

The paradoxes of activation policies and the re-definition of the normative framework of the welfare state

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1. Introduction

The present economic crisis has strengthened the national governments' effort to consolidate domestic households and reduce spending. Social budgets are not exempt from these constraints and their cuts entail reductions of social benefits and services. Some social groups, especially long-term unemployed, are particularly affected by these cut backs, but due to a lack of a stable and consensually shared normative justification, it is the citizens' well-being in general which is increasingly subordinated to economic reasoning. The present cuts to in our social security systems represent the continuation of a sea change in social policy making: The spread of the activation discourse since the mid-nineties had initiated a new orientation especially in the field of employment policies throughout the industrialised Western States. There is no doubt that activation policy reforms reflect a new ethical approach to social policy, which mainly consists in the new definition of the individuals' responsibility for her economic subsistence, the new emphasis of the citizen's work capacities and duties and the State's right to intervention (Dean 2007). Of course, we find varying types of workfare strategies in different welfare state regime types (Van Berkel/ Hornemann Moeller 2002; Barbier 2004; Serrano Pascual 2007). Obviously, we are well prepared to understand the *normative dimension* of welfare state change, driven by the introduction and amplification of activation policies. But what has not been analysed systematically, is the connection between normative and institutional change; this claim is more general as scholars observe a missing link between normative and empirical research in social policy (Lister 1997; Kildal 2003).

Institutionalist research has emphasised the role of ideas and objectives in social policy making and qualified the emergence of a new ideational orientation within a policy sector as an indicator for paradigmatic change (Hall 1993). Later writings have added insights about the relationship between paradigmatic or ideational and institutional change and pointed out its more incremental character (Scharpf/ Schmidt 2000; Pierson 2004; Streeck/ Thelen 2005). Based on the insight that institutions are always embedded in more or less explicit assumptions about causal and normative relationships (Mahoney/ Thelen 2010: 13), the focus of research on institutional change is put (back) on rather slow and gradual institutional development (ibid.). Unlike the institutionalist perspective, we are not interested in *explaining* change, but to specify the moments and mechanisms of normative change. Therefore we argue that the re-definition of the *overall (normative) objectives* of our social security schemes due to the introduction of activation policies is reflected and institutionalised by the tools and mechanisms in labour market regulation and policy. So we follow the suggestions of contemporary institutionalist thinking and argue that if focusing on a set of *core policy principles* we can understand the interconnection between normative institutional change. By identifying these core principles, we could substantiate our hypothesis that paradigmatic change of social provision can be reflected by very small

institutional changes, which might occur unnoticed by the public debate and discourse. Social policy research however has been attentive to these processes, providing us with a concept which integrates normative and institutional aspects and which allows us to analyse fundamental normative and instrumental change simultaneously, the *social citizenship regime* (Goul Andersen/Guillemard et al. 2005). So, we reformulate our question and ask how activation policies affect existing social citizenship regimes.

The patterns of social citizenship of social insurance states have been (rightly) critically discussed for their selectivity and their patriarchal bias of providing (passive) benefits. Nevertheless, these social security schemes have been beneficial to citizens in several perspectives. By providing a relatively *generous* level of social security they have *stabilised the citizens' perspective* of income and by that largely de-commodified citizens from social risks encountered over the life course. By defining the (male) core worker status, they have secured the once attained standard of living for this group right above the level economic subsistence. And, they have fostered substantial *legal* and individual entitlements and by that established a solid basis for the general acceptance of a solidaristic political system. It is not solely the actual life situation of needy citizens, but moreover the average citizens' expectations towards the (welfare) state which is at stake. The (continental) welfare states' constitutive and core tasks, to protect, to compensate for risks and to provide social security perspectives – to put it briefly to support the citizens autonomy - are challenged by the continued activating strategy as they largely replace these previously well-accepted tasks by a set of more narrow and contrary objectives, like a quick re-integration into paid work, setting 'incentives' to unemployed or to motivate them to search for work, to ameliorate their qualifications etc..¹

We suggest to reformulate the normative shift as the question of how public social policy intervention enhance or reduce the citizen's **autonomy**. Autonomy denotes, as we will demonstrate in section 2 in some way the citizens' well-being, but it may serve as well as a regulatory principle guiding public intervention. We therefore suggest to consider three "sectors" of the citizens' autonomy: the individual dimension, comprising psychological and identitary aspects, a social dimension pointing to the citizen's relative position in society (social comparison, definition of social status), as well as the political dimension pointing to the citizens' relationship with public authorities (the states' agencies, law). The analysis of the 'fine mechanisms' of national activation policies can point out, in what terms they affect the citizens' individual life situation, the mutual relationships as well as the citizens' commitment to the state. In section 3, we will identify the according *three policy principles* which we derive from our reflection on autonomy to systematically identify and analyse the mechanisms that determine the quality of social provision, structure the (working and non-working) population and affect the citizens' commitment and participation. We will illustrate the latter section with examples of the German Labour market policy reforms of the past decade and show how they have modified the underlying norms of the traditional model of German social security provision which was based on the pattern of the (male) industrial core worker.

¹ This paper contains the conceptual ideas of a comparative book project prepared within the EU-network of Excellence "Reconciling Work and Welfare in Europe". The book will be published at Palgrave in spring 2011.

2. The objective of welfare state intervention: Tracing normative arguments in social policy research

Poverty and the argument of justice

In the historical perspective the first issue of social policy making was the relief from and later the avoidance of poverty. The instruments of the fight against poverty have been for a long time monetary benefits, organised as poor relief or – quite late in the golden age of the Welfare State – as social assistance schemes. Poverty research has shown meanwhile that income poverty in Western Welfare States does not necessarily entail social exclusion, as the latter also depends on previous ‘investments’ into education or social networks. Vice versa, social marginalisation and exclusion can occur also in cases where the household income is not below a certain pre-defined income threshold. It is uncontested that income poverty reflects just a delimited section of the phenomenon. Poverty research as well as the research on social exclusion has provided considerable theoretical and empirical insights on the impact of social policies on the individual’s life situation – besides the definition of what poverty is. Some scholars e.g. have pointed out the subjective aspects of poverty and addressed the preconditions for the individuals’ capacity to leave poverty. It has been demonstrated, that poverty risks and the chance of leaving poverty depend on a multitude of factors such as social origin and socialisation, individual psychological disposition, education and human capital, intra-matrimonial relationships or the social-cultural context where citizens live in. Important policy conclusions had been not to delimit support to monetary benefits with the aim to compensate but to attempt to influence the citizens’ behaviour (in an authoritarian version) or to modify the citizens’ living context and to offer services in order to empower them (the emancipatory version). Normatively, the fight against poverty has been politically justified in terms of different forms of justice, sometimes with a moral undertone and assessment.

Poverty research has however two important limits when it comes to providing normative arguments to the justification of the welfare state as a whole. The focus on poverty implies the risk to narrow the perspective on the needy faction of the population, whilst the middle class’ expectations and ‘needs’ which equally require welfare state intervention is neglected in this debate. The poverty approach is adequate to deliver Rawlsian arguments, focusing on the very lowest faction of an income distribution; but it does not help to find good arguments for the protection of ‘less needy’ citizens. Another problem consists in the fact that social research itself risks to be trapped in normative assessment, when e.g. suggesting categories like ‘deservingness’ for measuring the acceptance of state intervention which might be taken up by policy makers. Of course, as Welfare States depend on legitimacy, the acceptance of welfare state intervention is a crucial argument for shaping and defending distributive mechanisms, but it is questionable if ‘deservingness’ being a pejorative concept itself including moral assessment of benefit reception represents a critical indicator for measuring social acceptance. In social policy research however, the ‘moral economy of the welfare state’, has, drawing on more elaborate indicators, delivered the insight that the tolerance for re-distributive and sometimes costly public intervention differed according to (national) cultural contexts (Mau 2004) or that e.g. pension schemes were better accepted than social assistance schemes (Oorschot 2005). The very justification of welfare state intervention should be analysed with the help of broader and theoretically well grounded concepts which are more resistant to political ideological reinterpretation.

The main argument to be withheld from poverty research in terms of normative arguments is that competing interpretations of justice exist of which can be derived criteria for deciding about what the welfare state should concede to its citizens in terms of securing the individual life standard; this can comprise a definition of (relative or absolute) minimum

standards, but also the protection of individual living standards according to implicit or explicit rules of reciprocity. Justice conceives the idea of how the protection of the individual should be shaped according to her own contribution to the community. The social (or even human) right to subsistence is hardly disputed in Western welfare state, but the effective standard of living which should be guaranteed by welfare state intervention undoubtedly is.

Redistribution and the argument of equality

The dominating paradigm of empirical welfare state research which is still used in many approaches, has been the redistributive perspective, its main variables being welfare expenditure, the income distribution, or the shape of social rights (Scruggs/ Allan 2006). Outcomes are grasped as income or living standard, or, on the aggregate level as income distribution or patterns of coverage and level of social security. Both sets of indicators are interpreted in terms of increasing or decreasing equality or in terms of de-commodification or re-commodification. Of course, the equality issue provides an indispensable perspective on the effectiveness of welfare state intervention but it does not grasp the institutional mechanisms to which inequality can be due and on which the distributive mechanisms are based. A more adequate analysis however, as feminist research has argued, needs to pay attention to the origin and logic of benefit segmentation which are caused by the 'fine mechanisms' (e.g. the conditions) of benefit attribution. Nancy Fraser for example had pointed to the fact that not all needs which are observable in a society were equally included in our social security schemes, but that the needs' recognition resulted from political struggle and were to be considered as a reflection of structures of social power (Fraser 1989).² Meanwhile, social research has become more attentive to segmentation effects and observes increasing divides, which are mostly described as the 'dualisation' of our social security schemes (Palier/ Thelen 2010). Research within this paradigm, however, has and still is providing crucial insights into (re-)distributional effects of social policy reform, **social equality**, in its different versions being the overarching normative reference and the institutional rules regulating the (male) standard core worker providing the regular access conditions to a decent coverage of social security.

Social rights and the argument of membership

A third body of research is instructive when looking for elements of the normative justification of welfare state intervention. In modern welfare states, as political and scholarly debate on marginalisation or social exclusion has been pointing to, the ultimate objective of social policy intervention was to secure social and political participation of citizens who were not able to earn their own lives. Quite early in the 'golden age' of the welfare state, T.H. Marshall had pointed to the importance of social rights as the precondition for the citizens' active participation in social and political projects which form the constitutive elements of an active and democratic society (Marshall 1963). He argued that the development of social rights in the 20th century would have completed the set of rights which benefited to citizens within the context of the national state, and which had been preceded by the development of civil rights following to the political Enlightenment in the 18th and the incremental introduction of political rights in the 19th century.

Research on social citizenship pointed most explicitly to the normative and political character of social security provision, where the state's legitimacy bases on solutions to

² For a comprehensive discussion about the recognition and satisfaction of needs in social policy making, see (Dean 2010).

political struggles resulting from democratic procedures, whilst, democratic decision-making itself depends on the participation of informed and autonomous citizens. The effectiveness of the State in binding its citizens to a common normative framework and encouraging the citizens' active involvement has been empirically analysed in terms of participation (Goul Andersen/ Roßteuscher 2007), commitment (Roller 2002) or the expression of institutional trust (Larsen 2006). This strand of literature teaches us, that beside the protection from risk or compensation of their consequences, participation and commitment are crucial objectives of political intervention, including social policy and that a democratic welfare state bases on this commitment.

Social rights however are not once attained access mechanisms but rather parts of a complex (*social*) *citizenship regime* in which political and civil rights are interrelated mechanisms which govern social and political relations. More precisely, we comprehend a social citizenship *regime* as a set of norms, institutional and procedural rules and regulations which shape the citizens' life situation and well-being (Jenson 2007). More than the above cited bodies of research, social citizenship research, is concerned with the importance of formal membership or a 'sense of belonging' (*ibid.*), being themselves objectives and main aspects of a meaningful individual life: On the one hand, formal membership represents the crucial access condition to (social) rights, and therefore represents the precondition for participation and the subsistence of legitimate statehood. On the other hand membership represents a value itself as well as a source for developing a social and political identity. In other words, citizenship is not just an access mechanism to a community of wealth, but it is itself a substantive element of the public and political character of individual citizens.

The citizenship debate more than the redistribution and poverty debate points to the aspect of regulation, arguing that citizenship regimes comprise normative, legal and procedural mechanisms which shape the respective patterns of citizenship (Jenson 2007). This implies the crucial insight, linking up to T.H. Marshall's basic idea, that state intervention, especially in the social realm, would include some normative idea on a pattern of social structures and practises. Further, social citizenship research provides the insight that focusing on the regulatory aspects of how citizens' practises (including social behaviour but also attitudes as well as (self-)perception) are affected by public intervention. In other words, the social citizenship perspective is not only concerned with the *substance* of welfare state intervention (a specific pattern of equality or justice) but also with the *modes and mechanisms of social interaction*. The fact of being addressed or integrated or invited for participation by public intervention represents an element of the citizens' well-being, her 'sense of belonging' or feeling of membership.

3. The citizens' autonomy as objective of state intervention

The social states' intervention is thus concerned with the citizens' well-being, which is informed by ideas on justice, equality and chances to participation. But, instead of 'well-being', which despite being an extremely unseizable concept has increasingly become an object of empirical research we suggest to use the concept of *the citizen's autonomy* as it is a firmly rooted concept in political theory which in our view is essentially related to the normative objectives of modern social policy (see also Ben-Ishai 2009; Dean 2010).³ We

³ For the theoretical debate and the contribution of feminist thinking to the concept of autonomy see the writings of Ben-Ishai (Ben-Ishai in preparation).

consider the autonomy of the individual being the very substance of social citizenship but we will also point out the regulatory character of the concept

A three-dimensional concept of autonomy

In current social policy debates, the concept of autonomy is often considered as equivocal, as in liberal interpretations autonomy is associated with individual (economic) independence (Christman 2003). Unlike scholars of liberal thinking, feminist (Mackenzie/ Stoljar 2000), but also educational science scholars (Leu/ Krappmann 1999) have pointed out the *relational* character of autonomy. They conceive citizens as social bond and as *interdependent* individuals and state that a person's autonomy is always realised in relation to a specific individual, social or political context and that it cannot be defined in *absolute* terms. Accordingly, assuming that individuals can attain 'full autonomy' is as inadequate as assuming an impregnable heteronomy of individuals.⁴ Public policy, and particularly social policy, can contribute to enhance or constrain the individual's autonomy by providing or dismissing protection and rights (Twine 1994; Lister 1997; Vobruba 2003; Ullrich 2004; Dean 2010). We suggest to follow these approaches and argue that the citizen's autonomy represents the core objective of social policy making, but that in order to allow for empirical analysis, the concept needs to be broken down into more tangible aspects. These aspects need to be qualitatively defined and distinguishable and cover the main aspects of what concepts like 'membership' or 'sense of belonging' may signify.⁵ Insofar, the concept of autonomy comprises a normative as well as an analytical character.

Our analytical concept of **autonomy** is based on the idea, that individuals – who continuously interact with their social environment – have roles within three major spheres: They develop individual and wilful identities, they take social positions within a complex intertwined social network and they develop a more or less committed attitude towards public authority (see fig. 1). Insofar, autonomy is reflected in the individual's feeling of affiliation, her capacity of reflexivity as well as her however formed commitment to a community (Bothfeld 2008).⁶

Affiliation is similar to the 'sense of belonging' or 'felt membership' but constitutes a less formalised concept. It denotes a mental and psychological status, in which an individual feels secure and respected and is able – despite eventual vulnerabilities – to develop self-esteem, wilful ideas about her life plans and perspectives. Affiliation does not necessarily require that the individual is active but she, having developed a unique identity, should feel self-esteem and self-awareness, which both represent undeniable preconditions for equitable agency. Social tolerance toward diverse identities and life-styles is an important precondition for individuals to develop self-esteem and self-awareness. The processes involved in developing

⁴ See also Dean's use of the concept who constructs a scale where he superposes autonomy to vulnerability of the citizens.

⁵ Hartley Dean in his impressive discussion about the concept of human need in social policy distinguishes between different forms of need according to their nature and origin (e.g. inherent and interpreted needs; social, technical common needs and so on) (Dean 2010). Unlike Dean we are rather interested in complementary and incommensurable aspects of autonomy which do not compete with each other but which we consider to form different sub-dimensions of one category.

⁶ Other authors have referred to the concept of freedom (Ringen 2006), which is in large parts used synonymously with the concept of autonomy.

a social identity, however, do not produce the same result for each individual as individuals are 'vulnerable', i.e. mortal and imperfect to different degrees, and must live with this experience. For example, men and women systematically experience different reactions and feed-back within a same historic and cultural context; of course, this also applies to other social groups such as members of a specific race or class (Anderson 2003).ⁱ So, this first criterion reflects the *individual identity* of citizens and largely depends on the cultural, socio-economic and psycho-social conditions of childhood and youth, but also the employment situation and working conditions. To support and protect individuality is maybe the most obvious task of social policy intervention.⁷

Reflexivity denotes the individual's capacity to define herself as a part of society, inhibiting a certain social status and a bundle of social roles. The (implicit or explicit) rules according to which social statuses (e.g. the male core worker) are defined, again, by historically and culturally given social divides, but also by class membership, profession, socio-economic status and so on. The reflexivity consists in the person's readiness to accept differences as well as some form of mutuality between members of society. Basically, social interaction is always shaped by some kind of empathy and trust or competitiveness and antagonism.⁸ In any case, reflexivity requires that the individual prescind to a certain extent from her immediate needs and take the needs of 'the other' into account. Mutual respect and recognition will on the one hand depend on the individuality of persons, but also on cultural and partly institutionalised patterns of mutuality, be it solidarity or strict reciprocity. Some welfare state researchers have pointed out that the welfare state is more than a mechanism of redistribution but a mechanism to foster patterns of mutual recognition and respect within social relationships (Nullmeier 2000; Mau 2002). The support of social tolerance, solidarity and social cohesion are reflected in the status differences which are accepted by the majority. Obviously limited status differences – or a certain degree of social equality – enhance basic solidarity between different social groups – or 'social cohesion' (Larsen 2008). In any case, social policy making should be aware of the fact that it contributes to the social structure of societies and determines the citizen's capacity to find her place in society and accept a certain pattern of equality. Accordingly, making the transition between different social statuses easier, enabling upward transitions, could be one objective of social policy making.

The third dimension refers to a person's role as social and political citizen, as a more or less active participant in 'public' affairs. The idea is here that the very relationship between the state and its citizens is marked by some form of commitment to common values and the recognition of duties toward the community. Some form of conditionality exists in every Welfare State (Dean 2010: 148). Robert E. Goodin has, in his text on the 'structures of mutual obligation' very wisely argued, that reciprocal relationships would differ in terms of extent, currency and timing of mutual debt (Goodin 2002). The citizens' autonomy in this dimension reflects spontaneous or deliberate, active or passive commitment to collective values and goods, even at the expense of the individual's more obvious individual interests or needs. Insofar, the commitment is affected not only by internalised values but by everyday experience with the instruments that address the individual citizen – laws, regulations and all kind public services or interaction with bureaucracy, administration or policy makers.

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⁸ For an excellent theoretical foundation and elaboration of a typology of comparative attitudes, inspired by recognition theory see the excellent theoretical study by Frank Nullmeier, (Nullmeier 2000).

Of course, all three dimensions are inextricably connected with each other as the feeling of affiliation constitutes a precondition for reflection of the own position and development of empathetic positions toward different people. Both are the basis for the ‘supreme’ form of autonomy, i.e. the participation in the social and political organisation (Goul Andersen 2005) which is based on the commitment to a political community and collective common goods, independently of immediate individual returns.

Figure 1: The threefold concept of the citizen’s autonomy – a taxonomy

AUTONOMY			
	Individual dimension	Social dimension	Political dimension
Individual’s disposition	Identity	Mutuality	Commitment
	Affiliation (‘sense of belonging’)	Reflexivity	Commitment and Participation
	V	V	V
Normative core principle for public intervention	Justice → Protection from humiliation/ oppression/ poverty	Equality → Protection from unfair treatment, misrecognition and exploitation	Integration → Protection from social exclusion and marginalisation
	Policy principles Shaping the QUALITY of benefits and services	Regulating ACCESS and social STATUS	Encouraging PARTICIPATION and COMMITMENT
Mechanisms and tools (selected examples)	Providing ‘generous’/poor social security benefits and services	Opening/constraining access to universal benefits and services	Hierarchical attribution/ contract
	promoting high/low quality I.m. integration	Differentiating groups according to criteria which are difficult to meet	Transparency Comprehensibility Co-determination

Source: Own depiction.

Autonomy and paternalism – how can public intervention enhance the citizen’s autonomy?

As we have argued above, the concept of social citizenship has a normative and a regulatory dimension; both being reflected in discourses and institutional regulation within a (social) citizenship regime. Accordingly, shifts in the normative orientation of policies *can* be reflected in the regulation of social policies. As we argued above, activation policies, have emphasised the moral assessment of the relationship between work and welfare and presume that self-sufficiency by paid employment is per se a good and the provision of social benefits a bad thing (Ringen 2006: 82). Other authors interpret this social policy strategy as indicator for the development of a “Schumpeterian Workfare State” where measures that constrain or discipline the non-employed represent an unavoidable element of some form of public organisation which is constrained by an ever accelerating and innovating and globalising capitalist production (Jessop). Especially for the U.S., the authoritarian (Fraser 1990) or oppressive character (Young 1990) of the Welfare State has been pointed out and

the interconnection of social and penal law has been analysed explicitly on the example of the most marginalised citizens in the U.S. by Wacquant (Wacquant 2009). Much quoted for their feint success in employment, the U.S. are considered by many academics as a daunting example for social policy making. It is not surprising then, that the most recent social policy reforms that develop the 'activating' character of social policy have provoked fierce domestic debates in politics as well as in academia. Obviously, activation reforms per se, despite on the level of discourse they aim at the enhancement of individual autonomy, they often have a negative impact on the citizens' autonomy.

The necessity, however, to provide public social security has become widely acknowledged during the 'golden age' of the welfare state, the very sense and justification being the duty not solely to provide but also to maintain and guarantee social security for the citizens in a lifetime perspective (Ringen 2006). This does not mean that benefit reception would not have included rules of conditionality (Dean 2010). Nevertheless, social security as the very issue of democratic social statehood (Kaufmann 1973; 2005) has lost ground in the political discourse, increasingly dominated by economic and partly even neoliberal arguments.

Obviously, the 'quality' of state intervention represents a crucial problem and can be interpreted in different ways. The state's and the citizen's respective responsibility forms the core of the underlying normative problem of defining (social) citizenship. Referring to normative and State theory, scholars have argued, that the State's duty was to secure the freedom of its citizens as a basic condition of social and political participation to all citizens, independently of their age, sex, ethnic background etc. (for an overview over these debates see Nussbaum/ Sen 1990; Young 1990). According to Berlin's distinction (Berlin 1969), the individual's autonomy can also be conceived as both, negative and positive freedom, i.e. the protection from state intervention on the one hand, as well as "enabling" rights and entitlements on the other (see e.g. Nilssen 2005; Ringen 2006). Of course, the relationship between the State and the citizens is conceived as one of interdependence, which implies a mutual commitment on both sides. The tension between the State's duty to care, the citizens' autonomy and the preservation of a common good has been perceived as a major challenge for public intervention, especially in the case of the most vulnerable citizens (Nilssen 2005; Kildal 2003).⁹ The boundaries however between the state's duty and the states' right not to intervene as well as the individual's formal entitlements, her duty to contribute or right to resist against public intervention are not universally fixed, but object to political conflict and decision. Consequently, public intervention in social policy is never impartial or neutral but systematically interconnected with **implicit moral assessment** of social behaviour (Young 1990). The normative problem of where to draw limits between individual freedom and the common good, remains in the focus of theoretical reflection about social security even today and has become even more important in the 'new era' of the welfare states 'silver age's (Jenson/ Saint-Martin 2003).¹⁰

These insights bring us to conclude that more than before we have to pay attention to the instruments, tools and (micro-)mechanisms of social policy making, especially to analyse to in what way and to what extent they intervene in the citizen's every-day life. We would therefore address the question as to know how institutional (legal) devices either allocate or

⁹ Kildal and Nilssen e.g. distinguish "strong" and "weak" forms of paternalism to denote different modes of public intervention (Kildal 2003; Nilssen 2005).

¹⁰ In Germany, some aspects of the new basic allowance scheme have even become subject of the decision of the constitutional court.

constrain social security provision, how is regulation implemented and how do local practices at the nexus between public service delivery and the citizens' needs impact on the state-citizen relationships, and ask for the micro-mechanisms that rule this relationship. Consequently, our subject matter is not limited to the most obvious patterns of social policy reforms but rather takes a very close and differentiated look at the instruments, the fine mechanisms and tools of activation reforms; the whole set of instruments and 'steering' techniques being at stake (Lascoumes/ Le Galès 2007). Further, we cannot limit our analysis to labour market policies or income maintenance programmes alone, but we have to consider social law and administrative practises as well as the interaction between these sectors in a larger and more differentiated perspective.

To *summarise*, we argue that autonomy does not result from the satisfaction of delimitable material or physical needs, which can be standardised and technically defined. Moreover, support and protection of individual autonomy requires the respect of diversity and the support of mutual respect and tolerance and permeability of social status as well as the promotion of common values and goods, as the welfare state's legitimacy does not result (to simplify) from effective poverty avoidance for the most vulnerable alone but from effectively securing life perspectives for the large majority of a population.

4. The social policy principles: How do social policies support or reduce individual autonomy?

So how do these three dimensions translate to material social policy? In section 2 we have argued that the overarching concepts justice, equality and participation provide insights for the discussion of the dimensions of autonomy. We have suggested to look at three according 'policy principles' which may operationalise these large concepts and from which we may derive concrete instruments and policies (see figure 1). Our suggestion is to discuss the individual dimension of autonomy in terms of the *quality* of benefits, services and regulations which are provided by the state. The social dimension of autonomy can be discussed under the question of how (social) policy contributes to the fostering of social *status*. The political dimension is, as has been mentioned already, to be considered in terms of participation and commitment to which citizens are encouraged by instruments like co-determination.

Protecting the individual despite social differences

The question of how the citizens' individuality can be addressed depends on the very quality of the provided benefits, services, but also the regulation of employment. Quality here denotes the level of 'generosity' which is conceded to the citizens. It is not solely the level of protection of paid employment (by the regulation of wages, contracts and working conditions) but also the level and conditions of access and the duration of benefit and service provision which are addressed.¹¹ Good quality or generosity would be reflected in a temporary guarantee of a 'sufficient' standard of living securing level of income but it is also reflected in securing social provision over time (Ringen 2006: 30).

In social insurance models, social inclusion and identity is largely achieved through paid employment. Despite their excluding (gendered) effects - the social insurance models' basic

¹¹ We limit our illustration to the issue of unemployment compensation, although, a detailed analysis of labour market regulation or active labour market policy would provide further interesting examples (see Betzelt/ Bothfeld 2011, forthcoming)

principle of equity (“Leistungsgerechtigkeit”) enjoys high legitimacy. In Germany, unemployment insurance schemes provided a generous level of benefit provision, at least for those who were insured and worked full-time (Schmid/ Reissert 1996).¹² Unemployed insurance beneficiaries were allowed to maintain the former level of qualification and pay, and longer durations for unemployment compensation reception were conceded to elder persons if they had been insured for very long periods (up to 36 months coupled with the exemption from the obligation to search for work). Activation reforms in Germany have shortened the benefit duration for elder unemployed and set new conditions: Now all unemployed persons after a period of six months have to accept jobs with a lower level of qualification and lower pay (at the level of the respective unemployment benefit, which is at 60/67% percent of the last net salary). The temporary income loss, which might have considerable consequences if, e.g. people have to pay private credits, may cause serious financial hardship. But the risk to suffer a *durable* income loss and maybe even an irreversible loss of professional qualification (if a person cannot find an adequate job within a given time period), represents an even stronger impact on persons autonomy. The cuts for elderly unemployed is particularly problematic as unemployment assistance which still provided benefits according to the standard of living even on a very low level has been cancelled and the pension threshold for unemployed persons was risen to 65 years (formerly 60 years). The new secondary scheme (unemployment benefit II) now provides very low contributions to the public pension system, so that long-term unemployed (what most elderly unemployed become) see their pension entitlements considerably cut.

Unemployed who had not sufficiently contributed were immediately relegated to the secondary schemes of unemployment or social assistance. In these two schemes the benefits were set under means-test, taking account of the household income, but however recognising the individual’s entitlements. As women were more often concerned, the structure of two-tier schemes as well as the relegation of unemployed to their family has repeatedly been criticised by feminist research as an unjust and paternalistic intervention into intra-family relations, increasing women’s dependence within the household. By the activation reforms, however, this mechanism has even been strengthened – in comparison to the unemployment assistance scheme (and in some respect even to social assistance) - as means-tests and matrimonial obligations have become stricter at the costs of the individual unemployed, especially women living in partnerships who often lose their benefit entitlements due to stricter means-tests (Betzelt 2007; Betzelt/ Bothfeld 2010). Additionally, the new legal construct of a ‘needs unit’ (“Bedarfsgemeinschaft”) provides a mechanism which obliges every ‘employable’ household member who lives together with a recipient of the basic unemployment allowance has to accept a full-time employment in order to end benefit reception, even if she (like housewives e.g.) consciously decided not to work or to work part-time only.

Generally, the access conditions to unemployment compensation are increasingly regulated by behaviour-oriented rather than status oriented rules (Clasen/ Clegg 2007), which represents clearly strong paternalist intervention into peoples “private” life (Bothfeld 2007). Especially standardised work test procedures, where, on pain of sanctions, unemployed are obliged to participate in inappropriate training or employment programmes (which do not enhance the chance of reintegration or help to maintain employability and motivation) have

¹² For the gender bias in the German unemployment protection scheme see Betzelt/ Bothfeld, 2010 (forthcoming).

disciplinary rather than supportive effects and are often perceived as humiliating (Spindler 2004). Also, the relaxation of the definition of what is considered as reasonable and acceptable employment decisively encroaches upon the individual's life perspective.

However, since the risk of unemployment is no longer calculable for the citizens, the danger of downward social mobility may materialise only for those affected,¹³ but it also affects the social expectations or "constructions of coherence" held by all citizens of employable age. In any case, it creates insecurity for those who have based their life plans on the expectation of, at best, permanent employment (with obligatory social insurance). Cutting off this expected security reduces the scope of freedom for realising one's own "personal" life plan and identity beyond the orientation on the development of individual (labour) marketable characteristics. The implicit promise of re-integration and restoration of an independent lifestyle is simultaneously moved to a later point in time (see also Jenson 2008). Having been perceived as an economic constraint on the micro-level, unemployment now becomes a menace to the once achieved socio-economic status. This is why even people, who, due to their level of education, are not concerned or not even menaced by unemployment increasingly perceive insecure life perspectives (Böhnke 2004; Böhnke 2005).

Supporting reflexivity and solidaristic social relations

Social autonomy denotes the individual's capability to define an acceptable social status and to develop solidaristic attitudes and relationships with her co-citizen's. As we have argued above, the welfare state can be considered as a mechanism of redistribution as well as a mechanism that structures (informal) mutual recognition. Although he exclusively included the distributive dimension in his own analysis, Esping-Andersen has pointed out that social and employment policies would foster or eliminate social status, based on professional careers and access to accordingly high quality social security. Of course, the substance of the 'social citizenship' status is, in Western industrialised societies inextricably linked to some form of labour market participation and economic productivity; for Claus Offe to secure economic productivity even represents the main driver for the establishment and defence of social status.¹⁴

In sociological terms, the status attributes a relative position within a social hierarchy to an individual (Esping-Andersen 1990), and defines the 'corridor' for individual action and identification (Weymann 2007).¹⁵ We would like to argue that the 'bundle of rights and

¹³ The new system is assessed as prejudicial and negative by the recipients of Unemployment Benefit II (AIG II) (Achatz/ Wenzig 2007)

¹⁴ He defines 'status' as "a positive and statutory (as opposed to merely tradition-based) bundle of rights and duties, standards, licenses, mandates, legally prescribed procedures, entitlements, subsidies, and privileges which are attached to virtually every participant in economic transaction and the collective actors representing and governing these participants and entering into "dialogue" with each other. Such a status order stands equally in contrast to a voluntaristic regime of free contracting as it stands in contrast to a regime of the discretionary exercise of political power. It is established and defended not just in terms of providing protection and security, but at least to some extent also in terms of furthering long term productivity, collective economic interest, and stability through non-market and non- hierarchical modes of coordination. The measure of the strength of the status component of a capitalist economic system is the degree to which partners to contracts are endowed with non-negotiable entitlements and duties. (Offe 2003, S. 8).

¹⁵ Sociologists underline, that, of course, individuals dispose of a set of different status (in the family, social and professional and public or political life), of which the "social citizen" status is of paramount interest here. In

duties' (Offe) which defines the citizens' status consists of *cultural, normative, administrative* and *statistical* assessments and rules. The *cultural* dimension is historically generated and the most implicit of these four dimensions: In every day life ideas exist of what rights and duties people may have, these ideas are embedded in social practises on all levels of social life and lead to an identification by co-citizens or by the individual itself of the individual's role in society. The *normative* dimension is submitted to temporality, as social roles are based on normative views of respective rights and duties of individuals, although they are structured by historical context and cultural patterns and are institutionalised in laws and policies. The institutional or *administrative* dimension is the subject matter of most social policy analysis as law and administrative terms translate ideas and policy objectives to publicly and collectively manageable terms and offer the most obvious access to scientific analysis. Legal texts shape social expectations and provide legal reliability in a national context. The formal or 'official' predominant social status in a particular national context can thus be read from the institutional framework which is itself object of partly conscious and politically debated modification. Finally, monitoring and evaluation of policies rely on *statistical* categories and indicators which allow to measure in some way the implementation or the impact of rules. Public policy making needs statistical categories for identifying policy problems such as (long-term) unemployment; this is why statistical indicators are subject of fierce political debate as the quantification of social groups and structures may cause anew political struggle about the definition of a policy problem and the need of public intervention. As such, the social status of citizens represents a reliable structure which shapes social expectations on both employees and employers, being a result of historical and political negotiation.

In Germany, we observe a paradox movement. On the one hand, the core status of the (male) average worker (professionally qualified, working full-time on the basis of a permanent contract with the same employer) is maintained and protected and has, with political support by the social democratic party and the trade unions, remained the status of reference for social provision. In its substance, this status still predominates although it excludes a growing number of employees with atypical employment careers (Betzelt/Bothfeld 2010, forthcoming). On the other hand, this status loses its numerical predominance, as e.g. the share of atypical workers grows continuously, the share of unemployment benefit I-recipients decreases, and labour promotion measures, setting increasingly on short-term training measures and marginal public employment, are in their extent less and less oriented toward the maintenance of professional qualification (Oschmiansky/ Ebach 2009). And the lack of a protection of the once attained qualification in the case of unemployment clearly undermines the core worker status additionally.

The former social assistance recipients in Germany on the contrary have maybe seen the largest status 'gains' as they now officially count as 'job seekers' being automatically registered as such. To make the boundaries between social assistance recipients and insured unemployed more permeable, had been one of the core objectives of the merger of both schemes. Former social assistance recipients now enjoy new social rights, because they now have - as all registered unemployed persons - access to the instruments of labour promotion

fact, as it includes implicit cultural and historically given aspects as well as explicit rules and regulations, the concept of status stands at the crossroads of sociological and political science perspective that address the impact of labour market reforms.

according to the Social Code III.¹⁶ Formally they are now treated officially as job seekers and shall be offered employment. Possibly these status gains are outweighed by new rules, especially by the stricter work obligation and means-test. And, those who belong to the economically most vulnerable social groups, family carers (in fact: mothers) and lone parents with children under three years, are still exempt from the obligation to work and hence from job offers or the offer of labour promotion schemes. Despite this incremental (and rather formal) broadening the access of the active labour market measures within the insurance scheme, the upward permeability between the two legal schemes (Social Code III and Social Code II) is still very limited. On the contrary, the risk of 'downward mobility' from the insurance to the assistance scheme has, by the reduction of unemployment benefit duration and the introduction of a new managerial logic of 'client segmentation' (Hielscher 2006) increased considerably, especially for persons with inadequate qualification. The definition of a new benefit (basic allowance for job seekers) has also come along with the construction of a new social group, the 'Hartz IV-recipients'. Accompanied by partly derogatory and stigmatising discourse in the media and fuelled by public statements by members of the political elite, it is not appropriate to state that a new social identity has started to develop (Bothfeld 2007).

In general, to avoid a growing divide between different statuses, the access to the more privileged social insurance systems should rather be widened than restricted, e.g. by loosening the employment centeredness for persons with care obligations, by enhancing the efforts to support re-integration in some form of sustainable employment. The contrary, dividing the security system in the event of unemployment, transforms social differences along the lines of professional qualification or general employment opportunities to increased social inequality. The debate on the 'dualisation' of our Welfare regimes (Palier/ Thelen 2010), pointing to the ongoing socio-economic processes and institutional reforms which reflect the waning predominance of the traditional patterns of social status, without forming new stable patterns for the middle class, is one valuable attempt to grasp the complex processes of continued social differentiation.

How can the state support trustful relations between the state and the citizens?

The political dimension of autonomy can be broken down, as we have argued above to the principles of participation and commitment, given that democratic welfare states strive in some way to bind its citizens to its institutions and action. But not only in terms of legitimacy, also in order to be more effective, the state is interested, in the process of formulating policies as well as when implementing them, in taking account of the citizens' needs and expectations. The necessity to adjust social policy making to people's changed needs and expectations and proceed in a *reflexive* manner has been formulated explicitly earlier: *"A social policy that is based on an institutional, supply-oriented approach is outdated, since it does not do justice to the process of individualisation and reflexivity (..). Consequently, it cannot be expected to contribute to emancipation, equality, identity constitution and solidarity with due regard for this process."* (Valkenburg/ Lind 2002: 190). The need to turn to alternative forms of activation policies has been made explicit by Valkenburg and Van Berkel, who stated that people's needs should become the approach for social policy design (Van Berkel/ Roche 2002). So, mechanisms inviting citizens to participate (either in the formulation of policies or in the process of implementation) can have both

¹⁶ The social code III regulates unemployment insurance and the access to labour promotion measures, whilst Social Code II regulates the 'Basic Allowance for Job seekers' – unemployment benefit II.

effect, encouraging them and thereby enhancing their commitment to the public authority or constraining them by setting narrow conditions and limiting choice. Consequently, participation can be organised in an emancipatory or in an authoritarian manner (Dean 2010: 10).

Transparency and comprehensibility are basic criteria for democratic legislation (s. dazu Gosseries 2006). In labour market politics, transparency assumes awareness and understanding of the applicable regulations, not only by unemployed citizens. Transparency is created, e.g. through the sufficiently concrete formulation of the law. For example, in Denmark the minimum registration period prior to the beginning of the promotion phases is fixed so that the progress of the unemployment phase is calculable, benefit recipients in contact with the responsible authorities receive standard and systematic information about their rights and obligations, and unclear administrative regulations eliminated, i.e. implementation rules are made generally available.

As we have argued above, a certain understanding of mutuality and reciprocity, i.e. the responsibility mix represents the normative basis for the regulation of any state-citizen relationship. Degree, temporality and 'currency' of the exchange between the citizen and the State is, however, object of political struggle and normative decision (Goodin 2002). Scholars concerned with the citizens' participation in the implementation of public employment policies have suggested to distinguish passive participation from problem solution and policy formulation participation (Borghi/ Van Berkel 2005; see also contributions in Van Berkel/ Valkenburg 2007).

Participation and commitment is not limited to the citizens' interaction with the public service but can be enhanced by other aspects as well. We suggest to look at aspects like the comprehensibility and accessibility of legal texts, as well as less formalised operational directives which determine the transparency of procedures especially in the course of the implementation of policies. In Germany the new Social Code II, codifying the Job seeker Basic Allowance has turned out to be legally badly constructed, causing a high degree of insecurity and incomprehensibility. Also the reliability and legality of administrative acts and rules and regulations, both criteria of 'good democratic governance' were not sufficiently respected. The unclarity of the legal texts and the problems which occur when it comes to legal claims illustrate this issue. The German law has repeatedly been criticised by experts to be badly constructed and highly unclear; the fact that many claims of recipients who see their entitlements cut or declined documents this issue. Lack of reliability or transparency may also be due to either regional differences (when municipalities may make their own rules) or local differences, when the 'culture' of treatment differs between agencies or even individual front-line workers. Especially the front-line staff's discretion has been critically discussed, as it leaves too much room for individual interpretation and treatment of problems; good treatment would then depend to a large extent on the agents, who could themselves feel overburdened.

A countermeasure could be the strengthening of the 'clients' position in the interaction with the agent by providing her with substantial information, entitlements and options from which she might choose. Within the managerial restructuring of the employment offices and job centres, in many cases tools have been introduced that initiate the conclusion of contracts. Research has however pointed to the fact that these contracts could not really neutralise the power imbalance between both sides and could only be effective if certain pre-conditions were met, such as the existence of alternative options, a high level of information, a good and constructive relationship between the agent and the clients and, finally courage and a certain self-confidence of the client which would enable her to ask questions and to make demands (Hielscher/ Ochs 2008).

5. Methodological issues in analysing the outcome of activation policies

We therefore consider “activation strategies” in broad terms that go beyond one or a couple of narrow social policy programmes aiming at bringing people back into work, but focus the nexus of work and welfare in a broader sense. We should not limit the analysis to labour market regulation, wage policies in addition to unemployment insurance (Bonoli 2003), but also include “functional equivalents”, as feminist research has shown that women often rely on other income maintenance schemes (e.g. matrimonial alimonies) or derived social rights (e.g. widows pensions), which are not equivalent to individual social security entitlements in relation to their size, shape, content and social recognition. We conceptualise activation policies and the respective institutional mechanisms within three thematic policy issues:

- a) labour market regulation, including the context conditions for labour market participation such as the infrastructure of public care services or the schooling hours,
- b) active labour market policy, and
- c) income maintenance schemes. Of course, in practice, these policies overlap.

Analysing activation policies in terms of their impact on social citizenship is of course not a new idea; the continued research in this domain has rather prepared the ground for what we will try to elaborate in an edited volume (Betzelt/ Bothfeld 2011, forthcoming). The challenge – to analyse the *impact* of policies on something like a complex and vague concept of the citizen’s well-being – is extremely ambitious as the citizenship perspective cross-cuts a number of possible research perspectives, of institutional, normative and socio-economic analysis of the outcome of policy change as well as of governance research looking at the organisational structures of social policy. But the individual’s autonomy perspective seems to be a fruitful approach to develop a comprehensive and clear understanding of ongoing social policy reforms as it comprises a threefold interrelation of the citizen with her social environment.

Methodologically, we overly agree with Stein Ringen’s suggestion of “double book keeping” in future social policy research and analyse the impact on the *macro and the micro level* at the same time: We will not delimit our efforts to analysing the pure potential of the institutional framework but take account of the factual impact of policies as far as data and findings are available (Ringen 2006). Our approach however, remains largely *explorative*, as the policy reforms in each country have left traces in many different sectors. The objective of each of the single case studies of the forthcoming volume is to contribute a part of the common puzzle in order to gain a less vague picture of the scope of instruments and mechanisms as well as of outcomes of labour market reforms.

In the forthcoming volume to which the conceptual framework elaborated in this paper is connected, each chapter will be situated within the *common framework* which spans *two axes of research*: Authors will analyse some kind or a set of instruments from one or more of our three policy sectors, labour market regulation, active labour market policy and income maintenance schemes, identified in the second section. And each chapter will refer to one or more of our three dimensions of individual autonomy, the individuality, the capacity of solidarity or the commitment and participation dimension. The main empirical task is then to identify “micro-level” institutional regulations that have emerged in the course of activating social policy reforms and that are supposed to have a significant impact on citizens’ everyday practices. In the case studies, we will identify relevant regulations in each country along the lines of the three criteria, with the assumption that they affect the citizens’ autonomy as we have defined it here. As far as possible, this will be illustrated by quantitative data in order to illustrate the potential impact. Of course, in every national context, different patterns will emerge. The identification of these ‘micro institutions’ as well as different or common

patterns, will be instructive of how social policy influences the citizens' well-being in terms of membership.

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