitably coexists with power, the concept of resistance is widely regarded as under-theorised in his work. This tendency is also reflected in the wider governmentality literature, which as Carl Death (2010, p239) points out 'has made little contribution to the study of social movements, protests and contentious politics'.

This is unfortunate, especially since the seeds of a more considered and productive engagement with protest politics are already present in Foucault's work. Introducing counter-conduct during the College De France lecture series, Foucault placed it squarely beside his analytical account of governmentality. The former concept seeks to evoke and capture 'struggle[s] against processes implemented for conducting others' and it is an explicit acknowledgement that efforts at government are not always successful, inciting as they do instances of 'resistance, refusal or revolt' (Foucault, 2007, 200/202). For example, Lenihan's budget speech sought to conduct the conduct of Irish citizens, urging us to act responsibly in the face of crisis. With *the Uprising*, significant numbers of older people responded to his exhortations that we 'pull together' and 'play our part' by participating in public demonstrations and collective action.

Crucially, counter-conduct should not be mis-recognised as a kind of kneejerk ‘NO’ or mindless reaction; instead Davidson (2001, p37) characterises such resistance as ‘an active intervention... in the domain of the ethical’. At the Dublin marches participants brought the ethics of government into sharp relief as placards questioned why citizens should be expected to shoulder the costs of the recent bank bailout. Therefore, while this can be regarded as single issue protest it did highlight more fundamental concerns about economic management and wealth redistribution, and their relationship to the needs of citizens.

*“Hands off the medical cards for the over-70s
 Stop the bleeding of the needy
 To fill the pockets of the greedy”
 “Rob the Pensioners to Bail out the Bankers
 Shame, Shame, Shame”
 “Age 85 Need Help to Stay Alive
 I Need my Medical Card Please”*

Foucault observes that counter-conduct is reflective of citizens’ rejection of particular kinds of governmental direction, if not a rejection of government tout court; we won’t be conducted in this way, not by you, not at this price, not according to this logic (Foucault, 2007). During *the Uprising* protesters explicitly renounced government discourses on patriotism, with many carrying tricolours as they marched or displaying banners with more subversive ruminations: “Our Patriotic Duty Revolution”. If their counter-conduct was enacted discursively it was also performed. Jessica Kulynych (1997, p333) reminds us that the word *demonstration* translates as ‘show’ or ‘performance’ and that practising protest is itself a corporeal challenge to the norms of political conduct. Indeed these transgressive aspects of resistance were most memorably evoked when older people picketed TD’s clinics or when they shouted down and drowned out their political leaders.

The ethical and performative dimensions of counter-conduct are effectively illustrated by *the Uprising’s* challenges to ageism. Waving banners and T-shirts declaiming

‘Older and Bolder’ or the Age Action Ireland logo, protesters performed a shared spirit of collective purpose. They also confounded stereotypes of the ‘passive’ or ‘past it’ older person, while simultaneously upending conventional representations of the dangerous or malevolent protester. Placards and banners condemned the targeting of older welfare recipients and linked the budget decision on medical cards to a pervasive ageism within Irish society.

“Mary [Harney, minister for Health] what’s next Euthanasia?”

“OAP not RIP”

“Just Shoot Us. It would be quicker”.

We do, nonetheless, need to be cautious in our expectations of how progressive or transformative counter-conduct is and can be. Foucault did not hold with purist or binary conceptions of resistance as external to and alienated from an opposing power. Power and resistance are mutually constitutive and, likewise, government and counter-conduct co-exist within the same relational field.⁴ Carl Death (2010, p245) clarifies that ‘the political subjectivities performed through protests’ are often ‘exaggerated or momentary’. While we might presume that a stark opposition between ‘authentic’ outsiders and insiders is a pre-requisite for the successful mobilisation of resistance, the messy realities of NGO relationships with the state or the lingering effects of social partnership make for less polarised allegiances. The most prominent events associated with the *Uprising* were led by organisations, who had participated in social partnership in the past, and evidently they hoped to return to such arrangements in the future. Again, as Laurence Cox (2012), has noted in this journal, there is an abiding sense that for many organisations in the Irish community and voluntary sector the real business of politics is best conducted in more formalised and structured environments.

Likewise, *the Uprising* did not so much reject electoral or representative politics, as inflect it. Many aspects of Ireland’s clientelist culture were actively embraced by

⁴ Foucault, M. (2007) *Security, Territory, Population: Lectures at the College de France (1977-1978)*, Basingstoke: Palgrave and also Davidson, A. (2011) ‘In praise of counter-conduct’, *History of the Human Sciences*, 24(4): 25-41.

protesters. Protests were centred on the Dáil or constituency offices; opposition politicians attended the *March...*; some protesters carried banners with party logos; there were threats that votes would be withdrawn. And as placards singled out ministers for rebuke, they reflected back and perhaps even validated the personality fixated character of Irish politics.

“Shame on you Brian for even tryin”

“Harney you’re fired”

“Hard hearted Harney”

This all reminds us that counter-conducts ‘can both challenge and reinforce hegemonic power relations, *at the state time*’ (Death, 2010, p2479). The *Uprising* was a partially successful expression of countervailing power by protesters who urged TDs to change their minds, reverse the decision and restore the medical card. The *Uprising* saw thousands of older people question and resist governmental rationalities regarding the primacy of the economic, the nature of the crisis and the burden of responsibility that should be carried by citizens. They strategically adopted tactics that won the attention of the wider public, mass media and political elites and they mitigated the scale of retrenchment in this instance.

But power relationships and politics in Ireland had *not* changed drastically; instead liberal democratic and clientelist traditions were refracted and reflected through protest tactics. The principle of universal entitlement was jettisoned as the government strategically recalibrated medical card eligibility rates. We do see the beginnings of a conversation about universalism and its place in social policy - but one that is subordinated to the dictates of neoliberal rationalities, political expediency and sectoralised definitions of collective interest.

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