

**Georges Campeau, *From UI to EI: Waging War on the Welfare State*, trans. by Richard Howard (Vancouver: UBC Press, 2005). P.p. xiii, 235.**

Georges Campeau is not happy about how the unemployment insurance regime has evolved recently in Canada. A former activist lawyer and now a professor of social law in the *Faculté de science politique et de droit* at *Université du Québec à Montréal*, Campeau aims to show—through a detailed discussion of the evolution of unemployment insurance in Canada—how the attitude of the state towards the unemployed is the single most important factor in the degree of protection and social support afforded the unemployed at any given time. For Campeau, all the seemingly technical questions of unemployment (and later employment) insurance—its scope, the criteria for exclusions, the duration of coverage—all these questions are ultimately determined by ideological considerations. He laments the fact that advocates fought over many decades to establish a robust system of universal social insurance for unemployment in Canada, only to have this achievement undermined by a narrowing of the scope of unemployment protection in the last couple of decades, in what he variously describes as a “counterreform ideology” (137), a “backlash” (91), a form of “revenge” (*ibid.*), and even a “hijacked” system (147).

The book contains considerable detail in the history it narrates. Readers interested in labour relations, social justice, law and economics, and the role of politics in judicial interpretation will all find moments of interest in this book. The argument will be especially useful for those who want to understand the significance of important court rulings, notably in the period 1940-1990, on the shape of unemployment policy in Canada. For all these merits, however, the book has some significant limitations and deficiencies.

First, the narrative is tedious in places. In most of the chapters, there are many ponderous sentences like the following: “Starting on 5 April 1987, however, retirement income would no longer be deducted from benefits when the weeks of insurable employment used to establish the benefit period were accumulated after pension payments began” (100). Such passages are not out of place in the legal academy, but the reader who was lured by the promise of a narrative about war on the welfare state might be forgiven for moments of boredom. Second, Campeau (or at least his translator) uses the term “liberal” and its variants in both positive and negative senses at different moments in the text—at one point even within the same paragraph<sup>1</sup>—without defining the various usages. Lastly, the epilogue ends with a bill

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<sup>1</sup> “The liberal reading on this issue represented by Abrahams was often demolished ... A number of decisions on voluntary leaving and misconduct reflected the neoliberal context ...” (170). A third use of the term occurs where Campeau describes the Gill Report that linked the “financial predicament” of the unemployment insurance system with its “liberal” policies (in this case Campeau uses the term in quotation marks) (78).

tabled in 2001, and the book claims to be accurate only as of 2002,<sup>2</sup> even though it was published much later in English, in 2005.

These complaints, however, are all of secondary importance. The core deficiency of the book is the overwhelmingly one-sided character of the story it wants to tell: a glaring bias that ultimately eclipses the admirable research and sound analysis of its better moments.

Campeau aims to defend and affirm an understanding of unemployment insurance as a form of social insurance. His commitment is rooted in a simple idea in the tradition of Jacob Lawrence Cohen, an author of the 1930s whom Campeau paraphrases as arguing that “no worker should bear the responsibility for the unemployment risk personally since that person had no control over the causes of unemployment, which was generated by the operation of the economy” (68). If unemployment is primarily a failure of the market, then it should fall to the state, in Campeau’s view, to compensate people for this failure.

Many people, perhaps most people, would agree with Campeau on this proposition if stated at a high enough level of abstraction. Not all reasonable people, however, would agree on the detailed implications of the claim. Campeau’s argument quickly turns doctrinaire in his tacit assumption that anyone who would want to qualify or question this claim in any way is self-evidently hostile to the welfare state, or indifferent to the human face of suffering. Thus Campeau speaks disdainfully of the “actuarial ideology” (see *e.g.* 78) that dares to ask questions about the financial sufficiency of the unemployment insurance system: in his view, such questions are “cold” (102) and distract from the human reality of unemployment, and they are part of the “neoliberal approach” (103). Similarly, even if some people have committed fraud under the unemployment insurance scheme, Campeau insists that “so many cases” were motivated by “the survival instinct” (155). In his rosy conception of the unemployed, he leaves aside the question of what proportion of fraud cases might have been motivated by mere criminality. Campeau is also impatient with conventional economic arguments that an overly generous compensation scheme could unintentionally and perversely encourage some people in the direction of unemployment instead of employment.<sup>3</sup> Is it the case that everyone who is prepared to consider these more textured questions can only be described as “neoliberal” ideologues?

Campeau, at least, does not want to pursue such questions very far. Much of the last few chapters reads like a story about hamartia, of how the policy arrow has missed its mark of generous, universal compensation.<sup>4</sup> Campeau is most dogmatic

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<sup>2</sup> “I stress that the book reflects the state of unemployment insurance legislation as of 30 September 2002” (*ibid.* at xiii).

<sup>3</sup> See *e.g.* Campeau’s purely descriptive (and by implication, dismissive) treatment of the “moral hazard” argument as the “keystone of the actuarial ideology” (71).

<sup>4</sup> Or as Jerold Waltman puts it, what Campeau wants “is a return to 1971” (Book Review of *From UI to EI: Waging War on the Welfare State* by Georges Campeau (2004) 15:4 Law & Pol. Book Rev.

where he simply describes the alternatives that evolved in place of this ideal—as though those descriptions will be so manifestly repugnant to the reader that it is not necessary to point out their flaws or to refute the assumptions underlying them. Consider how he discusses one product of the so-called “neoliberal ideology” in the 1990s: the idea that “Ottawa’s Keynesian postwar strategy had to be reviewed,” and more specifically, the notion that “[t]he government’s redistributive role must be limited to the needy” (149). The author laments how the universality of the past would now be replaced by an effort to target “the disadvantaged” (*ibid.*). Yet there are many readers who would need to be *persuaded* why this targeting of the disadvantaged or the needy is an unreasonable, cold, and inhumane development, rather than simply told that the development took place.

The concluding chapters left this reader, at least, with many questions. Does Campeau have a theory about how markets and governments can together aim to maximize employment, and should they do so? Would it not make sense to design overall unemployment policy, including any possible job training measures, with this prior employment objective in mind? Why is the goal of financial self-sufficiency in an unemployment insurance scheme so inappropriate; and why, for that matter, should actuaries not contribute their expertise in the pursuit of this goal? And finally, why should policy makers not make an effort to minimize abuses and unintentional work disincentives in the compensation system? The reader who opens the book as an agnostic, ready to be converted to Campeau’s vision, may find herself closing the book with heretical questions along these lines.

John Haffner

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