ITS11 – The state

1. Introduction: sociology and the state

Public policy analysis   Welfare state   Historical sociology of state formation

Public administration

STATE

Sociology of the elite/ Elite theory   Sociology of law

Street-level bureaucracy

State-society relations   Education   Crime

Interest groups   Social movements   Health

Social control
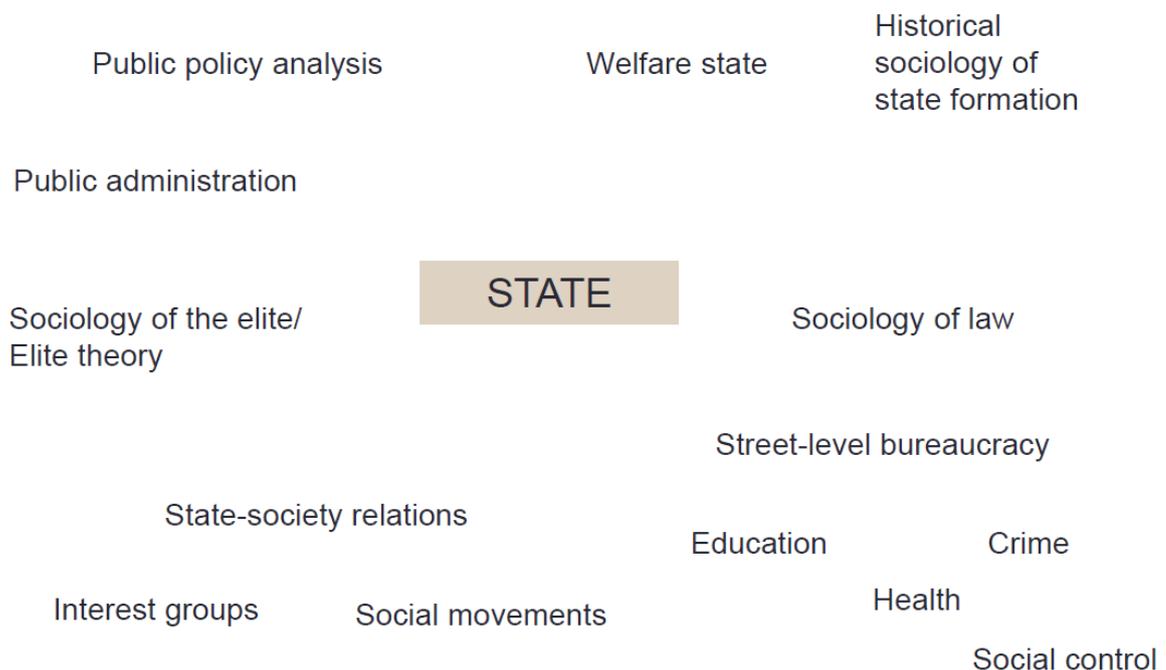
→ What is the state made of and how does it affect people's lives?

2. A historical sociology of the state

A. M. Weber on the state, legitimacy and bureaucracy

a) Preamble: the weberian « ideal type »

What is an ideal-type?
"an ideal type is formed by the one-sided *accentuation* of one or more points of view" according to which "*concrete individual* phenomena … are arranged into a unified analytical construct"; in its purely fictional nature, it is a methodological "utopia [that] cannot be found empirically anywhere in reality"
[Weber 1904/1949, 90, quoted by *Stanford encyclopedia of philosophy*]

- An ideal-type is not empirical data, it is an analytical tool defined by the sociologist in order to help better understand and interpret the empirical world

- As a consequence, it makes no sense to criticize an ideal-type for being a distortion of empirical reality – it is precisely what it is supposed to be
- This analytical construct is defined by means of the "one-sided *accentuation"* of a limited number of characteristics of the empirical, concrete phenomenon
  - An ideal-type is defined drawing on the observation/comparison of empirical facts
  - The traits that are accentuated are selected in relation with the sociologist's viewpoint/analytical focus of interest
- An ideal-type is NOT an ideal (analytical, non normative concept)

b) Weber's definition of the state

"a state is a human community that (successfully) claims the *monopoly of the legitimate use of physical force* within a given territory"
(Weber, "Politics as a vocation", 1918, Weber's emphasis)
  - Territory
  - Monopoly
  - Legitimacy

c) 3 types of legitimate domination

In any type of political order, leaders will always try (at least to some extent) to obtain some form of recognition of their authority; their domination does not rely solely on physical constraint or threat, but they will try to make their domination perceived as legitimate, accepted by the subjects/citizens → 3 ideal-types of authority or legitimate domination:
- **Traditional**: legitimacy based on the « day-to-day belief in the sanctity of the traditions »; it derives from the belief in the sacred character of given traditions, the customs associated with them and the leaders designated following them
- **Rational-legal**: legitimacy based on the fact that the leader and the rules attached to the political order have been designated and defined following a *legal* procedure; legitimacy is based on the *legality* of the procedures and rules.
- **Charismatic:** legitimacy based on a belief in the special virtue/value/charisma of the leader.

d) Weber on bureaucracy in the legal-rational mode of domination

Bureaucracy as a form of administrative organization characteristic of the modern state (legal-rational authority)
- High division of labor and specialization of tasks
- Formal, impersonal rules and procedures defining:
  - The jurisdiction of each office
  - Its modes of operation
  - The recruitment and promotion of bureaucrats…
- A rational and impersonal definition of hierarchy (loyalty to the institution, the function, not the person)
- Reliance on specialized, technical expertise
- Recruitment based on formal qualifications; clear-cut separation between the public and the private

B. N. Elias on state formation

a) N. Elias, 1897-1990

- From history to psychoanalysis, a wide range of theoretical influences
- Historical sociology / Process sociology
- Key concepts : figuration, interdependence, habitus
- Main publications in relation to state formation:
  - (1969 [1939]) *The Civilizing Process, Vol.I. The History of Manners.*
  - (1982 [1939]) *The Civilizing Process, Vol.II. State Formation and Civilization.*
(1983 [1933]) *The Court Society*.

b) A double monopoly

- State formation analyzed as the gradual formation of 2 monopolies:
  - Monopoly of **physical violence** → internalization/incorporation of social constraint, rationalization of social conduct, "civilization process"
  - Monopoly of **taxation**
→ Mutually reinforcing : « two sides of the same monopoly »

C. From state formation to contemporary policymaking: the role of the welfare state

- The welfare state as a state response to the excesses of the « self-regulating market »
- Extension of the state's domains of intervention: education, health, unemployment insurance, pensions, family allowances…
- Varied origins, forms and extent from one country to the other (Esping-Andersen, 1990)
- Effects on social inequalities

3. Street-level bureaucracy (SLB)

A. Street-level bureaucracy: definition and examples

Street-level bureaucrats = « Public service workers who interact directly with citizens in the course of their jobs, and who have substantial discretion in the execution of their work » (Lipsky, 1980, p.3)
Criteria:
- Public service
- Direct interaction between public workers and citizens/users
- Discretion
→ « […] work as diverse and apparently unrelated as that of guidance counselors, judges, police officers, and social workers to a degree is structurally similar, so that one could compare these work settings with each other » (Lipsky, 2010, p.xii)

- Examples of street-level bureaucracies: « the schools, police and welfare departments, lower courts, legal service offices […] »
- Examples of sociological work on SLB in France:
P. Warin (1993) on social housing offices (offices HLM)
V. Dubois (1999) on welfare offices

J-M Weller (1999) on social security/health insurance offices
Y. Siblot (2006) on postal services, social work centers and city-hall desks
A. Spire on immigration offices (2008) and taxation offices (2012)
N.Belorgey (2010) on hospitals/ER
G.Mainsant (2008) on police and prostitution

B. Why study street-level bureaucracy?

« […] Street-level bureaucrats have considerable impact on people's lives. This impact may be of several kinds. They socialize citizens to expectations of government services and a place in the political community. They determine the eligibility of citizens for government benefits and sanctions. They oversee the treatment (the service) citizens receive in those programs. Thus, in a sense street-level bureaucrats implicitly mediate aspects of the constitutional relationship of citizens to the state. In short, they hold the keys to a dimension of citizenship ».
(Lipsky, 1980, p.4)

- SLB = where public policies are implemented - allocation of rights, benefits and sanctions to citizens
- SLB = « where citizens experience […]governement » (Lipsky, 2010, p.xi-xii)
- SLB reflects state reform/current reforms of state intervention

C. How do sociologists study SLB?

a) The methods

- Ethnography/direct observation:
  - Desk encounters
  - SLB beyond desk encounters: hospitals, Courts, police, schools, prisons, etc.
- Semi-structured interviews
  - With street-level bureaucrats
  - With citizens/users of SLB
- Archive analysis (working on personal files/cases)
- Quantitative analysis

b) Example of Dubois's study of French welfare offices (CAF):

- 2 CAF in 2 administrative districts
- Fieldwork over a period of 6 months
- Observation of waiting area and face-to-face encounters at reception (900)
  - Sitting next to the employee
  - Observation grid: general tone of the conversation, description of recipients and their practices, professional practices of the agents
  - Formal semi-structured interviews with 22 agents and 120 shorter, informal interviews with applicants in the waiting room
(Dubois, 2010 (1999), p.17-21))

D. Street-level bureaucracy: main conclusions

a) A street-level input to public policy analysis

- • **Discretion**
- • **Discretion**: public policy in the books vs public policy in action / « highly scripted » work vs « improvisation and responsiveness to the individual case »

« However diverse these occupations otherwise are, they could now be seen as embodying an essential paradox that plays out in a variety of ways. On the one hand, the work is often **highly scripted** to achieve policy objectives that have their origins in the political process. On the other hand, the work requires **improvisation and responsiveness to the individual case**. Not only that, but generally the public wants administrators of public services to be at least open to the possibility that a special case is presenting itself, or that extraordinary efforts of one sort or another are called for ».
(Lipsky, 2010, p. xii, my emphasis)

- • Dubois (2010): 2 types of discretion:
  - • The settling of « problematic » cases
  - • « Flexible administrative practices » facing an individual case, such as « doing small favours, taking distance from administrative 'inconveniences', overlooking omissions or mistakes » (Dubois, 2010, p.151)

Dubois, 2010: examples of « Flexible administrative practices » (excerpts from direct observation, p.152-153):
- • 'The original of the lease is missing, but it will do'
- • 'We're not going to nitpick, it would make you miss one more month'
- • 'If it's only 24m², you'll tell him [the landlord] to write 25, right?'

- • **Tension between individual treatment and « mass processing of clients »**
- • Context of individualization of social policy
- • Structural contstraints which press the agents towards mass-processing: lack of time, caseload…

→ « street-level bureaucrats manage their difficult jobs by developing **routines of practice** and **psychologically simplifying** their clientele and environment » (Lipsky, 2010, p. xi-xii, my emphasis)

- • **A different view on policymaking: the policymaking role of street-level bureaucrats**
- • The practices of SLBs are not a poor approximation of the intended policy, they ARE the policy → SLBs have a policy**making** role, not just implementing
- • Need to focus on SLBs to fully understand a given policy

« I argue that the decisions of street-level bureaucrats, the routines they establish, and the devices they invent to cope with uncertainties and work pressures, effectively *become* the public policies they carry out. **I maintain that public policy is not best understood as made in legislatures or top-floor suites of high-ranking administrators**. These decision-making arenas are important, of course, but they do not represent the complete picture. **To the mix of places where policies are made, one must add the crowded offices and daily encounters of street-level workers.** Further, I point out that policy conflict is not only expressed as the contention of interest groups, as we have come to expect. It is also located in the struggles between individual workers and citizens who challenge or submit to client-processing »
(Lipsky, 2010, p. xiii)

b) How street-level bureaucrats make sense of their work

- • How street-level bureaucrats make sense of their work:
  - • Ideal conception of the job: commitment to public service

• Reality: huge caseloads, distressed clients…

→ SLBs « develop conceptions of their work and of their clients that narrow the gap between their personal and work limitations and the service ideal »

(Lipsky, 2010, p. xiv-xv, my emphasis)

« One important way in which street-level bureaucrats experience their work is in their **struggle to make it more consistent with their strong commitments to public service** and the high expectations they have for their chosen careers. People often enter public employment with a commitment to serving the community. Teachers, social workers, public defenders, and police officers partly seek out these occupations because they offer socially useful roles. Yet the very nature of these occupations can prevent recruits to street-level bureaucracies from coming even close to the ideal conception of their jobs. Large classes, huge caseloads, and other challenging workload pressures combine with the contagious distress of clients who have few resources and multiple problems to defeat their aspirations as service workers.

[…] [Street-level bureaucrats] **believe themselves to be doing the best they can under adverse circumstances**, and they develop **techniques to salvage service and decision-making values within the limits imposed on them by the structure of the work**. They develop conceptions of their work and of their clients that narrow the gap between their personal and work limitations and the service ideal »

(Lipsky, 2010, p. xiv-xv, my emphasis)

c) How citizens perceive public services and relate to them

• Perception of public service and expectations towards it
• Non-demand/non-take up
• Power relations / asymmetry of the relationship
• Adaptations and strategies to « micro-subvert » the institutional order

Citizens' adaptations and strategies to « micro-subvert » the institutional order

- Clients are not just « **receptacles of institutional discourse, who submit to its injunctions with docility »**
- **Strategies, secondary adaptations;** putting on the 'good recepient''s clothes Distancing, bypassing institutional norms or even challenging institutional norms
- (Dubois, 2010, 137-138).

« […] visitors' institutional conformism is never guaranteed. **Visitors, indeed, cannot be reduced to mere receptacles of institutional discourse, who submit to its injunctions with docility.** Despite the asymmetry of the relationship, strategies are also at work at the weaker end. First of all, strategies are developed to deal with the institutional order and micro-subvert it: individuals move away from the role and the character assigned to them by the institution through 'secondary adaptations' (Goffman, 1961) […]. There are also strategies to manage appearances, when visitors play the game of institutional conformism because they are directly exposed to the institutional gaze. You can put on the 'good recepient''s clothes in front of the institution's representative and take them off as soon as you have left the room. Distancing, bypassing institutional norms or even challenging them: the reception desk is the place where the limits of institutional injunctions are shaped.

Such secondary adaptations and other insubordination strategies are related to the issue of the uses of the institution […]. New uses of the institution are invented at reception » (Dubois, 2010, 137-138).

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