

**The future of the welfare state: paths of social policy innovation
between constraints and opportunities**
Urbino, 17-19 September 2009

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and empowerment at local level.**
Comparing activation programmes in Switzerland

Jean-Michel Bonvin and Emilie Rosenstein*

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*University of Applied Sciences Western Switzerland
jmbonvin@eesp.ch ; erosenstein@eesp.ch

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Introduction

Since the 80', the so-called crisis of the welfare state has challenged the legitimacy of social policies in many countries. In this context, activation is seen as the best way to answer the critiques levelled against social policies and to achieve social integration, so much so that authors report a strong convergence toward the implementation of active policies (Vielle *et al.*, 2005; Serrano Pascual, 2004, etc.). Indeed, the active welfare state model has become the norm in most OECD countries. Thus, strict activation is used to counterbalance the negative incentives stemming from long and so to say unconditional benefit payments, activating all categories of people, exploiting more fully their capacity for work and limiting public expenses via the diminution of benefits paid. Active labour market programmes were progressively developed in many branches of social security, social policies turned into social integration policies, transforming the welfare ideology through the recommodification of social benefits recipients. This emphasis put on beneficiaries' activation and reinsertion also involves the emergence of two other tendencies within welfare policies.

First, implementing active labour market policies (ALMPs) requires the individualisation of social intervention. Indeed, in order to activate beneficiaries, it is necessary to offer individualised services, moving from standardised benefits and programs towards a tailor-made approach, supposed to improve the efficiency of integration policies. This trend brought a new form of relationship between individual recipients and public bodies, where beneficiaries have to be considered in a more holistic manner, taking into account their specific features and situation, contrasting with the figure of the absent individual, peculiar to the previous standardised approach. Thus, this movement towards individualisation highlights – at least in theory – the importance of the individuals' voice and opens the way for a greater participation of the beneficiaries in labour market policies.

Second, as van Berkel and Borghi underline, “in the context of activation, there is a clear development towards a devolution of authority to regional or local levels, both in terms of internal and external decentralisation” (2008: 395). Indeed, offering individualised services involves reshaping the welfare state organisation and decentralising power from central state to local bodies and territories, more likely to propose tailor-made solutions. The rise of activation and individualisation within welfare reform leads to a new distribution of tasks and responsibilities between national governments and local authorities in charge of implementing ALMPs. Following the OECD recommendations, this trend towards the territorialisation of social policies tends to adapt processes along local competencies (Finn, 2000), leaving more

autonomy to regional welfare agencies and increasing their room for manoeuvre as well as their local decision-making power. As a consequence, decentralisation puts local agents centre stage, making them accountable for the effective and efficient implementation of ALMPs and awarding them, in principle, more influence in the design of reinsertion programmes and processes.

To sum up, this threefold movement towards activation, individualisation and territorialisation of social policies leads to profound changes in welfare traditional services, procedures and administration. This raises new questions and important challenges in terms of organisation and consistency of social protection, calling for a radical reconsideration of welfare systems' management. As summarised by the title of an OECD report, "Managing Decentralisation" (2003) has become a major issue, mainly for two reasons. On the one hand, the trend towards territorialisation poses the question of the coherence between central and local objectives. On the other hand, decentralisation alone is not enough to guarantee the concordance between labour market policies and local needs. So, the idea is to find new ways to guarantee public accountability while supporting flexibility and local autonomy. In this sense, devolving power changes the equilibrium between the actors involved in service delivery and it calls for the development of new forms of regulation, new tools and means to make local authorities accountable to the central funding sources. However, "in the case of devolution, it sometimes proves difficult to agree on an accountability framework politically acceptable to the various government levels concerned" (Giguère, 2003: 18). Managing local implementation of ALMPs can be done in several ways and with different normative assumptions or informational bases of judgement (IBJ) that impact on the design of accountability procedures and the definition of accountability itself. Thus, the aim of regulation can be to ensure the appropriateness of social interventions at local level, considering its capacitating and habilitating dimension for both local agents and beneficiaries or, conversely, the objective can be to supervise local bodies and make sure that they observe central directives. In this latter case, the controlling dimension of regulation tends to prevail and the management of ALMPs appears as a coercive and constraining structure for local agents. Of course, these two interpretations are ideal typical-situations and reality is situated somewhere between these two extremes. In this sense, Finn underlines that "although there is a broadly shared agenda, there are significant differences in the ways that governments are decentralising and seeking to secure greater local coordination" (2000: 4). Thus, the management of ALMPs and the sense of accountability differ among countries, but also

within welfare states, depending on the degree of territorialisation of social policies, and even according to the type of programmes and their target groups.

The paper strives to assess the effect of the new accountability procedures on the ability to participate and, more precisely, on the various modalities of such participation in social and employment policies in Switzerland. Our main hypothesis is that if the accountability procedures are too precise (i.e. if the informational basis of judgement in justice in Amartya Sen's words is too restrictive), the possibilities for genuine participation at local level will be limited as a result. In other words, if accountability procedures fix very precise targets and performance indicators, then the ability of the local agents and the recipients to express their points of view and make them count in the implementing process of social and employment policies will be more limited (they will be constrained to loyalty, since the exit or voice options will be more costly for them). Theoretically, our paper will rely on the concept of "capability for voice" (i.e. people's ability to voice their opinions and make them count within the implementing process. See Bonvin and Farvaque, 2006) and will strive to define more precisely the conditions of its pragmatic operationalisation in the field of employment and social policies (in the line of previous work carried out within the EUROCAP¹ and CAPRIGHT² projects). The empirical investigation will rely on two case studies in Switzerland, i.e. the unemployment insurance, and a pilot experiment of inter-institutional collaboration. As a matter of fact, each programme develops its own tools for activation and managerialism, and the consequences of the use of these tools in terms of participation and empowerment need to be assessed for each case. The conclusion of the paper will summarise the main results of our comparative investigation.

Accountability procedures in the Swiss unemployment insurance³

The field of ALMPs is characterised by a strong convergence towards the New Public Management (NPM) principles, seen as the best solution to regulate decentralisation and territorialisation of labour market policies. Following this new mode of governance and the use of Management by Objectives (MBO) techniques, central welfare authorities are in charge of deciding strategic orientations and priority objectives. Besides, local administrations have to implement operational decisions and choose appropriated means in order to reach the goals

¹ "*Eurocap - Social Dialogue, Employment and Territories: toward a European politics of capabilities*", integrated project n° HPSE-CT-2002-00132, FP5 of the European Commission (2002-2004).

² "*Capright - Resources, rights and capabilities: in search of social foundations for Europe*", integrated project n° CIT4-CT-2006-028549, FP6 of the European Commission (2007-2010).

³ This section synthesises results presented in Bonvin, Moachon (2007).

fixed at the central level. Inspired by private sector methods, NPM also changed the funding procedures by introducing provision contract which are supposed to leave a greater flexibility to local bodies while guaranteeing a certain form of central monitoring.

As a counterpart, in order to regulate local action, central authorities supervise and control more strictly local bodies' outputs with the help of rigorous assessment instruments, mainly defined in economic terms. Indeed, social policies are more and more seen as a form of "social investment" that should bring about competitive and measurable results in terms of performance. In this sense, the practice of benchmarking is also introduced in order to identify and diffuse the best practices, what places local agencies in a form of competitive relationship. Thus, local agents are made accountable for the effectiveness of the labour market programmes and more systematically assessed by central bodies, according to performance indicators. To summarise, NPM tools leave more autonomy and room for manoeuvre to the local agents but stress their accountability in terms of results and effectiveness.

This contractualisation of practices within social policies, where enlarged room for manoeuvre coincide with the endorsement of stricter accountability procedures, also impacts on the relationship between benefit recipients and welfare institutions. Indeed, by replacing the individual at the centre of the process, the movement towards activation and individualisation has also contributed to a reinforcement of the beneficiaries' individual responsibility. Thus, this new distribution of responsibilities (between individuals and public institutions on the one hand, and between central and local authorities on the other) raises the issue of participation within such a contractualised framework in two respects. On the one hand, we have to question the impact of these new modes of governance on benefit recipients, esp. on their capability for voice (Bonvin and Farvaque, 2006) or their real freedom to deliberate and express their opinions and thoughts and to make their voice count in the ALMP framework. On the other hand, we also have to assess the local agents' effective room for manoeuvre in the decision-making processes, i.e. their capacity to influence programmes and negotiate procedures as well as their ability to participate in the definition of responsibility and accountability, and make their voice heard at the national level. Since the mid-nineties, the Swiss Unemployment insurance (AC) has undergone NPM-inspired reforms. This example will thus be used, along this section, in order to assess the impact of ALMPs and NPM tools on both beneficiaries' and local agents' capability for voice, i.e. their capacity to make their voice count and participate in the decision-making processes.

From the nineties onwards, Swiss public administrations widely opened to the NPM precepts in the hope of improving the efficiency of public service delivery and saving public money. Also, the Swiss jobcentres have been called upon to implement these principles in the field of employment policies which are at the same time getting more individualised. The next paragraphs examine the main impacts of these recent evolutions in terms of participation.

In this framework, accountability takes place through the signature of provision agreements between the various actors in charge of implementing the LACI (Swiss law on unemployment insurance), namely between the Confederation and the cantons and between the cantons and the third sector organisations responsible for active labour market programmes. Both these contracts are inegalitarian, since the less powerful actors, i.e. the cantons in the first case and the third sector organisations in the second one, do not have any available exit option since they are dependent on the funding provided by the other partner. There are also strong inequalities in terms of capacity to express one's point of view. Decision-making processes are confiscated by experts. The technocratic language and procedures used are incomprehensible for profanes, among them the local actors in charge of implementation. These experts have the power to define the adequate interpretation of the general objectives written in legal provisions, and strive to impose their vision on local civil officers and benefit recipients. The central level seems to interpret its monitoring role as a variant of the old "command and control" model.

The provision agreement mobilises four criteria to assess jobcentres' efficiency in terms of professional integration. The respective weighting of these indicators clearly sets the speed of the job-seeker's return to the labour market as the most important target of the LACI. Clearly, then, quickness of professional re-integration may be privileged at the expense of its quality, especially if the difficult situation of the unemployed (whatever the reason, economic recession, lack of competencies, etc.) results in a seemingly insurmountable trade-off between the quantitative and qualitative dimensions of the placement activity.

There are also specific indicators measuring individual administrative outputs (e.g. the number of job-seekers' files handled by a single advisor or the number of training programmes granted monthly). The implementation of this second set of indicators often results in a significant reduction of the opportunities for participation. Consequently, oppositional behaviours, whereby staff adopt strategies of resistance, can be observed. Besides, such a too close specification of targets and indicators prevents innovation and interfere with the development of more democratic and participative ways to manage public administrations. Ritualism may then occur, when employees choose to comply with these

indicators at the possible expense of programme aims (Newman, 2001), focusing on administrative outputs rather than on outcomes.

Beyond these targets (administrative and legislative), local administrations also have to abide by budgetary constraints applied to public services at all levels. The focus on reducing the production costs of public services leads to accelerate the benefit recipients' return to the labour market, or if this proves impossible, their radiation from the unemployment dole. This means that, if the economic situation gets worse, the definition of a suitable job can be re-examined downwards in order not to slow down the pace of professional re-integration. Just like in workfare programmes, the unemployed can then be constrained, under the threat of sanctions, to accept precarious and badly remunerated jobs (Lødemel, Trickey, 2001). This clearly undermines local agents' and beneficiaries' capability for voice.

Another way to save public money consists in reducing administrative costs and staff. A consequence is often the creaming of problematic beneficiaries: an overworked advisor will, more probably than another one responsible for fewer jobseekers' files, forget to invite to their monthly interview jobseekers who are used to complaining a lot or refusing to be helped. This implies that capability for voice is not equal for all beneficiaries.

The practice of benchmarking is another widely used market mechanism in Swiss ALMPs. It aims at identifying and diffusing the best practices with the objective of improving the LACI effectiveness. Central authorities choose to increase pressure on the cantons with the lowest performance indicators so that they adapt their practices to those of the "most efficient" cantons. This search for best practices also contains a risk of excessive standardisation of local practices. For instance, the use of a single software for all Swiss jobcentres aims at connecting them and making their work more efficient with a view to guaranteeing the same job opportunities to each and every jobseeker. However, it is also a way to promote a uniform application of the law by the local officers. In that respect, it contributes to standardising their work and reducing their room to manoeuvre. Furthermore, such standardised coding of reality reduces the possibilities to offer tailor-made programmes to the unemployed.

These examples aptly illustrate the managerialist conception of leadership on which NPM relies. "Managers' are the bearers of 'real-world' wisdom of how to be 'business-like'" (Clarke, 2004: 36). Managerialism postulates that the same generic set of management principles and tools (politics of savings, tight financial control, widespread use of audits and performance evaluation) can be translated in every situation, and that improving the

organisational efficiency will lead to improved outcomes. Such a short-sighted view fails to take into account the importance of the users' and staff's profiles, as well as the crucial influence of the socio-economic context. Indeed, local actors are not envisaged as partners in the design and implementation of ALMPs and, in the worst cases, they are not even considered as relevant informational sources.

Under such circumstances, individualisation of social policies leads to rather disappointing results for job-seekers. Local and personal circumstances are not always adequately taken into account, and the beneficiaries abiding by or complying with the administrative expectations enjoy much higher capability for voice and bargaining power than those who express alternative views of activation or empowerment. Hence, capability for voice is allowed to flourish to a small extent, mostly defined by the beneficiaries' extent of compliance with the official viewpoints about activation. The most qualified beneficiaries, i.e. those closest to the labour market, also enjoy more capability for voice, but for the other recipients, the action of AC local agents mostly boils down to checking their behaviour (via requiring active job search while available slots are very scarce) and sanctioning them in case of non-compliance with administrative regulations. Individualisation, then, amounts to constraining or helping the beneficiaries to become attractive commodities on the labour market (in the best cases via qualifying measures, in the most usual situations via an adaptation of their wage or mobility expectations).

With regard to local agents, the objective is to limit their margin of manoeuvre, and to ensure that they act along the lines defined by the central administration. The logic of provision agreements is used with a view to checking more efficiently their behaviour and enforcing compliance with administratively defined objectives. Then the scope for individualising policies is considerably restricted and, most often, it can be increased only via attitudes of resistance and non-compliance with administrative requirements.

A possible way out: the integration of ALMPs and the need for coordination within social policies⁴

For some years, welfare systems have been subjected to a new wave of reforms, aimed at integrating social policies. This so-called second generation of modern public sector reforms (Christensen *et al.*, 2007) tries to avoid the risk of fragmentation within social

⁴ This section heavily draws on a forthcoming paper in the International Journal of Sociology and Social Policy, see Galster, Rosenstein and Bonvin, 2009.

policies. Indeed, the first generation of welfare state reforms, based on NPM principles, has led to a series of problematic practices. Among them, the literature describes a strong tendency towards competition between various social institutions, leading to the development of “silo mentalities” (OECD, 2001). For instance, in Switzerland, since the nineties, the economic pressures leading to the reappraisal of social security and the will to reduce social expenditure have further strengthened existing divides between the AC, the disability insurance (AI) and the social assistance (AS) through the development of a corporatist logic. The institutions being under pressure because of the obligation to stabilize their finances, each of them tends to delegate the responsibility of the files (notably for the most difficult cases) to other institutions. For example, one could observe the transfer of a large number of unemployed people declared “unable to work” toward the AS. In this context, institutions have the tendency to keep “passing the buck to each other”, what raises the economic and social costs on the long term. As a consequence, the reinsertion potential of the beneficiaries – especially the most deprived ones – subjected to the so-called risk of “carousel effect” (e.g. OECD, 2003) is often damaged.

This lack of coordination of social interventions and its impact on individuals have been observed and criticised in many countries. In order to overcome such fragmentation, new reforms were suggested to optimise the efficiency of the welfare state and improve the quality of its interventions (e.g. OECD, 2006; Laroque, 2007). In most OECD countries, the implementation of integrated employment policies is seen as a promising solution. It proposes the adoption of a common conception of active labour market programmes and requires strong vertical and horizontal communication and collaboration between all involved actors (Olsen, 2007; Verhoest *et al.*, 2007; Finn, 2000; Lindsay *et al.*, 2008). In terms of accountability, this turn towards integrated policies involves a still greater responsibility for regional bodies, now in charge of promoting collaboration and transversal circulation of information in order to improve the coherence of social intervention at local level.

Since 2005, in the field of Swiss ALMPs, an innovative programme has taken place, significantly oriented by the principles of integrated employment policies. This national project, labelled CII-MAMAC (it is the acronym for “Inter-Institutional Collaboration with Medical-Vocational Assessment for Case Management”), was elaborated at federal level. For the moment, it is still at the pilot stage and implemented in 15 cantons since September 2006. The CII-MAMAC project (henceforward MAMAC) appears as an attempt to institutionalize a will shared by the AC, the AI and the AS, i.e. a will to strengthen their social and above all professional reinsertion mission. Indeed, MAMAC is aimed at the optimization of social

intervention, at two complementary levels. On the one hand, from the procedural point of view, MAMAC aims at increasing the efficiency of the social protection system by developing the coordination of social action at local level in order to avoid carousel effects. It thus requires re-organising the collaboration between the three partner institutions and to do so, MAMAC relies on the adoption of common approach and processes, jointly undertaken by local agents of the AC, the AI and the AS. Besides, MAMAC also implies a pooling of the AC, AI and AS resources, i.e. the various types of social benefits they usually propose separately are put together (be it active measures, like training or employment programs, or daily allowances). Then, MAMAC agents choose and implement in a mutual agreement the most appropriate measures. On the other hand, from the substantial point of view, MAMAC aims at the improvement of the beneficiaries' follow-up, by improving and completing the available social coverage, notably through the introduction of a new way to consider and to answer the beneficiaries' needs. Indeed, at the core of MAMAC, the partner institutions share a concern for improving the appropriateness of the measures proposed through a better individualisation of services. In this context, the adoption of the case management principles is seen as the key to the success of the MAMAC project.

As it is the case in many other countries, the MAMAC example illustrates this political ambition towards more coordinated and integrated policies. Still in line with NPM principles that promote local expertise and knowledge, this movement devolves a greater responsibility to regional authorities. It puts local actors centre stage, making them accountable for the extension of local collaboration and for the development of tailor-made solutions in order to implement successfully ALMPs. Thus, integrating policies should offer a flexible framework (at least in theory) to leave more room for manoeuvre to local actors and encourage individual initiatives. Let us now move from theoretical considerations to actual practices in order to grasp, through the MAMAC Swiss example, the impact of integrated policies on both the beneficiaries and the local agents' capability for voice, i.e. their capacity to participate and to make their voice count within this new political framework.

From the beneficiary's point of view

One of the major aims of the MAMAC project is to put the beneficiary centre stage in order to take into account her will and adapt the follow-up and programs to her real needs. As this local agent summarises:

“The aim of MAMAC is to listen to the person, not to judge her.”

This can be read as a will to enhance their capacity to take part actively in the definition of the reinsertion program. Indeed, MAMAC declared will is to try to take into account all relevant dimensions of the beneficiary's life (education, social networks, professional/medical/familial/economic/etc. situation, hobbies, etc.) to offer provisions adjusted to her needs and reach more efficiently the professional integration objective. In this sense, the introduction of case management allows local agents to adopt a more encompassing view of the beneficiary's situation and to offer adapted and individualised programs. It puts beneficiaries centre stage and proposes an individualised screening of the cases (Wendt, 2006; Ewers, 2000). Along the MAMAC process, various factors reflect these efforts towards individualisation.

For example, at the beginning of the MAMAC follow-up, there is an assessment stage, where the representatives of the AC, the AI and the AS, a doctor and the beneficiary herself are present. On the one hand, the idea is to bring out from the assessment a global picture of the beneficiaries' situation. As these local agents explained:

“The idea of the assessment is to gather opinions, with the presence of the person, (...) then we do a complete review to try to find a solution. Sometimes, the assessment can only be to bring an informational complement to be able to put together a rehabilitation plan.”

“Suddenly, those looks get together and we realize for example that the real problem isn't a health problem, but that it is that the person has financial problems... And it is enough to make her reinsertion more difficult. It can be simply the image that she gives, a behaviour, this kind of things to which each institution, individually, doesn't pay heed. And if we aim at the result, what is interesting in MAMAC is that at a given moment, we look at the situation in a really global way.”

On the other hand, as many local actors insist, this assessment stage is also a way to remind to the beneficiary that reinsertion is based on a partnership where the beneficiary is the most important actor. They have to collaborate and reinsertion measures cannot be undertaken without their presence or without her consent. As this local agent emphasised:

“MAMAC is constraining in the sense that objectives are set up and the person has to agree with them, but it is also constraining in the sense that she participates in the evolution and the development of the reinsertion project.”

This individualised approach also applies after the assessment stage. Indeed, a rehabilitation plan is agreed upon and the management of the case is assigned to a case manager belonging to one of the three partner institutions, who will have to ensure the adequate implementation of the rehabilitation plan and the appraisal of the decided measures

till the end of the MAMAC intervention. In this context, the follow-up is much more intense and appointments with case managers are more frequent than is the case in the AC, AI or AS. Proponents of the MAMAC project present this aspect as a way to make sure that the measures undertaken are genuinely adapted to the beneficiary's situation. Hence, case management appears as a way to maintain a certain degree of openness and incompleteness of the IBJ, in order to provide adapted and tailor-made services.

However, this conclusion concerning the incompleteness of the MAMAC IBJ should be contrasted, as various factors tend to limit this openness of the IBJ and the beneficiary's capacity to participate and make her voice count. Indeed, the MAMAC process also has a constraining dimension, restricting the beneficiaries' capacity to negotiate and their room for manoeuvre. The first element in this sense lies in the strong emphasis on individual responsibility at the heart of the MAMAC project, in line with social policy reforms in most Swiss welfare institutions. As a matter of fact, to enter the MAMAC process, beneficiaries have to sign a "principle agreement" that commits them to collaborate and allows MAMAC partners to exchange information about all relevant aspects of their life. This is a non-negotiable requirement which underlines that MAMAC follow-up is subordinated to the acceptance, by the beneficiary, of her individual responsibility in the process. The same applies to the signature of the rehabilitation plan which is binding for all parties involved, including the beneficiary. In the case of non-compliance with MAMAC decisions, i.e. if the beneficiary doesn't fulfil the expected requirements, she runs the risk of being sanctioned or even excluded from the MAMAC programme. Though accountability procedures are organised along more genuinely individualised lines than in the AC, this does not translate into a significant enhancement of the beneficiaries' capability for voice.

Besides, the beneficiaries' capacity to negotiate is limited by the very structure of Swiss social integration policies. Indeed, at the moment of assessment, the beneficiary finds herself in front of a group of persons (who are often top-level actors in their institution, i.e. the AC, AI or AS) having the power to decide about her future, and she can feel as if she were before a kind of court. They have no exit options as there is, in a way, nothing else outside, what can lead the recipients to choose compliance with the MAMAC decisions.

Thus, we observe a strong emphasis on the beneficiaries' obligation to collaborate and comply with MAMAC decisions. This situation is aptly summarized in this MAMAC agent's quote:

"You have the choice between being rehabilitated and being rehabilitated."

In terms of freedom to choose and capacity to negotiate, these elements tend to show

that MAMAC insists on the recipients' loyalty more than on their capability for voice. They certainly have more opportunities to voice their concerns and wishes but they are still subject to heavy obligations, and sanctions in case of non-compliance. From the beneficiary's point of view, comparing to practices prevailing in the AC, MAMAC brings about ambivalent results as loyalty remains an easier option than exit (i.e. refusing to comply at the cost of losing benefit entitlements) or voice (i.e. expressing one's wishes but with limited chances of influencing significantly decisions and procedures). To some extent, the MAMAC framework tends to reduce the beneficiary's voice to an instrumental tool for gathering useful information (during the assessment stage for example) instead of considering it as a capacity to negotiate. In this perspective, MAMAC denies the beneficiaries' right to deliberate and their freedom to participate as their capability for voice is mostly reduced to an informational source. But further investigations are needed in order to assess more precisely the beneficiaries' degree of freedom and their capacity to participate in the MAMAC framework.

Nevertheless, those results concerning the impact of MAMAC on the recipients' capacity to participate in the decision-making processes are corroborated by the fact that MAMAC also has ambivalent effects on the beneficiaries' capacity to be represented. On the one hand, the introduction of case management and the MAMAC process in general are presented as an innovative framework in order to take into account the beneficiaries' real needs. The case manager is the only reference person, she has a close and regular interactive relationship with the beneficiary as well as a global vision of her situation, which allows her to identify more precisely the appropriate measures. To some extent, the case manager is supposed to represent the beneficiary's point of view vis-à-vis the other MAMAC partners. Besides, if needed, the social worker who had been following up the beneficiary before her entrance into the MAMAC process can be present during the assessment stage to support the beneficiary and help her speak about her situation.

But on the other hand, the extent of the representation of the beneficiary's interests is limited by various factors. For instance, MAMAC has no specific appeal body that would allow beneficiaries to contest MAMAC decisions. Indeed, as MAMAC is not seen and defined as a right but as an opportunity, there is no possibility of claiming a MAMAC intervention or contesting a decision (e.g. of non-selection in the program) and appealing against it. In terms of representation of the recipients' interests, it means that beneficiaries cannot call upon any decision-making bodies in case of litigation with the MAMAC agents. This reinforces the conclusion that MAMAC – even if it appears as a wider and more encompassing framework, more likely to take into account and promote the beneficiaries'

participation – tends to favour their compliance rather than their voice. In other words, MAMAC doesn't always and for all beneficiaries allow to translate their capability for voice into an effective right to defend their point of view. In this context, beneficiaries' voices are supported by MAMAC insofar as they are in line with local agents' decisions.

A last point that underlines the ambivalent effects of MAMAC on the recipients' capacity to participate into the decision-making processes lies in the eligibility criteria imposed on the beneficiaries. At the core of the MAMAC project, there is a clear ambition to fight against carousel effects. MAMAC can thus be considered as a tool to improve the reinsertion chances of people depending on various social institutions. In a certain sense, this implies that MAMAC focuses its efforts on helping a particularly vulnerable target group, composed of people with complex problems, i.e. people cumulating social, professional, familial, financial and/or health difficulties. The idea is thus to offer to this deprived group, through the MAMAC processes, an intensified and tailor-made support. This is reflected by the two first eligibility criteria, i.e. to receive services from at least one of the three institutions (AC, AI or AS) and to be defined as a "complex case", i.e. to have health problems and employment or social difficulties.

However, this generous step taken towards individuals with critical situations is limited by other factors imposed on MAMAC beneficiaries, during and above all at the entrance of the MAMAC process. For example, MAMAC guidelines stipulate that beneficiaries should have "realistic chances for rehabilitation into the primary labour market". Obviously, this criterion restricts the field of intervention by focusing on the professional reinsertion of the most employable people, even if considered as "complex cases". The fourth eligibility criterion also goes in this sense and insists that to enter the MAMAC process, beneficiaries have to be registered for four months maximum by one of these institutions, in accordance with the principle that the less individuals depend on social benefits, the more chances they have to quickly return to the labour market. These factors reveal two major features of the MAMAC project.

First, employment is MAMAC major objective, and access criteria are aimed at selecting people with a certain degree of employability among the so-called complex cases. As a consequence, MAMAC major goal is not to answer everyone's real needs, but to select the least deprived beneficiaries in order to improve their reinsertion chances. This point reveals the emphasis on the employability dimension, thus implying that other solutions are somehow relegated. To summarise, analysis reveals that some of the MAMAC criteria are difficult to reconcile, like a) being a complex case and b) being registered for less than four

months by one of the partner institutions. And in cases of dilemmas, MAMAC tends to favour the employability dimension, i.e. select and help beneficiaries with greater capacities. This raises the issue of equality of treatment.

Second, despite its preference for an encompassing approach and an enlarged view of activation, the MAMAC project isn't open to everybody, which raises questions concerning the fairness of such selective processes. Indeed, the eligibility criteria mentioned above induce a risk of creaming effects, MAMAC selecting the most employable beneficiaries with the highest chances of return on the labour market. This phenomenon is reinforced by the issue of motivation which acts as another and more informal eligibility criterion. Indeed, as many MAMAC agents present it, to benefit from a MAMAC intervention, a person has to be employable, but also show real willingness and motivation to participate. As this local agent states:

“It is really a team work, of which the beneficiary is the principal initiator. So as long as there isn't the will of the person, it isn't possible.”

Once again, this reflects the transformation of the relationship between individuals and public institutions, towards the reinforcement of individual responsibility. Beneficiaries have to show motivation, what implies that they are supposed to be forward thinking, able to plan and build-up future projects, etc. This also induces that beneficiaries should master the speech and language codes and display enough linguistic competencies to match MAMAC agents' vision of a motivated and persuasive individual. However, those skills are not equally distributed among individuals, what reinforces the idea that the aim of MAMAC is, rather than helping the most deprived ones, to invest into the most promising people, reproducing in a certain way social inequalities.

Thus, we observe that MAMAC relevant IBJ is restricted to issues of employability and motivation: either you are employable and motivated, or you are not included. In other words, all candidates that do not fulfil the employability and motivation conditions are not allowed to enter or to stay in the MAMAC programme. For the time being, the issue of equality of treatment can be easily put aside, on the ground that MAMAC is a pilot project that allows to present it as an additional opportunity for the “happy few” concerned and not as a right for everyone. But the Swiss welfare system and social rights are and have always been strongly shaped by the equality of treatment principle. In this sense, the transformation of the MAMAC project into a social right would raise fundamental questions and imply an important reform of the present Swiss social protection system as it is doubtful whether the institutionalisation of the project on a national scale would assume such an “elitist” dynamic.

From the beneficiaries' point of view and considering their capacity to participate, those conclusions reveal that, for the moment, MAMAC is an interesting but not fully satisfactory solution to offer a democratic framework that allows individuals to make their voice count. Indeed, people have unequal chances to access MAMAC benefits and the capability for voice of the "happy few" allowed to enter the process remains restricted and minor comparing to the local agent's ability in terms of decision-making.

From the local agent's point of view

The case manager is the other actor at the core of the MAMAC project. Case management is a quite recent concept for the AC, the AI and the AS and the implementation of the MAMAC process is based on the development of this new approach between local agents and recipients. Thus, MAMAC case managers have an important role to play in the success of the MAMAC project. This increased responsibility at local level goes – at least in theory – hand in hand with the enhancement of the local agents' room for manoeuvre and capacity to participate and influence MAMAC procedures. In this sense, the introduction of MAMAC has also an important impact on the case managers' capability for voice. As it is the case concerning the beneficiaries, our investigation reveals that MAMAC has an ambivalent effect on the local agents' margin of manoeuvre too. This subsection is dedicated to addressing this issue.

On the one hand, the MAMAC framework tends to increase local authorities' and case managers' decision-making power within the welfare state hierarchy. As we mentioned it, the design of the MAMAC project at national level implies the adoption of common procedures and a pooling of resources between the AC, the AI and the AS at local level. However, even if the project *lato sensu* has been designed at federal level, the practical implementation remains in the cantons' hands. Cantons have a rather wide organisational freedom and margin of manoeuvre concerning the local implementation of MAMAC. Interinstitutional collaboration practices between the AC, the AI and the AS are essentially developed and sustained by local collaboration conventions and these forms of collaborations heavily rely on the goodwill of the involved local actors. As many local agents explained, cantonal authorities are not equally convinced by MAMAC usefulness. While part of them decided to implement MAMAC quasi spontaneously, others took more time to get convinced and integrated the project at a later stage, and others decided simply not to participate. This reflects local authorities' organisational freedom as well as the various degrees of implementation and development of the MAMAC project according to the cantons.

The MAMAC framework also offers a greater autonomy to the case managers. Following MAMAC's official guidelines, the role of the case managers includes a capacity to be innovative and to elaborate original measures. Indeed, a high margin of manoeuvre is a necessary prerequisite to develop the ability to design interventions and programmes adjusted to the beneficiaries' situation. In terms of managerialism, our fieldwork showed that case managers have some space for interpretation in the allocation of measures, even if they have to abide by the framework of the MAMAC process. For example, some local agents reported that they do not always follow the "four-months" criterion to access MAMAC programme if they consider that MAMAC follow-up seems to meet the beneficiary's needs. The same kind of adaptations of MAMAC principles were reported with regard to the length of the process. According to MAMAC guidelines, MAMAC follow-up should not exceed six months. But once again, when it seems appropriate, local agents decide to extend programmes. This high margin of manoeuvre is interpreted favourably by local agents, insofar as it allows them to be really innovative and creative, as recommended by the case management approach.

In terms of results and objectives, field actors also enjoy a certain flexibility. For instance, according to official objectives, 50% of MAMAC beneficiaries ought to return to the first labour market, but this is not interpreted as a binding directive, rather as an indicative target. Indeed, the actual rate is close to 20%, but it does not involve penalties or imposition of trusteeships on the poorly performing cantons. Thus, local agents reported that they do not feel the pressure of being compelled to display good results in the short term. Some of them even anticipate that the actual results will translate into a revision of the official targets towards more realistic expectations. However, it must be underlined that the MAMAC pilot phase is presently being assessed by the Swiss Federal Social Insurance Office (i.e. the body in charge of MAMAC implementation at federal level). This assessment is based on the so-called "3 Es": Economy, Efficiency and Effectiveness. As the continuation of the MAMAC project depends to a large extent on the results, there is still an incentive to abide by the expectations of the evaluators.

A last point revealed by our investigation tends to insist on the local actors' room for manoeuvre and increased opportunities for participation. Indeed, some criteria imposed by MAMAC are not so clearly defined, which leaves some space for interpretation and increases by extension the case managers' margin of manoeuvre. This applies to notions like "complex cases". Indeed, in the concrete situation of the everyday work, it is difficult to define precisely what a complex case is. Consequently, local agents have to decide in a subjective way about it. As a MAMAC agent said:

“We have given information internally. We have tried to give some criteria. But as you asked: what is a complex case? At a certain point, there is a part of feeling.”

Moreover, the “realistic chances for rehabilitation” and the issue of “the rehabilitation potential” are also quite vague: how can we be sure that somebody is rehabilitable or not? The same applies to the issue of motivation which has no clear-cut meaning and can be interpreted in various ways. Motivation is a rather subjective notion that is difficult to grasp and quantify in a precise and indisputable way, as this local agent puts it:

“One of the criteria, in addition to “prefer recent situations”, is the will, the motivation of the person to participate. We haven’t time to convince the person if she isn’t herself motivated. What is a motivated person, it is another question.”

Hence, one can observe a mix of objective and subjective criteria, and the sensitivity of the professionals is often called upon when it comes to interpret them. In this context, the assessment stage is often described by MAMAC agents as rather informal, a kind of discussion where all partners, including the beneficiary, can listen to each other, make their voice heard and share information. From the case managers’ point of view, these observations tend to indicate that the IBJ is not completely imposed in a top-down logic, by legislative or administrative criteria, but rather constructed by local actors themselves. This aspect is a characteristic of MAMAC, and recognized as a real advantage by all institutional participants.

On the other hand, our investigation also reveals that the local agents’ capacity to take part in the decision-making processes is restricted by various factors. First of all, there is an ambivalence between the claim for creativity and inventiveness and the restrictions linked to the employability framework. Despite the will to promote a bottom-up approach of the individual problems, the implementation of innovative measures is rather exceptional. This can be accounted for by the fact that MAMAC implementation is quite recent and that, consequently, local agents do not yet dare to take ambitious initiatives and remain constrained by their “usual” IBJ, i.e. the IBJ of their primary institution. Indeed, innovation is not a natural aptitude of all local agents. To develop and suggest new ideas and translate them into tailor-made programmes requires real efforts and a particular mindset, what isn’t available for everybody. As this local agent emphasises:

“It is necessary to have a certain mindset to be in MAMAC. (...) It demands a certain intellectual flexibility to be able, in my opinion, to integrate this system.”

Moreover, our empirical observations have shown that the legal frameworks of the three involved institutions still apply, what can impede the quest for new solutions, although they are encouraged and often needed. One can attribute this lack of flexibility (or of

adaptability to the beneficiaries' needs) to the very organization of the MAMAC project. Difficulties often emerge when it is time to concretely collaborate and implement the decided measures, particularly because of legal and procedural obstacles. Indeed, to have access to the measures offered by the three partner institutions, the MAMAC beneficiary still has to fulfil their specific eligibility criteria. In other words, the criteria of MAMAC and those of the concerned institution have to be fulfilled jointly, and MAMAC cannot completely ignore the legal framework of the participating institutions, e.g. when it comes to granting a measure in favour of somebody who doesn't fulfil some criteria set by the institution in charge of her follow-up:

“It is complicated because the legal structure can be an obstacle. There are also some procedures that can impede to direct somebody to MAMAC. (...) Solutions exist of course, we have to be pragmatic, but there are things the legislator hasn't anticipated. (...) This fragmentation can pose problems.”

In this sense, a challenge for the persons who intervene in the MAMAC process is to overcome these obstacles in order to reach the rehabilitation objective. Yet, MAMAC decisions are supposed to prevail over the other institutional frameworks or procedures. But, as the legal fragmentation obstacle illustrates it, MAMAC primacy is often contested and is not really respected and put into practice. Thus, while MAMAC framework allows to take into account the potentialities of each institution during the assessment process, it doesn't allow to go completely beyond the legal and procedural constraints that can hinder the most appropriate follow-up for the beneficiaries.

Besides, most MAMAC beneficiaries have already benefited from measures of one, two or even all three partner institutions. For them, new ideas or programmes are needed to find a rehabilitation solution. But there is a gap between the demand to be innovative and the limitations sometimes decided by the Law Committee⁵, a cantonal body in charge of assessing the legal acceptability of a MAMAC measure. Indeed, the members of this committee have the power to decide if a programme can or cannot be granted. So they can accept suggestions of new measures, but also refuse them, what is likely to dampen the local agents who would dare to try new things:

“Rather innovative measures have been proposed, but refused because they had no direct link with employability. The Committee is a little bit inclined to say that we can't pay for such measures. (...) So it is sometimes difficult to tell the team: ‘Innovate, try things’, and

⁵ Law Committees were not implemented in every canton involved in the MAMAC project. This point reflects the organisational freedom of local authorities.

then, when they do it: 'We can't pay for it, because there is no link with employability'."

This demonstrates once more the strict link between MAMAC and employability, what implies a more restricted IBJ especially for some AI and AS recipients, since these two institutions don't use this criterion as strictly as the AC and MAMAC do.

At last, in terms of organization, mitigated feelings have been reported concerning the definition and allocation of responsibilities between the key actors. Some MAMAC agents regret for example a lack of commitment in the MAMAC project within their own institutional hierarchy (in terms of staff for example). Others consider that it is the cantonal or federal authorities' role to support and guarantee the conditions for MAMAC good development (with the development of financial and logistic resources, appropriate directives, etc.). This lack of commitment at local level is closely linked to the fact that the MAMAC project does provide very limited additional funding for its implementation. As it is, each institution offers a percentage (often 20%) of some employees' working time (sometimes only one) for the MAMAC project. Yet, since the coordination and follow-up work required by MAMAC is quite significant, such resources often prove not to be sufficient. In some situations, extra resources could be mobilised, but in most cases the three involved institutions decided to add up the additional costs generated by MAMAC and to distribute them equally at the end of the year. Even if until now the question of "who pays what" isn't seen by the local agents as a problematic issue, the financial aspects might become another point of heated debate in the future. The financial question is not settled in many respects (such as the cost of the premises, etc.), what involves that the collaboration often depends on the goodwill of the participants and that MAMAC available resources result from local agreements and discretionary decisions rather than from a legally binding decision to pool competencies and resources.

In terms of capacity to participate, the case managers tend to benefit from a greater capability for voice in the MAMAC framework regarding their ability to design and influence MAMAC follow-up and programmes. But this enhancement of their voice has also ambivalent consequences. As many local agents reported, the case management is a very demanding and time consuming approach. Thus, to meet fully MAMAC ambition and fight effectively carousel effects, additional resources (i.e. financial but also legislative support) seem necessary. For the moment, local agents are in a tricky position, they have to develop their ability to listen to the beneficiaries and in the same time, they have to answer central authorities' expectations. And in addition to this double (and sometimes paradoxical) injunction, local agents are held more directly accountable for the reduction of social

expenditure, what implies that they have to deliver better results without supplementary funds. In terms of accountability, this situation appears as a dilemma for the case managers. On the one hand, they are more than ever expected to answer the beneficiaries' needs, what underlines their *public accountability* i.e. "responsiveness to the needs and preferences of citizens as consumers" (Mosley, 2003: 133). On the other hand, local agents are also assessed by central bodies according to their *fiscal accountability*, i.e. their capacity to "minimise costs and account for expenditure in terms of legislative mandates" (*ibid*) and according to their *performance accountability*, i.e. their capacity to bring effective and efficient results. On top of this, case managers have still to fulfil requirements in terms of *legal accountability*, that is to say that local agent "are expected to act on the basis of the rule of law and in conformity with applicable regulation" (Mosley, 2003: 132). Here, the position of MAMAC agents reflects Mosley's analysis when he writes that "more decentralised and flexible forms of governance in labour market polices (...) may come into conflict with the norms of legal accountability, especially in countries with strong traditions of administrative and social law" (2003: 132-133).

Conclusion

Comparing to the situation prevailing in the AC, we observe that the implementation of the MAMAC project increases the capability for voice and opportunities for participation of both the beneficiaries and the local agents, but not as much as expected. Concerning the beneficiaries, case management methods imply a stronger focus on individual needs and a greater attention paid to individual expectations through the implementation of wider and more frequent space for discussion. MAMAC offers a more encompassing and flexible approach regarding the rigidity and the strictness of the strongly formalised AC framework. But, even if this approach is wider than it is the case within the AC, MAMAC IBJ is still subordinated to the employability issue. Hence, MAMAC willingness to listen to people's wishes and expectations (in line with the notion of "capability for voice") has to deploy itself against a restrictive IBJ, and within the context of an absence of any appeal body. This may increase the capability for voice of the most employable and motivated recipients but it is doubtful whether such a strategy would be adjusted to the needs of less employable and committed beneficiaries. Thus, the relative openness of the MAMAC IBJ certainly offers the beneficiaries more voice than it is the case in the AC framework, but it still seems rather instrumental insofar as it mainly allows to gather more information from them and does not

promote an alternative and more adjusted view of activation or empowerment. In line with the NPM reforms undertaken by the AC, MAMAC recipients are required to assume more responsibility concerning their rehabilitation and professional reinsertion, but they are not granted more decision-making power in the design and implementation of the programmes and measures. Moreover, beneficiaries have to fulfil strict and non-negotiable requirements and display motivation and willingness to comply with the administrative expectations in order to enter and remain in the MAMAC process.

Our investigation also shows that MAMAC local agents seem to benefit from more margin of manoeuvre and freedom to choose than it is the case for the beneficiaries but also in a quite ambivalent context. In terms of capability for voice, the local agents' margin of manoeuvre is clearly higher when compared to the situation prevailing in the three partner institutions, especially within the AC. As we mentioned it, accountability instruments are less constraining in the MAMAC framework than in the AC one. Besides, the introduction of the case management and the fact that some of the criteria used to assess the beneficiaries remain rather vague also reinforce the margin of manoeuvre and interpretation of local agents in the MAMAC framework. However, such freedom is widely conditioned upon the endorsement of the "supply-side adaptability" IBJ and subordinated to the very strong focus on employability and motivation. In some cases, exceptions have been observed but it is doubtful whether the institutionalisation of the project will allow this margin of manoeuvre to be maintained. This privileged situation of the MAMAC local agents is perhaps only temporary, given that this is still a pilot phase. Indeed, this specific feature of the MAMAC project at its present stage is likely to allow for more discussions and adaptations. But if managerialist tools are introduced to assess MAMAC agencies' fiscal and performance accountability, with a view to more strictly controlling and monitoring local practices, these instruments will certainly restrict the case managers' space for initiative, their creativity and by extension, their capacity to take part and influence the decision-making processes. In this context, *fiscal* and *performance accountability* will probably restrict MAMAC local agents' room for manoeuvre, as the AC example illustrates.

Finally, as the capability for voice of MAMAC beneficiaries remains limited (notably due to the absence of any appeal body) we have to pay specific attention to the fact that the individualisation process in the MAMAC framework and the enhancement of the case managers' room for manoeuvre can also lead to discretionary decisions. In this sense, MAMAC *public accountability*, i.e. its accountability towards individuals' needs appears as highly ambivalent as MAMAC offers itself to the beneficiary as a potential opportunity but

not as a social right. Thus, the example of MAMAC shows that integrating policies can bring innovative solutions in terms of participation. Nevertheless, the MAMAC case study reveals that an important step still has to be taken in order to guarantee *public accountability* and to overcome the instrumental conception of the beneficiaries' voice, towards a real right or a real freedom to benefit from labour market programmes and to take part in the decision-making processes.

References

- Bonvin, J.-M. and Farvaque, N. (2006), "Promoting capability for work: The role of local actors", in Deneulin, S., Nebel, M. and Sagovsky, N. (Eds.) *Transforming Unjust Structures*, Springer, Dordrecht, pp. 121-143.
- Bonvin, J.-M. and Moachon, E. (2007), "The Impact of Contractualism in Social Policies. The case of active labour market policies in Switzerland", *International Journal of Sociology and Social Policy*, Vol. 27 No. 9-10, pp. 401-412.
- Christensen, T., Fimreite, A. L. and Lægreid, P. (2007), "Reform of the employment and welfare administrations - the challenges of co-coordinating diverse public organizations", *International Review of Administrative Sciences*, Vol. 73 No. 3, pp. 389-408.
- Clarke, J. (2004), "Dissolving the public realm? The logics and limits of neo-liberalism", *Journal of Social Policy and Society*, Vol. 33 No. 1, pp. 27-48.
- Ewers, M. and Schaeffer, D. (Eds.) (2000), *Case Management in Theorie und Praxis*, Huber Verlag, Göttingen.
- Finn, D. (2000), "Welfare to Work: the local dimension", *Journal of European Social Policy* Vol. 10 No. 1, pp. 43-57.
- Galster, D., Rosenstein, E. and Bonvin, J.-M. (2009), "Assessing Integrated Employment Policies Against the Capability Approach: A Swiss case study ", *International Journal of Sociology and Social Policy*, Vol. 29 No. 11, (forthcoming).
- Giguère, S. (2003), "Managing Decentralisation and New Forms of Governance", in OECD (Ed.) *Managing decentralisation: a new role for labour market policy*, OECD, Paris, pp. 11-27.
- Laroque, M.-F. (2007), "Integrated social security, dynamic social security?" in International Social Security Association (ISSA) (Ed.) *Developments and Trends: Supporting Dynamic Social Security*, ISSA, Geneva.

- Lindsay, C., McQuaid, R. W. and Dutton, M. (2008), "Inter-agency Cooperation and New Approaches to Employability", *Social Policy & Administration*, Vol. 42 No. 7, pp. 715–732.
- Lødemel, I. and Trickey, H. (Eds.) (2001), *“An Offer You Can’t Refuse”. Workfare in International Perspective*, Policy Press, Bristol.
- Mosley, H. (2003), "Flexibility and Accountability in Labour Market Policy: A Synthesis", in OECD (Ed.) *Managing decentralisation: a new role for labour market policy*, OECD, Paris, pp. 131-156.
- Newman, J. (2001), *Modernising Governance. New Labour, Policy and Society*, Sage, London.
- OECD (2001), *Social sciences for knowledge and decision making*, OECD, Paris.
- OECD (2003), *OECD employment outlook - Towards More and Better Jobs*, OECD, Paris.
- OECD (2006), *Sickness, Disability and Work: Breaking the Barriers (Vol. 1): Norway, Poland and Switzerland*, OECD, Paris.
- Olsen, S. (2007), "Fragmentation and coordination in the Scandinavian railway sector", *International Review of Administrative Sciences*, Vol. 73 No. 3, pp. 349-364.
- Serrano Pascual, A. (Ed.) (2004), *Are activation policies converging in Europe? The European Employment Strategy for young people*, European Trade Union Institute, Brussels.
- van Berkel, R. and Borghi, V. (2008), "Review Article: The Governance of Activation", *Social Policy and Society*, Vol. 7 No. 3, pp. 393-402.
- Verhoest, K., Bouckaert, G. and Peters, B. G. (2007), "Janus-faced reorganization: specialization and coordination in four OECD countries in the period 1980 2005", *International Review of Administrative Sciences*, Vol. 73 No. 3, pp. 325-348.
- Vielle, P., Pochet, P. and Cassiers, I. (2005), *L'Etat social actif : vers un changement de paradigme?*, Presses Interuniversitaires Européennes-Peter Lang, Bruxelles.
- Wendt, W. R. and Löcherbach, P. (Eds.) (2006), *Case management in der Entwicklung : Stand und Perspektiven in der Praxis*, Economica Verlag, Heidelberg.