The German Welfare State in the Era Kohl

JENS ALBER

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Alber: The German Welfare State in the Era Kohl

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This Working Paper has been written in the context of the 1998-1999 European Forum programme on Recasting the European Welfare State: Options, Constraints, Actors, directed by Professors Maurizio Ferrera (Universities of Pavia and Bocconi, Milano) and Martin Rhodes (Robert Schuman Centre).

Adopting a broad, long-term and comparative perspective, the Forum will aim to:

- scrutinize the complex web of social, economic and political challenges to contemporary European welfare states;
- · identify the various options for, and constraints on institutional reform;
- discuss the role of the various actors in promoting or hindering this reform at the national, sub-national and supra-national level;
- · and, more generally, outline the broad trajectories and scenarios of change.

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The German Welfare State in the Era Kohl

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1. SOME CURRENT GERMAN DIAGNOSES

a) On Policy Outputs

German social science has come up with three basic interpretations of social policy changes in the era Kohl. The first school of thought stresses the profoundness of change under the bourgeois government and speaks of a successful conservative transformation that modified the basic character of the German welfare state. The second school does not see a profound transformation, but testifies a shift in priorities from need satisfaction to fiscal stabilisation, or from social to economic policy concerns. The third school, finally, stresses the failure of the conservative governments to achieve fully fledged reforms and draws attention to the amount of continuity in German social policies. Each of these three basic arguments comes in two slightly differing variants, so that we can distinguish six leading diagnoses in German social science, which can briefly be outlined as follows (see *table 1* for a summary).

Table 1: Diagnoses of social policies in the era Kohl

- 1. Bourgeois backlash
- a) Conservative transformation (Goettingen school)
- b) Re-commodification (Bremen school: Neyer/Seeleib-Kaiser 1996)
- 2. Cost containment
- a) From social policy to system stabilisation policy (Vom Sozialstaat zum Sicherungsstaat: Nullmeier/Rueb 1993)
- Shift from open-ended need satisfaction to budgeting/End of the social insurance principle (Landenberger 1994; Rothgang 1994)
- 3. Institutional inertia
- Labour market segmentation due to the continuing emphasis on transfers rather than services in a patriarchical tradition (Esping-Andersen 1996; Manow/Seils 1999)
- b) Immutability/continuity while struggling to muddle through (Scharpf: Joint decision trap; Pierson: Blame avoidance)

A group of younger sociologists at the university of Göttingen describes the change in social policies under chancellor Kohl as something combourgeois revolution (P. bourgeois revolution (Borchert 1995, Lessenich 1996). Based on secondary reviews of the literature and sweeping interpretations rather than painstaking research, these sociologists speak of a deliberate restructuring from welfare state to welfare society, as social obligations were being shifted from the state to the market and to private households. Solidaristic elements were being retrenched in favour of privatisation and familism. As a consequence there was growing social exclusion, with unemployment compensation beneficiaries and social assistance recipients as prime losers in the curtailment process.

ii) Re-commodification

A second group of scholars, situated at the university of Bremen, arrives at similar conclusions, but stresses "re-commodification" as the underlying logic of policy developments under Kohl (Never/Seeleib-Kaiser 1996). They argue that under conditions of globalisation welfare states are being transformed into competition states which primarily strive at reducing the cost of labour. "Recommodification" is seen as a deliberate attempt to constrain people with little human capital to accept the jobs that are being offered to them in the labour market independently of the low level of pay or of bad work conditions. In order to achieve this re-commodification, social assistance and unemployment benefits, which function as effective thresholds for minimum wages, must be lowered and thus become the prime targets of cutbacks.

iii) From Social Policy to System Stabilisation Policy

Political scientists at the universities of Hamburg and Hannover have come up with a third interpretation which stresses the growing importance of fiscal consolidation (Nullmeier/Rüb 1993). They speak of a transformation of welfare policies in the sense that redistributive elements are being increasingly eliminated and that social policy becomes less concerned with social justice and social integration, but above all with ensuring the fiscal solvency of social programmes. Especially the pension scheme becomes transformed to function as a cybernetic system, where benefits and contributions are automatically linked to changes in the environment, so that the nature of entitlements becomes uncoupled from parliamentary discourse. Political options thus become narrowed to technocratic choices between various methods which Digitised version pr stabilize the existing system by adapting it to demographic changes.

iv) Shift from Open-ended Need Satisfaction to Budgeting/End of the Social Insurance Principle

In a very similar vein, various other scholars have drawn attention to a new primacy of stabilising the contribution rate and of making entitlements in the social insurance schemes contribution-defined rather than need-defined (Landenberger 1994; Rothgang 1994). Based on the new principle of revenue-dependent expenditure policy ("einnahmenorientierte Ausgabenpolitik"), capped budgets and fixed lump-sum benefits increasingly replaced open-ended benefits in kind, especially in the health care and long-term care programmes. A second departure from traditional principles is seen in a gradual shift from joint contributions shared equally by employees and employers to pre-dominant financing from employees. Thus, various user charges were introduced in the sickness insurance scheme, and the introduction of long-term care insurance was coupled with the abolition of one holiday in order to alleviate the financing burden for employers.

The remaining two diagnoses find the degree of continuity in German social programmes much more impressive than the degree of transformation. They stress the inertia and immutability of social policies in Germany even under a liberal-conservative government.

v) Segmentation due to the Continuing Emphasis on Transfers rather than Services in the Patriarchical Tradition

Based on Esping-Andersen's work (Esping-Andersen 1996), authors such as Manow/Seils (1999) stress the continuing patriarchical character of the German welfare state. Under the influence of catholic social doctrines and of the liberal party, social policies remained largely limited to the payment of social transfers, while the provision of services remained left to private households. Policy continued to be guided by the normative ideas of the male family breadwinner with life-time employment and of women as housewives and mothers. In order to enable their mostly male members to earn sufficient incomes for their families, the trade unions had to press for high wages, but the high cost of labour made it increasingly difficult to find jobs, especially for unskilled workers with low productivity. Just like other conservative continental welfare states, the German welfare state under Kohl reacted to these problems with labour shedding through early retirement. This strategy, however, requires higher taxes or contributions which makes labour even more expensive for employers and widens the wedge between gross and net earnings. This leads to increasing unemployment among the unskilled and to a segmentation of the labour market between well-protected insiders on the one hand - usually younger, better educated men - and outsiders who remain locked-out from employment on the other - usually older, less educated and female.

In this perspective, the German welfare state remained dominated by patriarchical tendencies, preserved an outstanding reliance on social transfers as one of its distinguishing features, and produced increasing problems of segmentation in the labour market. One further diagnosis arrives at similar conclusions, but stresses more directly a remarkable continuity and immutability as outstanding features of German social policies.

vi) Immutability and Continuity while Struggling to Muddle Through

Arguments stressing the immutability of the German welfare state are usually based on the idea that the German political system is filled with veto points which limit the decision making power of the federal government. One variant of this idea is proposed by Fritz Scharpf (1985) who characterizes Germany as a country which is caught in the joint decision trap of its peculiar type of federalism - with frequent joint financing of programmes by various levels of government and a high requirement for consensus in a bi-cameral federal parliament -, while the system of corporatist negotiations in industrial relations is characterized by mutual distrust among employers and unions. In this constellation of institutional inertia, reforms become blocked, even though functional pressures increase, as the welfare state produces poverty traps, and the globalisation of the economy makes the employment of unskilled workers with little productivity but high social protection costs increasingly difficult. —

Outside of Germany, a similar argument of welfare state inertia has been proposed by the American political scientist Paul Pierson (1996). In his view, welfare state reform is unlikely, because retrenchment is unpopular, and governments follow a logic of blame avoidance, thus shying away from unpopular curtailments. They do this because the costs of curtailments tend to become immediately and painfully visible, as they are concentrated on specific groups of beneficiaries, while the promised benefits in terms of higher economic growth rates or extended employment are diffuse and deferred to the future.

So much for some of the diagnoses. Very briefly, and in passing, I would also like to mention a second dimension in the analyses of changes in the German welfare state. This is the dimension of political procedures or the arenas of decision making, to which some German political scientists have drawn attention. Digitised version

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B) On Policy Procedures

The interesting aspect here is that some scholars who belong to the school of institutionalists try to systematically link policy changes in the fields of pension and health policy to changes in the decision making process. The basic idea is that policy results are influenced by the structure of the network of decision makers and that the enactment of unpopular policies requires a social closure of the political circles which formulate policies. If you want to cast it in terms of the categories of the famous article by Cobb/Ross/Ross (1976) on "Agenda building as a comparative political process", retrenchment policies are the typical case of an "inside initiative" on the part of political elites, where it is important not to mobilize interest groups or the public (as in the cases of what they call "outside initiative" or "mobilization from above").

In their analysis of pension policies, Nullmeier/Rüb (1993) arrive at the image of a de-parliamentarisation and corporatisation of political procedures, as the formulation of policy alternatives is being shifted from the formal bodies foreseen in the constitution to ad-hoc short-term corporatist negotiation systems. The basic policy options are formulated in a small exclusive network of what Nullmeier/Rüb call "the club of pension men". This small closed circle of some 30 male pension experts is effectively closed off from new ideas such as independent entitlements for women, universal minimum pensions or shifts from pay as you go to a funded scheme. This small decision making circle consists of representatives of the unions and employers, who jointly administer the pension funds, on the one side, and of the Ministry of Labour on the other. Nullmeier/Rüb see the de-parliamentarisation and depoliticisation of the decision-making process as an important pre-condition for the transformation of highly political issues such as redistribution and social justice into technical issues of system stabilisation such as how to integrate the statistical parameters of the pension scheme into a self-regulating cybernetic feedback system.

In his analysis of sickness insurance reforms, Philip Manow (1994) arrived at the conclusion that there is an increased informalization and party politicization of the decision making process which helps to neutralize the influence of the lobby in health insurance reforms. In his view, the enactment of the rather successful 1992 reform was achieved above all by changing the typical sequence of political procedures. Whereas hitherto the reform plans had been drafted in the ministerial bureaucracy - which was tightly interwoven with and hence widely open for interest group influence - the new reform was drafted by a small group of party experts outside the ministry, and the bill was forwarded to the ministry only at a later stage, after the basic decisions had been made. While this helped to neutralize the influence of interest groups, a

second informal agreement with the health experts from the opposition party helped to neutralize the veto point of the German bicameral system, as the arena of decision making was shifted from the formal parliamentary arbitration committee to an informal inter-party committee of health policy experts.

The two analyses share the idea that social closure is an important prerequisite for successful welfare reforms, but they differ in their emphasis on different forms of closure. Whereas Nullmeier/Rüb see a bureaucratisation and corporatisation of decision making, Manow stresses the growing importance of party experts, and the parties' penetration of all legislative activity.

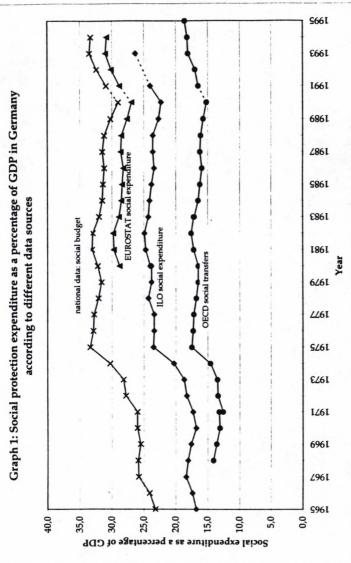
The interesting question, of course, is to what extent these diagnoses can be generalized beyond a single case study of one particular decision making process, and to what extent the proposed ideas hold up to empirical scrutiny. In the following, I do not want to dwell any further on the features of the decision making procedure, however, but will concentrate on the enacted policy output instead.

To what extent there was outstanding change or continuity in Germany and to what extent various programmes stand out as winners or losers of the era Kohl can only be determined by looking at longitudinal data of programme development and at comparative data that put the German changes into perspective. This has been the research programme at my social policy chair in Konstanz in recent years, where two doctoral dissertations, a series of diplomatheses and some articles by myself have attempted to clarify which programmes were hit hardest in the era Kohl and what features of social policies in this era are conspicuous in a comparative perspective. I now want to present some results of this research, and then return to the question which of the leading diagnoses or interpretations appear as more convincing in the light of empirical data. I will first look at the development of some aggregate data.

2. TRENDS AND DEVELOPMENTS: SOME QUANTITATIVE DATA

Judging by the usual ILO, OECD, or EU data, the expansionary trend of social spending has clearly been broken in Germany. However, the level of the social expenditure ratio has remained at similar heights in recent years as in the golden age" of welfare state expansion up to the mid-1970s (graph 1). Even though the different statistical definitions of social outlays used in various

¹ The subsequent pension and health reforms were much more polarized along party lines again, and the health reforms of the second half of the 1990s were marked by successful lobbying especially of the pharmaceutical industry (see Wasem 1998).



Sources: Sozialbudget 1997; EUROSTAT Social protection: expenditure and receipts 1980-1994; ILO The Cost of Social Security, Data refer to Western Germany until mid-1990 (national data), 1991 (EUROSTAT, OECD), and 1993 (ILO). various volumes; OECD Historical Statistics, various volumes.

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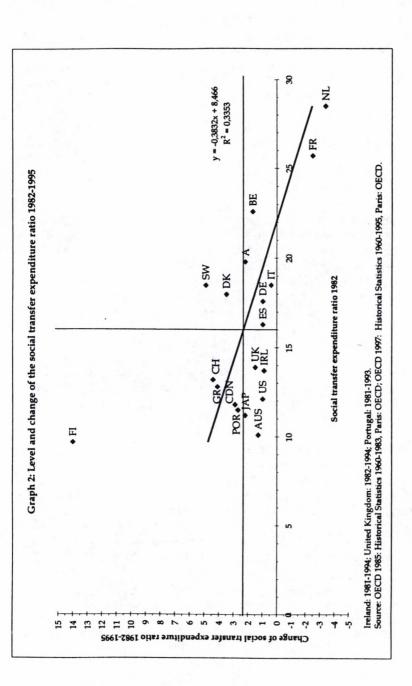
sources yield discrepant levels of the expenditure ratio, they all reveal identical patterns of development: A phase of steep growth up to the mid-1970s was suddenly brought to a halt in 1975. The major discontinuity thus occurred not under the Kohl government, but under the social-liberal coalition, after chancellor Brandt had been replaced by chancellor Schmidt. Under the Kohl government, the social expenditure ratio more or less stagnated, until the German unification ushered in renewed expansion in the 1990s which brought the ratio once again close to the high levels of the mid-1970s.

In sum, the growth of social spending had clearly been checked up to the German unification, but in order to judge to what extent this rupture with past trends was usual or unusual in Germany, we need an international comparison that puts the German developments into perspective.

Changes of the social expenditure ratio are presumably not independent of the levels of spending which were reached previously. Here we may think of two competing hypotheses. From a power resource perspective, one might suspect that severe austerity measures are only adopted in less developed welfare states, where only small proportions of the electorate rely on welfare benefits as a major source of income, whilst extended welfare states with large clienteles commanding a major share of the votes make retrenchment politically difficult (see Alber 1988; Pierson 1996). Hence one would expect a positive association between the level of social spending and subsequent changes in the expenditure ratio. A political learning perspective, on the other hand, would suggest that especially big spending welfare states encounter problems in an eracle of population ageing and global competition, and that learning from this developed welfare states are only adopted in less developed welfare states with large clienteles commanding a major share of the votes make retrenchment politically difficult (see Alber 1988; Pierson 1996). Hence one would expect a positive association between the level of social spending and subsequent changes in the expenditure ratio.

A scattergram examining the relationship between the level of spending reached at the beginning of the era Kohl in 1982 and subsequent changes in the transfer expenditure ratio up to 1995 shows a negative association in line with the political learning hypothesis: The higher the original level of spending in OECD countries, the more cutbacks or at least the more marked slow-down of growth came about in the most recent period (graph 2). Nothing in the datas suggests that Germany was particularly unsuccessful in checking social expenditure growth. On the contrary, the country is close to, and even below

² The results of such an analysis are extremely sensitive to variations in the starting points and the periods of subsequent change. Thus, an earlier analysis along these lines which used 1975 as the point of departure and the period 1975-84 for measuting change yielded a positive relationship between levels and change (see Alber 1988: 192).



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the regression line, with an above average expenditure ratio at the beginning, but below average spending increase in subsequent years. Hence, there is neither an unbroken growth trend, nor has the growth of welfare state schemes been checked less successfully than in other OECD countries. A similar result can be found in the first three reports of the European Commission on the development of social protection in Europe, where every program-specific comparison ranks Germany among the 2-4 countries with the most marked deceleration of expenditure growth (for a summary see Alber 1998a).³

One of the conventional wisdoms of comparative welfare state research is that Germany belongs to the countries which put heavy emphasis on social transfers but have less developed social services (Scharpf 1986; Schmidt 1989; Esping-Andersen 1996). This has certainly been true in the past, and up to the 1980s it showed up fairly well in some of the OECD-data. Thus, in 1980 the German social transfer ratio was clearly above average in a comparison of OECD countries, while the ratio of government civil consumption expenditure was below average, and expenditure on social services was only slightly above the mean (graphs 3a and 4a). Towards the end of the era Kohl, however, Germany could no longer be ranked among the countries which might be called transfer-intensive. By 1995, both, the social services expenditure ratio, and the government civil consumption expenditure ratio had moved clearly above the average, while the German social transfer ratio was now surpassed by several countries (graphs 3b and 4b). Although it is true that OECD data must be interpreted with extreme care, we shall see later that this is probably not one of the statistical artefacts that we frequently encounter when working with OECD data, but that the expansion of social services is real and related to such measures as the reforms of the sickness insurance scheme in 1989, the introduction of a long-term care insurance in 1994, and expansionary old age politics in several German states.

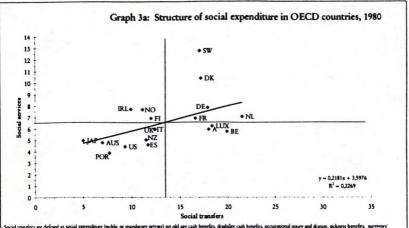
So what is the summary of this look at some quantitative data? Our inspection of aggregate data shows that there is a marked rupture with past growth trends in the development of German social expenditure. This seems to be in some tension with the argument that the German welfare state is incapable of adapting to changing conditions and above all marked by institutional inertia. Despite all veto points and joint decision traps, the German welfare state was obviously capable of slowing down the dynamic of growth to a similar or even higher extent as most other European countries. Only the very

A comparison of graphs 3 and 4 shows how sensitive the calculation of means and other

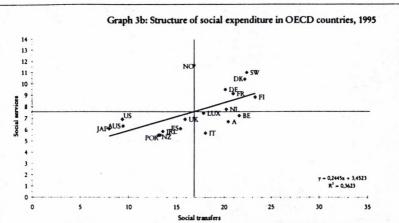
statistics is to the number of countries for which data are available.

³ Only the most recent report deviates from this pattern in the sense that it shows Germany to occupy rank 6 among 15 European countries with respect to the real growth of social expenditure in the period 1993-95 (European Commission 1998: 15).

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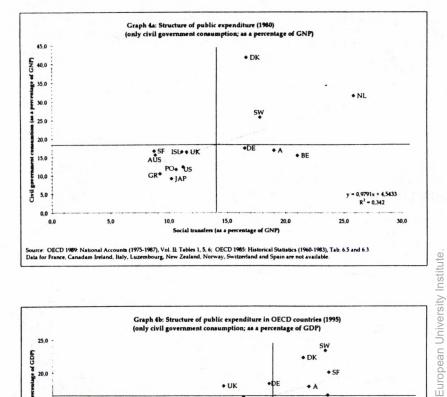


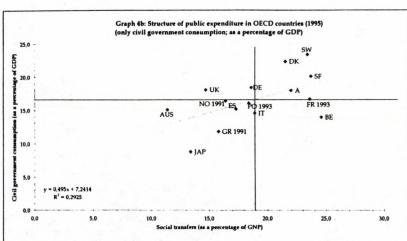
Social transfers are defined as social expenditure (public or mandatory private) on old age cash benefits, disability cash benefits, occupational injury and disease, sickness benefits, nurrivors' benefits, lamily cash benefits, unemployment (include services are market programmels), housing benefits and other consugencies. Social service expenditure include services for the ident disabled genetic, lamilies, and expenditure on health (whithous advances benefits). Data are missing for Canada, Greece, fedand, and 5 witerather, occ OECD Social Expenditure Databash.



Social transfers are defined as social expenditure (public or mandatory private) on old agr cash benefas, disability cash benefas, occupational injury and diseau, sickness benefas, narrivors' benefas, family cash benefas, unemploment (including store is boar market programmen), housing benefas and other consequences. Social service reposture on benefas deservices for the identity, disability property, families, are reposture or benefat (verboar actives treefies). Dut ser markings for Carudis, General, Calved, and Severald, Source (PCE) Social Expenditure Database.

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Source: OECD 1998: National Accounts (1984-1996), Vol. II: Tables 1, 5, 6; OECD 1995: Historical Statistics (1960-1995), Tab. 6.5 and 6.3. No data are available for Belgium, Canada, Island, Ireland, Luxembourg, the Netherlands, New Zealand, Switzerland and the USA. special circumstances of the German unification made for a new increase in social spending that lifted the expenditure ratios once more to the level of the mid-70s. This is mostly - even though not exclusively - due to the exorbitant social outlays in East Germany where the social expenditure ratio amounted to 60% in 1991 and still to 56% in 1994 (Bundesministerium für Arbeit und Sozialordnung 1998a: 13).

Now let us look at some qualitative information on policies and legislative changes.

3. POLICY INTERVENTIONS: QUALITATIVE INFORMATION

a) Policy Patterns: Symmetric Cuts, With Some New Priorities

As we have seen, German diagnoses of the Kohl era vary between a successful conservative transformation and inert immutability. In order to assess more reliably which of these images is more or less realistic, we must move to an inspection of institutional changes and examine which welfare state programmes were more or less susceptible to cutbacks, and how the German pattern compares to that in other countries. I will try to fulfil this dual task by summarizing some of the results of our research at Konstanz.

In a contribution to the most recent world congress of the International Sociological Association, I compared the German developments to those in Austria and the Netherlands in order to assess to what extent these three countries can be said to represent a common type of continental European welfare state arrangements (Alber 1998b). The result was that Germany pursued a middle path in between the basic continuity found in the Austrian welfare state and the more radical changes which were implemented in the Netherlands (see table 2). Even though programme-specific retrenchment proved very difficult to measure, the most conspicuous finding for Germany was that curtailments were very symmetrically distributed among different programmes (see table 3). Thus, despite its extended coverage including white collar workers, the pension insurance scheme proved similarly prone or even more vulnerable to cutbacks than the means-tested social assistance scheme. The latter was not hit hardest, but fared comparatively well despite its selective nature with a targeting on needy people (see table 3).

Table 2: Tentative summary of cutbacks by country and programme

Austria	Germany	Netherla
		Social ass
		Disability
		Unemplo
	Unemploym. benef.	Sickness
	- insurance	Old age p
	Social assistance	
Unemployment ins.		
Sickness insurance		
•		
	Pensions insurance Unemployment ins.	Unemploym. benef insurance - assistance Pension insurance Sickness insurance - in kind - in cash Social assistance Pensions insurance Unemployment ins.

No relevant information on the social assist, scheme

One other result of this research was that there does not seem to be enecontinental path of welfare state development in the retrenchment phase, but that
there are rather marked country-specific patterns with a double discrepancy
between institutional structures and policy developments. Thus, Austria and
Germany have very similar welfare state structures which set them apart from
the Netherlands, but Germany resembled more closely to the Netherlands than
to Austria with respect to the degree of welfare state retrenchment. On the other
hand, despite the greater similarity in structural arrangements such as the
method of financing, Austria and Germany pursued very different employment
trajectories, and the Austrian labour market developments corresponded in many
respects much closer to the Dutch pattern.

Table 3: The Development of Benefit Levels and the Income Situation of Various Social Categories, 1975 - 1996 in Germany

Deflator	price	index for	wol	income	pens./ass		recipient s	61.5	9.49	6.99	68.3	70.7	74.5	79.0	83.4	86.3	88.4	90.2	90.4	90.2	91.1	93.8	96.5	100	104.1	1.801	111.4	113.6	115.0
ages	indexed	real	change					100	100	102	106	108	108	106	104	103	102	102	106	108	110	109	115	114	113	112	109	107	109
Average Net Wages	const.	(1661)	prices		1.			2196	2201	2243	2322	2369	2366	2329	2279	2256	2248	2238	2332	2373	2423	2404	2519	2498	2484	2449	2384	2343	2388
Aver	current	prices						1344	1404	1485	1579	1677	1765	1847	1903	1947	1985	6107	5099	2143	2215	2260	2431	2498	2611	2689	2689	2690	2782
	official	net earn.	repl.	ratio	after 45	years		1.99	70.2	73.2	72.1	71.1	70.3	6.69	71.5	71.3	72.0	71.8	70.2	9.07	70.3	7.07	9.79	68.4	68.2	68.4	70.9	71.9	8.69
		indexed	real	change				100	106	112	110	111	110	101	108	109	107	107	109	112		114	114	116	114	114	115	113	113
ion	LS	real level	(1999)	prices	after	sickn.	contr.	1343	1419	1507	1476	1490	1471	1442	1445	1460	1443	1435	1462	1510		1531	1537	1556	1533	1536	1543	1520	1513
Standard Pension	after 40 contribution years	sickness	insur.	contrib.	rate											1.0	3.0	4.5	5.2	5.9		6.5	6.3	6.1	6.4	6.7	9.9	9.9	8.9
Star	er 40 contr	indexed	real	change				100	106	112	110	111	110	107	108	110	111	112	115	120	122	122	122	123	122	123	123	121	121
	aft	const.	(1661)	prices				1343	1419	1507	1476	1490	1471	1442	1445	1474	1488	1502	1542	1605	1636	1637	1641	1658	1638	1646	1652	1628	1623
		current	prices					826	6.916	1.8001	1008.1	1053.4	1095.6	1139.4	1205.0	1272.3	1315.5	1355.0	1394.3	1447.3	1490.7	1535.5	1583.1	1657.5	1705.2	9.6221	1840.0	1849.2	1866.8
enefit	as % of	average	net	earnings				18.9	19.2	19.3	18.4	17.7	17.6	17.8	17.8	17.6	17.7	18.3	18.5	9.81	18.4	18.5	17.9	18.4	18.8	19.0	19.3	19.5	19.1
Regular B	indexed	real	change	1975=	100			100	101	104	103	102	101	100	86	96	96	66	104	107	108	108	109	1111	114	115	113	112	112
Social Assistance Regular Benefit	const.	(1661)	prices					413	418	429	425	420	416	415	405	396	397	410	430	441	447	447	452	460	472	473	466	462	461
Social	current	prices			9			254	270	287	290	297	310	328	338	342	351	370	389	398	407	419	436	460	491	511	519	525	530
				Year				1975	9261	1977	1978	1979	1980	1861	1982	1983	1984	1985	9861	1987	1988	6861	1990	1661	1992	1993	1994	1995	9661

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Apart from my own work, a series of diploma theses compared the programme-specific patterns of curtailment in Germany to those in Britain, the Netherlands, and Sweden (Berg 1997, Schludi 1997, Schmid 1997, Strehle 1998). The basic result of these paired comparisons was that these countries went further than Germany in the degree of welfare state retrenchment, but that in addition, there were some marked country-specific variations with respect to the patterns of curtailment. Summarizing the various findings, one can say that the German developments in the era Kohl stand out in three respects:

- Symmetry: The cutbacks were distributed fairly evenly among different programs;
- despite the fact that it is a selective scheme which excludes the middle classes the **social assistance** scheme proved remarkably viable;
- child benefits, which deteriorated in other countries such as Sweden or the UK, were sizeably upgraded in Germany.

Thus there seems to be a **new focus on family policies**, which also becomes evident if we look at recent developments within Germany in more detail. In the pension insurance scheme, family work became recognized as an equivalent of paid work, while years of schooling were significantly devalued (from credits for 13 years counted as the equivalent of 200% of average earnings to merely 3 years counted as 75%). This means that there was a clear shift from crediting years of formal schooling to crediting years of child rearing (from 1 year in 1981 to 3 years in 1989, with the computation base for credits raised from 75 to 100% of average earnings in 1997). In addition, the introduction of a new long-term care insurance scheme served to unburden families by shifting the obligation to care for frail elderly people from private households to professional care workers and the state. Finally, the special attention given to families is also reflected in the unemployment compensation scheme, where benefits for childless people were cut much more sizeably than those for parents with dependent children.

The new focus on family policies may be related to three sources. First, it can be interpreted as policy learning, since poverty research had shown that children rather than elderly people were most prone to become victims of poverty, and the declining net reproduction ratio presented a mounting challenge to the pay as you go financing method of the pension scheme. Secondly, within the Christian Union, social catholicism combined with the mobilisation of women who wanted to see the 1986 cutbacks in widows' pensions compensated by entitlements based on a recognition of informal household work. Thirdly, the constitutional court had ruled that minimum subsistence had to remain tax-free, and that the prevailing tax and transfers arrangements were insufficient to ensure an adequate income for families.

The new focus on family policy was accompanied by a new emphasis on social services. This was reflected in three fields: the adoption of a long-term care insurance scheme in 1994, the introduction of a legal entitlement to a place in child care facilities in 1993, and a massive expansion of state-level services for the elderly already prior to the introduction of the long-term care scheme. The long-term care scheme shifted the burden to provide for people needing care from private households to professional suppliers, by introducing an entitlement to benefits which can either be claimed in kind or in cash, both up to a certain limit, depending on the level of needed care. A formal entitlement to a place in a kindergarten was part of a package deal in the context of German unification, when the extension of the West German abortion law was made palatable to East German women by introducing a law that made a certain supply of child care facilities a binding legal norm. The supply of services for the elderly is not the responsibility of the federal government, but left in the competence of regional and local government.

So far, there was very little empirical knowledge concerning the development of such services, but the widely shared speculation was that the supply of services for the elderly had not kept pace with demographic change and that frail elderly people were being marginalized in the transfer-intensive German welfare state. In contrast to such speculations, Martin Schölkopf (1998) showed in his dissertation - which dug deep into the archives of the single German states - that the supply of nursing homes and home care services for the elderly, as well as the numbers of service staff actually mushroomed in the era Kohl, but that this was not related to initiatives of the federal government, but to policies on the level of single states (see *table 4* which shows that the supply of services stagnated up to the early 1980s, but more than doubled subsequently).

Schölkopf's thesis is not only of empirical but also of theoretical interest, because he shows that there is no automatic tendency to marginalize groups with little bargaining power and a low degree of organisation in a democracy, as long as the lack of interest group power is compensated by a growing electoral importance. He showed that the expansionary policies in the German states were largely based on party competition for the growing number of votes of the elderly.

The fact that there were considerable cutbacks which were administered quite symmetrically among the different schemes does not imply that the German welfare state did not encounter any financial problems in recent years. The financing side of social policies has in fact become a major topic of recent policy debates.

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Table 4: Services for the elderly

Home care services

	Staff (full time equiv.)	Per person 75+
1970	17 035	0.66
1981	18 173	0.49
1996	47 600	0.90

Residential homes for the elderly

	Staff	Full-time	Staff per bed	Full-time per bed
1970	44 900	35 348	0.24	0.19
1981	82 822	58 314	0.31	0.22
1996	205 756	125 287	0.49	0.30

Nursing home places per elderly persons

	Age 75+	Age 80+
1969	2.7	6.2
1979	3.2	7.2
1994	7.6	11.8

Source: Schölkopf, Martin, 1998: Altenpflegepolitik in der Bundesrepublik Deutschland: Zwischen Bedarfsdeckung und Marginalisierung. University of Konstanz: Dissertation.

B) Financing Problems and "Predatory Politics"

Deficits in social insurance schemes do not belong to the typical characteristics of the German welfare state. Where they occasionally occurred in recent years, they were exclusively the result of developments in East Germany and a consequence of the massive transfers that were shovelled from the western to the eastern parts of the country. A recent DIW-study (Meinhardt 1997) showed that the West German pension insurance scheme would have been in an uninterrupted surplus throughout the 1990s despite the massive increase in unemployment and in the number of pensioners, if the pension scheme had not been made responsible for paying upgraded benefits to Eastern pensioners and for covering the deficit in the East.

If deficits remained an exception so far, there was a massive increase in contribution rates, however. Between 1982 and 1998 total contributions for all social insurance schemes increased from 34 to 42.1% of earnings (up to a

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ceiling).⁵ The political scientist Frank Nullmeier (1992) argues that the increasing contribution rates are not only a function of growing unemployment or growing numbers of welfare state beneficiaries, but also the consequence of what he calls the "predatory politics of the state" ("Zugriffspolitik"). This means that in schemes with financing from multiple sources, the federal government tends to shift the costs from itself to other contributors who are not involved in the decision making process and thus cannot successfully resist such moves.

Even though the empirical evidence is far from consistent, there are many examples of such predatory politics in which the federal government acts like a robber. One example can be found in the unemployment compensation scheme, where the federal government is responsible for the cost of the meanstested unemployment assistance benefit, and hence tends to curtail entitlements, thus shifting the responsibility for payments to the general assistance scheme which is financed by local government and the single states. Another example can be found in the pension insurance scheme, where the government legislated special redistributive increments for pensioners in the new Eastern territories, but did not finance these from general taxation but made the contributors of the pension insurance scheme bear the cost. As a result of such practices, the state share in financing decreased over time, while the share borne by employees and employers grew from 55% in 1960 to 65% in 1994. This German pattern is particularly conspicuous in a comparative perspective, because the European commission describes the dominant trend in financing as a shift from payroll contributions to taxes (Europäische Kommission 1996: 81).

However, such policies of the federal government are not peculiar to a particular party, and the era Kohl even saw changes that ran counter to these trends. Thus, neither the stabilisation of the federal share in the pension insurance scheme, which was legislated in 1989, nor the considerable upgrading of the government-financed child allowance scheme conform to the logic of predatory politics. Let us now turn to reflect upon some of the insights which this brief review of past policies suggests.

In the latter case, it was the Constitutional Court who constrained the government to unburden families.

⁵ Many scholars argue that such massive increases in payroll taxes create problems in the labour market for two reasons. First, the high cost of labour may impede the competitiveness of German firms in international markets. Seondly, high contributions drive a growing wedge between the gross wage, which the employer has to pay, and the net wage which employees receive. This makes it increasingly burdensome for employers to pay the wages that would be necessary to lift a worker's earnings above the rate of the social assistance scheme. Hence employment in the sector of unproductive unskilled labour declines (as Fritz Scharpf has argued repeatedly).

C) Summary of Findings

Two aspects of social policies in the era Kohl are noteworthy, in my opinion. First, from a comparative perspective, German welfare state developments under the Kohl government are characterized by a fairly average degree of retrenchment, and thus appear as fairly normal adaptations to new conditions. Thus, we find neither a conspicuous failure to enact reforms, nor an outstanding welfare state dismantling in Germany under Kohl.

Second, in addition to curtailments, the era Kohl is also marked by some new priorities. These may not have amounted to a clear-cut welfare state restructuring, but they left a visible impact on social policies, as benefits for vulnerable groups such as women, children, or the elderly in need of care were improved, and social services were expanded, while some of the traditional work-related social transfer payments were curtailed. The fact that women's work in the family sphere was recognized as an equivalent of wage labour in the pension insurance scheme signified a clear departure from the traditional insurance principle with an equivalence between benefits and contributions based on earnings from formal work.

One interesting side aspect of this gradual restructuring away from the traditional patriarchical model where entitlements were strictly based on work was that the German feminists were deeply divided over the issue. While some welcomed the change as a recognition of women's informal work in private households, others criticized it as perpetuating the traditional division of labour by introducing new incentives for women to stay content with family work. These debates suggest that conflicts concerning the sphere of reproduction may increasingly complement the old social policy cleavages which were rooted in the class conflict and hence in inequalities formed in the sphere of production (see Nullmeier/Rüb 1993).

If the essence of social policies was consolidation with a certain shift in priorities rather than dismantling, there is one field, however, in which marginalisation did occur under the Kohl government. This is the field of social rights for foreigners seeking asylum. In this field, a massive influx of foreigners combined with a climate of economic nationalism in the context of globalisation debates, and with the mobilisation of German cultural nationalism in the context of unification and the massive west-east redistribution which it entailed. After the proportion of foreigners receiving the standard rate of the social assistance scheme had increased from 8 % in 1980 to 35 % in 1992, the government found a consensus with the social democratic opposition to change the law (Bundesministerium für Arbeit und Sozialordnung 1998b). In 1993 asylum seekers were ripped off their entitlement to social assistance payments

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and were shifted to a new special scheme whose benefits are limited to minimum subsistence (at about 80% of the old rates under social assistance).

In short, I would summarize the era Kohl as a period of welfare state budgeting in which social transfer payments were typically cut back by some 10-20%, and where three gradual shifts of policy priorities in the following directions occurred:

- from work and education related entitlements to family related entitlements;
- from transfers for core groups to services for vulnerable groups;
- from universal or international minima for all to national minima for citizens, thus excluding asylum seekers.

Whereas the size of curtailments does not differentiate the conservative government from its center-left predecessor, the discernible shift in priorities is much more a christian-democratic trade-mark, as it largely conforms with requests which the social policy experts of the party had already raised in the 1970s, when they were still in opposition (e.g. Geißler 1976 - neue soziale Frage).

Now where does this leave us with respect to the grand diagnoses which were outlined at the beginning?

4. REFLECTION OF FINDINGS IN LIGHT OF THE DIAGNOSES

The idea of a conservative transformation with a welfare state dismantling and a marginalisation of weak groups is not sustained by the facts in my opinion. Neither the pattern of curtailments nor the new priorities are in line with the idea that the conservative government pursued a residualist or selective strategy which amounted to the marginalisation of socially weak groups. The following findings contradict the idea of a deliberate policy of marginalisation:

- The expenditure trends conform more with Flora's (1986) image of a "growth to limits" than with the idea of a radical dismantling under conservative rule;
- curtailments were sizeable but symmetric, with the social assistance scheme faring remarkably well;
- vulnerable groups with weak organizational power such as the frail elderly or women and children were winners of the era Kohl;
- while some spheres were privatized (e.g. co-payments in sickness insurance) other previously private risks became transformed into collective risks (e.g. long-term care insurance).

The fact that the social assistance scheme did not experience a downward spiral despite its exclusion of the middle classes is probably related to three factors. First, the financing structure shields the scheme, as the federal government, which has the legislative power, does not have any fiscal interests at stake. since it does not contribute to the financing. Secondly, there is a double advocacy for the scheme which ensures a certain viability independently of the party control of government. When the social democrats are in power, the unions with their interest in high minimum wages become effective advocates of the social assistance benefits. When the christian union is in power, the churches become effective defenders of the scheme. Their advocacy is not only based on the ideas of social catholicism, but also on the fact that they control a large part of the welfare associations which function as providers of social services that are paid by the assistance scheme. Any retrenchment of public welfare thus imperils the christian welfare association's capacity to continue their services and to keep their staff employed. Thirdly, based on a constitutional clause declaring the Federal Republic to be a "social state", the Constitutional Court sets limits to curtailments in social assistance.

The idea that the social policies of the Kohl era can be understood as a deliberate attempt at re-commodification is certainly in line with some developments, such as the curtailment of unemployment benefits or the new emphasis on workfare with more stringent controls of beneficiaries in the social assistance scheme, the unemployment compensation scheme, and the pension scheme (where access to disability pensions was considerably narrowed following legislation in 1983 and 1997). On the other hand, German unification was followed by an unprecedented surge in active labour market policies with massive retraining and qualification programmes in the East. Moreover, the symmetric pattern of curtailments does not really fit the idea, as benefits for people outside the labour force - such as pensioners - were cut to similar degrees as those for the unemployed or for social assistance recipients. The © viability of the social assistance scheme - despite the fact that it sets an effective minimum limit to wages - is clearly in tension with the thesis. The fact that pension entitlements can now be based on informal work in private households, and that child benefits were sizeably upgraded also contradicts the re-commodification logic.

The next set of diagnoses - system stabilisation and budgeting -fit the developments at least partly. There was a programmatic move to the new principle of "revenue-dependent expenditure policy" ("einnahmenorientierte Ausgabenpolitik"), which left a clear trace in pension policy and in health policy, as several benefits have been capped, thus moving from open-ended benefits in kind to fixed capped amounts. In both fields, however, the contribution rate was allowed to grow further in the presence of a growing

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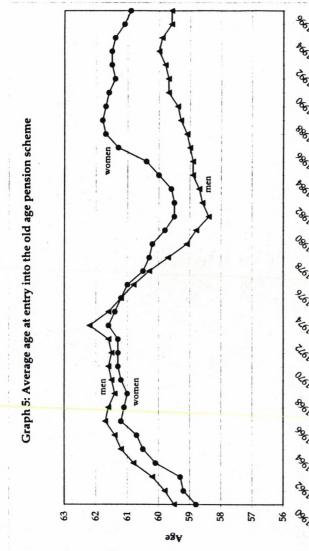
demand for benefits. In addition, the changes in the pension insurance scheme did not exclusively strengthen the actuarial equivalence principle, but also introduced new entitlements independently of contributions, and the long-term care programme introduced a new element of horizontal social redistribution even though its benefits are capped. By and large, however, it is true that there has been a shift in emphasis from need-defined outlays to contribution-defined spending or from need-satisfaction to budgeting.

The idea that the German welfare state preserved its continental patriarchical character and contributed to a segmentation of the labour force with an insider and an outsider segment is partly in line with, but predominantly in contradiction to our findings. In line with this idea, Germany belongs to the countries with growing or at least persistently high unemployment. It is also true that there is a growing segmentation in the sense that unskilled workers find it increasingly difficult to find jobs and that the difference in the unemployment rate of skilled and unskilled workers has been growing dramatically in the Kohl era (see table 5). On the other hand, Germany has not continued to pursue the route of labour reduction through early retirement under the Kohl government. Several laws have made the access to invalidity pensions and other forms of early retirement much more difficult, an effect which becomes clearly visible if we look at the average age of entry into the pension scheme, where the long-term trend towards ever younger ages of entry was reversed in the early 1980s following a modification of the pension law in 1983 (see graph 5). Finally, in contrast to the diagnosis, there has been a remarkable increase in social services in the era Kohl. This does not conform with the idea of a specific labour market route in transfer-intensive continental welfare states which supposedly produce nothing but impediments to service employment.

Table 5: Unemployment ratios by skill

	1975	1985	1995
Unskilled	6.1	14.9	22.0
Total	3.9	8.1	9.3
Ratio unskilled/total	1.56	1.84	2.37

Source: Institut für Arbeitsmarkt- und Berufsforschung der Bundesanstalt für Arbeit (Hg.), 1997: Zahlen-Fibel. Ergebnisse der Arbeitsmarkt- und Berufsforschung in Tabel-len. Nürnberg: Landesarbeitsamt Nordbayern, p. 162-163.



Source: Federal Ministry of Labour and Social Affairs 1994: Übersicht über das Sozialrecht, Bonn: BMAS, p. 215; BTD 13/8300, p. 168. Data refer to West Germany.

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The idea of an **immutability** of the German welfare state, finally, does not conform with our findings. Not only have past growth trends been broken, but from a comparative perspective, Germany appears as a perfectly normal European country whose position is almost always close to the mean or to the regression line in international comparisons. The only way to save the diagnosis would be to state that the German welfare state may change from expansion to contraction, but that both processes occur within constant institutional structures. This, however, would beg the question how we define and measure the constancy of institutional structures. The fact is that Germany has visibly changed some of the traits which are said to be typical of continental welfare states: it has dissociated entitlements from formal work; it has extended social services, and on the basis of OECD data it can no longer be described as a transfer-intensive welfare state; and the trend towards early retirement was effectively checked by legislation of the 1980s and the 1990s. So where do constant, immutable structures manifest themselves if not here?

My own interpretation of the developments under Kohl amounts to an attenuated synthesis of our first two sets of diagnoses. I would contend that more or less in line with the second set of diagnoses - there was budgeting and consolidation (but not "system stabilisation" at the expense of social redistribution) with cutbacks that brought most of the programs back to the benefit levels which had been reached around 1968 - which was prior to the social-liberal coalition, but still in the "golden age" of welfare state expansion. Secondly, I would contend that there was a mild form of conservative transformation, which achieved quite the opposite of what the proponents of the first set of diagnoses maintain. The shift was not in the direction of a marginalisation of the weak and vulnerable, but rather in the opposite direction: While benefits of the traditional work-related core of the German welfare state were reduced, benefits at the fringes were extended in favour of women, children, and elderly people in need of care.

These changes are basically in line with the party platforms of the Christian Democrats in the 1970s, when the "old social question" of industrial society was declared to be successfully solved, and a shift in favour of the "new social question" was advocated which would tackle the problems of groups who lack power resources, but find themselves in precarious life situations. The double development with curtailments of the core transfer schemes, but extensions at previously uncovered fringes, is presumably a function of the complex coalition dynamics inside the government. While the cutbacks reflected the demands of business associations, of the liberal party, and of the employers' wing within the christian union, the extensions to previously underprotected areas were rooted in the demands of the christian workers' wing which rallied around minister Blüm, and which partly coalesced with feminists,

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and with local and regional authorities who pressured for reforms, because they felt overwhelmed by the mushrooming cost of the social assistance scheme. The double social policy legacy of the Kohl era underlines that the German CDU is not a homogenous neo-conservative party, but a christian party with a strong workers' wing that has long-standing roots in social catholicism (and, in its Bavarian branch, CSU, also in populism). This means that business interests have to be accommodated with interests of the churches and of the christian unions, as all of them are channelled into the party and are represented in its various factions.

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