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## **Un train peut en cacher un autre – Gains and losses of individual autonomy in activating welfare reforms<sup>1</sup>**

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### **Abstract**

In most European countries, activation strategies are associated with changes to the basic principles of welfare which do not inevitably succeed silently. Whilst these reforms technically consist in the adjustment of existing regulations, the introduction of new instruments and the establishment of new administrative structures, one outcome of the German activation strategy is more far reaching: the ongoing fundamental shift in the implicit – and consensual - understanding of social welfare. I argue in this paper, that, in order to assess the extent of ‘paradigmatic’ institutional change, we need to address explicitly the normative dimension and to identify the underlying normative principles and socially shared understanding of what social welfare means that are constitutive elements of institutionalised welfare regimes. The objective of this paper is to introduce the concept of individual autonomy as a normative reference and analytical tool in order to assess the objectives and outcomes of activation strategies. I am claiming here, that changes in the foundations of Western Welfare systems can impact on a whole societal context and may concern citizens who are not themselves needy or unemployed. The concept of individual autonomy thus promises to make the in-depth effects of welfare state change visible. I will provide a revised definition of the concept of individual autonomy and illustrate it with elements from the German activation reforms.

### **Key words:**

welfare state change, activation policies, normative foundations, individual autonomy

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<sup>1</sup> The paper has been translated by Yvonne Silber, Frankfurt/ M.

## 1. Introduction

Recent research on welfare change has increasingly drawn on ‘new’ categories such as *norms* and *discourse*, and claims that current welfare reforms remain undertheorised if research adheres to the ‘redistributive paradigm’. This stream of research would ignore the fact that welfare policies affect individuals not only in their material existence but also in their normative claims for respect and recognition as citizens.

The relevance of this latter perspective is supported by empirical observations as well as theoretical claims. In Germany e.g. the fusion of unemployment assistance and social assistance has led to major socio-political tensions that cannot be explained by the change in the social redistribution of welfare alone, but rather by the fact that the institutional changes obviously affect the implicit social expectations and claims that citizens address to the State. These ‘in-depth’ effects of policy reform pass unnoticed by official evaluation research which mainly focuses on efficiency and labour market insertion.

As Peter Hall has stated, taking the ideational dimension of policies into account allows us to distinguish incremental from paradigmatic change (Hall 1993). Ideational change however may be reflected in phenomenon on different levels, on the level of political discourse, but also on the institutional level or the micro-level of practices and attitudes. Although a lot of analyses of welfare state change do include political ideas, very few of them take account of changes in attitudes, social practices or identities as a consequence of institutional change.

A fruitful consideration of a more comprehensive understanding of welfare state change has been provided by recent research into the concept of (social) citizenship as those researchers point to the relevance of inclusion, membership and participation (see e.g. Goul Andersen 2005; Johansson and Hvinden 2008) and how these are affected by welfare policies. In general, the citizenship perspective analyses the interaction between two poles: The legal framework and political discourse that define political objectives and standard social behaviour on the one hand (Jenson and Saint-Martin 2003) and social practices that are compatible with or constrained by changes in the regulatory framework on the other (Lister 2007). If we comprehend social practice to be all kinds of individual and collective behaviour and attitudes that reflect institutionally and culturally formed patterns of social expectations, we could argue that changes in basic patterns of social practices represent a touchstone for the assessment of paradigmatic

shift. Both, empirical observations as well as theoretical reflection point to the need for a basic notion that comprehensively conceptualises the individuals' attitudes and practices. In this paper, I therefore propose to elaborate a well-founded concept of individual autonomy that goes beyond a too simplistic definition that conceives individual autonomy as the basic capability of developing and realising 'self-determined' individual life plans. I argue that only a *reflexive* notion of individual autonomy that integrates aspects of social and political recognition of personal and particular life-plans/identity can provide an appropriate theoretical framework. Such a concept would include both a normative-political dimension, as well as a descriptive dimension such that it may function as an analytical tool allowing an appropriate assessment of in-depth qualitative change in basic welfare principles. Policy changes would then become discernible as enhancements or constraints to individually perceived autonomy and not as (objectively identifiable) increases or decreases in the chances of realising 'self-determined' life-plans.

The second section is dedicated to the different aspects and dimensions of a comprehensive concept stemming from at least two fields of theory, political philosophy and social work but also education theory. In the third section I will illustrate, without providing a detailed analysis, how activating social policies may enhance or encroach upon the individual's perception of individual autonomy, and then go on to discuss how we could translate the concept of individual autonomy to empirical comparative research.

## **2. Three Dimensions of Individual Autonomy**

In general terms, individual autonomy can be defined as "the individual's capacity for (self-directed, independent) action", which includes control over one's own lifestyle and independence from external constraints (Ullrich 2004). As adequate as this definition first appears, it is based on the assumption of objective and generally applicable conditions. However, if one pursues a more cultural understanding of the welfare state and acknowledges the citizens' subjectivity and individuality, the creation of subjective freedom to pursue comparative orientations to action, i.e. the advance of social esteem would be the central social-political objective (Nullmeier 2000). How can this objective be reconciled with the establishment of 'self-directed, independent action'? To what extent can we assume that individual's capacity for action is a universal principle? And what can the individual be reasonably expected to endure as 'external constraint'

without causing an unnecessary loss of autonomy? Although it is not possible to discuss all of the relevant facets of the moral-philosophical debate in their full breadth, in the following I would like to use these three questions as a basis to develop a differentiated definition of individual autonomy that can be applied in social-political analysis and avoids a restricted, individualistic use of the term. I believe that alongside the aspect of self determination (a prerequisite to the capacity to take action) – generally the only aspect mentioned – an individual identity and the ability of to show solidarity are also two equally important aspects of self determination. Such an expanded concept of individual autonomy should therefore be considered a regulatory principle in social policy.

## *2.1 The dimension of affiliation*

Independence as the prerequisite for autonomous action proves to be the first problematic assumption. Even if we consider ‘independent choice of action’ as an element of individual autonomy, it must be clarified how this can be reconciled with a concept of the social welfare state that identifies the sense of affiliation, i.e. the capacity for mutual recognition as the quintessence of integration in a democratic society. From this perspective, the interdependence between the development of personal and collective values is the central moment of social integration (Anderson 2003).

In the socialisation theory the term “social bond” is used to describe the relationship between the individual and society (Geulen 1977; Geulen 1999; Leu and Krappmann 1999). Socialisation processes take place within the framework of *constant* interaction between the individual and their social, i.e. concrete material, cultural and social environment. These processes do not function as limitations on the subject, but represent a constitutive condition of being a subject: “We are subjects not although, but because we have been socialised and our state of being a subject is realised particularly through our social action.” (Geulen 1999: 37). For this reason, a personality model that from the outset considers the existence of a personality component created through socialisation to be heteronomous and assumes there was an original subject that was not first created through socialisation (*ibid.* 41) is to be rejected. According to this perspective, there is no more a universal subject character than the construction of an “independent choice of action”. Consequently, it follows here that effects of social (and sometimes institutionally transmitted) norms and values already unfold during the genesis of the subject. To what extent is it at all possible for individuals to be free from

the influences of their environment and develop their own personal options for action? The debate on the theory of autonomy offers three possible explanations here.

Firstly, the processes involved in developing a social identity do not produce the same result for each individual. Even if they are not always aware of it, individuals are ‘vulnerable’, i.e. mortal and imperfect, and must live with this experience. Consequently different horizons of (historic) experience systematically apply to men and women – but also for other social groups (members of a specific race or class) (Anderson 2003).<sup>2</sup> Membership of a community is therefore not simply a matter of course but also established through acts of inclusion that define the mechanisms and norms of affiliation (Anderson 2003: 153). The nature and extent of social affiliation are defined through moral principles that elude the individual’s direct access because they are produced and reproduced through social interaction and are partly institutionalised through general social and political conditions. A greater or lesser degree of self confidence and self esteem develop accordingly – through positive or negative feedback to the individual’s statements or behaviour. As such, self esteem is the product of social and cultural processes, not only the distribution of goods (Young 1990: 27) and characterises the individuals’ attitude toward themselves and their life situation. It is not measurable or divisible but it gives rise to the capacity for the conscious development of personality as well as to attitudes of empathy and solidarity towards others – regardless of social differences.

Secondly, the development of identity occurs in a reciprocal process of identity assimilation and identity accommodation. That means that new social experiences are either “sorted out” and adjusted to the personality or effect a change in the identity that confronts them. As such, the development of identity rests on personal experience, which can confirm or negate prior experience. Accordingly, the development of identity is not an irreversible process during the course of which the subject’s sense of coherency and perception of meaning continually increase. In this perspective, the development of an “authentic” identity with a high degree of “individual aspects” takes place on the basis of “the experience of one’s own identity” (i.e. “identity narrative” Anderson 2003), which enables the individual to connect social experience with the

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<sup>2</sup> Above all feminist theorists stress that the concept of identity always bears reference to the social context and therefore must be understood as a relational concept (cf. the contributions in Mackenzie and Stoljar 2000).

“mature identity”, i.e. to combine it with their personal history.<sup>3</sup> This presumes the individuals’ creativity but also a certain measure of social participation and ‘reasonable contact to reality’ in which personal experience can be reflected within the context of community life (Leu and Krappmann 1999: 81f.). The combination and the way these processes are worked through allows the identity to become a special and unique phenomenon (Leu and Krappmann 1999: 95).

*Third and finally, the realisation of independence is always spatially and temporally limited, i.e. bound to a specific biographic situation.* The possibility of realising one’s personal objectives is therefore not static and universally available. The individual identity and lifestyle are influenced not only by individual and collective experience but also by historical developments and upheavals. The individual always makes an effort to interpret the identity as coherent. Ideal practical autonomy is therefore created in a dialectic process of attempting to maintain the constant coherence of one’s own ‘identity narrative’ and the acceptance on one’s own inadequacies (Anderson 2003: 158). The restoration of coherence is necessary when changes in social conditions – perhaps through social upheaval or the change in individual life situation – are so great that inconsistencies and breaches occur between the perceived self image and the social norm. A constant (incremental) process of adjustment to altered general conditions is necessary in every individual life. Since the basic assumption of an inherently independent individual must consequently be rejected as unrealistic, it is also impossible to maintain the idea of the condition of complete autonomy (Bielefeldt 1997: 149; Anderson 2003: 150). Under the aspect of social affiliation, the expression of individual autonomy is an indication of the ‘uniqueness’ of an identity.

The question of possible options for social policy can be reformulated in view of the three aspects of the relationship between affiliation and independence that have been discussed. How can social policy contribute to increasing the perception of coherence, to promote creativity and consequently to preserve the individual’s self esteem? How would prevention, training and protective social legislation or other supportive initiative have to be coordinated? Is it at all possible for social policy to contribute to balancing out a lack of self confidence or can it only play a preventative role (Leu and Krappmann

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<sup>3</sup> The numerous positions of the moral philosophical debate hold different opinions on the question of how individuals generate new knowledge through ‘internal reflection’ (Christman 2003:4f).

1999: 84)? Without being able to provide a conclusive answer here, it has become clear that individuals need a maximum of authenticity and freedom from manipulative and distorting influences to maintain and further develop their autonomy— in the sense of self respect, creativity and the creation of a coherent self image. This also means that the greatest possible autonomy cannot always be created by the same standards for all. Rather, it follows that universal objectives must be related to the nature of participation that is pursued by all members of the society and not to the use of means that bring about participation.<sup>4</sup> From this perspective autonomy would be considered a *regulatory principle* according to which individual deficiencies and idiosyncrasies are acknowledged and made comprehensible. Only this would guarantee that individuality does not lead to social differentiation but to a starting point for the development of mechanisms of inclusion that allows rather than represses wilful action.

## 2.2 *The dimension of reflexivity*

A second problematic assumption in the use of the term autonomy is the equation of autonomy with a form of freedom of action that only exists in the status of economic independence. However, if a minimum measure of autonomy can also be realised in situations of social and financial dependence, autonomy, according to my next argument must also be thinkable independent of the action.<sup>5</sup> According to the traditional Kantian line of thought, autonomy is created not in the possibility of self-determined action, but in the possibility of understanding one's own situation.<sup>6</sup> Here humanity's capacity for reason is the starting point for autonomous, collectively oriented (moral) action; here, self-determined action relies on the basic ability for reflection. Feminist positions stress this in that they reject the liberal view that autonomy consists solely of the self determined lifestyle and stress that understanding one's own situation represents an at least equally important aspect:

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<sup>4</sup> I.M. Young consequently suggests that, rather than universalism, participation should be taken as the reference point for socio-political design (Young 1990: 105).

<sup>5</sup> The relationship between poverty and autonomy in the USA is addressed by (Ben-Ishai 2006), who argues a separation of autonomy and economic dependence.

<sup>6</sup> As such there is a distinction here between related terms of ‘moral autonomy’ found in the Kantian perspective, which reflects social bonds and the liberal concept of ‘personal autonomy’ (see also Darwall 2006a).

"The revised conception of autonomy is not primarily self-authorship. It is autonomous authorship as regulated by reading and writing our relations with the world. So conceived, autonomy becomes, in practical terms, a regulative and always revisable principle. In so far as we achieve a limited authorship, autonomy is necessarily bound up with the partial nature of our knowledge of ourselves, especially knowledge of the contingencies of our lives as sexed/gendered agents in relation to other sexed/gendered agents" (Anderson 2003: 160).

Therefore autonomy means the demand to understand and shape one's own life, i.e. one's own identity against the background of the respective social environment. In other words: Autonomy refers to the capacity for self reflection and for assessing one's own life design. Achieved autonomy is therefore expressed not primarily in an individual's action; the action only makes it perceptible from outside. This understanding is the much cited necessity for the development of a 'free will' that is the prerequisite for the formulation of a claim to autonomy (see also Leu and Krappmann 1999). It requires that one has the ability to at least partially emancipate oneself from instances of norms in the social environment but also from one's own needs. This places demands on both the individual and on the social environment.

However, understanding one's own situation presupposes not only self reflection but also the ability to perceive the social environment as essentially foreign (but not antagonistic). Darwall described this as the ability to assume a "second-person" standpoint (Darwall 2006; Darwall 2006). Here personal maturity and being able to speak for oneself entails individuals formulating their needs and demands – from whatever source – not simply as a response to their perceptions but to claim them – reflexively – under consideration of superordinate (at best generally acknowledged) principles (Darwall 2006: 281f.). First then can the formulated claim be recognised not only individually but it opens a second dimension of recognition: The recognition of the formulated need as justified and consequently the recognition of the freedom of judgement of the person who formulates this demand. The condition here is that the person refers to generally recognised principles and proves capable of recognising foreign principles.<sup>7</sup>

This capacity for autonomy, i.e. the capability of self reflection and to refer to generally applicable principles, is attributed to all persons in the Kantian perspective, even if they

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<sup>7</sup> Prerequisite here however is that there are basic principles that the individual shares to the extent that they can make reference to them. These principles can be informal customs (mutual respect) or institutionalised rights to co-determination or legal rights.

find themselves in a situation in which they do not exercise their autonomy. The implications of this claim is made clear using the example of dealing with children (Darwall 2006): Even when, for their children's wellbeing, parents intervene in their decisions and act against their wishes, this does not automatically reject a later and yet to be attained ability to make independent judgements. The parental limitation denies the children's *current* ability to make decisions which appears to be justified in that small children are not rational in the sense that they can reflect on their own needs, refer to general principles or recognise foreign principles as legitimate. This does not deny the children's essential capacity to develop the ability to make rational decisions. Rather, the parents act in respect for this potential capacity for judgement according to clear, and for the children understandable, rules. To the extent that they provide the children with the grounds for their decisions, they also provide them with the opportunity to learn the general principles (Darwall 2006). Individuals are acknowledged as politically mature citizens through the assumption that they possess this capacity to make rational decisions. Consequently, the individual's ability to make rational decisions is an important aspect of individual autonomy and a value in its own right, which is considered to have priority over paternalistically prescribed actions in a democratic society. As such, the critical moment is not the preservation or limitation of claims, but rather the acknowledgement or denial of the claiming person's ability to make rational decisions.

However, hierarchical relationships exist in all social contexts. The example of child rearing makes it clear however that there are many different ways in which power structures can be used. Here, an essential distinction must be made between authoritative and authoritarian procedures: While the authoritative agent acknowledges the basic value of the (potential) capacity for rational decision-making, the authoritarian approach basically denies it. Authoritarian structures suppress the realisation of individual autonomy. This repression can have five forms, exploitation, marginalisation, powerlessness, cultural imperialism and violence (Young 1990: 40). An authoritarian act that suppresses individual autonomy cannot be considered the equivalent to the use of violence however the moment of repression is given once the individual is placed in a position of helplessness or when core characteristics of their cultural identity are not respected. Oppression does not only occur under authoritarian rule but also in day-to-day practice in the well-meaning liberal society, "it is systematically reproduced in major economic, political and cultural institutions" (Young 1990: 41). In contrast, authoritative

structures imply precautions that firstly, can ground overriding the power of judgement with reference to a superordinate principle and secondly, present this as a temporary exception. The principle of rule of law, which provides the individual with understanding and the option to appeal or place a claim, is such a principle. The respect for individual autonomy does not depend on whether a person in reality currently exercises this autonomy but rather that this respect is of a fundamental nature, “..it means that respect for autonomy is required independently of the actual autonomy displayed by the person who is the object of that respect” (Christman 2003: 12). However, the attribution of the (potential) power of judgement can only be justified with a normative assertion that points to the dignity of the individual and provides protection from oppression through authorities and paternalistic interference. A central question is that of how the individual’s dignity can also be assured in authoritative acts of public policy when dignity lies in respect for matters that relate to individual identities: What institutional precautions can a society take to assure the citizens’ dignity the greatest possible measure of protection (see the considerations posed by Margalit 2002)?<sup>8</sup> In relation to social policy, this raises the question of to what extent can policy design assure the greatest possible understanding and transparency for the citizens and acknowledge their power of judgement. Consequently, individual autonomy must also be guaranteed at times of non-action and the ability and the need for reflection, to understand and evaluate situations must be accorded. A social policy strategy that considers the only moment of recognition to be the (active) economic participation and sets this as its sole objective does not do justice to the concept of individual autonomy chosen here.

### *2.3 The dimension of reciprocity*

Finally, the establishment of a balance between the protection of individual autonomy and the realisation of collective objectives is a problem for democratic theory. How can the acceptance of superordinate principles that can be drawn on by all persons equally be explained? In my opinion, there are two types of bonds between the individual and the community, one symbiotic and the other dialectic.

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<sup>8</sup> Questions of this nature are answered formally by the Federal Constitutional Court in Germany. To date, there are almost no empirical findings in respect to the ‘law in action’, i.e. the question of to what extent people feel that their individual autonomy is limited by public political acts or to what extent social policy fulfils its protective function.

The more symbiotic form of bond is described by the communitarian perspective, in which the community and a collective principle is accorded fundamental priority over the realisation of individual needs (Forst 1996: 211). Commitment to the collective principle can be created in different ways, through enforcement, benefits or norms. There is usually a combination of these typical commitment or control patterns, whereby one factor may be more prominent. Communitarian theorists stress that the optimal and most durable form of commitment and social cooperation is the internalisation of a value system whose norms are universally acknowledged. This value system would be supported by the individual consideration of additional benefits and can call, if necessary, on legitimised sanctions as enforcement. What is necessary and the normative objective is therefore that the society increases its responsiveness to its members and their needs. The implicit consensus would be threatened through the processes of alienation and inauthenticity resulting from industrialisation, bureaucratisation, rationality and manipulation (cf. in detail Etzioni 1975).<sup>9</sup> Two basic problems with this ‘symbiotic’ explanation of collectivity are the question of how social differences can be responded to and how the bond to the community is to be maintained during social change. In respect to social differences it must be considered that for individuals (internalised) moral demands can form dilemmas of very different intensity between their own needs and the social expectations placed on them. For example, men and women are confronted in very different ways with the expectation of providing care for others or of realising an egocentric life plan. In principle very different moral demands are formulated here and consequently the same behaviour is subject to very different moral judgement. For example, gender can be linked to very different moral obligations (Gerson 2002: 8f.). The commitment to a general collective principle implies that the tendentially different forms of coercion demands different degrees of ‘adaptive preference formation’ (cf. Elster 1993) of individuals, so that on first examination the communitarian perspective is not one which enhances autonomy or tolerates differences among all individuals equally. Secondly, it remains unclear how

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<sup>9</sup> These considerations, which have been picked up in Europe, esp. in GB, are based on the following political aspects, which can be described as the indicators of a “responsible” society: Recognition of democracy as a value in its own right, anchoring binding basic rights in the constitution, divided and differentiated loyalties, tolerance as a basic principle, limited enforcement of von “identity policies” and conducting society-wide moral dialogue to achieve mutual consensus on a collective value system (Etzioni 1997).

social change and altered social expectations – e.g. in the course of changing gender relations – can be conceptualised. Thus, from this perspective, change – i.e. placing a dominant value in question – is only conceivable as a crisis-ridden degradation of the social cohesion. Dealing with periodical and surmountable phenomena of social change is difficult if commitment to collective principles represents the central moment of social integration. From the perspective of Kantian moral philosophy, the basic communitarian idea appears generally problematic because as willingness to commitment to the collective the individual's rationality and capacity for reflection are perceived as secondary and the collective and the individual are conceived as two poles of a dichotomy, which of course they are not (Forst 1996: 212).

If commitment cannot be created for an indefinite term through the citizens' belief in the collective ethical-moral values, it must rest on a dialectic relationship between the citizen and the society.

The Kantian perspective raises the individual's capacity for rationality to a prerequisite for individual autonomy and associates the capacity for self-determination with the ability to develop moral precepts of action. The basic assumption (the 'categorical imperative') here is that every human being also uses their practical reason to reflect on moral exigencies and in doing so develops personal maxims for action. As such, the individual always possesses moral autonomy, which in fact rises from the ability to subject oneself to (objective) moral laws, so that morality is considered a fundamental principle of social organisation (Christman 2006). Basically, it is assumed that individuals will be able to find a balance between their own practical interests and collective objectives. More specifically, in the Kantian perspective individuals are obligated to recognise and contribute to a moral order because of they are capable of reflection and possess the power of reason (Bielefeldt 1997: 527).<sup>10</sup> However, this order is generated through social interaction and not through acknowledgement of given metaphysical principles. The starting point for the subjugation of personal interests to collective objectives is therefore individual insight an not the (once off) internalisation of superordinate foreign principles, that is essentially the individual's capacity and

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<sup>10</sup> Alone the human capacity for reflection (rather than a metaphysical order) provides the basis for moral order as the foundation of a community. This was the basis of the revolutionary nature of Kantian philosophy at the end of the 18th Century, because it endowed the individual with the task of designing and the responsibility for the community (Bielefeldt 1997: 534).

willingness for reciprocity, which is founded on their ability to act judiciously in accordance with a norm or, in the case of doubt, to question its validity (Forst 2004). Collective objectives to which individuals commit themselves are developed through social negotiation processes so that the objectives of state intervention can also be acknowledged by the individual. Problems can arise when the arguments are no longer comprehensible to the citizens either because they are too complicated or because they are not acknowledged as valid.<sup>11</sup> If the citizens' autonomy is to be respected, it must be made possible for the addressees of public social policies to understand the need for these measures. Applied to social policy, foregoing the satisfaction of practical interests is accepted if the law or norm is recognised as a valid principle.<sup>12</sup> Otherwise the rule, which is justified by majority opinion, is enforced with authoritative force. Social rules can be institutionalised as laws or regulations or exist as social values and norms, which are transmitted through social interaction or through political discourse. For the analysis of social policy, this poses the question of how collective rules that limit freedom of action must be formulated so that individual autonomy, i.e. the individuals' basic ability to assert their entitlements and to command respect, is protected. One solution is to guarantee respect for individual autonomy by providing clear and comprehensible justification for the (new) demands of reciprocity, which gives the individuals the opportunity to understand and develop an – accepting or rejecting – stand toward them (Forst 1996). It also applies here that social justice, in the sense of guaranteeing individual autonomy, is not identical with the realisation of specific social values but finds expression that society promotes the creation of institutional conditions that are necessary for the realisation of these values (Young 1990: 37).

#### *2.4. Interim conclusion: An extended concept of individual autonomy*

If one takes the three aspects of identity, reflexivity and reciprocity as equally important components of individual autonomy seriously, the result is an extended concept under which more than independent freedom of action is to be understood. Here the ideal of practical individual autonomy means being able to develop a balance between one's

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<sup>11</sup> An interesting question here is to what extent can people accept the promise of social security (e.g. through the fastest possible reintegration in the labour force) a later but not fixed point in time.

<sup>12</sup> Capacity for reflexion on one's own and general needs, rational association between moral and **ethical** grounds (respect for reciprocity)

own interests and collective expectations and to develop an individual life plan on the basis of free choice, self determination and a willingness to solidarity (cf. Table 1).

Table 1: Dimensions of the extended concept of individual autonomy

	Affiliation	Reflexivity	Reciprocity
Expression	Own Identity (rather than independence)	Self-determination (rather than freedom of action)	Capacity of solidarity (rather than maximising benefits)
Individual Requirements	Self Respect, Creativity, Coherency	Self Awareness and Power of Judgement	Self commitment, insight or acceptance
Core Principle	Promotion of Social Esteem	Protection from oppression and humiliation	Development of shared social values
Policy Principle	Inclusion through Universal Access	Co-determination	Regulation of reciprocity relationships
Social Policy that protects autonomy	Integration in the Labour Market or (unconditional) Basic Security	Transparency/ Comprehensibility Co-determination	Protection of reasonable living and working conditions
Source: Own presentation			

For policy making, autonomy is a regulative principle according to which individual differences are acknowledged, the individual's essential power of reason is respected and their capacity and willingness to collectivity are taken as the point of departure.

Accordingly, the core principles of social policy would be the promotion of social esteem, protection from repression and humiliation and the development of shared values. Which principles and strategies are therefore indicated for social policy that enhances individual autonomy will be discussed in the following.

### **3. Gains and losses of individual autonomy as a side-effect of socio-political reforms**

How can social policy reforms be evaluated in terms of the gain or loss of individual autonomy? With the help of the differentiated concept of autonomy, the example of reforms in the area of labour market policy and unemployment insurance will be used to make the citizens' gains and losses of individual autonomy visible.

A central feature of the activating strategies is the manner in which they accelerate and make labour market integration universal for all unemployed. Admittedly, the primary mode of integration in the post-industrial society is paid employment (Castel 2000: 337), so reintegration in the labour market is presumed to be the primary mechanism of (re)-instating participation as prerequisite to the realisation of one's own personal life plan (Vobruba 2003). As such – and this may have supported the political assertability of activating strategies under social-democratic governments – activating strategies link

into “compatible social-ethical dispositions” (Offe 2001: 464). However, my hypothesis is that beneath the surface of this very general consensus on the necessity of paid employment even incremental institutional changes run contrary to the inherent logic of existing institutional regimes and consequently result in breaches with the generally accepted implicit value structure of labour market institutions.<sup>13</sup> This means that it is also possible for general, possibly even emancipatory approaches, to conceal processes that diminish the individual’s personal scope of interpretation and action.<sup>14</sup> According to this perspective, national activating strategies would differ according to two criteria, namely the extent to which they are compatible with existing institutional policy regimes and avoid or produce inconsistencies and secondly, the extent to which they acknowledge and stabilise or disturb the typical national patterns and perceptions of autonomy.<sup>15</sup> In the following, selected examples are intended to illustrate the manner in which legislative reforms can affect individual autonomy in the three dimensions, affiliation, reflexivity and reciprocity. However, only a comprehensive and empirical analysis, which is not possible here, can show the extent of overall change in the perception of individual autonomy in a national context.

### *3.1 Strengthening Affiliation through Inclusive Strategies*

Strengthening the sense of belonging and the protection of personal identities would be promoted through an inclusion strategy that follows the principle of social esteem and acknowledges differences. In social insurance models, social inclusion is primarily achieved through paid employment and the associated social security. Although, due to its different scope of employment for women, this strategy demonstrated excluding effects (Jepsen and Meuldres 1997), the basic principle was nevertheless generally acknowledged. In principle, the German system provided benefits that maintained a standard of living as well as employment promotion measures on the basis of contributions paid to the statutory unemployment insurance, and provided a framework for the development of individual life plans.

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<sup>13</sup> On the problem of fragmentation of policy regimes through growing inconsistency and incoherence, cf. (Bothfeld 2008).

<sup>14</sup> However, particularly in the case of the German reforms part of the legislative changes (e.g. the Development Act of 2006) had the specific objective, with reference to assumed potential abuse, of reducing the scope of action of benefit recipients.

<sup>15</sup> Most comparative European studies distinguish between national reform strategies and institutional regimes according to the extent of coercion to workforce integration (Barbier 2005; Larsen 2006).

As long as access to full-time employment with compulsory social security insurance is possible for all citizens, the principle of a secured standard of living had a basically inclusive effect and promoted social cohesion and consequently the feeling of security even in times of increasing unemployment. This model and its basic features were broadly acknowledged in Germany and satisfied – with all limitations – the classical function of social policy, namely that of securing and protecting personal life perspectives even in the event of unemployment (cf. Kaufmann 2003). A reform of labour market policies that was intended to increase the individual autonomy of the employees would consequently have aimed to integrate persons with ‘new social risks’ into the social security system (cf. the contributions in Taylor-Gooby 2004).

In principle, the fusion of unemployment and social security benefit systems in the recent labour market reforms in Germany aimed at the equal treatment of long-term unemployed in employment promotion and the benefits granted. Further, it should have put an end to the switching of responsibility between the Federal Agency for Employment and local municipalities for the long term unemployed. However, this most recent reform to the German unemployment insurance had two contrary results: Firstly, a new system was created – the basic unemployment allowance - which is subordinate in the hierarchy and largely decoupled from unemployment insurance..Rather than resulting in the inclusion of a larger proportion of unemployed citizens in unemployment insurance – on the contrary – access to unemployment benefits was restricted and, in addition to this, a categorical and hierarchical distinction was made between the regular and long-term unemployed, which was institutionalised through the separation of organisational responsibility and the creation of two different legal frameworks.<sup>16</sup> Movement from the system of basic insurance to that of unemployment insurance is no longer possible<sup>17</sup>, but the reverse, the degression to the basic allowance system was

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<sup>16</sup> Contribution financed benefits are regulated in the Social Security Code, Book III (SGB III), the “Basic Insurance for Unemployed” in the Social Security Code, Book II (SGB II). The recipients of benefits under SGB II are defined as “Needy persons of employable age”. In contrast to unemployment insurance, the basic insurance offers no security for the standard of living (the benefits are low and standardised), the benefit is also needs-tested, access to the instruments of employment promotion is limited, and in addition those seeking work fall under the responsibility of local administration, which includes involvement of the Federal Employment Office.

<sup>17</sup> Previously, persons participating in employment promotion measures could make a renewed claim on unemployment benefits without the detour of re-entry to the first employment market. The resulting ‘see-saw careers’ between the systems of unemployment assistance and unemployment benefits, were

made inevitable for many of the unemployed through the selection procedures of the Federal Employment Office.<sup>18</sup> Secondly, the provision of security for the standard of living was virtually abandoned for the majority of the unemployed, a change that the entire population perceives as problematic. Although the assessment of the level of benefits has remained unchanged, the reduction of the percentage who are entitled to claim the unemployed who draw income-replacement benefits that secure their standard of living have now become a minority. What was previously an exception – the granting of a basic allowance in the form of a means-tested benefit – has become the regular case in unemployment (cf. the analysis by Goul Andersen 2005). The needs-tested basic insurance is problematic in that it essentially cannot be reconciled with an average standard of living. The possession of assets and even an average or higher standard of housing<sup>19</sup> is only permitted within a narrow framework so that a household which would have the right to claim the basic security due to insufficient income from employment must first liquidate their savings and reduce its expenditure to the state-defined subsistence level. Consequently, unemployment no longer holds ‘only’ the risk of manageable and temporary reduction of one’s standard of living but can, if the status of being unemployed is enduring, lead to the complete loss of the formerly achieved standard of living. More pointedly, through this reform the welfare state’s actual function of transforming dangers into manageable risks (Evers and Nowotny 1987) is reversed, in that the risk of unemployment once again becomes an incalculable danger – that of the permanent loss of status – for the individual.

The division of 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. However, since the risk of unemployment is no longer calculable for the citizens, the danger of downward social mobility may

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criticised as dysfunctional, i.e. a shunting yard, because the local authorities and the Federal Employment Office attempted to shift responsibility - and the obligation to provide support - onto each other.

<sup>18</sup> The so-called “customer segmentation” whereby the unemployed are classified as either worthy or unworthy of promotion was developed to assure – from an micro-economic perspective – optimal use of the resources available for promotional measures (Hielscher 2006). However the result of these procedures was that these measures were no longer assigned according to the need for promotion but according to economic considerations and took unfavourable career changes for the unemployed as a matter of course.

<sup>19</sup> Through the link to the benefit for accommodation, the administrative definition now also related to the dwelling, which in some cases can lead to the authorities refusing to carry the costs and demanding relocation.

materialise only for those affected,<sup>20</sup> 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 rapid integration and restoration of an independent lifestyle is simultaneously moved to an unguaranteed, later point in time (see also Jenson 2008).

### *3.2 Recognition of the capacity for self-determination through the opportunity for co-determination*

Autonomy enhancing reforms provide expressions of respect for the citizens’ individuality and power of reason if they allow the legal right to claim and co-determination in the implementation of new regulations. Implementation rules, above all those involving contact between the citizens and the responsible administration, would also be checked for the extent to which they accord the citizens the status of a legal entity. Strengthening the citizen’s role as the bearer of ‘market power’ in respect to the administration is consistent with the rhetoric of the citizen’s role as the “co-producer” of social security or as a “customer” of the employment administration. However, this suggests a power balance between the citizen and the public administration that is hardly achievable in practice. Accordingly, it would be more appropriate to assume a model that provides the citizens with status-related rights to claims, co-determination and appeal (Bothfeld 2007). Further, institutional changes should also observe the transparency of regulations as a criteria, orientate public services on the actual (not the ascribed) needs of the citizen and eliminate stigmatising and patronising practices and discourse.

Transparency and comprehensibility are basic criteria for democratic legislation (see 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.

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<sup>20</sup> The new system is assessed as prejudicial and negative by the recipients of Unemployment Benefit II (AIG II) (Achatz and Wenzig 2007)

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.<sup>21</sup>

The most essential requirement for protection and maintenance of individual self determination is the dismantling of standardised or even humiliating practices that deny the person's capacity for reflection and power of judgement and interfere in the individual's private sphere. For this reason, employment placement represents a further focus of current research (cf. on this topic the volume by Van Berkel and Valkenburg 2007). Investigation here includes the instrument of creating contracts (within the context of integration agreements), which aims to enhance the status of the benefit recipient as co-producer. But also in the contact between employment placement officers and those seeking work, practices would need to be developed according to which the employment placement officers recognise the respective basic problem of the persons seeking work and develop strategies for overcoming them (Hielscher and Ochs 2008). Standardised procedures and practices have the opposite effect in that the biographies are adapted to the format of administrative forms or standardised programs of action are applied that bear no relation to the specific problem (Spindler 2003). Creativity that the citizens would need to develop new perspectives is employed to at least appear to satisfy the demands of the agencies (Hielscher/ Ochs 2008). And finally, a personally defined manner of dealing with the circumstance of being unemployed is also influenced by the portfolio of promotional measures offered, e.g. further training or retraining, which supports the citizens to develop their own perspectives. The prescription of short-term training programs, which are partly used by the labour administration as a test of the willingness to work, has the opposite effect because they systematically deny the respective person's freedom to make their own decisions. Essentially, standardised promotional programs run contrary to individual needs and therefore also systematically work against the objective of increasing individual autonomy (Spindler 2006).

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<sup>21</sup> In the German labour administration, many procedures are regulated through 'implementation provisions' and administrative acts that are difficult to decipher even for social lawyers. A court order makes the publication of these administrative acts obligatory.

### *3.3 Strengthening the capacity for collectivity through the appropriate regulation of reciprocity structures*

Finally, a third demand of autonomy enhancing social policy is found in the citizens' capacity for reciprocity and their willingness to accept a reference point and design regulations such that the demands of the law are compatible with the population's implicit value system. Relationships based on reciprocity can naturally vary and can be more or less confined or open in design (Lessenich and Mau 2005). Reciprocity relationships are embedded in the basic structures of the welfare state (Mau 2002; Mau 2004). These are the adjustment instruments here specifically in relation to three dimensions, the conditionality, the temporality and the "currency" of the exchanged goods (Goodin 2002: 583). The reciprocity structure of the social insurance model is characterised, in contrast to that of a security model which is the model for workfare, by the temporary nature of the reciprocity relationship, in that the times allowed for reintegration in the labour market are conditional on advance performance and an achieved status (contributor) and do not rely on specific behaviour as in the workfare strategy, and that until now the "currency" rested in the basic provision ("availability") of – qualified – labour.

Activating strategies usually have three effects: They shorten the term in which benefits that secure the standard of living are paid, their payment is linked to a specific sanctionable behaviour of the unemployed person and they simultaneously expand the definition of what is demanded as reciprocal performance through the expansion of the criteria for what constitutes a reasonably acceptable job. The granting of benefits dependent on behaviour is especially problematic (Clasen and Clegg 2006). In Germany, e.g. the benefit can be cancelled if the recipient does not report punctually to an appointment with the Employment Placement Officer does not signalise sufficient willingness to work to a potential employer. Above all, a bureaucratic encroachment now takes place even prior to the occurrence of the risk, namely through the requirement to register as unemployed "early" and to report personally to the employment placement office. Here, alone the increased probability of becoming

unemployed is used as a lever to direct people's behaviour.<sup>22</sup> This paradox becomes especially clear in terms of the enforcement of changes in gender relations: On one hand the employment insurance system (and also the accompanying systems) remains oriented on the model of the male breadwinner and as such sets incentives for a gender-specific distribution of labour; on the other, women who live with an (long-term) unemployed partner can – as part of the “needy household” (*Bedarfsgemeinschaft*) – now be obligated to enter employment if this can reduce the amount of basic security benefit drawn by the unemployed person (for further details, see Betzelt 2007).

And finally, legislation for dealing with unemployment – and relief of the citizen from the personal implications through the provision of benefits and promotional measures – is subordinated to the explicit objective of disciplining the citizens' interests in self-determination. With reference to the necessity of early support and rapid reintegration<sup>23</sup> the general doubt that people possess the interest and motivation to move into a new position under their own efforts is institutionalised. This is used to justify the later threat of a possible reduction in benefits that forces specific behaviour. In fact, many of these behavioural demands were developed to be able to sanction non-compliance with a reduction in benefits (Spindler 2003). The change in the conditions of payment (conditionality) from being status-based to being granted on the basis of a specific life situation or behaviour is in fact a common feature of present labour market policy reforms in Europe (Clasen and Clegg 2006) in which the basic incompatibility of existing activating policies and emancipatory strategies for strengthening individual autonomy is indicated. In other words, policy strategies whose point of reference is not trust in the citizens' capacity and willingness to reciprocity, but rather an empirically unsustainable but discursive and medially transmitted distrust of the recipients of social security benefits, represent a basic threat to our third criteria for autonomy, namely the strengthening of an orientation towards commonly shared welfare principles.

A further tendency that is generally underestimated is the connection between reforms in the unemployment insurance system and changes in labour law regulations. The norm of the protected, stable and full-time employment relationship is deregulated from

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<sup>22</sup> It is especially surprising here that it is expected of those still in employment and their employers that vacation is applied for in order to personally present to the Employment Office in a phase where – at least in cases of fixed-term employment – negotiations may be underway for an extension of the contract.

<sup>23</sup> On the differing demands of inclusion and integration strategies cf. also (Castel 1996).

two sides: Directly through changes to protective labour law, e.g. the protection against termination of the employment relationship or working hours deregulation, but also indirectly through the definition of the criteria for what can reasonably be expected. Should protective provisions related to attainable income or employment conditions be weakened or, as in Germany, every reservation related to the level of qualification of the unemployed be abrogated, then – in the face of sustained high unemployment – this indirect minimum standard will replace the achieved average standard as a reference point for ‘good quality employment’ in the medium term. The increasing demands on the individual’s willingness to work therefore threaten not only the individual standard of living of citizens who are temporarily unemployed, but also establish a mechanism that increases the latent pressure on the standard of average employment conditions.

This is not to say that a once established and accepted principle of reciprocity cannot be changed or that the demand for a greater personal contribution – e.g. through the acceptance of a more flexible employment relationship or the assumption of more responsibility – is essentially problematic. However, the call for more individual responsibility is – like the promotion of employment flexibility – a contradictory and one-sided limitation of the scope of individual decision-making, which in effect is overly demanding on the individual (cf. Lessenich 2003; Nullmeier 2006). In principle, the change of role distribution between the citizens and the State requires special justification that the citizens can understand and whose logic they can accept. This justification should be connected with the structures of reciprocity and expectations that exist in the population and it should rest on empirical findings that prove that changes can, with a high degree of probability, improve the general *and* the individual situation<sup>24</sup>. Reforms should however also provide compensation for the demanded loss of autonomy that opens up new scope for action in another area.<sup>25</sup> Without these accompanying autonomy-enhancing measures, activating strategies remain confined to the rhetoric of social policy innovation that attempts to justify the one-sided dismantling and redesign of established distribution criteria and value structures solely on the

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<sup>24</sup> For example, to date there is a lack of evidence that the deregulation of employment relationships has been able to significantly influence the level of employment. This could include evidence of the effect on the duration of unemployment, which however cannot be interpreted unequivocally from the perspective of effectiveness of reintegration processes (Gangl and Schmid 2002).

<sup>25</sup> This compensation is built into the Flexicurity Strategy. The rhetoric of ‘promote and demand’ is not an institutional answer to this claim.

grounds of questionable theoretical offers. As long as no final empirical evidence on the best and most effective labour market policy strategy is available, including for demand-side oriented strategies, policy makers face the problem of more or less arbitrarily defining and communicating appropriate standards.

## 5. Conclusions

The effects of social policy and the activating social state reforms are inadequately conceptualised if they are exclusively recorded and described in terms of distribution. A more cultural comprehension of the welfare state is required in order to comprehensively assess their indirect and subjective consequences. The lines of conflict between the perspective of recognition and that of redistribution in the welfare state have already been formulated in the social theoretical debate (Nullmeier 2003).

In this contribution, I have argued that not only economic redistribution effects can be found on the individual level but also effects on the individuals' perception of security and expectations of protection. In contrast to the material dimension, the effects of the reforms on this sphere are not limited to those who are unemployed. Rather, and this makes the cultural perspective of welfare statehood evident/ relevant, it is the established structures of reciprocity and the subjective life perspectives in general that are affected by supposedly incremental or emancipatory reforms. Confining the analysis of policy reform to the redistributive paradigm (for a critique, see also Young 1990) would unnecessarily limit insight into change in the welfare state and the effects of social policy reforms and could possibly blend out serious consequences. Theoretical perspectives that see the task of the social state as the creation of "legal institutional and discursive conditions that secure the broadest possible spectrum of free development of one's personal (comparative) orientation towards action while at the same time securing mutual respect" (Nullmeier 2003: 415) should therefore be a starting point in the analysis social policy reforms.

Social and cultural changes confront the individual, but also the social state, with new challenges. But they, like the associated and possibly irreversible changes to the moral order and the resulting contradictions and dilemmas, must first be overcome by the individual (Gerson 2002). To be able to better describe these effects and problems requires a perspective that "brings the subject (i.e. the citizen) back in" to the focus of the analysis. Prior to the development of normative criteria and their application in the evaluation of social policy regulations, it is first necessary to develop a system of

categories that connects with cultural approaches to social policy research and comprehends the categories related to the individual, such as attitudes, participation, sense of justice, etc. not solely as indicators of legitimization and acceptance of policy or the social state – as in the research on the “moral economy” of Welfare States – but combines the observation of individual life situations with theoretical considerations of action in order to be more capable of estimating the consequences of change. In these perspectives, the categories related to the individual, the identification with the social context, the capacity for self-determination and the capacity for collective welfare are the ‘target variables’ that arise from the extended concept of autonomy and are more appropriate for describing individual perceptions of security which can only be partly and inadequately illustrated on the basis of quantifiable indicators. The so established concept of individual autonomy also lends itself better to measuring the facets of possible effects of general socio-political conditions and their changes than the research on social exclusion which only relates to selected groups. It also does better than targeted labour market research that investigates specific behaviour in the employment market (e.g. employment market transitions, part-time employment, etc.) or the quantitative research into the phenomenon of social acceptance or equality and justice as these leave no space for individual reflection and description and can hardly measure qualitative changes. In contrast, the analysis of the effects of social policy reforms and change in the welfare state from the individual’s perspective on the basis of the concept of individual autonomy presents a very promising attempt to examine the social and political environment and the effect on the individual’s sense of security and the development of life perspectives exploratively and comprehensively. The concept of individual autonomy restores the politically mature citizen as the objective of socio-political action in the welfare state debate, without falling into the trap of reducing individual repertoires of action and being to the economically reduced ascription of egocentric action (for a differentiated typology of comparative orientations, cf. Nullmeier 2000: 307ff.)

To provide a new perspective for the motivation for analysing the effects of social policy reforms demands that the problems that follow are at least mentioned.

The assumption of the citizen’s ‘social bias’ or ‘bonds’ is not without methodological consequences for social science’s analysis of the subjects’ capacity to act. Through the socialisation process, experience, normative attitudes and expectations become implicit, taken-for-granted knowledge that is hardly measurable since these variables evade the

'simple' deductive methods of scientific analysis. International comparison is of great interest here because it can reveal differences in the perception and assessment of social state intervention depending on various institutional and non-institutional conditions. The results of quantitative comparative studies are an important component and starting point for the development of hypotheses. However they cannot replace a detailed analysis of the conclusions about the effects of reforms on individual behaviour. This requires qualitative comparative analysis to highlight the individual's close-up view of the reform processes and to investigate the role of social benefits for the citizen's sense of security. This means, finally, that we need to consider the citizens' self-evident and day-to-day perceptions and that we may have to draw on new methodologies such as ethnographic research methods and strategies.

Possibly, what was previously only hinted at, but represents an old basic assumption of social research, would then (again) be clearer: That social policy is not concerned with the distribution of benefits in order to achieve ultimate satisfaction in society but rather with the design of dynamic processes of change that should allow the realisation of individual life plans (Kaufmann 1973). In any case it is certain that consideration of the concept of individual autonomy raises a series of theoretical, methodological and also political questions about social political research for which there are no satisfactory answers to date. In my estimation, the clarification of these questions stands before the central and associated question: How can public social policy protect and support the citizens' individual autonomy?

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